SENATE.

MONDAY, *May 24, 1909.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

The VICE-PRESIDENT resumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

Mr. PERKINS presented petitions of sundry citizens of San Francisco, Oakland, Bay Point, Isleton, Collinsville, Vallejo, Los Angeles, Concord, and Martinez, all in the State of California, praying for the removal of the duty on hides, which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Oakland, Cal., praying that an appropriation be made to enlarge the federal building in that city, which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of sundry farmers' unions, paper mills, sugar factories, grape and fruit growers, and wool growers, all in the State of California, relative to the duty on sulphur in its crude and refined state, etc., which was ordered to lie on the table.

Mr. LA FOLLETTE presented petitions of sundry citizens of Ironton, Algoma, Racine, Milwaukee, Viroqua, Eau Claire, Bangor, Mindoro, Dodgeville, Walworth, Bruce, Rice Lake, De Forrest, Waterford, New London, Baraboo, Elk Mound, Bristol, Strum, Mattoon, Rosendale, Portage, Barron, Chippewa Falls, Watertown, Green Bay, Tomahawk, Sparta, Alma Center, Randolph, Reedsville, Oconto, Adell, Washburn, Ashland, Almena, Gladden, Hillsboro, Richland Center, Marinette, Port Washington, Monroe, Rhinlander, Beaver Dam, Warrens, Plymouth, and Cascade, all in the State of Wisconsin, praying for the removal of the duty on hides, which were ordered to lie on the table.

Mr. HEYBURN presented petitions of sundry citizens of Whitney and Franklin, in the State of Idaho, praying that no change be made in the present duty on all grades of sugar, which were ordered to lie on the table.

Mr. ROOT presented petitions of Orwell Grange, No. 66, Patrons of Husbandry, of Orwell; of sundry citizens of Perch River, Three Mile Bay, Orwell, Denmark, Brooklyn, Oxford, Hastings upon Hudson, Waddington, Cazenovia, Tully, Onondaga, New York City, Newark, Pine Island, Amity, Pond Eddy, Buffalo, Rochester, Sodus Point, Limerick, Clayton, Ardonia, Clintondale, and Ballston Spa, all in the State of New York, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented a memorial of Orwell Grange, No. 66, Patrons of Husbandry, of Orwell, N. Y., remonstrating against any increase being made in the duty on imported gloves, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 52, Cigar Makers' International Union, of Elmira, N. Y., remonstrating against the free importation of cigars from the Philippine Islands, which was ordered to lie on the table.

He also presented a memorial of sundry citizens of Syracuse, N. Y., remonstrating against the imposition of an import duty on teas in bulk, which was ordered to lie on the table.

He also presented a petition of sundry citizens of New York, praying for the passage of the so-called "parcels-post" bill, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Chamber of Commerce of Buffalo, N. Y., praying for the appointment of a permanent tariff commission, which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Schenectady, N. Y., praying for the imposition of a low rate of duty on sugar imported into the United States, which was ordered to lie on the table.

He also presented a petition of the New York State League of Cooperative Savings and Loan Associations, praying for the reduction of the duty on materials entering into the construction of dwelling houses, which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 149, of Saratoga Springs, N. Y., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

Mr. SMOOT presented petitions of sundry bankers of Ogden; of sundry beet growers of Lewiston; of sundry merchants of Ogden; of sundry farmers of Warren, Kanesville, West Weber, Hooper, Richmond, Cove, Slaterville, Marriott, Ogden, Wilson, and Farr West, and of sundry citizens of Wampa, all in the State of Utah; and of sundry farmers of Teton, Rexberg, and Blackfoot, in the State of Idaho, praying for the retention of the present rate of duty on all grades of sugar, which were ordered to lie on the table.

Mr. LODGE presented a petition of sundry citizens of Boston and Cambridge, in the State of Massachusetts, praying for a reduction of the duty on wheat, which was ordered to lie on the table.

Mr. NELSON presented sundry papers to accompany the bill (S. 2322) granting an increase of pension to Carrie Engberg, which were referred to the Committee on Pensions.

Mr. DU PONT presented petitions of sundry citizens of Smyrna, Del., praying for the reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. RAYNER presented a memorial of Typographical Union No. 12, of Baltimore, Md., remonstrating against the imposition of any duty on news print paper and wood pulp.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOLLIVER:

A bill (S. 2460) granting a pension to Harrison H. Vaughn; and

A bill (S. 2461) granting a pension to Benjamin C. Sparks; to the Committee on Pensions.

By Mr. HEYBURN:

A bill (S. 2462) granting an increase of pension to William G. Lewis (with the accompanying papers); and

A bill (S. 2463) granting an increase of pension to David C. Nigh (with the accompanying papers); to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2464) relating to claims before the Court of Claims and the testimony before same; to the Committee on the Judiciary.

By Mr. McENERY:

A bill (S. 2465) for the benefit of the Citizens' Bank of Louisiana;

A bill (S. 2466) for the relief of the Louisiana State Bank; and

A bill (S. 2467) for the benefit of the Citizens' Bank of Louisiana; to the Committee on Claims.

AMENDMENT TO THE TARIFF BILL.

Mr. DICK submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

COMMITTEE ON PUBLIC EXPENDITURES.

Mr. ALDRICH. I offer a resolution, which I ask may be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 50) was read, as follows:

Senate resolution 50.

Resolved, That the Committee on Public Expenditures be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make investigations as to the amount of the annual revenues of the Government and as to the expenditures and business methods of the several departments, divisions, and branches of the Government, and to report to the Senate from time to time the result of such investigations and their recommendations as to the relation between expenditures and revenues and possible improvements in Government methods; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recesses or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, expert, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

Mr. BEVERIDGE. The resolution is in the usual form except in one particular. It says that they may sit "by subcommittee or otherwise." That is not usual.

Mr. ALDRICH. It is usual.

Mr. BEVERIDGE. Not the words "or otherwise." What do you mean by "otherwise?" The full committee?

Mr. ALDRICH. The full committee. It follows exactly the usual language.

Mr. BEVERIDGE. We are all familiar with this kind of a resolution. Let it go to the committee, and it can be looked into.

Mr. ALDRICH. It goes to the committee.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed and the Calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

duties, and encourage the industries of the United States, and for other purposes.

Mr. OWEN. Mr. President, I have in my hands a very remarkable statement relative to the frauds perpetrated on the people of the United States by the so-called "sugar trust." This account points out one of the most evil and insidious consequences of the building up in this country of these gigantic organizations under protection from competition by this so-called "tariff," which has led to poisoning the fountain of information to the people of the United States, and which has led to the evil consequences by which even a fraud of this magnitude, where millions of dollars have been stolen from the people of the United States, is not mentioned by the leading papers of the city of New York, but, on the contrary, full-page advertisements of the American Sugar Refining Company appear in lieu of the truth which ought to be made known to the people of the United States.

I desire to have this statement read by the Secretary.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE CHASE OF THE SUGAR SMUGGLERS—STORY OF THE STUPENDOUS CUSTOMS FRAUDS IN NEW YORK—HOW THE SYSTEM WAS BUILT UP—HOW IT WAS DETECTED—SUGAR SCALES REGULARLY "FIXED"—SCHEME JUST DISCOVERED THE SEVENTH EMPLOYED TO CHEAT THE GOVERNMENT OF ITS REVENUES—TRUST HAS REPAID MORE THAN TWO MILLIONS.

[The Washington Times, Sunday, May 23, 1909.—By Allen D. Albert, jr.]

The United States Government has arraigned the American Sugar Refining Company as a smuggler. The American Sugar Refining Company has confessed its inability to clear itself. Wherefore, yesterday morning, the United States Government accepted from the concern the return of $2,135,486.32 as booty, and seven men stood before the bar of the Nation's court to answer, in the stead of an impersonal corporation, the charge of crime.

In all the varicolored story of trading on the seas there has been no smuggling like this. In all the transformation of business from a matter of barter hand to hand to a matter of an organization that in this instance seemed in power to rival the Government itself there has been no suit at law and no response to punishment like this. In all the cogwheeling of men, whether among that people which in bondage under the Pharaohs was set to making bricks without straw or among them whose sweat bought the luxury of the Louis, there can have been no story more tragic than that of six of these seven.

They were men so insignificant in the roster of the great company they served that they did not even have names upon its books, but responded, as do convicts, to numbers. They are men who have imperiled future liberty, the name given to wife and son, and daughter, for $5 a week. They are men who did not share otherwise in a single dollar of the millions which were going—and, by the judgment of a jury, going unlawfully—into the coffers of their employers. Yet these men are also men, by the judgment of this same jury, who were making of every day for six years an ingenious living, pertinacious, shadowed lie.

TRUE STORY OF THE SMUGGLING CASES.

The signboards of the remarkable story which underlie this smuggling are these:

Just north of the Williamsburg bridge on the Brooklyn shore of the East River is the Havemeyer and Elder refinery of the American Sugar Refining Company. Here smuggling has occurred, according to the evidence and the finding of a jury, from December 1, 1901, to November 20, 1907. There is further evidence that similar frauds at these docks reach back beyond 1896.

The particular device in use when the discoveries were made and the agents of the refining company were arrested last November consisted of a corset steel set into the post of a platform scale. But this was only the latest of seven such devices introduced, detected, forbidden, but not punished, and discarded in turn for some more ingenious contrivance working the same result.

COMPANY FIRST SUED IN TEST CASE.

The company was sued for $134,000 as a test case. It has chosen, without formality of appeal, not only to pay that sum, but to pay also the aggregate of the Government's claims in other cases not even brought to trial—a total of more than $2,000,000. Had the Government sued for the forfeiture of all the sugar, any part of which was underweighed, and was under the law subject to seizure, the total involved in these actions must have exceeded $65,000,000. Not even counsel for the defendant company has suggested any means by which a single cent of the duties withheld could go to the workmen whose false weighing was the means of the fraud.

CASES DATE BACK TO 1904 AND WHITE HOUSE.

The inquiry into the practices at these docks and the suspicion that fraud was practiced there date back to 1904 and the White House in Washington. When this inquiry resulted in the arrests on the docks three years later and the news was carried to the president of the company, H. O. Havemeyer, that great financier was seized with an attack of heart trouble, sank rapidly, and in ten days died. The trial of the civil action for the recovery of the customs dues began February 5 last and ended an even month later in the award of every cent claimed by the Government. Yet, up to this time, only three partial statements of the cases have appeared, most of the newspapers in the city of the trial have published less about it than about single misdemeanors of only the mildest interest, and no single adequate study of the situation has even been attempted.

SMUGGLING OF AN OLDER DAY.

The smuggling of an older day was a brave lawlessness. Light craft with raking masts sailed down the very path of storms to land the master's stores in hidden coves. Hand on pistol stock, knife in belt, roaring songs in the open water and muffled oars offshore, lanterns darkened with broad felt hats, caves heaped high with West Indian rum, the rarest weaves of Cashmere and Cathay, the ivory of Africa, and the gold of Spain—these were the old mounting of the smuggler, the old setting of his little play at life. And he himself was the very fulfillment of individuality. As he was fearless, as he fought hand to hand with Her British Majesty's sailors, as by recklessness or impudence or dare-deviltry he slipped in and out the coast guard, he succeeded. Read of him where you will, in Scott or Stevenson, in Tennyson or Kipling, moralize as you may on his crime, there still will come the thrill of adventure as you visualize great galleon and little sloop, the dingy courtroom and moonlighted water.

OLD PIRATE SETTING NOT IN THIS.

But the warm color is gone out of the later picture. Here is no brave lawlessness, no fulfillment of individuality. Here is no singing and laughter. Here is no life in the open air, with the lungs filling deep and the heart pounding before a fight. See what is here.

The Havemeyer and Elder refineries overtop all Williamsburg. Only the new bridge towers above these ugly piles of blackened brick. In the upper floors, floors that look down on the masts of American ships of the line in the navy docks to the south, are processes so valuable and so secret they have not even been patented. Murky smoke hangs about the black windows. Out in the river shuttles the ceaseless line of tugs, ferries, freighters, tramps, and passenger craft. Every integer in the picture tells of its presence with noise. The boats toot incessantly. The refinery whirs. Down on the docks, dirty and gray as the view higher in the air, sounds the rattle of ratchet and chain, the puff puff of the donkey engine, the roll and quick jangle of the trucks as they drop on the iron platform of the scales, the grunted patois of workmen of a score of racial types, none of them American.

SHIPS FROM ALL THE NATIONS.

In the slips are ships from every country where sugar grows. They are not schooners. They are steel freighters with foreign and geographical names like *Strathyre* and *Chehuahua*, painted white and with utility stamped everywhere. Some come from Chile, some from Egypt, some from the Philippines, some from Peru, some from Java.

"This is the largest institution of its sort in the world," says counsel for the company. "The amount of sugar that is melted at that refinery in one year ranges from 1,080,000,000 pounds to 1,200,000,000 pounds." It must draw on all the world for its supplies, and it does.

The docks are several blocks long. They are not so long, however, that they are not kept piled high with fat bags of sugar. "Puff puff," goes the donkey engine on the ship. "Dump," fall the bags of sugar from the rope loop. "Rattle," go the trucks along the planks. "Clink clink," go the scales. Round and round the circle of Poles and Slovaks, trucks, and sugar winds and winds.

All day long it keeps up. All day long the men sweat and swear. All day long the scales are weighing 100 truck loads an hour. All day long the sugar is being dumped in piles, with here and there the brown coarse stuff oozing out of a hole and being immediately swept, with the dirt of the floor, into security from the slightest possible waste. And all day long over the whole landscape, upstairs and down, astream and ashore, hangs a smell like cooking molasses. Eyes, ears, and nose are all challenged and all perforce confess the domination of the view by this empire of business.

SCALES TO SHOW WHAT GOVERNMENT GETS.

Seventeen slips make up the docks. They stand away from the main buildings like teeth to a comb. At the base of each slip is a weighing house. There is seemingly nothing extraordinary about it. Anyone who has ever seen a ton of coal weighed will know how the scales look and will understand the process from platform to weigher's pad. But these balances have a particular use. Each one of the 17 has been provided by the American Sugar Refining Company, that the Government may know the amount of sugar imported at these docks, and so withdraw from funds deposited by the company with the collector of the port the amount of import duty to be charged. That is the only use of these scales. But near by are others of a very different type. They are old-fashioned open-air steelyards and they are in the hands of men employed by the sugar growers to determine the quantity of that product when it has reached the refinery. These steelyards are operated by contractors who are paid by the grower of the sugar and—though they have no official status whatever—are called "city weighers."

The case of the 17 holes is the case of these 17 little scale houses. In each scale house is a little hole. And it is the use to which that hole was put which withheld from the collector of the port the $200,000 now repaid.

HOW THE FRAUDS WERE BROUGHT ABOUT.

At one end of the seat in the scale house, the end nearer the door, sits the government weigher. His business is to determine how much sugar is in each truck load. He has exclusive control over the scale. But with him, at the end farther from the door, was allowed to sit a checker for the company. His business was to note the weight of each load, enter it on a pad, and then compare the totals of his page with the totals of the government page. That was at least supposedly his business.

The American Sugar Refining Company maintained 13 such checkers on the docks. Seven of them were subject to irregular assignment. But for ten years the other 6 have never lacked for work. If only 6 scales were to be used, these 6 checkers were assigned. If 6 scales were to be used the day through and others only part of the day, these 6 were set at the former benches. Their names are Kehoe, Voelker, Boyle, Coyle, Halligan, and Hennessy. Say them aloud to yourself, putting an "and" between Boyle and Coyle and pause a little after you say Halligan. You will never forget them, then, any more than the jury could forget them when the assistant district attorney had rolled them off, like a college yell, the first two or three times. The assertive personality of the 6 is that of Coyle. And Coyle, the other 5 of the "big six," and the irregular 7 were all under the direct charge of Oliver Spitzer, dock superintendent, and, in the term of the workmen, "the company on the dock."

TREASURY AGENT AND HIS SUSPICIONS.

As the result of three years of pugnacious hard work there stood on the dock of this refinery the morning of November 20, 1907, with what he believed to be a chance to "get the gang," one Richard Parr, special agent of the Treasury. He had come there by agreement with a former employee of the company, Richard Whalley. The latter had reported to Parr that whenever a draft of sugar was put upon the scales the company checker in the scale house dropped his left hand at his side in a peculiar way. The understanding between Whalley and the Treasury agent was that if the practice was observed next day a signal should be given.

Parr came with another agent, James O. Brzezinski. Almost immediately they received the signal from Whalley. Parr went roundabout and quickly to another scale house. He pushed open the door. Just after he entered another draft of sugar was weighed—which is a fact of great interest in view of what followed. In the meantime the two

truck loads just taken from the platform were called back and reweighed. Here is the result:

The draft which Parr had seen weighed tipped the scale at the figure in the weigher's record.

But of the two other drafts, one now tipped the beam at 14 pounds more than the records of three minutes before and the other indicated a corresponding increase of 18 pounds.

PARR DISCOVERS THE STRIP OF STEEL.

The company checker, Kehoe, was meanwhile crouching down in the dark corner of the scale house. His left arm was held in the corner. His face changed color, not once, but many times.

"What are you monkey-doodling with down there?" demanded Parr.

"Nuthin'." answered Kehoe.

But Parr ordered Kehoe out of the way, ran his own hand beside the stanchion in the corner of the scale house and his fingers fell on a thin strip of steel, wound with string to protect the fingers, protruding from the scale post.

Things happened quickly in the ensuing five minutes. Kehoe "ducked," stopped only when told he was under arrest, and then denied all knowledge of the spring which Parr held in his hand. Two of the company's checkers in other scale houses were immediately relieved. One vacated his post without waiting for a substitute. And that is the record of all the checkers at work that morning. When the three other scale houses were inspected, as soon as could be done without losing Kehoe, no springs were found. But holes were found, and there were abundant signs that these holes had held springs a good many months.

Spitzer was the man of authority on the dock. He had hired these men. He kept their records. He wanted to know what was going on. "What did he do?" was asked of Parr in the course of the civil action. The agent's answer was:

"Took me by the arm and walked with me a few paces and said, 'We will have to fix this thing up, and not expose this thing and get a lot of people into trouble.' I said that if there was any trouble it was their own fault, and he said that was all right, that we would have to fix it up; that there was a lot of Masons around here, and they would all be in trouble if the thing was exposed, and he talked along that line for some time.

TRIES TO BRIBE THE TREASURY AGENT.

"And he said that if I would report the scales out of order that I could name my own price; that he would hand me the money and no one would know anything about it, and no one would ever know how I got the money; that he would cut his right arm off before he would tell about it. I told him there was no chance. He said he had fixed up many a one before. I said I understood he was a good 'fixer,' but he could not do anything with me. He said: 'Send Brzezinski over to me,' and I said: 'Brzezinski won't leave the scale house.' I would not have him leave the scale house, and I walked away from him.

"At that time Mr. Hyatt (a government weigher) was just about approaching the scale house. Mr. Spitzer said that that was Mr. Hyatt, the government weigher, and I asked him if that was the scale expert, and he said no, he was a government weigher in charge of the district. 'And I said (to Hyatt): 'I have something to show you,' and Spitzer hurriedly came in and rushed right in between us and got in conversation with Brzezinski and shortly after—after he talked for an instant or so—I overheard him say: 'We are all Masons, and this thing has got to be fixed up,' and Brzezinski turned to me and says: 'Dick, this man says you are all right.' And I says: 'Nothing is all right with me; everything goes as it lies.' Mr. Spitzer left the scale house and I escorted Mr. Hyatt over to the far end of the scale and Brzezinski asked him—made some questions."

GOVERNMENT COUNSEL INTERRUPTS.

Counsel for the Government here interrupted with:

"What was it Mr. Spitzer said to you at that time?"

The answer was direct—

"He said: 'You're a damn fool you didn't take the money.' He said: 'My offer goes yet, if you lose the iron.'"

"Sure he used that expression, 'if you lose the iron?'"

"Yes—positive."

As far as is known, Spitzer had not seen the spring in Parr's pocket. Indeed, he himself testified that he did not see it until several months later. At any rate he was expeditiously tried for attempted bribery. A Brooklyn jury acquitted him chiefly because Brzezinski changed front on the stand. Parr held his ground, however, and in the course of the civil action against the sugar company flatly charged his former associate in the service with perjury. Brzezinski has in the meantime been dismissed from the employ of the Government.

Why was this "iron" so important to Spitzer? Let's go back to the scalehouse and find out. With Deputy Surveyor of the Port James P. Vail in Kehoe's place I stepped on the platform. My weight was read as 162 pounds. Then Mr. Vail called:

"Now watch!"

SHOWS HOW THE SPRING WORKED.

The beam oscillated vigorously, the weight was changed to balance it, and then the reading came:

"You're falling off. You only weigh 154 pounds."

The corset spring had been put to work. A pressure of one ounce from that little strip of steel on the inside had offset 48 ounces of weight on the outside.

On scales of this pattern the actual weight on the platform is balanced by the much lesser weight on the bar because of two intermediate walking beams or transmission bars. One of these is above the poise bar, the other below. This spring was inserted so as to engage the lower transmission bar and, while allowing it to swing a little, yet pressed down upon it. The effect was a reduction of each truck load on the entry of the government weigher by from 10 to 44 pounds.

There were 17 of the scales and there was a hole in each of them. Above the hole in most instances a cleat had been nailed for the apparent purpose of guiding the operator's hand as he reached down in the dark. In one case the hole had been reenforced with tacks after it had worn large. In another it had been plugged and bored new and then painted; and the remarkable thing about this post, which was introduced in evidence, was that even this coat of paint had had time to grow old and wrinkled.

CASE WOULD BE HARD FOUGHT.

On this showing the Government might have obtained the duty on the sugar that was meanwhile smuggled in; but the case would have been hard fought. The Six and Spitzer were immediately segregated. Kehoe, who is believed to be a devout Catholic, is said not to have been to church since the detection of the spring, in November, 1907.

So the attorneys set out to compare the government weighings with those at the steelyard scales. District Attorney Henry L. Stimson had taken into association with him Assistants W. T. Denison, H. R. Buckner, Robert Stephenson, and H. S. Demming. They were opposed by the firm of Parsons, Closson & McInvaine, John B. Stanchfield, H. F. Cochrane, and James B. Sheffield. If the latter group was to be overcome at all, it must be by virtue of a strong case strongly fought.

A score or more of accountants worked steadily for six months to complete this tabulation of the weights upon which the sugar company paid duty, with the rates upon which it paid the producers. At first the work had to wait upon information laboriously collected from the shippers. Then the Government was moved to issue a subpœna upon the company for its records.

But the company chose to do voluntarily what it could have been compelled to do, and so gave to the district attorney certain books which revealed this very comparison. They are called "pink books." They consist of two small diary-like volumes pasted together, and one of the smaller records is that of the checker in the scale house, while the other is that of the corresponding checker at the city weigher's balance. *In other words, for the entire period covered by the Government's claim the American Sugar Refinery had in its possession records which established every ounce of difference in these two weights.*

BOOKS SHOW HOW MUCH WAS LOST.

The parallel was never more deadly. It is before me as I write. *The column of instances where the duty weight equals or exceeds the purchase weight is practically empty. The column of instances where the weight upon which the company was to pay duty was less than the weight upon which the company was to base its purchase was practically full. The total of the discrepancies against the Government in the period covered by the suit was 6,272 tons. And these differences fell to normal the very day of Parr's discovery.*

Occasional exceptions to the general rule puzzled the government attorneys considerably. Thus, out of 59 cargoes unloaded in 1902, there were 2 which weighed slightly more on the government scales than on the steelyards; in 1903 there were 2 out of 49; in 1904 there were 2 out of 66; in 1905 there were no exceptions out of 57; in 1906 there was 1 out of 66; and to the date of the discovery in 1907 there were 15 exceptions out of 62 cargoes.

Well, Surveyor Clarkson and Deputy Vail were on the docks on the days of the 2 exceptions of 1902. One of the exceptions in 1903 is due to the fact that the sugar came in hogsheads which had to be scored with their weight, and it would obviously never do to let them go to the city weighers marked under their true volume. The 15 exceptions in 1907 were doubtless due to the more frequent visits of agents of the collector. And so on.

TRIAL FOUGHT LONG AND BITTERLY.

The trial was bitterly fought. But the jury was out only an hour and ten minutes. Perhaps the explanation lay as much in facts which were incidental to the main issue as to the story of the 17 holes, and the parallel columns of figures.

One such incidental was the testimony of *Mr. Havemeyer's confidential clerk, O. H. O. Schmelter.* In the charge of the court his contribution to the case was abridged in this form:

"In addition to that, Mr. Schmelter states that *Mr. Havemeyer on one occasion asked him to make out a list showing the differences in the two weighers' weights, and that he did so,* but that Mr. Havemeyer never asked him afterwards to see them. He states that at the end of each year, I think, or at the end when he made out his first lot of these lists, he spoke to *Mr. Heike (secretary of the company)* about it; showed them to him; told him what they were; and *Mr. Heike said he had better go on and keep making them out, and that he did so thereafter, and year by year, after making out these reports, took them over and showed them to Mr. Heike,* and *Mr. Heike made a brief examination of them.*"

Another incidental was the extra pay of the "Big Six." Coyle could get work anywhere there might be need for a hustler, but the others probably earned as much here as they could hope to get in New York. Nevertheless, these six were picked by the cashier, and paid beyond their fellows. Thus the indorsement on Voelker's envelope would be *"17½—$13.50," though it would be found to contain, and Voelker had long been accustomed to expect, $18 instead of the sum marked.*

HOW MEMBERS OF SIX WERE PAID.

Again, a witness of long and reputable experience in the customs service testified that when he came on the docks as head government weigher, Dock Superintendent Spitzer invited him to go every month to the cashier and get an envelope. *A former employee at the company's office swore that he had seen custom-house officials come to the sugar company's cashier and receive money "very many times,"* and the *cashier named was not called to deny the charge.* Most of this was, of course, contradicted by representatives of the company.

Further, in this connection, it was testified that too much activity on the part of the customs men had not been theretofore desired in the collector's office. A former weigher, who swore that he had noted a strange wobbling of the scale beam, was asked why he had not reported it. *"I did not want to commit suicide, did I?"* was his answer.

Another *significant incidental was the showing as to "invoice-weight" cargoes.* These are simply cargoes of which the weight set forth in the invoice is taken as the basis for the company's payment to the shipper, instead of weights taken anew from the city weighers in New York. In the case of invoice-weight cargoes, therefore, there could be no idea that the city weighers were in collusion to discredit the sugar company. Yet the parallel column made for the dock weighings might almost be transferred and applied to the invoice weights. *The result is an enormous excess over the government weight* up to the significant date of November 20, 1907.

UNIQUE DEFENSE BY COMPANY LAWYERS.

But the most impressive incidental to one who studies the record of the case is the defense put forth by such lawyers as Messrs. Parsons and Stanchfield. Here it is:

That the whole thing—a total equivalent to a dividend between 3 and 4 per cent on the capital stock of the company—is a tempest in a teapot. That the corset-steel and 17-holes story is a "plant" made up by Whalley and perhaps Parr to constitute a case. That the discrepancies are legitimate and due to more carelessness on the part of the government weighers than on the part of the city weighers; to the fact that the city weighers were paid by the hundred pounds weighed and the government weighers by the day; to the influence of the wind and tide and general confusion about the docks.

An abundant answer to all this is that the discrepancies due to the carelessness of everybody, to the different methods of pay, to wind and tide and general confusion have all disappeared since November 20, 1907. Finally, the attorneys fell back substantially on the declaration *that the officials of the company had nothing to do with the specified conduct of Spitzer and the "Big Six," and would make it mighty hot for anybody who said they had.*

But the wind theory deserves some special attention. The slips, said the attorneys, are so many funnels for the wind. It sweeps in from the river, blows itself underneath the docks, and then buoys up the scale platforms. The wind has reformed since November 20, 1907.

CERTAIN FACTS TO UNDERSTAND SUITS.

Certain facts outside the record must be stated for any full understanding of even the civil suit.

Water was thrown on the platform at one time when the tare weights were being calculated. This would dry before the sugar came along and distort the calculations of the Government by the weight of the water for every draft.

Another plan was to have the checker put his foot on the beam shown in the illustration and press down. This had precisely the effect of the corset steel.

Deputy Vail undertook, in 1902, to standardize the tare allowances for trucks on this dock. He fixed upon a pattern truck. It and its like were inspected and accepted only after proving to weigh uniformly 200 pounds each. Then the trucks were identified by being painted red. *Within a few days afterwards the red trucks were weighed again. They were found to have shrunk from 6 to 14 pounds each.* Since that day the Government has builded the trucks under its own supervision and stamped them with its seal.

Another happening had to do with the balance ball on the scales. The checker was the only person, save the weigher, near enough to that ball to touch it. *Yet the weigher found himself required to balance his scales anew every little while.* This was called "rolling the ball," and it gave the six—Kehoe, Voelker, Boyle and Coyle, Halligan and Hennessy—the name *"The Roly-Poly Six."*

KEHOE CAUGHT ONE TIME BEFORE.

Evidence was introduced that *in 1897 Kehoe was caught hanging a weight inside the scale house* for the purpose of bearing down the scale after the weigher had balanced it in the morning. The witness was a weigher named Conlon, and Kehoe admitted on the stand that Conlon had found such a weight, though he denied all personal knowledge of it.

The sixth method was simply to take the sweepings right under the Government's nose and *not weigh them at all.*

Each of these practices was discovered and corrected by the surveyor of the port, Gen. James S. Clarkson, or his deputy, Mr. Vail. The trucks were stamped with "U. S." *The balance ball was locked* in place. *Water on the platform* was occasion enough *not to weigh* upon it. *The transmission bar was encased* so that the checker's foot could not reach it. *Sweepings were watched. And now that the corset stay has been found through the Treasury Department, checkers are excluded altogether from the scale houses.*

Is it true that this apparent indulgence of the American Sugar Refining Company through seven practices questionable, to say the least of them, year after year, indicates compliance by United States authorities? It may. But on a diligent examination of the office of collector of the port, I am rather surprised that there has not been more compliance than that there should have been any. *The civil service has been "horn-smuggled." Influence was as potent inside the old customs house as outside.* Until this year the very office of collector has been the bait for every political worker who could flip himself hard enough to lunge at it.

TWO OFFICIALS, GOOD AND HONEST.

But there is no evidence that either the deputy or the surveyor was anything other than a good subordinate and an honest man. The service gets its policy from the collector and from the Secretary of the Treasury. If the sugar trust was not to be pressed too hard, it was not to be pressed too hard—that was all there was to it. So device after device was adopted to prevent what the attorneys for the company call "discrepancies," and nothing else much was done. The port of New York is a big port. The surveyor must be the outdoor executive in the collection of $220,000,000 a year. He can be kept busy with his subordinates without sitting around on a dock to watch every "Roly Poly Six" that somebody suspects. It is a pleasure to certify that General Clarkson and Mr. Vail are now giving loyal and resourceful support to a collector who means business.

But it is noteworthy that the latest light-fingering on the docks of the Williamsburg refinery was not discovered through the New York custom-house. On the contrary, the hunt was conceived in Washington and directed throughout from the White House. There is still an intimate knowledge of the case in the office of the President, and the force which refuses to be "buffaloed" still finds its source in the Executive.

PARR, BEGINNER OF THE CAMPAIGN.

Richard Parr was the beginner of the campaign. A chain of circumstances, largely personal, brought him, as an old acquaintance, to William Loeb jr., in the latter's office as secretary to the President, in the spring of 1904. The upshot of their talk was this:

That Parr had been a sampler on the docks of the sugar company; that he had entered the customs service through civil-service examination; that he felt he could not rise so rapidly there as in the capacity of a special agent of the Treasury; that, if he could be appointed special agent, he believed he could "get the dots" on a species of fraud being practiced on the sugar docks that meant millions to the Government.

Acting for the President, Mr. Loeb had Parr appointed as special agent. Mr. Roosevelt knew practically nothing about the customs branch of the Government, and he felt that his secretary, who had been a clerk in the New York custom-house way back in 1891, could better be trusted as to policies and methods for that service than he; but he followed the development of the situation with the keenest interest, noted that Parr had made a distinct success of his first assignment—the detection of certain smuggling across the Maine border—and was impatient that the Treasury Department found so much work for him to do elsewhere than on the sugar docks.

LOEB AND PARR WORK SIDE BY SIDE.

Mr. Loeb and Parr, in a certain sense, worked together. The Secretary to the President had brought down from New York rather clear ideas how the operation of the New York custom-house could be improved. With the idea that General Clarkson could help, he had been active in having that gentleman made surveyor, back in the days when Mr. Loeb was assistant secretary. Now Parr was probing frauds wherever he could find them, the weaknesses of the service were spreading themselves out for both men to see, and both of them were turning back as often as exceptionally busy programmes would permit, to Parr's plans to turn the light on the sugar docks.

At this stage Richard Whalley came across the horizon. In resentment because, according to him, the American Sugar Refinery would not pay him extra as a "roly poly" and for hanging a weight on the scale arm and for "histing" his foot on the transmission bar, he set out for Washington to inform the authorities. Assistant Secretary Beekman Winthrop joined hands with Mr. Loeb in the cause by appointing Whalley a special agent. The newcomer then set off, in November, 1907, to obtain employment on the docks as a representative of the shipowner whose cargo was being unloaded.

His task was to stand before one of the scale houses and count the bags as they came across the dock. In this position he claims to have noticed that the company's checker, Hennessy, would drop his left hand every time a draft was weighed. This led him to think that kicking the beam, rolling the ball, throwing water on the scales, hanging weights on the upright, substituting light trucks for heavy trucks, and slipping sweepings past unweighed had been superseded. So he arranged the signal which Parr and Brzezinski were to receive that eventful morning of November 20.

THE AGENTS WERE MARKED MEN.

After that Parr and Brzezinski were marked men. The former was attacked with every kind of ammunition. His life was threatened, his home was invaded, a putative record of earlier misconduct was produced, and his position in the Treasury service was endangered. Brzezinski has since been dismissed. It is unquestionable that immediately after the capture of "that iron" from Kehoe, the usefulness of Brzezinski abruptly ceased.

Meanwhile the whole New York customs department had taken on life with the coming of Mr. Loeb. "When did the reorganization of this bureau begin?" I asked one of the officials. "Just the day the new collector came," was the reply. It is true. From that day to this there has been more fire under the customs furnace in our greatest port than ever before. Mr. Vail found the cheese and fig smugglers. General Clarkson and Mr. Vail cooperated with Mr. Loeb's very capable deputy, Mr. Stuart, to rid the rolls of their ornaments.

When I was in New York the lasso was being thrown at still another class of offenders. Even New York—after Parkhurst, Seth Low, Lexow, and McClellan—is losing its breath. As one of the city officials put it: "My Lord, I did not know there was such an office as collector of the port before."

DISCOURAGED BY THE NEWSPAPERS.

A newspaper man finds it hard to write down that the greatest discouragement in all this fight came from his own profession. Yet that is the fact. A prime object of the prosecutions now pending has been that this kind of crime be made as contemptible as any other. A prime object in the civil action against the American Sugar Refining Company was that so rich and powerful a corporation might be made to answer before the bar of American public opinion. But both these objects have up to this time been strangely defeated.

Without attempting to explain the situation among New York newspapers, the reporter for this paper sets forth these facts:

That less was printed on the discovery of these dock frauds and the return of the verdict than on second-rate suits in city courts; that there were printed in several of the papers full-page advertisements reading simply, "The American Sugar Refining Company, Offices, Wall street, New York;" that only the New York Evening Post published such accounts of such a trial as it might have been expected to publish, and very brief accounts were expected of the Post; that only that newspaper and the Sun have undertaken since to set forth in review the facts theretofore omitted.

GREAT FIGHT ONLY BEGINNING.

The fight will go on with the newspapers of New York or without them. The "Roly-Poly Six" and Spitzer have already answered at the bar to criminal indictment. They will be tried as speedily as the suit against their employer for sequestered duties. There is no fear of the sugar trust in the office of the district attorney, in the office of the collector of the port, in the office of the President of the United States. Every official whose connection with these dock frauds can be traced will be haled into court, that the jury may determine how high up the crime reached. Honest newspapers, officials, jurymen, will alike find bulldog spirit for this case in this definition of the civil suit by Attorney Stanchfield, speaking for the company:

"The charge is that, over a period of years, the American Sugar Refining Company of New York has been systematically, in season and out of season, from 1901 down until the close of 1907, engaged in stealing from the United States."

The finding of the jury as to that charge was "Guilty." The work now ahead is to find out who it was that was guilty. There will be no smell like that of cooking molasses in the courts of the United States.

Mr. OWEN. Mr. President, this is a very remarkable record of the persistent fraud perpetrated upon the revenues of the United States by one of the greatest beneficiaries of the tariff. I congratulate the administration of the United States upon having detected and exposed this fraud. Human beings are much alike in the world, and frauds must occur under any administration whatever. I do not care to comment upon this particular fraud, although one of great magnitude, in any other aspect than to point out the fact that the so-called "sugar trust" is shown to be receiving benefits of between fifty and eighty million dollars a year from the people of the United States. Every child who eats a piece of candy pays a tax upon it to this organization. Eighty million dollars means a dollar per capita, because the consumption of sugar, where people are able to supply themselves with food, is distributed very uniformly among prince and peasant; among the very rich and the very poor. When this organization is permitted by our laws to tax the poor, and the extremely poor, at the rate of a dollar per capita for their private purse, which is already bursting with wealth, I think it is time for the Senate of the United States to observe this sugar schedule and to cut out from this schedule

that part of it which peculiarly serves this organization and does not serve the people of the United States; which does not even serve those who produce raw sugar in Louisiana, in Colorado, or in other States.

I want to ask why it is that the words "Not above No. 16 Dutch standard in color" are not stricken out of this bill? They ought to be stricken out. I ask that the Finance Committee shall consider and report to the Senate why those words shall not be stricken out of the schedule, and I make the motion that the Finance Committee report to the Senate why these words shall not be stricken out of paragraph 213, Schedule E.

Mr. TILLMAN. Will the Senator please repeat the words he desires stricken out?

Mr. OWEN. I desire to have stricken out the words, "Not above No. 16 Dutch standard in color," where they appear in Schedule E, paragraph 213, page 72.

The VICE-PRESIDENT. There is a pending amendment, which has not yet been disposed of.

Mr. ALDRICH. Regular order, Mr. President.

The VICE-PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is an amendment offered by Mr. McCUMBER to strike out paragraphs Nos. 197, 199, 200, 201, 203, 204, and 205, in Schedule D; also strike out all of paragraph No. 708, free list, after the word "planking," line 25, page 220, and insert in lieu thereof the following:

And all kinds of lumber, timber, laths, shingles, pickets, palings, staves of wood, clapboards, paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods, and all other lumber not specifically provided for.

The VICE-PRESIDENT. That amendment must be disposed of before any other amendment than an amendment to it can be considered.

Mr. OWEN. I was not aware, Mr. President, of the pendency of this particular amendment. At its conclusion, I shall offer this proposed resolution.

Mr. ALDRICH. I would state to the Senator from Oklahoma that the sugar schedule has not yet been reached. It probably will be reached this afternoon, or, I hope so anyway. Then the Senator's amendment will be in order.

Mr. OWEN. I offer no amendment. I offer a resolution of instruction to the chairman of the Committee on Finance.

Mr. BEVERIDGE. Hardly to the chairman, but to the committee.

Mr. OWEN. To the committee or to the chairman, who is the committee.

Mr. BEVERIDGE. That is true. Mr. President, has morning business closed?

The VICE-PRESIDENT. Morning business is closed.

Mr. BEVERIDGE. Out of order, then, I ask permission to introduce an amendment, which I send to the desk, and which I desire may lie on the table for the present.

The VICE-PRESIDENT. Without objection, the amendment will be received out of order, printed, and lie on the table.

Mr. BEVERIDGE. This, Mr. President, is an amendment placing licorice extracts, paste, rolls, and so forth, on the free list, where the House placed them. As everybody knows, I suppose, licorice is very largely used in the manufacture of tobacco; in fact, is absolutely indispensable; and yet the monopoly of licorice of that kind is now, I believe, entirely in the hands of the American Tobacco Company.

Mr. KEAN. I beg the Senator's pardon. There are independent factories in the State of New Jersey.

Mr. BEVERIDGE. We will discuss that question a little later on. The independent companies who manufacture tobacco are compelled, for the most part, to buy their licorice of the American Tobacco Company or to pay an exorbitant price for that which is imported. The House put this on the free list, but the Senate committee struck out the provision. To restore it to the free list is the object of my amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from North Dakota [Mr. McCUMBER], which has been stated.

Mr. ROOT. Mr. President, before the Senate disposes of the paragraph providing for a differential upon dressed lumber, I wish to ask that consideration be given to a great number of establishments and employees who are engaged in the planing and dressing of lumber along the American side of the water boundary between the United States and Canada. Early in the history of the building of the dwellings for our people all along the pathway of emigration to the West, there grew up along the southern borders of the Lakes a chain of lumber yards and lumber-dressing establishments to supply the wants of the moving and growing communities. When the lumbering camps were established in the forests of Michigan and Wisconsin, instead of establishing planing mills at the camps, the cheap Lake freights made it practicable to transport the rough lumber to points on the south of the Lakes nearer the points of distribution and to dress the lumber at those points. Accordingly, these establishments grew up, and as the lumber of Michigan and Wisconsin decreased the same establishments began to include Canadian lumber in their work; so that now they are engaged in the dressing of rough lumber, which is brought from our western forests and from Canadian forests, and the millions of feet of lumber which you see upon the "comparative statement" as imported into the United States during the past few years go chiefly to these lumber-dressing establishments, which are taking the rough lumber from the forests of Canada and manufacturing it into material fit and ready for use in building and in the various constructions where lumber is used. There are such establishments at Ogdensburg, on the St. Lawrence; at Tonawanda and Buffalo, near the outlet of Lake Erie; at Erie, at Cleveland, at Toledo, at Detroit, at Chicago, at Saginaw, at Bay City, and at many other points along the southern edge of the boundary waters. Many millions of dollars are invested and many thousands of men are employed in these planing and dressing mills. In Tonawanda and Buffalo alone there are over 10,000 men employed. Directly dependent upon them, it is fair to estimate, are fifty to sixty thousand people. Over $20,000 a day in wages are paid to them; that is to say, in the neighborhood of $7,000,000 a year.

At the other points which I have mentioned the number of men employed and the amount of the wages paid will probably come, upon a fair average, very near to the figures which I have given for Buffalo and Tonawanda.

This interest is plainly worthy of the careful attention of the Senate in applying the rule of protection to the construction of this tariff act. I do not ask, Mr. President, that there shall be any deviation from the rule upon which we are framing this act in behalf of the lumber-dressing interests of northern New York, but I do ask that for the protection of their manufacturing industry they have the benefit of the same rule which is applied to other industries in this bill.

I ask the Senate to consider the conditions under which this industry is conducted for the purpose of applying the rule, and the first consideration to which I call attention is the fact that, while the duties recommended in the Finance Committee report upon the products of these planing mills—that is to say, dressed lumber—amount to a little less than 12½ per cent ad valorem on an average, Canada, stretching along the northern border of the same water boundary, imposes a duty on dressed lumber of 25 per cent ad valorem; so that under the committee report, if that be adopted by Congress, it will be giving to this great industry less than one-half the protection that Canada gives to the same industry on the other side of the lakes and boundary rivers. Twelve and a half per cent upon dressed lumber will bar the planing mills of Canada from the markets which build up the growing communities of the United States, and 25 per cent, or double that barrier, will bar the American dressed-lumber mills from the market which is building up the growing communities of Ontario and the western Provinces of Canada.

The second consideration is that while these establishments are paying in every State high taxes upon their lumber yards, their mills, their machinery, and their stock on hand, for the support of our Government, Canada gives to every planing mill which will move across the border to the edge of her forests and establish this industry in her territory a remission of taxes for from fifteen to twenty-five years. So that the duty which we are imposing upon dressed lumber, if we adopt the committee report, is but placing upon the product that comes from Canada a burden for the support of our Government to balance off the tax that is imposed upon the property of our planing mills for the support of our state and municipal governments.

Nevertheless, if the conditions under which the industry is conducted are such that there is no occasion to make up for the difference in the cost of production—nevertheless, I say, there would be no ground for imposing a differential duty upon dressed lumber. But, Mr. President, the conditions are widely different. In the first place, the information which I have received—information coming from very trustworthy sources—indicates to me that the estimate of the cost of dressing lumber, as stated by the Senator from North Dakota [Mr. McCUMBER], in his very interesting and impressive argument last week, omitted many elements of expense, and that the figures which he had been led to believe were the correct figures were altogether too low.

The actual cost of conducting the business of dressing lumber in the mills of the United States involves three different elements. In the forests of Canada there is no rent to be paid for the ground where the planing mill may be established. In

Buffalo, in Tonawanda, in Chicago, and in all the other places where these establishments have so long existed for the benefit of our people on our side of the line, the prosperity which has grown up under our system has resulted in the requirement that heavy rental be paid for the ground upon which the lumber yards are placed and upon which the mills stand.

The next element is that of handling the lumber. The lumber comes in mill runs from the Canadian and the western forests; that is to say, unsorted, just as it comes from the mill. It comes down in the lumber vessels, and when it reaches Buffalo or any of the other ports it has to be taken from the vessel, transported to the lumber yard, sorted, piled up each class and kind by itself, left to dry, and then carried to the planing or dressing mill, and from that mill after it is dressed taken to the car for transportation as dressed lumber.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Maine?

Mr. ROOT. Certainly.

Mr. HALE. I desire to interrupt the statement which the Senator is making only to ask him, generally, what his view is as to the rate upon the different forms of dressed lumber. The Finance Committee, with regard to these different processes of dressing lumber and the duty applied to each, have followed, as the Senator knows, the House bill and running through the different forms of dressing lumber. The present law, the Dingley law, as to each one of these particular forms is higher than the House bill and higher than the Senate Finance Committee report, as found in this bill. I do not know but what the Senator has stated that; but is it his idea that for the protection of this most essential and large industry the present rates of the Dingley law or something like them should be maintained? Does he believe that this industry should receive more than either the House bill or the Senate bill, as reported by the committee, has given to it in their provisions?

Mr. ROOT. My impression, Mr. President, is that the differential of the Dingley Act is at just about the right point to maintain a healthy opportunity for business and a healthy restraint upon business.

Mr. HALE. That answers my question, Mr. President.

Mr. ROOT. That is to say, I do not think there can be a reduction from those differentials which would not result in the transfer of a large proportion of our planing mills to Canada, because I think that those differentials are no greater than necessary to enable the American planing mills to make a fair profit on their product, while I think that an increase of those differentials would withdraw the corrective and restraining effect of possible Canadian competition in case our planing mills should endeavor to charge too great a profit upon their product.

Mr. President, I was about to deal with the question of the cost of conducting the planing-mill business in the United States, and I had stated that the difference arises from the fact that heavy rental has to be paid upon lumber yards and mill sites here. With that, of course, comes the difference in taxation, arising from the fact that our mills have to contribute largely to the support of the Government, while in Canada they are free from that obligation. I also stated that there were various elements of cost in the actual dealing with the rough material and transforming it into the dressed material, one being the cost of handling. The next, of course, is the cost of dressing; and, as the Senator from Maryland [Mr. SMITH] has just suggested to me, the position of the mills on our side involves the necessity for carrying heavy fire insurance. Now, as to the actual cost of dressing——

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. May I ask the Senator from New York whether, to his knowledge, the cost of finishing lumber is any greater in the State of New York or anywhere along the Canadian boundary east of Michigan than it is west of that section? Is there anything in the handling that necessarily makes it cost any more? Has the Senator any information on that point?

Mr. ROOT. My information is that the eastern cost is higher than the western cost. The Senator from Maine can probably give better information upon that than I can. The general statement is made to me that in the northeastern part of the country the cost is very considerably higher on our side of the line than it is on the Canadian side of the line. As to the difference of cost between the eastern American mills and the western American mills I am not prepared to say.

Mr. McCUMBER. My reason for asking the question is that I have numerous communications from those who are engaged in the manufacture of lumber in Michigan, in Minnesota, and west of that line, and especially one in my hand from the Brooks-Scanlon Lumber Company, of Minneapolis, a lumber company that is manufacturing not only in Minnesota, but in the Southern States; and in speaking of this subject, the writer of this letter says:

> We are operating one large sawmill in Minnesota and two in Louisiana. The cost of finishing lumber in the planing mill at the Minnesota plant for the year 1908 was 48.7 cents per thousand feet and 45.8 cents per thousand feet at the Louisiana plants. This cost includes repairs and supplies and covers all lumber sent through the planing mill, but does not include lumber shipped in the rough.

Then he says:

> Our Minnesota cost is higher than the average cost for mills in that territory, due to the fact that our trade is a special one, which requires a large amount of work on the high-grade stock put through the planing mill.

Then he goes on to describe how the work is done, and says that they sell most of their cheaper lumber in the rough and only finish the higher grades; but he establishes the fact, according to his statement, that finishing even the higher grades does not, in any of the mills that he operates, exceed 45 cents per thousand, and that this is higher than the average. That is the reason I asked the Senator whether or not there was something in the peculiar method of handling that made the cost so much more East than in the West.

Mr. ROOT. Yes, Mr. President; there is a very marked distinction. I take it that the mills referred to in the letter just read by the Senator from North Dakota are mills at the forest.

Mr. McCUMBER. I did not understand the Senator's statement.

Mr. ROOT. I think they are mills which are in the lumber region, and the cost, which I understood to be 49 cents at one of the mills, probably fairly represents the cost in the Canadian mills. I have no reason to believe that it costs substantially more in a mill at the forest in Minnesota to dress lumber than it does in a mill at the forest in Canada. There may be differences in individual mills, but in general I think not.

Mr. HALE. Mr. President——

Mr. ROOT. Will the Senator allow me for one moment? But as between these establishments in Ogdensburg, Buffalo, Tonawanda, Erie, Cleveland, Detroit, and Chicago, around which have grown up great cities during the half century of their existence, and the mills, whether in Canada or the West, which are situated at the forest, there is a very wide distinction. The 10,000 men who are working in the mills at Buffalo and Tonawanda are not living upon lumber-camp supplies. They have homes and families and food and clothing and opportunities of life that befit American citizenship in American cities, and the cost of maintaining that labor under those conditions is necessarily higher than the cost of maintaining labor at the lumber camps.

Mr. HALE. Will the Senator permit me to make a suggestion?

Mr. ROOT. I shall be very happy to yield.

Mr. HALE. This is a suggestion brought out by the statement of the Senator from North Dakota. It struck me, as I think it must have struck the Senator from New York and any other Senator listening who is interested in this subject, as a remarkable thing that the correspondent of the Senator fixes one rate as the cost of finishing lumber—42 cents was it?

Mr. McCUMBER. The Senator is mistaken, although this is intended to include all lumber finished through those mills. It does not mean on one side or on two sides, but the average cost of the entire work.

Mr. HALE. As I said, what struck me with surprise was the Senator's statement that 42 cents—was it——

Mr. McCUMBER. Forty-four to 45 cents.

Mr. HALE (continuing). That 44 to 45 cents covered the cost, additional to rough lumber, of the entire process of manufacturing and dressing in different forms. That seemed to me a very remarkable statement, because all legislation heretofore has had, and the schedule made up by the House in its bill and by the Committee on Finance in its bill in accord with the House has, a very marked sliding and increased scale, according to the different processes that are put upon the rough lumber.

For instance, planed or finished on one side, $1.50 per thousand feet; planed or finished on two sides, $2 per thousand feet; planed or finished on three sides, $2.50; and on four sides, $3. If planed on one side and tongued and grooved, $2 per thousand feet; planed on two sides and tongued and grooved—another process—$2.50 per thousand feet.

I know something about the lumber business, having lived in a community largely interested in that article, and it is to me,

as I think it must be to the Senator from New York, a matter of surprise that any one rate, particularly so low as 42 to 45 cents, would cover all the processes that have been cared for heretofore in every bill, either passed by Congress or submitted for its decision by any committee, in a sliding scale. The Dingley rates are higher still, being $2 per thousand feet on lumber finished on one side, $2.50 on lumber finished on two sides, $3 on lumber finished on three sides, and $4 upon lumber finished on four sides.

Mr. McCUMBER. The differentials are the same.

Mr. HALE. And $3.50 for lumber tongued and grooved on one side or two sides. What I wanted was that the Senator from North Dakota [Mr. McCUMBER] should tell me, and tell the Senator from New York, and tell the Senate, whether he believes that this 40 to 45 cents, applied without regard to the nature and extent of the process, is claimed to be enough compensation for this great industry for all the work in finishing or dressing lumber. It seems to me a very remarkable statement that is made by the correspondent of the Senator.

Mr. McCUMBER. Mr. President, if I may take one moment of the time of the Senator from New York, to reply to the inquiry of the Senator from Maine, I will say that when I discussed the lumber schedule some time ago I attempted to establish the fact that the average cost of planing only one side of the lumber as it came from the saw was only about 15 cents per thousand, and of course there would be a little added to that, as it is planed on two sides, and a little more added to it, necessarily, as they groove one edge and tongue the other; but the information I have is that while these mills do all of this finishing, the average cost of finishing everything that the mill turns out is only about from 44 to 45 cents per thousand. Now, I might have gone further, I think, probably, in the same letter, and have shown that in some of the very highest or most complete finishing it runs as high as 60 to 75 cents per thousand, 75 cents being the limit, and that only in special cases; and that all of the ordinary finishing, such as would be used in flooring, in siding, and in lumber that is generally in use, which we call "finished lumber," and not finished for the purpose merely of spiking together to make a frame or something of that kind, could all practically come within the 50 cents per thousand limit.

Mr. ROOT. Mr. President, I think I will ask the Senate to indulge me in having read a brief letter from the president of the Amalgamated Woodworkers' International Union of America, giving the views of the men who do the work.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the letter.

The Secretary read as follows:

AMALGAMATED WOODWORKERS'
INTERNATIONAL UNION OF AMERICA,
Washington, D. C., May 11, 1909.

Hon. ELIHU ROOT,
Washington, D. C.

MY DEAR SIR: Referring to statements made by several Senators in speeches advocating the elimination of that portion of the tariff schedule pertaining to *dressed lumber*, wherein it was asserted that it costs only 15 cents per M for dressing lumber. Speaking from many years' experience in operating woodworking machinery and an intimate practical knowledge of the subject—representing as I do the employees of all the larger planing mills in this country as president of the Amalgamated Woodworkers' International Union of America—I know it to be a fact that no lumber could be dressed at the low cost mentioned, not even surfaced on one side.

In the first place, it takes at least two men to operate the machine—one to feed it, receiving an average wage of 22 cents per hour, and the other to receive the lumber from the machine, or offbear, at an average wage of at least 15 cents per hour—making a total cost of 37 cents per hour wages for actual labor performed in handling the lumber.

It would take approximately one hour's time to grind the ordinary knives for surfacing and from 20 to 30 minutes' time to set the knives and get the machine ready to start. Each different pattern of lumber run through the machine requires a change of the knives or cutters, depending on the type, width, and thickness of the pattern. In filling orders for various kinds of lumber it is necessary to make frequent changes in the knives. It is also necessary to sharpen them three or four times a day, depending on the character of the material run, thus increasing the cost of labor above the 37 cents per hour paid to the men who actually operate the machine.

In addition to this, there is a general expense entailed of repairs to machines during the year, rebabbeting, supplies, cost of power, depreciation, general administration expense, insurance, taxes, etc.

I would consider, from my practical experience, *that 1,000 feet of lumber of average width, dressed per hour*, on the modern machine, to be a reasonable conservative amount; therefore proving conclusively that it would be utterly impossible to dress lumber with the most modern machinery at the low cost per M stated, *and I would consider a cost of at least 75 cents per hour to be a fair estimate on the general run of lumber.* On the complicated patterns of dressing, like ceiling, partition, drop siding, and on the more narrow lumber, like 6-inch and 4-inch strips (of which a large amount is dressed), the cost would increase proportionately.

I have attended many conferences in endeavoring to fix the wage scale between the owners of planing mills and the various members of our union, during which I have heard discussion as to the cost of dressing, and I know from my intimate and personal knowledge that the above figures are conservative as to the actual cost submitted to me at these different conferences.

Very truly, yours,

D. D. MULCAHY, *President,*
Amalgamated Woodworkers' International Union of America.

Mr. HALE. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Maine?

Mr. ROOT. Certainly.

Mr. HALE. Will the Senator let me right here, in connection with what has just been read, put in some figures given on this subject as to the cost of dressing lumber in the largest establishment in the State of Wisconsin?

Mr. ROOT. Certainly.

Mr. HALE. I will read it, because I have read it carefully:

Cost of dressing or planing lumber: There is an established price for planing and dressing lumber in Wisconsin, Michigan, and Minnesota in use by all manufacturers. At the present prices of labor it is hardly enough to cover the actual cost.

Then follows the list:

Surfacing one or two sides, 50 cents per thousand feet.
Dressing and matching, $1 per thousand feet.
Resawing, $1 per thousand feet.
Dressing and matching and resawing, $2 per 1,000 feet.
Planing mills in the cities that do custom work charge about double those prices.

R. E. MACLEAN.

He represents that very great industry, and I trespass upon the time of the Senator from New York to put this in, because it is in the line of the figures shown by him.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. With the Senator's permission, I desire to say that what he has quoted there is not the cost of doing this work, but the price which is charged by a mill expecting to make a profit, of course, from the customer on any of the work done in those particular mills. There is a vast difference between the cost of producing a thing or doing a thing and the price that is charged for doing it.

While I am on my feet, I want to suggest to the Senator from New York that what his people are mostly interested in is the question of the differential. Now, has the Senator ever thought that he might make the differential a little greater by reducing the tariff upon the rough lumber, instead of increasing it upon the finished lumber, and that reducing it might give them the same differential?

Mr. ROOT. Mr. President, I quite agree with the suggestion made by the Senator from North Dakota, that what interests this chain of lumber-dressing establishments is the differential, and that it is of not so much consequence to them what the rate upon rough lumber is, because they are now and probably will more and more continue to be dressing rough lumber that comes from Canada, brought down by the cheap freight rates on the Lakes.

Mr. McCUMBER. The point I wanted to call to the attention of the Senator is that while the bill as it came from the House has reduced already the cost of the raw material in those mills one-half, it has not reduced, as I understand, the differentials in the Dingley Act.

Mr. ROOT. I so understand.

The Senator from North Dakota has given me two thoughts to work upon, and I will take them up one at a time. One was in his response to the Senator from Maine as to the figures the Senator from Maine gave with respect to the cost of dressing lumber, which the Senator from North Dakota suggests is the price charged by the planing mills for doing the work rather than the actual cost of doing it.

There came to me, among the many business men who were disturbed by rumors of a reduction of the differential and who anticipated the necessity of transferring their business to Canada, a number who were importing the rough lumber and dealing in lumber, but having it dressed by other establishments. I found by examining them that the prices which they paid to other establishments located in the same place ran along appreciably above the amount of the differential as arranged in the present Dingley tariff.

But, Mr. President, I happen to have at hand——

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Minnesota?

Mr. ROOT. Certainly.

Mr. NELSON. I wish to call the attention of the Senator from New York to the fact that the tables furnished us by the Finance Committee show that the average import price of rough lumber was $17.02 per thousand, while lumber planed on one side was $12.50 a thousand; planed on two sides, $17.40 per thousand; planed on one side and tongued and grooved, $15.71 per thousand, and planed on two sides and tongued and grooved, $17.26 per thousand, showing two classes of dressed lumber that are imported and sold at less than the price of lumber not dressed.

Mr. ROOT. If the Senator from Minnesota will permit me to deal with that subject later, I will come to it in a very few minutes. The explanation of it rests in facts which have already been stated by the Senator from North Dakota in his former remarks on the subject.

The second thing which I wish to say regarding the observation of the Senator from North Dakota as to the price of dressing lumber is that I happen to have on my desk very good evidence that in making those charges for dressing lumber the lumbermen of our Lake cities are not making an unconscionable profit. I say I have here evidence—and I think it is the best kind of evidence it is possible to have—that this business does not, under the existing differential, make any more profit than it is reasonable that it should make and that it is necessary that it should make if it is to continue in prosperity. That evidence is contained in a letter from the secretary of this same association—the Amalgamated Woodworkers' International Union. If there is anybody in the world who has an immediate interest to inquire into the profits a business establishment is making, it is the man whose wages are regulated by the possibilities afforded by the profits.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. May I ask the Senator if he does not think that the books of the company itself would be better evidence of the profits and the cost in any particular line than the mere statement of the laborer who is doing the work?

Mr. ROOT. I think if we could have a master in chancery take up the books and spend six months over them and ascertain what was the basis of all the charges and credits, he might bring out a result which would be more satisfactory and trustworthy. But I do not think, situated as we are, with practically no opportunity to scrutinize the system of bookkeeping, that the statements in the books are quite so valuable as the practical conclusion reached by men who are trying to get their wages up as high as they can.

The secretary of this international union writes in a letter written from Chicago the 5th of May of this year:

On the 1st of last January, when a number of our contracts had expired—

That is to say, the contracts between the union and the mill owners—

On the 1st of last January, when a number of our contracts had expired, and in bringing up the question of new contracts for our employees for the year, after a thorough discussion of conditions, the employers showed us they could not possibly make us any further advances under present conditions. We are thoroughly familiar with the fact that if the extra duty which is added for dressed lumber is taken off, as practically all of the lumber shipped in here from Canada comes in the rough, allowing it to come in here dressed would necessarily take from our members just that amount of work. If the tariff on dressed lumber is retained, the lumber will continue to come here in the rough, giving to the members of our association the work of dressing it here.

Owing to the fact that in most cases the cost of living and cost of supplies is much less in Canada than in this country, also that the planing mills in Canada are located largely in small towns where the cost of house rent would be materially less than it is in the large cities of the United States, like Milwaukee, Chicago, Detroit, Cleveland, Buffalo, and North Tonawanda, where at least 80 per cent of the planing mills are located at which Canadian lumber is dressed when shipped into this country, naturally Canada can dress lumber for some less cost than this country, and, in addition to that, in shipping lumber by cars from Canada she would get a great advantage for the reason that by dressing lumber the weight is materially reduced.

Mr. President, that brings me to another element of difference, and that is that the cost of handling lumber is entirely caused by the establishment of these great lumber yards and dressing mills at points on the south side of the Lakes, and that cost is almost entirely absent where planing mills are set up at the forests and take the rough lumber as it comes from the sawmill. The cost of handling, of transporting, of storing, of piling, of assorting, of getting it from the vessel to the yard, from the yard to the mill, and from the mill to the car is estimated, by the gentlemen who have been bringing information to me upon the subject, at $2 a thousand. By carefully scrutinizing and comparing, my impression is that a dollar and a half a thousand is a fair and reasonable statement of the additional cost which is imposed upon the American dressing mills in the cities I have enumerated over and above the cost of dressing lumber in Canada, and that is in addition to the cost of the actual dressing, which is treated of in the letter which has been read from the desk.

Now, let me say a word about the reason why dressed lumber can be brought into this country cheaper than rough lumber. It is the reason for the extraordinary figures read by the Senator from Minnesota [Mr. NELSON], and the fact was mentioned with his customary fairness of statement by the Senator from North Dakota [Mr. McCUMBER] the other day. It is that lumber is transported at a freight rate which is fixed by weight and that the dressing of lumber reduces the weight so that dressed lumber can be brought from Canadian points to the New York market at from $1.16 a thousand feet to $1.47 a thousand feet less than the rough lumber can be brought.

The differential in favor of dressed lumber established by the railroads in fixing their freight rate to balance off against the differential which we establish in this bill to protect and save our own American lumber yards is as follows:

From Ottawa to New York, $1.16 a thousand; from Georgian Bay to New York, $1.41 a thousand; from Lakeville, Ontario, $1.25 a thousand; from Pembroke, Ontario, $1.34 a thousand; from Cache Bay, Ontario, $1.47 a thousand.

Mr. President, as the basis of these differentials to which we apply the rule of protection under this bill, the elements of difference in the cost of conducting the business in this country as compared with the cost of conducting it from Canada, you have, first, the greater cost of the actual work of dressing as established by the men who do the dressing themselves. You have, second, the cost of maintaining the lumber yards and lumber mills near the great centers of population along the southern shores of the Lakes. You have, third, the obligation to pay taxes for the support of our governments, from which the Canadian mills will be and are relieved. You have, fourth, the cost of handling, which amounts in this item alone to more than the tariff differential contained in the Dingley Act; and you have, fifth, the fact that the differential against the American mill owner and in favor of the Canadian mill owner in freight will amount to more than the average differential in the bill.

Under those circumstances, Mr. President, I want to call the attention of the Senate to the fact that these are no new industries built up to speculate upon the possibilities of the protective tariff. I have here a letter from the owner of planing mills in the city of Ogdensburg, on the St. Lawrence, who says, "I have conducted this business for fifty-three years." This great business was established as a necessity for the people of the United States to build up our country. These establishments furnished the outlet for the forests of the West. The thousands, the tens of thousands of men who are now at work in these mills ask for nothing but such legislation as will make the possibility of continuing to conduct a business that was established long before the Dingley Act or the McKinley Act, before the civil war, before the question of competition with Canada was heard of. For the necessity of some such protection I beg to ask the Senate to listen to the words of one of the leading mill owners of Ogdensburg, who states what I believe to be truly the condition of mind of the men who are conducting these great business establishments. He says:

There is not a doubt in my mind that we should have to abandon our plant in Ogdensburg if the proposed schedule—

That is a schedule which had been reported to reduce the differential—

There is not a doubt in my mind but that we should have to abandon our plant in Ogdensburg if the proposed schedule goes into effect, and other mills, such as those at Newport, Vt.; Rouses Point, N. Y.; Burlington, Vt.; Tonawanda and Buffalo, N. Y.; and many others similarly situated would be compelled to do likewise.

Personally, I have larger interests in Canada to-day than I have in the United States. I am a stockholder or a director in the following Canadian corporations:

Clanedish Lumber Company, at Lakefield, Ontario.
Tamagami Lumber Company, at Callender, Ontario.
Strong Lumber Company, at Toronto, Ontario.
Campbell-McLaurin Company (Limited), Montreal, Quebec.
Cache Bay Lumber Company, Cache Bay, Ontario.

And I should be benefited if the duty was removed completely on both rough and dressed lumber, or even if it was cut in half on both rough and dressed lumber, but, Mr. Hill, we have 500 men in Ogdensburg, many of whom with me have grown gray in the service of this company, and I can not see them turned out of employment without trying to help them. The times of the Wilson bill are so vividly impressed on my mind that I feel very deeply on the subject, and it is hard for me to see the philosophy of letting Canadians manufacture our lumber while our own men suffer in enforced idleness.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. ROOT. Certainly.

Mr. McCUMBER. Possibly I did not catch everything that was in that letter, but, as I understand the position of the writer, it is that he would be benefited by the reduction one-half and he would be further benefited if there was no duty whatever. I wish to ask the Senator how the owner could be benefited unless those in his employment would also be benefited. In other words, I can not quite understand how that which would injure the employee would be a benefit to the employer.

Mr. ROOT. The Senator from North Dakota probably failed to observe what was said in the beginning of the extract that I read. It was that this gentleman has larger interests in Can-

ada than he has in the United States, and he enumerated half a dozen Canadian companies in which he is interested.

Mr. McCUMBER. I will state that I failed to hear that.

Mr. ROOT. I think, Mr. President, that that is true in a great many cases. I think that many of the capitalists, who are owners of these establishments on our side of the border, have gone to Canada and have obtained possession of large lumber interests there, and that the real interest to be protected here is the community that has grown up about every one of these establishments; and for the protection of those great industrial communities, that present as good a type of American citizenship as can be found anywhere in the United States, I submit to the Senate that we may afford to give a differential upon dressed lumber that will amount to at least one-half as much protection as Canada gives to the men who are dressing lumber on her side of the border.

Mr. HEYBURN. Mr. President——

The VICE-PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. CRAWFORD. Will the Senator allow me?

Mr. HEYBURN. Had the Senator finished?

Mr. ROOT. I was intending to finish, but the Senator from South Dakota asked leave to ask me a question.

Mr. HEYBURN. Of course, I am not desirous of displacing the Senator from South Dakota. I gave notice on Saturday that I would resume my remarks this morning, but it is not material if the Senator from South Dakota wishes to ask a question.

Mr. CRAWFORD. I wish to ask only one question.

Mr. HEYBURN. All right.

Mr. CRAWFORD. The remarks of the Senator from New York are directed almost entirely to the question of an additional differential. The question I desire to ask is what reason there is for serious apprehension that some reduction of the differential shall be made when the present differential is practically prohibitive; that is, the importations of finished lumber under the present differential are very small compared with the importations of rough lumber. So it would seem to me that some reduction might be made which would not be ruinous, but would result in healthful competition.

Mr. ROOT. Mr. President, may I say two things in response to that question? One is that there is not an established business of dressing lumber to any general extent with which we have to compete in Canada. The thing we have to fear is the transfer of business or the building up of mills in Canada to supply our markets. The other point is that I am assuming the duty on rough lumber is going to be reduced by Congress, and of course that will be a reduction of the protection to dressed lumber as well as to rough lumber. The committee reports a fixed duty on rough lumber and a duty on dressed lumber, and the differential must be protection.

Mr. HEYBURN. Mr. President, I will informally take up the question that was just being discussed by the Senator from New York [Mr. ROOT] and supplement it by a statement that is necessarily a part of the question. I suggested on a previous occasion that the cost of dressing lumber did not consist alone in labor or in the investment or in the items that have been enumerated. I communicated with a man who is in charge of the work of dressing lumber, who is responsible for its performance and knows the facts. He writes me under date of May 12, in response to an inquiry which I made of him. After saying that on his return to his office he finds my letter on his desk, he proceeds:

> I have noted carefully what you say, and replying to same would say that we pay freight on the actual weight, and not on estimates, but I want to go into the matter a little further with you, in order to show you the loss we are to instead of the gain, in dressing lumber.
>
> While it is true that there is a gain in the dressing of lumber, that gain is not to us, but to the consumer, as we make prices f. o. b. here, with the freight added.
>
> Now, to start with, it does cost some labor to dress lumber, but that is only a small item in the expense of dressing lumber, for the waste that we have and the drop in grades is very much more important, and very much more costly by three or four times, than what the actual cost of dressing the lumber is. It would be a great advantage to the manufacturers of lumber if it could be shipped in the rough.
>
> When you take a dry board and surface it on two sides, if there is a knot in that board that is not absolutely tight and interwoven well into the fiber, it is sure to be knocked out of the board, which will drop that board out of No. 1 common to No. 3. Now, the spread in price between those two grades is about $8 per 1,000, and the drop from No. 1 to No. 3 amounts to about 17 per cent. The drop between No. 2 common and No. 3 is greater than between No. 1 and No. 2, and will easily figure up 25 per cent. While the spread in price is only about $3 per 1,000, still you can see what an immense less there is in those two grades in dressing the lumber than in shipping it in the rough. You take matched lumber, which is dressed on four sides; the drop in grades would be almost twice as much as the lumber that was surfaced on two sides, and the spread in price would run between 75 cents to $1 per 1,000 more than the lumber surfaced on two sides.

I bring that in to supplement the items that were given by the Senator from New York. It will be seen that the necessity for compensating our lumber dealers upon dressed lumber is not based alone upon the question of wages or freights. I suggested on a former occasion that the grade of the lumber is frequently changed by the mere fact of the disclosures made by dressing it.

Mr. President, that goes to the question of differentials. I can not add much to what the Senator from New York has said upon that question, except that I carry on West the conditions and the arguments to be deduced from the conditions. The difference between the rough lumber and the dressed material west of the Rocky Mountains is greater than it is in the East. The conclusion of the Senator from New York is well founded, based upon the conditions existing along the St. Lawrence and the Great Lakes, but in the Pacific lumber regions every item enumerated by the Senator from New York is emphasized because of more expensive conditions as to labor, as to transportation, and as to stumpage.

Open an account on a thousand feet of lumber in Idaho and you have these items. It takes the labor of three and a half men to produce a thousand feet of lumber in a day. I have that from those who produce the lumber. I have it from actual pay rolls and actual names. It is not the estimate of some bureau nor of some theorists. That makes each thousand feet of lumber cost $9.30 in wages—that is, at the saw.

The stumpage in our country costs at a minimum $4 per thousand. The average freight on the lumber cut in Idaho to the place of use is $12.50. I have that from a table about which there can be no controversy. I have taken the freights that were actually paid to the average points of shipment. So I have that thousand feet of lumber charged up with $25.80 without counting anything for the use of money which represents the investment in the mills and in the timber.

I was asked recently the average price of lumber in Idaho. I stated that it was about $20 to $22 a thousand. I was then asked how we could pay $25 and sell it for $22. I am not at all surprised at that inquiry, because it would seem to come naturally. Our lumber is about two-fifths first grade and three-fifths lower grade. What we lose on the lower grades we make up on the high grades, because we have a great deal of lumber that is worth twice $20 a thousand. We have none that is worth less than $16 a thousand. The high grades make up the deficiency that would seem to exist between the cost of producing it and the price at which it is sold. In the white-pine forests in our State I think you may say that the timber that is being cut and has been cut for the last few years will average five cuts of commercial timber to the tree, 16 feet in length. Sixteen feet is the standard of length in our country. Of course, it is cut of all lengths.

Mr. McCUMBER. Mr. President——

The VICE-PRESIDENT. Will the Senator from Idaho yield to the Senator from North Dakota?

Mr. HEYBURN. Certainly.

Mr. McCUMBER. Another question that would naturally arise to one not acquainted with the lumber business is why certain grades of lumber should be continually sold for less than the cost and the difference be made up on the higher grades. In other words, why could not the higher grades be sold for a little less and the lower grades be also sold for a profit? That is a question that would naturally arise at least in behalf of the consuming trade. What is there in the lumber conditions that requires any part of the product continuously to be sold at less than its cost?

Mr. HEYBURN. The answer is obvious. No man, intelligent and thrifty, wants to engage in the cutting of trees under conditions which will involve leaving two-thirds of the tree lying on the ground unused. All business is made up on the basis of averages. There is no commercial business in the world that makes a profit on every item that constitutes the business. That is equally applicable to lumber. The tree must be cut down, and when you cut the first cut of it you cut all of it. You can not cut down a part of a tree. The tree being down, the question is, How are you going to realize the best advantage from that tree? We will say that it will cut lumber for 80 feet of its length. That divides it into five 16-foot cuts, and I use that because it is a common decimal. You take the first two cuts and you are apt to have clear lumber out of them that will sell away above the price that I have mentioned. The other three will cut lumber that must be disposed of according to the condition in which you find it when it comes from the saw. It may be very knotty or not very knotty; some of one grade and some of another. It is run through the saw, and the sorting takes place as it is borne from the saw. The clear lumber goes into piles by itself and the knotty lumber is put into other piles. The profits must be based upon a calculation of averages upon that tree.

Now, our lumber scale is white pine, about two and one-half to six million feet to the quarter section; that is, to the farm. They do not count the cedar; they do not count the spruce, nor the larch, nor other woods. They only count the white pine in estimating the value of the timber. It is always safe to say that the other timbers of value are probably as 3 to 5. The average varies.

I have found myself asking the question of the Senator from North Dakota, in my mind, frequently since I listened to his remarks, as to whether or not, having exhausted the timber of Canada in twenty years—which, I believe, is the limit given it—we would not be compelled to resort to our own timber at the end of that time. I have never heard the Senator suggest the condition that would exist after we had exhausted Canada's timber; and yet it seems to me that it must inevitably present itself to us, I hope within the generation of the Senator from North Dakota.

Mr. GALLINGER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. HEYBURN. Certainly.

Mr. GALLINGER. I want to ask the Senator where he gets his statistics that lead him to suggest that Canadian timber will last twenty years? It is conceded that Canada has not more than one-third of the timber the United States has; and it has been contended here that our supply, if we get nothing from abroad, will not last more than from twenty to thirty years.

Mr. HEYBURN. Those are not statistics. I would not dignify those by calling them "statistics." I should have to invent a new name for that kind of prophecy; but I merely say, taking the statement as it is given, that we are to shut off the use of our timber and resort to the use of Canada's timber and exhaust it, and leave those poor wretches up there to freeze or to live in tents.

Mr. GALLINGER. Yes; but, Mr. President, what I meant to suggest to the Senator was that whether they are statistics or guesses—of course they are guesses rather than statistics—no one has yet suggested that Canada's lumber would last twenty years.

Mr. HEYBURN. I know; but I did not want to present the picture in its full horrors, you know. I wanted to put it mildly, and not to send out a message that would bring terror to the hearts of the Canadians at all.

Mr. President, assuming that within twenty years our present rate of the use of timber would exhaust the Canadian supply, then the Canadians will have to come down here to get timber. It would promote immigration from the north. They would be compelled to come down here and help us eat up our timber.

O, Mr. President, the whole picture that is drawn resolves itself into such a concrete mass of absurdity that no reasonable discussion can be based upon it. All that you can do is to hold it up and say: "Look at that picture!" That is all.

Mr. President, there is no more probability of exhausting the timber of this country or of Canada within any period that can be fixed by any person outside of an insane asylum than there is that air will be exhausted or vitiated. I have heard such prophecies. I went over and attended a meeting in the Congressional Library building here during the last session of Congress, and I heard a man stand up there and prophecy evil because of the escape of gases from the surface of the earth. He had it charted and platted and calculated, and he could tell you how the great supply of gases within the earth was being exhausted, as though it had commenced yesterday and he had discovered the leak, when, as a matter of fact, the conditions that he was picturing had been going on since the dawn of creation.

So it is true in regard to lumber and prophecies of the exhaustion of lumber. Trees grow, and always have grown. So we may drop out that question, and bring the question of a reasonable tariff upon lumber down to existing conditions, based upon the assumption that the conditions are going to exist. What element of nature has ever been exhausted in this world? Can any Senator name one? There are a number of them, an essential part of creation itself, upon which human life has depended. What one has been exhausted? What one has given any reasonable evidence of being exhausted? Have we just reached some period in the world's history that indicates the fading out of this great globe and the destruction of the human race? Such arguments are useful only for the purpose of diverting the minds of those who are called upon to consider them. The real issue, the question here is: Shall the people of the United States control the lumber industry, or shall it be controlled by the Canadians, who are not a part either of the Government or of the great human sympathy that constitutes our Nation? There are two sides to the Nation; there is the cold-blooded legal country, or nation; and then there is a sympathetic and patriotic nation. It is the last that protects the first.

Mr. President, our annual output of the Pacific slope, as I said the other day, is two thousand million feet. Are we going to bring that to an end and stop producing it? To what extent? How much would the Senator from North Dakota have us produce? A half, and send half of the wages to some other country? A quarter, and send only a quarter? Injure our people a little, or destroy them altogether? Where is the line to be drawn? At present we have a rate of duty that barely gives us the turn of the balance in our favor. The wages that men are receiving in the woods and in the mills are not claimed to be exorbitant, are they? Does anyone claim that the wages should be cut? If so, how much? Would you cut the wages of the men who work in the mills and in the forests?

I should like to have some statement. Is there any man bold enough in public or in private life to propose, without the existence of any extraordinary conditions, that you shall dock the wages of the lumbermen at all, or propose a rate to which you shall cut them? I think not. Is there anyone here so unacquainted with business methods as to suppose that you can compel men to continue to employ wage-earners against their will or upon a basis of profit fixed by law? Does anyone dare to introduce a measure here limiting the profits that a sawmill owner shall make, that the wholesale dealer shall make, that the retail dealer shall make, or to fix a price that the consumer shall pay? If you can not, if you dare not, propose that, then where are you going to fix the line? Is it somewhere in the indefinite cry of "reduce the tariff"—somewhere up in the air or down under the ground—or can you give figures for it, and say, "You shall sell your lumber for so much a thousand, you shall pay so much a thousand for stumpage, you shall pay so much a sack for flour, and you shall pay so much a day for wages?" Does anyone want to see this Government on that basis? Is there anyone here who can tell where to apply the knife to cut away what he claims to be the superabundant private benefit? Where will you do it? In the price of stumpage? You can not compel any man to sell it. In the price of labor to the man who cuts the tree? He will make his terms with you or he will quit work. In the profit of the mill? The mill will shut down, like the great Lewis mill in our country is shut down and standing idle to-day, and another one as great on Puget Sound, with boards nailed over the windows.

Mr. President, I am not making these remarks to go out to the country. The circulation of the CONGRESSIONAL RECORD is not great enough to reach to all corners of the country. The daily press does not appreciate the importance of public questions to that extent which tempts them to send out the discussion of this question. I prefer to talk to the Senators who are to consider and vote upon this measure, and I suggest that there is not a quorum of them present.

The VICE-PRESIDENT. The Senator from Idaho suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Gore	Overman
Bacon	Crawford	Guggenheim	Page
Bailey	Cullom	Hale	Penrose
Beveridge	Cummins	Heyburn	Perkins
Borah	Curtis	Hughes	Piles
Bradley	Daniel	Johnson, N. Dak.	Rayner
Brandegee	Depew	Johnston, Ala.	Root
Briggs	Dick	Jones	Scott
Bristow	Dillingham	Kean	Shively
Brown	Dolliver	La Follette	Simmons
Burkett	du Pont	Lodge	Smith, Md.
Burrows	Elkins	McCumber	Smith, S. C.
Burton	Flint	Martin	Smoot
Carter	Foster	Money	Stephenson
Chamberlain	Frazier	Nelson	Sutherland
Clapp	Frye	Newlands	Taliaferro
Clark, Wyo.	Gallinger	Nixon	Tillman
Clay	Gamble	Oliver	Wetmore

The VICE-PRESIDENT. Seventy-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. HEYBURN. Mr. President, I was asking some questions, and there was no Senator present who seemed inclined or able to answer them. I thought, perhaps, with a larger attendance I might get an answer to the question as to what per cent of the $120,000,000 in wages paid in the lumber industry in this country you propose to eliminate, because the amendment to which the discussion is now directed certainly does propose to eliminate some part or all of it. I want to know whether you are going to take it off of the per diem or eliminate the individual factor in it.

I also inquired, in the absence of some of you, how many of these mills, and which ones, you were going to silence? Were

you going to silence the mills on the Pacific slope or the mills in the South or the mills in the North? The proposition will silence them, some or all; and I should like some one who stands sponsor for this measure to suggest how much of the wages paid are to be transferred to the Canadian mills and how much are to be retained, because the merchants in this country and the farmers in this country have got to adjust their next year's business to the conditions that will confront them, and if, instead of paying $120,000,000 in wages, you are only going to pay $50,000,000, they have got to reduce their business and their stock and their hopes, and they will reduce their bank account. If you are going to run a thousand mills, instead of three thousand, the men who have the money invested in those mills will be interested to know if they are among those to be eliminated from the field of active industry.

If you do not answer these questions here, you will have to answer them when the election day comes around and you want to hold up to the people the fruits of the Republican party and its methods of government.

I have been going up and down this country for thirty-six years, telling the people as the elections came around that the Republican party stood for protection, and for a measure of protection that would keep the foreigner out of the fields of competition. If $2 will keep him out, it does not follow that a tariff of a dollar and a half will do it. If you are voting for a dollar and a half, or going to, because you simply want to make a reduction without calculating the basis upon which you make it, you will afford no protection; and less than protection is as bad as none, not only in lumber but in every other field.

The Republican party objected to the horizontal cutting down of the tariff because it must inevitably in many schedules cut below protection. A duty of $4 is of no value at all if it takes $4.25 to constitute protection. Just dare go back to the American people, after the support they gave you last fall, and tell them that you have abandoned the principle of protection and have adopted the principle of compromise or something else.

Mr. President, the farmer will be inquiring "where is the market for my produce, the market that I had last year in the hundred thousand camps of men who were engaged in the lumber trade?" The lumber industry is the second largest item in the farmers' market, and when he asks "Where is this market that I had on election day?" and you say to him, as you must if you do this thing: "Why, those people are not at present engaged in any employment; they have no reserve with which to buy your products, and you will have to either carry them over or not produce them." He will respond: "I sowed this field of wheat, I planted these crops under the promise of the Republican party that it would maintain the conditions that would insure me a market." Then, what will you say? "Well, we only reduced the duty slightly; we only shut off your prosperity a little." You might as well be choking a man, and, merely because you do not choke him to death, excuse yourself for partially choking him because you do not completely do it.

Mr. President, I feel that the hour has come when those in this Chamber who stand for the principles of the Republican party, and not for experiments, have got to stand up and speak up for the Republican party and its principles.

A few months ago a great wail came up from off in the darkness and the dust of discontent, which always exists in the minds of the minority. Probably some one may have said, "What is that great clamor; what is all that noise about?" "Why, it is the shout of the people for a revision of the tariff." Well, they did not stop to inquire what people or what element of the people. Some one said, "It is a cry of the people;" and a few Republicans, then in temporary control, got scared; but those who had fought in the ranks of protection and Republicanism knew and told them that that cry came from the discontented Democracy, not discontented because the conditions of the country were not prosperous, but discontented because they were not in power and in office; and they were trying to scare the Republican party so that it would take to the woods and abandon Republican principles; and I saw then that the cause of that fear and dread, while it may seem harsh to say it, was that the offices seemed to be slipping from them. But I have been a good while in politics, and I think I may safely say that that cry found its echo first in the minds of those who were afraid that the Republican party was not strong enough or strongly enough inclined to keep them in office or to put them there; but the old stalwart wing of the Republican party——

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. DOLLIVER in the chair). Does the Senator from Idaho yield to his colleague?

Mr. HEYBURN. I do.

Mr. BORAH. I do not want to be placed in the position of delaying the proceedings here, but I think this measure is important enough so that if we are to consider it at all, we ought to consider it all together, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Overman
Bailey	Crawford	Gamble	Page
Bankhead	Culberson	Gore	Penrose
Beveridge	Cullom	Hale	Perkins
Borah	Cummins	Heyburn	Piles
Bradley	Curtis	Hughes	Root
Brandegee	Daniel	Johnston, Ala.	Scott
Briggs	Depew	Jones	Shively
Bristow	Dick	Kean	Simmons
Brown	Dillingham	La Follette	Smith, S. C.
Burkett	Dolliver	McCumber	Smoot
Burnham	du Pont	McEnery	Stephenson
Burrows	Elkins	Martin	Sutherland
Burton	Flint	Nelson	Taliaferro
Carter	Foster	Newlands	Tillman
Clapp	Frazier	Nixon	Warner
Clark, Wyo.	Frye	Oliver	Wetmore

The PRESIDING OFFICER. Sixty-eight Senators have responded to their names. A quorum is present. The Senator from Idaho will proceed.

Mr. HEYBURN. Mr. President, when the absence of a quorum was suggested, I had started to say that the stalwart wing of the Republican party stands for no partial measures, stands for nothing less than protection that protects, stands for nothing less than a discriminating tariff that shuts the foreigner out of our market so long as our own people can supply it; and at Chicago, when that fear and fright came over those who were making the platform and caused them to promise, in the hour of their fright, that they would be good according to Democratic principles and the Populist cry, and said: "Oh, yes; do not strike us; let us have the power; we will call a special session even; we will do anything; we will promise you to revise the tariff"—and some of them have gone so far as to say that they promised to revise it downward—the Republican party was not all at that convention.

The stalwart Republican sentiment took up the banner that was unfurled by that convention, and carried it forward throughout this country to victory; not upon the promise that they would abandon Republican principles, but upon the promise that they would keep their pledges according to the faith and the measure of Republican principles.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. I do.

Mr. CLAPP. I simply want to ask the Senator now whether he wants hereafter to recall the suggestion that the promise in the platform was made through a sense of fear.

Mr. HEYBURN. Mr. President, I have had that celluloid question asked me about forty times, and I have answered it in my own way. I understand the question to be in substance, Do I intend to stand for the Republican platform?

Mr. CLAPP. No; I do not mean any such thing.

Mr. HEYBURN. Then I will be glad to hear the Senator's statement of it.

Mr. CLAPP. Nor do I ask now for the Senator's interpretation of that platform; but I ask him now, and call his attention to it, whether he wants hereafter to recall the suggestion that that promise was put in the platform from a sense of fear by the men in control of that convention.

Mr. HEYBURN. I do not care, Mr. President; I am not afraid of ghosts——

Mr. CLAPP. Very well.

Mr. HEYBURN. I do not care where I meet a statement of mine, in the day or in the night, or where or I meet it, if I have made the statement.

Mr. CLAPP. Mr. President, I hardly think that would bear analysis. The other day, in the heat of debate, the Senator did make the statement which, when it was challenged, he claimed the right in a measure at least to modify——

Mr. HEYBURN. The Senator is mistaken about that.

Mr. CLAPP. Now, if he means to stand by the proposition that that was put into that platform by the party managers from a sense of fear, I want him to realize it, because that is in the last analysis precisely what was meant by the statement.

Mr. HEYBURN. Fear of what?

Mr. CLAPP. I do not know or care.

Mr. HEYBURN. Very well, now; I will repeat my language as I used it, not as the Senator quoted it. I said: "Fear that

they would not get nominations, or that they would lose office. Whoever were responsible for it were either there, or supporting men who felt that way." Is that plain enough?

Mr. CLAPP. I will discuss the question later.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. I do.

Mr. CLARK of Wyoming. The matter has been brought up several times as to the verdict of the people upon the revision of the tariff. I should like to suggest to the Senator from Idaho, if the verdict in the last election was not a verdict, that the tariff should be revised according to the Republican system of protection, rather than revised according to the Democratic system of a tariff for revenue only.

Mr. HEYBURN. Yes, Mr. President; and the verdict was something more. The verdict of the American people was "We will trust the Republican party; we will trust it according to the measure of its wisdom, in convention or out, and we know that when it comes to act responsibly, it has always given us good results;" and had the people in the convention promised other things in that platform, only a fraction of the Republican party was there, and the people knew the Republican party well enough to know that even though, inadvertently, it might make expressions that sounded badly, it could be trusted in the hour of its responsibility.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. HEYBURN. Yes.

Mr. CLAPP. I want to remind the Senator that before this thing is through he will be confronted by the proposition that the people trusted the Republican party with a promise which, according to the Senator's own statement, was made from a sense of fear.

Mr. HEYBURN. I beg pardon. I was interrupted by a colleague, and did not hear the Senator's remark.

Mr. TILLMAN. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Carolina?

Mr. HEYBURN. Yes.

Mr. TILLMAN. In this happy family which we find on that side of the Chamber, we discover that those people who have timber which they want to cut and manufacture into lumber are clamoring for a tariff, while those who live on the prairies and in the States where the timber is exhausted are clamoring for free lumber.

Mr. HEYBURN. I do not find it.

Mr. TILLMAN. Well, I find it; and I think the Senator will find it before he gets through.

Mr. HEYBURN. I do not find it.

Mr. TILLMAN. What is the matter with our friend from North Dakota [Mr. McCUMBER]? Is it not because North Dakota has no trees?

Mr. HEYBURN. I think I will not become personal in regard to the Senator from North Dakota, because I can refer to my own State. More than half of it is not forest, but plains and valleys.

Mr. TILLMAN. I know that, but I am speaking about those States where they have no trees at all, practically.

Mr. HEYBURN. Yes. I think I will leave the Senator from North Dakota to make his own case. I am not here to attack him.

Mr. TILLMAN. I am not attacking him. I am just asking the Senator to explain the inconsistency in the Republican camp.

Mr. HEYBURN. The fact is, I am holding the floor for a few minutes, at least——

Mr. TILLMAN. It is really an antagonism of personal and local interests.

Mr. HEYBURN. Well, Mr. President, I have seen some evidence of that in the votes and action of other Senators besides those referred to. I am holding the floor, for the few minutes that I shall occupy it here, to express myself upon the question, What is the protection to which the Republican party is pledged? It is not to protect the individual who happens to be in a position to protect himself. It is protection that is universal in its application. It is not a local question, as has been said. It is a general principle, with local application, and that is true of every law that we have passed.

I know the vote that is to be taken is merely as to whether or not there shall be any duty on lumber, but I claim the privilege of occupying the attention of the Senate for a reasonable time upon these questions which seem to me important; and I make these remarks in order to recall to the minds of Senators the fact that because we are asked at this time to vote between free trade and protection there is behind it all, and there will be behind it within a few hours, the question What measure of duty will afford protection? It is my intention, so far as I may, to speak and vote for the retention of the existing duty on lumber. The people in that part of the United States who are most interested in it demand it. Even though at this time it is merely a vote as to whether it shall be free trade or some duty yet to be fixed, I have thought fit to present these ideas. I did not do it to attack the Republican party. I did it to sound the bugle call to bring real Republicans to the front—men who are Republicans from principle, always Republicans, and are never found fighting under any other banner.

Mr. President, I will defer any further remarks until this matter shall come before the Senate on a question as to what duties shall be levied upon lumber and the products of it.

Mr. BURKETT. Mr. President, before the amendment of the Senator from North Dakota [Mr. McCUMBER] is put to the Senate for a vote, I desire to submit a few remarks in support of it. I have listened with a good deal of interest to the addresses which have been made on this subject for the last two or three weeks, and had I had opportunity earlier in the session I should have made more extended remarks upon this subject than I shall now. I am going to promise to the chairman of the committee, who I know is anxious to get a vote, that I will not detain the Senate more than a few minutes.

Mr. SCOTT. I suggest the absence of a quorum, Mr. President.

Mr. ALDRICH. I hope the Senator will withdraw that suggestion.

Mr. SCOTT. The Senator from Nebraska does not want to speak to empty benches.

Mr. BURKETT. Do not make the suggestion.

Mr. SCOTT. I withdraw it.

Mr. BURKETT. In my opinion, there is a quorum here. I would rather have the quorum that is here than to try to get some one else who would not stay.

Mr. President, while I listened to the Senator from Idaho [Mr. HEYBURN] to-day complaining of the attempt of some of us to place this article on the free list, I looked over the free list, and I found that that list has not been made according to the theory the Senator from Idaho suggested.

I find, if I can read the free list aright, that it is not made up according to any particular theory, but according to the exigencies of each particular case and the emergencies of the occasion. I find a good many things on the free list that come into competition with things that are manufactured and produced here. I wish also to call the attention of the Senate to the fact that even in this bill the committee have placed on the free list fence posts and kindling wood, which are very important items of lumber production.

I find also on the free list—and it has been there for a good many years—binding twine. We all know it comes into competition with our manufactures, and, in fact, has driven them out. But it has been because the Congress at some time have believed that it was for the best interest of the greater number that binding twine should be placed upon the free list rather than to protect a factory or two here or there which might be interested in manufacturing it.

I also listened to the remarks of the Senator from New York [Mr. ROOT] this morning, pleading for some local industries up in his State, and I realize their importance to the particular towns that the Senator from New York suggested. But while the Senator from New York was speaking upon the importance to those towns and to the men who were employed in those factories of having the rough lumber brought into America and here planed and dressed, I took out our book of imports and I found how insignificant, after all, was that little planing-mill industry to the great lumber industry of the country which we are considering in this bill.

I call attention to these facts, because in making a tariff bill we must consider the best interests of the greatest number of people of this country. In my opinion it is of more importance to the people, it will build up more industries, and it will enable the people to support more industries, if they can have their lumber cheaper.

As I listened to the remarks of the Senator from Washington [Mr. PILES] a few days ago——

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. Certainly.

Mr. BORAH. Would it inconvenience the Senator to state what industries it would start to take the duty off of lumber?

Mr. McCUMBER. It would build homes.

Mr. BURKETT. I will say that I might not be able offhand to give a great number of industries which might be started. It would suffice nothing if I did. In making a general statement one may not always be prepared to particularize. But I do undertake to say that there are many articles on the dutiable list of this bill, where, if they could be admitted at better rates, more favorable rates, other factories would be started. Of course it may not always be advisable to do it. Free iron ore would start some iron factories. Of course, as has been suggested to me, we could at least perhaps build more homes if we would bring in more lumber.

Mr. BORAH. That is a generalization. There ought to be some facts submitted to support it.

Mr. BURKETT. Of course, I realize that it has been combated all the way through here that reducing the tariff would make cheaper lumber, and yet we have had on the free list for a long time logs. Why was that? Now, they propose, as I understand, to reduce the tariff on rough lumber. I am one of those who believe that by putting lumber on the free list it will reduce the price of lumber to the consumers in this country, and if it does not, I am here to ask the question which I asked the Senator from Washington several days ago, when he was making his speech: If it will not reduce the price of lumber, why are the people representing those States wherein the lumber is located so much concerned about the proposition to reduce the tariff?

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. BORAH. The people of the Northwest are concerned for the reason that they would not get the price. The price would not be reduced, but it would be paid to Canadian manufacturers instead of American manufacturers.

Mr. BURKETT. Of course, that is only an assertion.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. BURKETT. I do.

Mr. NELSON. I desire to say to the Senator from Idaho that the price would be reduced, and it would not be reduced for the benefit of the Canadians. Our lumber manufacturers import logs from Canada and saw them in this country. They get them in free of duty, and they sell that lumber to us at just the same price that they ask for lumber made from our own logs.

Mr. BORAH. If the Senator will permit me for just a moment——

Mr. BURKETT. Certainly.

Mr. BORAH. The Canadian manufacturer has been shipping lumber into this country for the last seven or eight years, and has had the advantage of $7 or $8 a thousand, but he has been selling it to the American consumer for the same price that the American manufacturer has; and it is not fair to presume that he would cease to have that same ambition to put the money in his pocket if he had $2 more advantage of the situation.

Mr. NELSON. Will the Senator from Nebraska yield?

Mr. BURKETT. Certainly.

Mr. NELSON. I wish to tell the Senator from Idaho that on the northern boundary of our State there are mills that make a business of sawing our lumber and shipping it to Winnipeg and selling it in competition with Canadian lumber. The large share of the lumber sold in the city of Winnipeg, the metropolis of western Canada, is lumber made in the State of Minnesota.

Mr. BORAH. I am not concerned about what the man in Canada gets his manufactured lumber for. But the Senator fails to sustain his position that the American consumer will get it any cheaper. That is the only man about whom I am concerned.

Mr. NELSON. If he shall not get it any cheaper, what effect would the removal of the duty have?

Mr. BORAH. The duty keeps the operation on this side of the line instead of on the other side of the line.

Mr. SCOTT. Mr. President, I suggest the enforcement of the rule.

The PRESIDING OFFICER. To what rule does the Senator from West Virginia refer?

Mr. SCOTT. The rule that Senators shall address the Chair and get the permission of the Senator entitled to the floor before interrupting.

The PRESIDING OFFICER. The Senator from Nebraska had yielded to interruptions, as the Chair understood it.

Mr. BURKETT. I had yielded.

I have risen particularly to-day, I will say, to impress upon the Senate—and it is along the line I have tried to suggest a time or two heretofore—that in making this bill of 1909 we ought at least to bring it up to 1909. When I asked a question of the committee the other day as to why a certain rate was made, it was suggested that it was in the Dingley Act, and I insisted that that was not answer enough to satisfy me. Conditions might have justified the Dingley rates ten years ago that do not now exist. And in making a bill to-day, it seems to me, we ought to consider conditions as they exist to-day.

For example, logs are on the free list. We stopped bringing logs into this country long, long ago in any important quantity. Long ago the logs that could be cut and floated down into this country—and that is the only means of transportation that is practicable to bring them in here—were cleared away, and logs on the free list have not been of any consequence to the people for a good many years. A little later on——

Mr. ELKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. BURKETT. I do.

Mr. ELKINS. The importation of 782,000,000 feet of lumber for which we paid $15,000,000, American money, did not seem to affect the price one way or the other. The importation was at the rate of $19 a thousand, and that was the price in this country and it was maintained.

Mr. BURKETT. The importation of what—logs?

Mr. ELKINS. No; lumber.

Mr. BURKETT. Oh!

Mr. ELKINS. Rough lumber came into this country at $19 a thousand feet, and that was the market price.

Mr. BURKETT. Yes.

Mr. ELKINS. They paid the duty and must have made some money, or they would not have shipped it in.

Mr. BURKETT. Very little came in.

Mr. ELKINS. It did not reduce the Canadian importations of it, for which we paid $15,000,000. It did not reduce the price of lumber.

Mr. BURKETT. A very small percentage of what we use, as I stated a moment ago, and it cuts very little figure in the price. We have now gotten way beyond the proposition of rough lumber.

Mr. ELKINS. I hope the Senator will vote for a duty on rough lumber.

Mr. BURKETT. I will vote to reduce it on rough lumber and finished, too, I will say to the Senator.

Mr. ELKINS. On the rough lumber it is just as the Senator stated. He admits that it did not change the price. Why pay out this $15,000,000 of American money, good money, and take it away from the employment of thousands of people and prostrate American industries by giving up the $15,000,000 when the price did not go down? The price was $19 a thousand. You may look at all the statistics you want on the subject.

Mr. BURKETT. Mr. President, as I was about saying, when we put logs on the free list, and that was a good many years ago, it might have been possible to float them down the river, but conditions have changed since that time. By and by, instead of being able to float the logs down the river, when the timber got farther back from the streams, they had to manufacture it to meet the requirements of the transportation facilities. It was quite natural under the protective theory that the rate on finished lumber should be higher than on rough lumber. But to-day we have gotten as far away from the rough-lumber proposition as we are from the log proposition. There is scarcely any such thing as rough lumber any more. The dealers do not handle it, and the manufacturers finish it on one or more sides.

You can not buy a stick of rough lumber to-day in the retail yards of the Mississippi Valley, and that condition has prevailed for ten years. Why? Because the lumber manufacturers have found that it is more profitable to handle finished lumber than rough lumber. They have found that they save more in freight rates than it costs to finish it. So when you reduce the rate on rough lumber and leave a differential on finished lumber you are begging the entire question, because the rough lumber is not of any importance in the lumber controversy aside from a few localities like those the Senator from New York spoke of a few moments ago. There is no use reducing the tariff on rough lumber when nobody uses it or can buy it. If you want to bring the bill up to 1909 include in your reductions finished lumber—the kind we are now using.

In my opinion this differential on finished lumber is simply a humbug. Very plainly speaking, it is a travesty upon the entire proposition. If we are going to reduce the tariff on any sort of lumber, let us reduce it upon the kind of lumber we are consuming in this country.

The two great propositions that the Senator from Washington [Mr. PILES] raised in his remarks the other day have been carried through this entire debate by those who insist on keeping up this tariff. They are the only arguments that I have heard made in favor of the present schedules. The first was the cheap lumber waste bugaboo, and the second was the cheap labor competition that he says this country has to meet.

If I have been able to read the evidence contained in these hearings right, the men who are interested in this matter of a tariff on lumber are the men who own the stumpage in this country. As I stated the other day, the men who have appeared before the committee advocating a high tariff on lumber have mostly been stumpage owners. I believe I asked the Senator from Washington if that was not a fact.

Mr. PILES. Mr. President——

Mr. BURKETT. Perhaps I can anticipate the Senator's reply. He said that the State of Washington was a large timber owner also. Was that the question he was going to suggest?

Mr. PILES. I did not quite understand what the Senator said. I understood the Senator to say he asked me some question which I did not answer, and which has not yet been answered. I did not understand what the question was. I did not hear the Senator plainly. The Senator can tell me just what the question was. I did not hear him.

Mr. BURKETT. I asked the Senator from Washington the question whether or not it was not entirely a stumpage proposition in this country.

Mr. PILES. That is the question?

Mr. BURKETT. Yes.

Mr. PILES. I thought I answered the Senator very clearly when I submitted the resolution of the Shingle Weavers' Union, for instance, representing some 14,000 men; a telegram from the president or secretary of the State Federation of Labor, representing some 25,000 men; the resolution of the legislature of the State of Washington; resolutions from the commercial bodies of that State, in which it was shown that the removal of the duty would very greatly injure the business and the labor of the State.

Certainly it is not a mere contest between stumpage owners. It affects about 110,000 men in one State who are engaged at labor in the business, and some 500 ships that are fitted up on the Pacific Ocean to carry lumber. It affects the entire business interests of the whole country.

Mr. BURKETT. I thought I had at hand here, but I have not, a statement from a paper from the Senator's own State upon that exact point. Perhaps later on I will find it. It states that it is a stumpage question.

But I do not want to go into that. I was only referring to it in passing. As I have gone through the evidence that has been taken by the Ways and Means Committee upon this question, I have observed that practically every man who appeared before that committee has been interested in stumpage.

Mr. BORAH. Mr. President——

Mr. BURKETT. I will yield in just a moment. I doubt if anybody believes that whatever shall be done with this lumber schedule that our mills will not go on manufacturing lumber just as they have in the past. They may not be able to credit as much on their stumpage accounts as they would if they did not have competition with Canada, but in my opinion every mill will go on manufacturing lumber and every laboring man therein will be employed as fully and at as good wages as he has been given in times past.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. In just a moment. Only two or three weeks ago, in coming in on the train, I met a man who is manufacturing lumber and interested in the lumber business in many ways and in many places throughout the country. He was interested in mills in at least three different sections of the United States.

He revealed to me the startling information that at that time his company was making lumber and selling it at less than the stumpage price; that the price of stumpage was forced up to such a point that they could make more money selling it as stumpage than as lumber. But they were compelled to keep the machinery going and to sell at the prevailing prices of lumber. Now I will hear the Senator from Idaho.

Mr. BORAH. I was going to say, in order to be exactly accurate as to the witnesses who appeared before the Ways and Means Committee with reference to the question of stumpage, it should not be overlooked that most of those who appeared against the duty own stumpage in Canada.

Mr. BURKETT. As I said the other day in a running debate I had with the Senator from Washington [Mr. PILES], I thought it very probable that this question was a good deal of a contest between the men who have stumpage in Canada and the men who have stumpage in America; but inasmuch as I believe by favoring the man who has stumpage in Canada we would help the consumer of lumber in this country, I am willing to help the man who has stumpage in Canada, if it does help him any.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. Certainly.

Mr. BORAH. The Senator has answered my question by saying, when it is between the Canadian and the American, he will vote to favor the owner of Canadian stumpage.

Mr. BURKETT. Yes; the Canadian stumpage owner.

Now, I want to read some letters in response to the first objection to reducing the tariff that has been made, and that is the cheap-labor bugaboo. When the Senator from Washington was making his admirable address the other day, I called attention to the testimony of some of the witnesses upon this question. But since the Senator's address I have had called to my attention several statements made from those who are working in mills to show the contrary to what the Senator said with reference to the employment of oriental labor in Canada and in the northwestern part of the United States.

On page 3130 of the hearing there is some evidence that I did not succeed in calling to the Senator's attention, and that is as to the effect that the interior or mountain mills of British Columbia have 60 per cent of the lumber-producing capacity of the Province, and out of 4,000 men in the mills, and perhaps 8,000 all told, employ not to exceed 400 Orientals.

I also had called to my attention by a prominent lumberman, after the close of the debate on that day, that the Fraser River Mills, at New Westminster, the largest in the Province and on the coast, too, about a month ago replaced all their Orientals with whites, and before that time only 13 per cent of their pay roll went to Orientals. The whites will be paid more money, but are considered cheaper in results.

I want, also, to read a letter which has come to a Senator upon this question. It is written by an employee in one of the mills and is in direct response to the statement of the Senator from Washington that there is no oriental labor employed in the mills of Washington and Oregon. I will state that he has requested that his name should not be made public, but the Senator can see the letter at any time he wishes. I will read it, but I will not use the name of the writer.

Mr. PILES. I have never said that there were no Orientals employed in the mills of Washington.

Mr. BURKETT. The Senator laid a good deal of stress upon the different kind of labor that was employed in the mills in America and the mills in British Columbia, and he said it was because of this oriental labor, the cheap labor that was used over in British Columbia that they could not use here in America, that we could not compete on an equality with the finished lumber coming into this country from Canada.

Mr. PILES. If the Senator will permit me right there, I will explain that situation to him. It is estimated by those who know that out of the hundred and ninety thousand men employed in the lumber and shingle business on the Pacific slope there are between 1,500 and 2,000 Orientals employed. There are, I am reliably informed, no Orientals employed in the mills in the cities of Washington.

Mr. BURKETT. Let me read to the Senator this letter, because it quotes what I recollect the Senator did say:

SIR: Seeing in to-day's Post-Intelligencer, of Seattle—

It was evidently published in the Senator's own town paper—

Seeing in to-day's Post-Intelligencer, of Seattle, that Senator PILES, of this State, yesterday made a statement that "only two mills in this State employed oriental labor," may I be permitted to offer my own personal experience?

I have worked in mills both inside and outside of the "association," as the monopoly is generally termed here, and the following mills are still employing Japanese help, viz: St. Paul and Tacoma Mill Company, Tacoma, Wash.; Wallace Lumber Company, Startup and Seattle (Mr. Startup, one of the owners, is a prominent association official); the Atlas Lumber and Shingle Company, McMurray and Seattle, Wash. (Mr. Patten, the owner in part of the Atlas Company, is universally detested by the white laboring men of this State on account of his Japanese proclivities. Besides being one of the foremost of the association, I think he is one of the high officials). These I know are association mills, whilst I can not say for the following: Page Lumber Company; Eagle Gorge Mill, King County, Wash.; Kent Lumber Company, Barneston and Seattle; the big mill at Mukilteo, near Everett, Wash.; the Hewitt & Lea Mill, at Wilburton, close to Seattle; the Minnesota Lumber Company, at North Avon, Skagit County, Wash., offices at Mt. Vernon, same county; a small mill at Fredonia, within 2½ miles of the preceding one; the big mill at Gold-Bar, near Startup, offices at Seattle; whilst the Puget Lumber Company, operating mills at Port Gamble and Port Ludlow, employ Chinese cooks and Japanese help in the kitchen. There

are also Japs working near Napavine on the Northern Pacific Railroad between Tacoma and Portland; also at Fidalgo Mill, near Anacortes, Skagit County, Wash. (I do not know if these two are working, but I know that all the above are really oriental propositions.) There are several more that I could give, but I have only given those which I can personally vouch for.

Now, I am handed another letter this morning, and I will say I will not give the name of the writer, but the Senator can see the letter. It is written in the handwriting of the author:

Senator S. H. PILES, of Washington, undertook to inform you that your information was incorrect, and that there was only two mills in the State employing Japanese. He undoubtedly knew that he was misrepresenting matters to you, or else he was woefully ignorant of the conditions in the State he is supposed to represent. There is no question but that a large number of the mills employ Japanese here, probably a majority of them, although I can not say positively. I will give you the names of a few concerns near to Seattle who I know do employ Japanese.

Then he recites here five different concerns that are employing all the way from 30 up to 200 Japanese in each mill. He proceeds:

If the lumbering interests of this State were afraid of the competition from the Canadians, is it not rather singular that this State should ship hundreds of cars of lumber to Winnipeg and northwest Canada annually and compete with Canadians in their own territory? The tariff on lumber has not benefited anyone but the few lumber mill companies, as the wages of lumbermen are lower in this State and Oregon than they are in British Columbia.

Then he finishes up the letter by stating that he is an employee.

Mr. PILES. Will the Senator permit me? In the remarks which I made to the Senate on the lumber question I do not recollect having said anything about the number of Orientals employed in the mills in the State of Washington. In interrupting some Senator who some days before had spoken upon this subject, I remember stating that there were, according to the information I had, but two shingle mills that employed Orientals in the State of Washington. I do not know how I am quoted, for I have never looked up my remarks in that interruption, but what I had reference to was shingle mills. It is admitted in the testimony before the Ways and Means Committee that there are some fifteen hundred or two thousand Orientals employed in the States of the Pacific coast out of the 190,000 men employed. It would be ridiculous to say there were only two mills that employ them. My information is that there is not a mill in any of the cities in the State of Washington that employs Orientals. They are employed to some extent in the outside mills. The mill the Senator has mentioned is not in a city. It is on land owned by the mill company, in Kitsap County. A number of the mills doubtless employ Chinese cooks and help around the camp, and in several of those mills they employ Orientals actually in millwork. There is no doubt about that, but that amounts to nothing as compared with the number employed in British Columbia.

Now, I have here an estimate of the number employed. It is insignificant as compared with what is employed in British Columbia. On that point I should like to read just one or two telegrams. Here is a telegram I should like to submit:

SEATTLE, WASH., *May 16, 1909.*

Hon. S. H. PILES, *Washington, D. C.:*

Less than 2 per cent of men engaged in lumber industry in this State are Orientals, most of these in cargo mills in competition with Canadian mills.

CHARLES R. CASE,
President Washington State Federation of Labor.

I assume the president of the State Federation of Labor ought to know all about this matter. It is his business to investigate and look into it. Since I made my remarks in the Senate on the subject of lumber, some days ago, he has, I should judge from the following telegrams, been investigating the question with considerable care:

VANCOUVER, BRITISH COLUMBIA, *May 19, 1909.*

Hon. S. H. PILES, *Washington, D. C.:*

Personally investigated lumber and shingle mills, Vancouver and New Westminster; 90 per cent of employees Orientals.

CHARLES R. CASE,
President Washington State Federation of Labor.

Here is another telegram, dated May 22, from Victoria, British Columbia, which I will read:

VICTORIA, BRITISH COLUMBIA, *May 22, 1909.*

Hon. S. H. PILES, *Washington, D. C.:*

Over 90 per cent of labor employed in sawmills on Vancouver Island are Orientals. No self-respecting white man can live or work in open competition with them.

CHARLES R. CASE.

Mr. BURKETT. Mr. President, in my opinion——

Mr. BORAH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. BORAH. Will the Senator give the name of the party who wrote that letter?

Mr. BURKETT. I said before I read it that the writer asked that his name be not made public. The Senator can read the letter, if he wishes to do so. I will not publish the name of the writer. He is employed, I will say, in these lumber mills, and he has not wanted his name made public. He is not in a position to have it done, and I will not take the liberty to give it out. I so stated before I read the letter.

But I was about to say, Mr. President, I have only referred to that, not intending to go into any particular discussion over it to-day, because we went into it at some length when the Senator from Washington was addressing the Senate two or three weeks ago. I read it only for the purpose of showing that, while there may be some oriental labor employed in Canada, there is also without doubt some oriental labor employed in the State of Washington. I only wanted to use it to impress the fact that the more you go through this evidence and the more information you get, it demonstrates the proposition that, so far as the cost of production is concerned, we can produce lumber here in the United States without any fear of any competition with Canada except alone from the one question of stumpage.

That brings me back to the statement I made a moment ago, that, in my opinion, the stumpage men are the people who are interested in this question, and if the tariff goes off of lumber it does not mean that a single mill is going to stop in this country; it does not mean that a single man is going to be thrown out of employment, but it does mean, perhaps, where there is cheaper stumpage in Canada to compete with the stumpage in America that the stumpage men on this side of the line are going to have to take something less for their stumpage.

A moment ago I tried to find a clipping from the Washington Herald, from the Senator's own State. I want to read it now. It is from a paper that advocates protection and from a paper that is interested, because it is in that section of the country and because it says it is interested in this lumber question. I want to read it to the Senate, as it shows exactly the position of one who writes there on the ground.

The Northwest is especially interested in the lumber-tariff issue, and there are lumbermen who are already telling what disastrous things will befall the lumber industry of this section if the new tariff schedule, consisting in the main of a reduction in the duty of 50 per cent, goes into effect. The Northwest certainly wants to see nothing done to injure the lumbermen, but we can see no sense in widespread calamity howling. If the policy of some of the lumbermen is to "throw a scare" into the Northwest, it is ill advised, for it only results in a feeling of industrial unrest and uncertainty that is disconcerting to all business interests, and, we believe, it is unjustified.

All residents of Everett and of the Northwest know what a few years have done to the loggers of this section. Logging has made more men wealthy in a shorter time than has any other branch of the lumber industry or any other business in which men of the Northwest are interested. The loggers, who have acquired much of their timber at low prices, are the kings of the lumber business. They have dictated prices, boosting them unceremoniously when they wished, and those mills buying in the open market, and that means the majority, have been compelled to pay the price or go out of business.

Then, omitting some, the article goes on to say:

Bearing that fact in mind, it is hard to see why the loggers can not easily absorb that tariff reduction, or at least the larger portion of it. Cheaper logs will mean cheaper lumber, that, if we are threatened with the Canadian product, will be able to meet the latter on the same comparative footing they hold at present. It can't be denied that lumber prices are high, and that is what has raised the cry of the Mississippi Valley States for free lumber. Let the loggers pay their share of the game and not seek to convert Washington's greatest natural resource into wealth in a few short years and the price of lumber will drop, we can stand the proposed tariff reduction, and the cry for free lumber from the Middle West will cease. It is a big question, but its solution along the line of the proposed tariff bill under no circumstances means the destruction of the lumber industry. At the worst it will bring about a readjustment. It is better for the Northwest to have a reduction in the lumber tariff now than be called upon to face a time when the great majority of the country, in a way that can't be refused, demand free lumber, and unless something be conceded at this time, that day will come.

While that article does not go as far as I should like to go and give free lumber now, nevertheless, coming from a paper published in that section of the country, and a Republican paper also, it does justify me in the position which I have taken, that the proposition which confronts us here is the proposition of the logging interests of this country.

Mr. SCOTT. Mr. President——

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. BURKETT. I do.

Mr. SCOTT. I merely want to ask the Senator—I presume that his object is to get a lower rate on lumber for the people of the Northwest—does the Senator think if we should take the duty entirely off lumber that would accomplish that result or not?

Mr. BURKETT. In my opinion, it would; and what I have read, if the Senator recollects, from the article published in this paper in the State of Washington, also reenforces that state-

ment. There is in these tariff hearings—I am not going to take time now to read them, for I am not going to talk long—there is in these hearings abundance of evidence to show that the opening up of our markets to Canadian lumber does mean cheaper lumber to the consumer, at least it will help to prevent the greedy stumpage men from forcing lumber higher. But if that is not true, then I ask why this great lobby, which has been here in Washington trying to prevent the reduction of the tariff on lumber? If it will not reduce the price, why the opposition from the Senators from States representing those industries? As I said a moment ago, in my opinion, this is not going to close a single mill in this country. I should not want to see a mill closed.

But America is to-day competing with all the world. I have a list of countries here showing that we are sending lumber to all the world. We are competing with Canada everywhere else on earth; and yet we are afraid that we can not compete with her here in America. In my opinion, there is no logic in that sort of a proposition, and we can not sustain ourselves in making a tariff bill and imposing a high tariff upon things in which we can compete successfully, and are competing in all the markets of the world, with the very nation that we seem to be most fearful of.

The other great proposition that the Senator from Washington laid stress on was the question of low-grade lumber. His argument was that free lumber meant destruction of the forests; that we could not use the low-grade lumber, and that would go to waste. I submit to the Senate that until Mr. Pinchot came into this discussion with that letter of his, stating that protection was needed to conserve the forests, the free-lumber proposition was in great deal better shape, to say the least, than it has been since.

I want to suggest, however, that Mr. Pinchot occupies on this question exactly the same position that all the great stumpage owners occupy when they give their evidence. Mr. Pinchot controls the greatest amount of stumpage of any man in this country; he controls the greatest amount of stumpage of any man in the world. He has been here before Congress year after year asking for more appropriations to look after the great timber reserves. We have seen that proposition of his combated vigorously here on the floor of the Senate. Nevertheless we have granted him the money to care for the forests and extended his authority until to-day he controls more stumpage than any human being. Very naturally Mr. Pinchot wants to make a good showing, he realizes that he must accomplish something out of these forests that he has undertaken to control; and in his official position he is as anxious to get as much out of the stumpage he controls for the sake of his record in this matter as the men who privately own stumpage. So I say all of them, from Mr. Pinchot down to the State of Washington, down to the men who have testified in their private capacity, they are all stumpage owners, and they are interested in forcing up the price of stumpage in this country.

I have, however, been interested in observing how the press of the country received the judgment of Mr. Pinchot. I picked up the other day a paper from a town in Florida commenting upon the position that he took. I understand they are in favor of a tariff on lumber down there. But they considered his contention as a joke. Speaking of his article, the paper said:

FROM A TREE STANDPOINT.

Any idea that a man nurses all the time ultimately looks bigger to him than all else out of doors. Gifford Pinchot has written a letter on the tariff to Chairman Payne of the Ways and Means Committee.

Mr. BORAH. Mr. President——

Mr. BURKETT. Let me read this through. The article continues:

He holds that the fundamental question at issue in the lumber tariff is forest conservation. Mr. Pinchot is chief forest conservator. If it had been his business for years to take care of tadpoles, he would declare the fundamental question at issue in the drainage discussion was the conservation of tadpoles.

When Mr. Pinchot combats the idea that a removal of the duties on lumber would preserve our forests, he is fighting a windmill. Nobody who has thought of the subject thinks it would. Why, then, do men use such an argument for free lumber?

We do not know by what process of reasoning Mr. Pinchot arrives at the conclusion that a removal of the duty on lumber would not benefit the consumer. If this is true, it is strange that sawmill men are making such a fight to retain the duty. If a reduction of the duty would not reduce the price to the man who buys, surely it would not reduce it to the man who sells.

Now I will yield to the Senator from Idaho.

Mr. BORAH. I want to ask the Senator from Nebraska whether he takes the position that the duty on lumber, or the taking off of the duty, would conserve or not conserve the forests? As Mr. Pinchot's views are not answered, neither are they supported. I simply want to know the Senator's position.

Mr. BURKETT. Mr. President, if taking the duty off of lumber will bring lumber into this country, in my opinion it will save that much of the forests here. Of course I understand the position taken by the Senator from Idaho and the Senator from Washington. When the Senator from Washington was making his address the other day and was speaking of the fact that there would be so much waste low-grade lumber, I asked him the question: "What is going to prevent this low-grade lumber being manufactured? Is it competition in the same grade from Canada, or the reduction in price of what is produced in the United States?" And, Mr. President, that question never was answered. What is going to stop the manufacturing of low-grade lumber in this country? Is it going to be the competition of low-grade lumber from Canada, or is it going to be the reduction of the price in the United States?

The Senator undertook to say in reply that they had a different kind of process of buying stumpage in Canada; that they buy their stumpage according to what they use, and that in the United States they had to buy the whole tree. Therefore, if that means anything, in my opinion it means that they would only use the best part of the stumpage, because that is all they would have to pay for; they would only make the highest-priced lumber, and that is the lumber that we would have to compete with. In my opinion, one of two things is true: Either this is going to reduce the price of lumber to the consumer, or the people who are producing lumber in this country are not going to be injured either in the production of second-grade lumber or in the production of first-grade lumber.

Mr. President, I want to speak particularly on one point, and then I am going to close, and that is upon the matter of the differential. There may be a reason, perhaps, for putting a tariff on lumber; but, in my opinion, there is no longer a valid reason for putting a differential tariff upon finished lumber. That is only giving the manufacturer a bounty for doing what is profitable for him to do. For example, I have here some quotations of lumber prices of a certain lumber manufacturer. It quotes lumber to be shipped at a certain price, with freight prepaid. Then at the bottom of the price list there is a footnote, which adds this:

If you need rough lumber, add $2.25 to these prices.

This shows that the lumber manufacturers can furnish finished lumber cheaper, and would rather do it, than rough lumber. Yet we are imposing a differential, a higher duty on the finished lumber than we are imposing upon the rough lumber.

As I said a moment ago, originally the log was of importance in making up this schedule, and when we wanted to give the manufacturer a little advantage we excluded logs and put them on the free list. But now we can not bring in any logs. Then we wanted to force as much manufacturing to be done in this country as possible, so, away back in 1872, we put an additional tariff upon finished lumber; that is, we let logs in free and rough lumber in cheaper than finished lumber. But to-day finished lumber occupies the same position in the market as rough lumber did then. This has all been brought about by the manufacturer for his own benefit. Let me tell you how. I can remember, twenty years ago, when the lumber producer cut down the size of his lumber. The 2 by 4 he cut down to 1¾ by 3¾, or thereabouts. He cut down the 2 by 6 to 1¾ by about 5½, and he made the same prices. He made money by saving lumber and selling those reduced sizes at the same prices.

It went on a little further, when the lumberman again wanted to raise his income without apparently raising his price. So he conceived the idea of selling lumber and prepaying the freight. Until about a dozen years ago, when a lumber dealer in a local town bought lumber, he bought it at the factory and paid his own freight to the point where he sold it. But about a dozen years ago the manufacturer changed his plan of selling lumber and agreed to ship it to the local dealer and prepay the freight. They added the price of the freight to the price of the lumber; and in order to make money on that operation they started to plane off one or two or more sides of that lumber. In doing this they reduced the weight and saved on the freight. As has been shown by the price schedule to which I have referred, it is worth two dollars and a quarter more to them to send lumber before it is dressed than it is to send lumber after it is dressed. They have done that thing as a money-making proposition. It is not a thing they have to do; it is not a thing that it is particularly desirable that they should do, to plane off the 2 by 4, to plane off the fencing, and dress the other lumber they have sent out; but they do it as a money-making proposition. In my opinion it is wrong; it is a travesty upon the justice of things to put on a tariff to protect those men in the doing of that on which they are already making from two to three dollars a thousand feet.

There is one question on which you can not fool the people. Every farmer who buys lumber in my State or in any other State realizes that he can not buy rough lumber if he wants to. He must buy planed lumber, and he knows he must buy it because it is of advantage to the men who produce the lumber to make that dressed lumber, and he knows that this higher protection is for doing a thing that the manufacturer is making money to do and which it is to his advantage to do. Therefore, I ask, why at the same time should we protect him two or three dollars in addition to the profit he already has by dressing this lumber?

Mr. President, I think I have nothing further to add to this debate. It has already extended over considerable time. I am not going to combat the Senator from Idaho [Mr. HEYBURN] as to what different men in their campaign speeches may have said with reference to the revision of the tariff. I suspect, from what I have heard here, that a good many different positions were taken upon the proposition of revising the tariff in the last campaign. Out in my section of the country I know we believed that revision meant a revision downward wherever we could do so, without injury to our American industries. I do not believe, however, that our people understood we were going to reduce the tariff to an extent that would distress our manufacturers or close any of our factories; but I do believe that our people understood that in the twelve years since the Dingley bill was enacted conditions had so changed that some industries that needed protection a dozen years ago would need less now; and that the revision of the tariff in the main was to be a revision downward. But I will not speak generally of it, because that would probably bring on a controversy.

I am going to say, however, that, so far as lumber is concerned, that one item, above all the other items of the four thousand included in this bill, was singled out in every county, in every town, in every campaign speech that was made during last fall, and our people did hope that the tariff on lumber should at least be reduced.

I took that position, not because I believed in free trade generally, but because I do not believe a reduction will hurt the industry, and because I believe that for the greatest interests of the greatest number in this country we ought to put lumber on the free list, just as our predecessors put binding twine on the free list, just as they put broom-corn on the free list, just as they put ice on the free list, and oil cake on the free list; and just as this committee themselves have put fence posts and kindling wood on the free list, and also cedar and lignum-vitæ and some other kinds of woods. In my opinion, responding to the demand of the greatest good to the greatest number, we ought, in justice, put all lumber on the free list up to the stage that it appears in the lumber yard for the use of the average consumer in this country.

Mr. TILLMAN. Mr. President, will the Senator from Nebraska inform me why it is, although we were told the other day that there were only five razor manufacturers in this country, that 80,000,000 Americans were compelled to pay those five fellows a tribute and increase the price of razors, if you are going to put lumber on the free list. I am going to vote to put lumber on the free list, but I just wanted to understand the contradictions in the reasonings and the arguments on that subject, if possible.

Mr. BURKETT. I did not understand the Senator's question, if it was a question.

Mr. TILLMAN. I say it was brought out the other day in the debate that there were only five men in the United States manufacturing razors, and yet the duty on razors was held in the bill by almost the solid Republican vote.

Mr. BURKETT. Mr. President, let me say with reference to the proposition of making razors, that the evidence showed that four-fifths of the razors that were consumed in this country were made over in Germany. When that is the condition with anything that America ought to produce and can produce, I would be in favor of putting a tariff on it and making them come to America to manufacture razors or anything else.

Mr. TILLMAN. What about the "greatest good to the greatest number?" That is all that provoked me to make the inquiry.

Mr. BURKETT. In my opinion, as I said a moment ago, it would be to the greatest good to the greatest number to put lumber on the free list.

Mr. BORAH. Mr. President, the question asked by the Senator from South Carolina [Mr. TILLMAN] of the Senator from Nebraska [Mr. BURKETT] illustrates the unfortunate position of the man who thinks as a protectionist and argues as a free trader. The great foes of the protective policy have always been within the ranks of protection—those who would make an exception in favor of or against a particular industry. Such men overlook the fact, or, seeing it, ignore the fact that, as I said the other day, unless the policy of protection is a system it can not be justified at all. There is no way either in constitutional law or in morals by which you can properly lay a tax to sustain an industry or to enable an industry to live when otherwise it could not live, and thereby, in a sense, to tax one individual for the benefit of another, except upon the theory that as a policy or system it develops our natural resources, diversifies our industries, gives employment to the different dispositions and desires of men, and creates and maintains a home market. Upon any other theory, the protective system is a privilege—a wrong, if not a fraud—and those who argue for the free-lumber schedule must do so with the full knowledge of the fact that they are presenting an argument which undermines the whole superstructure of protection.

If the farmer can ask for free lumber or free anything which he buys, the man in the mill, whether manufacturer or laborer, has the same right to ask for free articles which he purchases, because it must be a conceded fact that to single out any one particular industry and take off the duty is, in all probability, to lower the price of the product of that industry to the consumer. For further illustration, if good old New England, the home of protection as well as of culture and wealth, should so far forget herself as to demand free hides, the western rancher and the western farmer would have a right in return to demand free saddles, free harness, free shoes, and free everything else that is made out of hides; and we arrive pretty soon, Mr. President, at the point where the great French economist and the most subtle of logicians, M. Bastiat, would have placed us years ago, and that is a condition of freedom of exchange with each other and with all the world.

There are those who contend that, after competition has been driven from the field in a particular industry, protection should be taken away from that industry. I am inclined to agree with the proposition that you may maintain that position if you have the evidence to disclose the fact that competition has been driven from the field, because in such an instance the protection must necessarily to some extent be a burden, without the corresponding power of competition to lower the price to the consumer. But I would only follow that rule, Mr. President, in such instances as where the competition had been removed and where it was in all probability not to return.

Those who argue for free lumber, therefore, must do so upon some legitimate basis consistent with the policy of protection, or they must be satisfied to stand forth and argue for free lumber upon the same basis that nine-tenths of the schedules could be argued against so far as duties are concerned in this bill. The real question is whether or not the removal of the duty from lumber will lower the price to the consumer, or rather whether or not the lowering of the duty on lumber will still retain the industry and yet lower the price to the consumer.

The American farmer will not appreciate the eulogies which are delivered upon him here in this Chamber unless some result in a practical, positive way accrues to him, because the American farmer is a very practical citizen; in other words, he will not appreciate the eulogies which have been pronounced and the discussion of the denuded hillsides unless, as a result of that, he can maintain his home market and still have his lumber cheaper than he has it to-day.

Mr. President, there has been a peculiarity about this discussion upon the part of those who argue for free lumber. One class of the advocates of free lumber insist that it will conserve our forests.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. CARTER in the chair). Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. BORAH. I do.

Mr. McCUMBER. The Senator says that the northwestern farmers will not be satisfied unless they can have their lumber cheaper than they have it to-day. I think that I can speak for them, and I will say that they will be satisfied if they can hold the price down as low as it is to-day. They will not be satisfied if it again mounts to the price that it was two years ago, or three years ago, or four or five or six years ago. They are practically satisfied to-day; and their efforts are to conserve our own forests and to allow an amount of lumber to come in that will check the tendency to a very rapid rise in price the moment that we get back to normal conditions.

Mr. BORAH. Mr. President, I do not propose to indulge in a controversy with the Senator from North Dakota as to what the farmers really want, because I know he is an expert upon

that subject, and he perhaps is better informed than myself; but I am perfectly willing to present this matter upon the basis which he has just stated.

I was going to say, Mr. President, that the arguments of those who are contending for free lumber are involved and, if I may say so, with all due respect to the gentlemen, somewhat contradictory. One class of them insists that it will conserve the forests; that every time you cut down a tree in Canada it indicates that a tree upon the American side will be preserved; in other words, that the lumber interests here will not use up very much lumber, and the forests of the American side will not be used to such an extent as they will be if the duty upon lumber is maintained. That must necessarily, Mr. President, be upon the theory that the American forests are not going to be used; that the tree is going to be permitted to stand. If that is true, it necessarily reduces the source of supply, which is the basis of the argument of those who insist that lumber will be cheaper because we have broadened the source of supply.

The Senator from Minnesota [Mr. NELSON] presents the facts which show that free lumber will widen the source of supply and thereby reduce the price to the consumer. The Senator from North Dakota [Mr. MCCUMBER] presents the facts, equally conclusive as presented by him, that it will not reduce the price, but will have a tendency to conserve the forests.

In my opinion the facts are against them upon both those propositions. I might leave it by simply calling the attention of the Senate to the fact that you can not conserve forests and utilize them; and you can not reduce the price, in my judgment, unless you broaden the source of supply, unless you allow the competition which must necessarily exist between the American manufacturer and the manufacturer abroad.

The Senator from Minnesota, a few days ago, in speaking of this matter, used this language, and it is the basis of all other arguments which take that position:

> The people of the great Northwest, the upper Mississippi Valley, the heart of this continent, have been looking forward to a revision of the tariff; and whenever they referred to a revision of the tariff they meant a revision downward and never a revision upward.

Those who advocate a duty upon lumber in this Chamber do so under the strict interpretation of the Chicago platform. We do not ask for any deviation either from the letter or the spirit of that platform; and we are perfectly willing, in our contention here, to accept any and all interpretations of that platform which were placed upon it when the candidates for the high office of the Presidency were interpreting it before the people. No one will contend that anyone interpreted the platform adopted at Chicago to mean the destruction, the impairment, or the jeopardizing of any industry for which it was necessary to have protection in order to preserve it. I want to read here a statement from the President, made during the canvass, in which he said:

> I come now to the question of the tariff, its revision, and its relation to the unlawful trusts. The Dingley tariff was adopted immediately after the election of Mr. McKinley. Since that time we have passed through the Spanish war and have had a decade of prosperity and an increase and expansion of trade unexampled in the history of this or any other country. The Republican principle of the protective tariff is, as I understand it, that through the customs-revenue law a tariff should be collected on all imported products that compete with American products which will at least equal a difference in the cost of production in this country and abroad, and that proper allowance should be made in this difference for the reasonable profits to the American manufacturer. The claim of protectionists—and it has been abundantly justified in the past—is that protection secures a high rate of wages and that the encouragement it gives to the home industry operating under the influences of an energetic competition between American manufacturers induces such improvement in the methods of manufacture and such economies as to reduce greatly the price for the benefit of the American public and make it possible to reduce the tariff without depriving the manufacturer of needed protection and a good profit.
>
> The present business system of the country rests on the protective tariff, and any attempt to change it to a free-trade basis will certainly lead only to disaster.

Now, Mr. President, that was one of the noted speeches of the campaign, in which the platform upon which the candidate was standing was interpreted—as the President understood it; and in sustaining our position, as we can, we are perfectly willing to accept the platform in its literal interpretation, as that interpretation was made before the great masses of the people who passed upon it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Will the Senator from Idaho yield to the Senator from New Hampshire?

Mr. BORAH. I will.

Mr. GALLINGER. Will the Senator permit me to read an extract from the speech of acceptance of the Republican vice-presidential candidate?

Mr. BORAH. I will.

Mr. GALLINGER. The distinguished gentleman who at present presides over this body was likewise on the Republican ticket as a candidate for the high office of Vice-President. This is his utterance when he was notified of his nomination:

> First, then, let me say that I am a protectionist. I am sufficiently practical to value the utility of a fact higher than the beauty of a theory. I am a protectionist because experience has demonstrated that the application of that principle has lifted us as a Nation to a plane of prosperity above that occupied by any other people. I especially commend that plank of our platform which promises an early revision of the tariff schedules. That pledge will be fulfilled in an adjustment based in every particular upon the broad principles of protection for all American interests; alike for labor, for capital, for producers and consumers. The Dingley bill when enacted was well adapted to the then existing conditions. The developments of industrial prosperity in a decade, which in volume and degree have surpassed our most roseate expectations, have so altered conditions that in certain details of schedules they no longer in every particular mete out exact justice to all. In this readjustment the principle of protection must and will govern. Such duties must and will be imposed as will equalize the cost of production at home and abroad and insure a reasonable profit to all American interests. The Republican idea of such profit embraces not alone the manufacturer, not alone the capital invested, but all engaged in American production, the employer and the employed, the artisan, the farmer, the miner, and those engaged in transportation and trade; broadly speaking, those engaged in every pursuit and calling which our tariff directly or indirectly affects.

I thank the Senator for permitting me to put this into the RECORD.

Mr. BORAH. A great deal has been said, Mr. President, in this Chamber and elsewhere with reference to the meaning of the Chicago platform. I am one of those who believe that the Chicago platform meant an honest and faithful revision of the tariff, and that that revision was understood in the public mind to be a revision downward, but always within the lines of sufficient protection to American industries and American labor.

This, Mr. President, did not mean, as was so often pointed out during the campaign by the President himself, but that there might be instances in which it would be necessary to raise the duty in order that the principle of protection might be preserved; but undoubtedly it did mean, in a general way, that when the duties could be lowered, within the policy and principle of the party of protection, that that should occur, and that rule should be adopted and carried out in good faith.

But, Mr. President, there was nothing better understood by the great mass of the American people during the last campaign than that there should be no injudicious, indiscriminate, or unfriendly attack upon the underlying and fundamental principles of the protective policy. There was nothing better understood than that whatever revision should take place by the American Congress should be within the light of that great principle and within the integrity of that principle. The people understood that just as fully and just as completely as they understood that they would take hold of the tariff and undertake to adjust irregularities and abuses which may have grown up in the last ten years. They had an opportunity to pass upon this question. It was directly presented. It was accentuated, not only by the platforms but by the candidates themselves. One of the candidates had been reared in the school of protection. He was pledged to the policy, and it was understood that whenever he directed the revision of the tariff it would be in the effort to preserve the protective policy with reference to all these industries.

The other candidate had been reared in the school of tariff for revenue only. Both candidates were pledged to revision. One of them was a friend of protection, the other was an enemy of protection; and the American people said, with an overwhelming voice, "Give us revision, but give it to us by the friends of the American protective policy, in order that it may be preserved as the Republican party has preserved it in this country in the last fifty years."

If they had been desirous of having a revision here which should ignore the protection of American industries, they had an opportunity to cast their votes in accordance with that desire. They did not do so, which meant, when there is fair interpretation of the platform, that the American people wanted revision; but above all and beyond all they wanted the great policy of protection preserved in the industrial system of the United States.

There never was a time, Mr. President, when the protective principle was so universally accepted, North, South, East, and West, as at the present time. We have our matters to adjust and conditions to meet; high prices, and those incidents and things which have been discussed here; but it is not yet the belief of the majority of the American people that you can meet those conditions and adjust those situations by tearing down the barriers and removing the walls, so that the foreign manufacturer may take possession of the American market.

There never was a time either, Mr. President, in my judgment, when it was so essential and so necessary carefully to guard the protective principle as it is to-day. All duties should be lowered which can be lowered and the policy and principle of protection

preserved; and so far as I am concerned, I am perfectly willing to meet this timber schedule, or any other schedule which is presented in this Chamber, upon that basis; but when it is contended that the American people understood that in this question of revision we should ignore that principle, an effort is made to insert in that platform something which was never there, and which no one ever conceived of. No man went into the country where I lived, or any part of it, and advocated the doctrine which has been advocated in this Chamber as the principle which should prevail in reference to revision; that is, that it should be downward, regardless of the principle of protection.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Will the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I will.

Mr. CLAPP. I have spent a great deal of time trying to remain in the Chamber and have read speeches to which I did not listen, and have not yet heard anyone on this side insist upon any such claim. If there is any claim here that the tariff should be revised ignoring the principle of protection, I should like to have that claim located. It certainly has not been uttered while I have been in the Chamber, nor has it appeared in any speeches from our side that I have read.

Mr. BORAH. Well, Mr. President, of course I do not know just how the Senator interprets the language of the Senator from Minnesota [Mr. NELSON] when he said here a few days ago that the protective policy was building up the monopolies of this country and that timber should go upon the free list. I do not know how the Senator interprets the language of the Senator from North Dakota [Mr. MCCUMBER] when he says that an industry that employs 800,000 men should be turned over to the foreign manufacturer.

Mr. CLAPP. Will the Senator pardon an interruption?

Mr. BORAH. Always.

Mr. CLAPP. I have listened to the speeches of my colleague and to the speeches of the Senator from North Dakota, and I do not recall either of them suggesting that an American industry should be turned over to foreigners. It is true, and I think the Senator will agree to it, that if there are monopolies in this country, they may have grown up; and if they grew up within the last ten years, they may have grown up under an unduly high protective tariff. But this building up of a man of straw for the purpose of having the exercise of striking him down does not, in my mind, conduce to the settlement of the real question, and that is, How much tariff is needed in order to preserve, in the present instance, the timber industry or any other industry of the country?

Mr. BORAH. I would not refer to the colleague of the Senator from Minnesota as a man of straw. I think he made the statement I said he made, and any fair interpretation of it is to that effect.

Mr. CLAPP. I ask the Senator from Idaho if my reference to a supposititious case of striking down a tariff could be fairly interpreted as a suggestion from me that my colleague is a man of straw——

Mr. BORAH. Oh, no.

Mr. CLAPP (continuing). And warranted the response of the Senator from Idaho?

Mr. BORAH. Oh, no; not at all. I am aware that the Senator from Minnesota does not regard his colleague in that light at all. He referred to what I had said as being the building up of a man of straw, while I had drawn it from the lips of his colleague. He can draw his own inference.

Mr. BURKETT. Will the Senator permit me to ask him whether the fact that a Senator advocates putting the rest of lumber on the free list indicates that he is against the protective policy any more than putting fence posts and kindling wood and cedar and lignum-vitæ and mahogany and rosewood and the others that the committee have already put on there indicates that they are deserting the protective tariff policy? They have already put on over half of them, at least, by name on the free list. We are only insisting that they put on the rest, the lumber that we use. We do not use much rosewood in the Missouri Valley. We do not use much lignum-vitæ and mahogany out there; and by name they put on two or three times as much on the free list as we want to put there; and because we ask that the rest go on the free list we are branded as free traders and as abandoning the protective policy. Why should we thus be branded, when the committee themselves have done what they have, and yet disclaim that they are free traders?

Mr. BORAH. If the Senator from Nebraska will prepare an amendment putting those articles on the dutiable list, I will support it.

Mr. BURKETT. The Senator does not answer the question, but he turns around and asks something else.

Mr. ALDRICH. The Senator from Nebraska admits—of course he knows—that none of the woods to which he has referred is produced in the United States, and that no American industry is affected by their being on the free list.

Mr. BURKETT. The Senator from West Virginia brought in a box full of samples of some kind of woods which, I understood him to say, were included in this list.

Mr. ALDRICH. Brierwood for making pipes; but that is an entirely different proposition. These hard woods are already on the free list, and no American industry is affected by it, and the comparison made by the Senator he must himself admit has no relation to this matter.

Mr. BURKETT. We produce fence posts and kindling wood in this country, certainly.

Mr. BORAH. I do not object to the Senators proceeding, but they should do it in an orderly way, that I may keep run of it.

The Senator from Minnesota [Mr. NELSON] a few days ago said:

> My objection to the duties levied upon lumber rests upon the fundamental fact that it is fostering and building up one of the greatest and worst monopolies in the country.

I thought, Mr. President, when I heard that language that I had heard it somewhere before. I was like the member of the legislature, either in Massachusetts or Arkansas, or some other good State, who heard the Lord's prayer by the chaplain, when the session was opened, and said he was certain he had heard it somewhere before.

It has long been a contention in this country that the protective policy builds up monopolies. It has not usually come from this side of the Chamber. It has usually been presented with a great deal of effect from the other side of the Chamber. But I want to say that if that is true, if it does build up monopolies or if the legitimate result of it is to build up monopolies, this bill should be sent back to the committee and reconstructed upon a different basis entirely; and it will be very difficult after this doctrine, this new revelation by the Senator who has been lately to the island of Patmos, goes out to the American people to sustain the protective policy before the people of this country.

It has been advocated since the day when some people charged Alexander Hamilton with promulgating it for the purpose of protecting the moneyed interests of the country at that time. It has been advocated upon every political battlefield from 1860 to the 3d of November, 1908, and it has been as successfully met not only by the arguments of the men who do not admit, but as successfully met by the judgment of the great American jury—the men who vote in this country.

I turned back to find the source of this argument, which has been submitted from this side of the Chamber, and I find, among others, the statement of Roger Q. Mills in the great debate of 1888. He said:

> It builds up palaces; it concentrates wealth; it makes great and powerful magnates, but it distributes none of its beneficence in the homes of our laboring poor.

Mr. McMillin, discussing the proposition, said:

> While the Government has thrown up its tariff walls without, monopolists have joined hands within for the purpose of putting up prices and plundering the people through the devices known as "trusts," "pools," and "combines."

Mr. Wilson, who was afterwards the father of the Wilson bill—a bill which will be remembered in this country a good while after to-day, said:

> Similar trusts are springing up constantly in the articles protected by your tariff and beneath its favoring shelter.
>
> I have quite a list here which a friend has gathered from the columns of a single great paper—the New York Times—but I have no time to read them to-day.

I might quote indefinitely the arguments which were made in 1888, in 1894, and which to an extent prevailed in 1894. It was precisely the argument which the Senator from Minnesota has submitted against the second greatest industry in the United States.

Now, let us see the answer to that. Thomas B. Reed was one of the giant intellects of this country. He was not only an adept in legislation, but he was a statesman. He did not possess the art of popularizing himself as some men of lesser ability did, but even when he stood alone he was a host. And he answered that, saying:

> I suppose that during the ten years last past I have listened in this Hall to more idiotic raving, more pestiferous rant, on that subject than on all the others put together. And yet I do not regret it. What a beautiful sight it is to see the revenue-reform orator go into action against monopoly. Nelson, as he stood blazing with decorations on the decks of the *Victory* on the fatal day of Trafalgar; Napoleon at Friedland, as the Guard went cheering and charging by; Thomas Sayers, as he stripped for the championship of England when Heenan had crossed the lifting waters; the eagle soaring to his eyrie; the royal

man-eating Bengal tiger in his native jungle; nay, the very bull himself, the strong bull of Bashan, as he uplifts his bellow over the rocky deserts of Palestine, are all but pale reminders of one of these majestic creatures.

It is an old subject, an old principle, applied to the timber industry, the second greatest industry in the United States, with $800,000,000 invested, 800,000 men employed, 29,000 sawmills, and purchasing more of the farm products of Minnesota and Nebraska than any other industry in the United States.

It is not a question alone whether or not it will bring you cheaper lumber, but it is a question whether you will preserve that which is the basis of the protective policy, and that is the home market.

Idaho alone has 20,000 of her men employed at $3 a day in this industry. The Pacific coast pays $127,000,000 a year to labor in this industry. One hundred and ninety thousand men are employed in it upon the Pacific coast. That is only a portion of this great industry which has been built up by a $2 rate into a "vast monopoly"—$19 lumber, and yet they base upon that the proposition that it has been built up by a $2 duty. This duty could be sustained as a revenue duty, if it were necessary to do so.

The importations from Canada for the last seven or eight years have increased about 300 per cent. The price of lumber from Canada has increased about 100 per cent. It has not been undersold by reason of the fact that Canada sent it in. It was all sold at the same price. Only a few weeks ago there came into the harbor of San Francisco a ship laden with railroad ties. They had been cut in oriental forests. They had been hauled to the seashore, not by horses, but by human beings. They had been shipped across the ocean and paid the duty, and yet sold in the American market for the price at which American labor could not cut them and bring them to a railroad. You pass laws excluding the Orientals for the reason that we can not compete with them in this country, but what difference does it make to the American laborer whether his competitor stands upon American soil or upon oriental soil if the competition drives the men from the field of labor just the same? And unless you have that industry protected it must inevitably follow that it is subject to the same competition as every other industry and based upon the same principle.

The Senator from North Dakota, speaking a few days ago, said:

First and superior to every other question is the question of protection. That stands preeminently far above the idea of revising downward, or on a horizontal scale, or revising upward. The first duty that is imposed upon the American Congress, if I understand the voice of the American people, is that this country shall still go forward under the banner of protection.

I agree with the Senator perfectly. The first duty that is imposed upon this American Congress, if I understand the voice of the American people, is that this country shall go forward under the banner of protection. That is good doctrine. It is orthodox. It is not only orthodox, but upon it rests the industries which have been built up in this country.

I want to say to the Senator from North Dakota that it can apply to the timber industry itself as effectually as it can to any other industry, and you can not take it away from the timber industry any more than you can from any other. The question of the protection of lumber is just the same as the protection of any other industry.

The second proposition—

Said the Senator—

and that is subservient to the first, is that we shall revise downward, but always maintaining a sufficient wall against foreign importations to protect the American manufacturer, the American farmer, and the American laborer.

Again the Senator said:

The third duty that is imposed upon this Congress is to raise sufficient revenue to conduct the affairs of the Government as economically and properly administered.

Now, those are the three fundamental principles, well stated, succinctly stated, and they are controlling. What is the exception? Why is timber excepted? It is excepted, says the Senator from North Dakota, because we want to conserve our forests. Let us discuss that for a few moments, and then I will not detain the Senate longer.

In the first place, Mr. President, it appears that at least 20 or 25 per cent of our timber holdings are now in forest reserves. Unquestionably it is not necessary to take the duty off to protect that which is in forest reserves. That is under the control of Mr. Pinchot.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. Certainly.

Mr. CLAPP. If the Senator will pardon a question, is it not a fact that—of course under regulations designed to conserve the timber, yet nevertheless under regulations which at the same time invite lumbermen—if conditions prove profitable, the timber is constantly being sold within the forest reserves?

Mr. BORAH. Exactly; but it is being sold under the control of the Government, and certainly the question of the tariff does not affect the Government in that proposition. The sale conserves the timber, I admit, as suggested by the Senator, and certainly the price of lumber is not controlled by the question of the duty.

Mr. CLAPP. That is true; nobody would suggest that the tariff had anything to do with that; but the suggestion was that the demand and the price for timber would find its relation in the effort to purchase the timber in the forest reserves.

Mr. BORAH. Mr. President, I do not understand how the question of a duty can have very much relation to this 25 per cent which is now under the control of the Government. It is constantly there. It may sell it at any price, or sell it as it chooses, or not at all; and it can not affect it, in my judgment, either in the matter of producing it or anything else. It is there under complete and absolute control.

The Senator from Minnesota says that the balance of timber outside of forest reserves has now been gathered up by these monopolies; practically, as he says, all of it. So we have, first, the timber which is in the possession of the State or the Government, and second, the timber which is now under the control of the monopoly. They argue, then, that by taking off this duty it will conserve or preserve the timber owned by these two great influences—the Government and the monopoly.

As I have referred to the timber in the forest reserves, I will now refer for only a moment to the timber in the control of those who are called "monopolists." Do you think that when you take the duty off of lumber, if there is a combination with reference to these prices, that you will confine it alone to the American side of the line? On the other hand, if there is a necessary reduction in the price of lumber, upon whom will it be visited? It will be visited upon the man whose wages are reduced in the mill. It will be visited, as it is in every instance where they are in control, as it is said they are in this instance, upon the man who does the work, because the profit will not be sacrificed by those who are in absolute and complete control of the situation if the two positions are correct.

Mr. President, I have occupied a longer time than I expected. I expect to return to this subject when we come to the question of the amount of duty upon lumber.

Mr. McCUMBER. Mr. President, I wish to take up a few minutes' time in replying very briefly to some of the arguments that have been given here in support of the old Dingley rates on lumber. There has been a great deal of discussion upon the proper construction to the Chicago platform. Everyone who has spoken upon the question of a high protective duty upon any article has insisted that the provision of the Chicago platform, standing first for protection, necessarily compels everyone who marched to the banner of protection to vote for a protective duty on every article that could be considered in these tariff schedules.

The Senator from Idaho has accused me, at least inferentially, of not following my own theories. I ask him what his opinion is about the necessity of a tariff upon binding twine? The committee has reported in favor of placing binding twine on the free list. Does his allegiance to the principles of protection require him to put that upon the protected list? Certainly he is just as much bound to vote to put that article upon the protected list as I am bound, being a protectionist, to vote to put lumber upon the dutiable list.

Mr. President, the underlying principle of the protective policy is that it compels the consumer to pay an additional sum to-day, compels the greater number to pay a greater price for a given commodity to-day by an assurance that it will pay a less price for it to-morrow. That is the Republican policy, and reduction in cost has been its result wherever it has acted upon the great products of this country. No man can deny for a single moment that if we had remained a free-trade country we would be paying two or three or four times as much for all of the great manufactured articles that we use in the country as we are paying to-day. But that does not necessarily mean that there shall be no free list upon the schedules that we are to pass upon.

Mr. President, nothing is ever gained in debate by a misstatement of the position of your adversary, and yet in nearly all of the discussion upon this lumber question very few of those who have favored the higher protective duties have correctly stated my position before the Senate.

Mr. BORAH. Mr. President——

Mr. McCUMBER. I tried to make myself absolutely clear in the very beginning of this discussion and to show why I believe that the timber lands in this country should not be further protected. I could repeat that.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield, Mr. President.

Mr. BORAH. When I stated the position of the Senator from North Dakota, I read from the RECORD. I do not think he will contend that I misstated his position.

Mr. McCUMBER. If the Senator had stopped there, no complaint would have been made, but when the Senator goes further than that and says that my position is inconsistent, because I believe in closing up these mills and throwing these laborers out of employment for the benefit of the Canadian producer, then the Senator from Idaho very erroneously states my position——

Mr. BORAH. Mr. President——

Mr. McCUMBER. In one moment. Because, Mr. President, I have made it as clear as it is possible for the English language to make it, that in my candid judgment not a single mill will be closed.

Mr. BORAH. I stated the position of the Senator, and then I stated my conclusions from his position. I am aware that he contends it would not have that effect, but I did not myself draw that inference from his position.

Mr. McCUMBER. I said, and I state again, that the underlying principle of the policy of protection to-day has no application to the lumber industry in the United States. I think I gave the propositions the other day, in short statements, and as clear as I could express it. I will reread those particular propositions. I said:

> But whenever, by reason of the exhaustion of the raw material out of which any article is manufactured, the price must become more and more to the customer, the reason for the protection falls, and with it should fall the duty which is given that protection.

I further said:

> The third principle is that protection gives employment to our own people. But here again it can only be justified when such employment can either be increased by the protection or at least remain stationary.
>
> There is no economic gain which decreases the opportunity for future employment in an exact ratio to the increase of present employment. There is no principle of protection which will sacrifice the immediate future to the present.

I gave it as my opinion that the exhaustion of the lumber supply in this country had gone on to such an extent that the time had arrived in the history of the country when lumber should no longer be protected.

The senior Senator from Idaho [Mr. HEYBURN], in discussing this subject, of course, discusses it from a standpoint that the timber resources of this country are practically inexhaustible. If his proposition is true, there is not the slightest foundation for my argument. It seems to me that in a discussion of this matter we should consider the proposition made by our opponents fairly and honestly. The Senator from West Virginia insisted that anybody who thought that the lumber supply was going to be exhausted in thirty or forty or one hundred years or in two hundred years was laboring under a hallucination, and the Senator from Idaho, going one step further, and a pretty big step, insisted a few moments ago that there was no more prospect of exhausting the timber supply of this country than there is of exhausting the air that we breathe, and that anyone who takes a different view of that subject must be insane.

Mr. President, there are a great many people who argue this question upon the basis that anyone who disagrees with them to the slightest degree must be to that extent laboring under a hallucination, and if they disagree entirely they have certainly gone mad. Anyone who takes that position has reached a condition where his own sanity may be seriously questioned.

But I want to go over this statement for a single moment, because it all rests upon the proposition as to whether or not the lumber supply will practically be exhausted in a very short time. If it is inexhaustible, it may well be protected. If it is rapidly reaching a state of exhaustion, it should not be protected. I first call attention to Mr. Pinchot's testimony, and to what he says with reference to the lumber supply. The Senator from Idaho and the Senator from West Virginia may accredit it to his hallucination or insanity. I notice that whenever he says that a higher duty upon lumber will conserve our forests they give him credit for sanity. They then admit that he has lucid intervals.

Mr. President, I will assume that he is reasonably sane all the time and quote from his evidence upon the question how long the lumber supply of the country will continue. He says in these hearings:

> As to the growth on the total area of forest land in this country it is estimated at about 12 cubic feet per acre per annum. That is because so much of the forest is in bad condition. There probably would be 40 cubic feet per acre per annum if our forests were properly handled. We are cutting timber three and one-half times as fast as we grow it, and this is very rapidly reducing the supply.

I would ask the Senator from Idaho, Is that statement correct or incorrect, that we are cutting about three and a half times as rapidly as we are producing? That does not take in fire ravages or any other destructive agency.

Mr. BORAH. I do not know whether it is correct or not, but I am willing to admit, for the sake of this argument, that it is; and, being correct, it is all the more necessary that we shall establish a high protective tariff to induce the people to plant trees.

Mr. McCUMBER. That is, Mr. President, to make the lumber so extremely high that the people will plant trees for their crops instead of grain and other cereals. I hardly think the Senator can get very many to follow him in that argument. Mr. Pinchot says:

> Of all the forests in the United States about one-fourth of the acreage is held by the Nation and the States and three-fourths in private ownership. This three-fourths contain about four-fifths of the standing timber. It is safe to say that not to exceed 1 per cent of the privately owned timber is being handled in a conservative way; the rest is being cut without any reference to the future. About 18 per cent of the whole area, including the national and state forests, is being handled in a conservative way.

And yet the Senator from Idaho insists that all or practically all of these lumbermen are protecting the forests so that they may raise another crop of trees.

> The rest is being cut without any reference to the future. About 18 per cent of the whole area, including the national and state forests, is being handled in a conservative way. This means, briefly, that although our forests at present are producing only one-third of what we use, we are still taking no thought of the future and are allowing them to be destroyed, practically unchecked, except for the one-fourth of the total area that is in the government or state ownership, so that the forest situation is a most serious one. We use four or five times as much timber per capita as the other large nations. Our whole civilization has been accustomed to an enormous use of wood, and when the shortage comes, as it is coming, it is going to be a very serious one. The destruction of our forests will also have a very serious effect upon our water supply. We estimate now that there is in the neighborhood of 2,500,000,000,000 feet of timber in the United States.

And I am specially desirous, Mr. President, that those Senators who desire to consider this question from the standpoint of the conservation of our forests will at least have some idea of what timber we have and about how long it is liable to last.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield, Mr. President.

Mr. BORAH. I should like to read here the position of one of the great foresters of the world in regard to what I stated a few moments ago, if I do not interrupt the Senator.

Mr. McCUMBER. I have no objection at all.

Mr. BORAH. Doctor Schenck says:

> The forest can be conserved only by the production of trees and by applying to the trees the rule of economic sense. The gigantic forests which now stand we do not mean to conserve them; that is not the idea. Those trees have reached their prime, and those trees must be cut as surely as wheat must be cut when it is ripe. So it is with timber. We have cut these matured trees, and what we want to conserve by national conservation is not the trees, but the productiveness of the soil; the production of trees and not the tree itself.

Mr. McCUMBER. There is no disagreement on that at all. I am not assuming that we will not cut those trees that are ripe, but I am assuming that we will cut them, and then I am estimating on that proposition and that argument, about how long before they will be exhausted, and then I can apply the same argument to the matter of reforesting and see how long it will take us to grow those trees.

Mr. BORAH. I understood the Senator to say that he did not take very much stock in the proposition of replanting.

Mr. McCUMBER. No, Mr. President; I do not take a great deal of stock in the matter of replanting; that is true. I take a great deal more stock, however, in the protection of that section which has already been partially denuded, keeping it free from forest fires, keeping it free from the ravages of the lumbermen who want to cut the trees as soon as they can make a scantling out of them; and if we can do that, we can, in a century or so, get pretty fair forests where they have already been denuded. Mr. Pinchot says, further:

> We estimate now that there is in the neighborhood of 2,500,000,000,000 feet of timber in the United States and that the total use of wood for all purposes is about 100,000,000,000 feet a year. At that rate our forests would be exhausted in about twenty-five years.

That is, even at the present rate of consumption.

As a matter of fact they will not be exhausted in that time, because of the growth which will take place and a lessened consumption caused by higher prices.

Now, that is right along the argument that I have been making. I do not claim that we are going to exhaust all of our lumber supply in twenty-five or thirty years. I have stated again and again that as we near the completion of the exhaustion, we will send the prices up so high that we will be compelled to find other sources of building material.

But there is no question in my mind that we are approaching very rapidly a position where we are going to suffer as a nation very seriously from a shortage of wood.

Now, this is by a government expert, whom I am assuming, for the purposes of this argument, to be absolutely sane.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield.

Mr. GALLINGER. I will ask the Senator if the 2,500,000,000,000 feet that the Senator speaks of is timber as contradistinguished from hard woods that are used for other purposes—for instance, for fuel?

Mr. McCUMBER. Mr. President, I understand it is intended to cover all; and the hundred billion includes lumber and wood used for other purposes.

Mr. GALLINGER. I have no doubt a hundred billion is relatively correct, although we use about forty billions of timber——

Mr. McCUMBER. About forty-two and a half billions, probably, this year.

Mr. GALLINGER. The matter that I am interested in is as to whether two billion five hundred millions included all the woods of the United States, because if that is an estimate, made even by a scientist, it seems to me he is very far short of the mark.

Mr. McCUMBER. The Senator is quoting the wrong figures entirely. The amount is given as two thousand five hundred billions.

Mr. GALLINGER. That is what I meant to say.

Mr. McCUMBER. Not two billion five hundred millions.

Mr. GALLINGER. I quoted the article correctly in the first place. I want to repeat it, and I want to say that, in my opinion, that must be far below the mark, if it includes all of the woods of the United States.

Mr. McCUMBER. I do not think it is far beyond the mark. I want to call the attention of the Senator from Idaho [Mr. HEYBURN] to another pretty good authority upon the question of the denudation of the forests, not only of this country, but of the entire world. The Senator from Idaho in his flight of oratory asked us to designate a single thing that had ever yet been exhausted in the world; and because we were not ready to immediately say that any one of these great natural resources has ever so far been exhausted, it necessarily follows that they never will be exhausted. The argument of forty years ago was that the great forests of Minnesota were inexhaustible.

The white pine is exhausted to-day, and the other pine is nearly exhausted in the States of Michigan, Wisconsin, and Minnesota. That, it seems to me, ought to answer the very optimistic idea of the Senator from Idaho, that there would be no immediate exhaustion of our timber supply.

Mr. President, every argument that has been made in favor of the protective policy as applied to lumber has been an argument based upon the inexhaustible supply of timber in the United States, and to that extent such arguments are without foundation. My argument, based upon the fact that the timber supply is about to be exhausted, has not been met in any single argument, but rather avoided.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wyoming?

Mr. McCUMBER. I do.

Mr. CLARK of Wyoming. I understand that the United States has in its timber reserves at present something like 150,000,000 acres.

Mr. McCUMBER. It has about 25 per cent.

Mr. CLARK of Wyoming. Of this probably 100,000,000 acres is in fact timber land. Has the Senator from North Dakota any information as to the comparative amount of the timber land of Canada with the reserve timber land in the United States, leaving out of calculation the land held in private ownership in the United States?

Mr. McCUMBER. I understand, as a general proposition, that the timber supply of Canada is about one-third of what the timber supply of the United States is.

Mr. CLARK of Wyoming. Then, the conclusion would be that the entire timber supply of Canada would be substantially equal to, and possibly a little more than, the reserve timber supply of the United States. The reserve timber supply of the United States being in such condition that it is impossible of exhaustion, it comprises an indefinite and indeterminate supply for the indefinite future.

Mr. McCUMBER. Let us suppose that there are a hundred million acres of actual timber land that can not be entirely exhausted. That would not in fifteen years give us, at the present growing rate of consumption, one-tenth of the lumber that would be necessary in the United States.

Mr. President, the argument of the Senator from Idaho has been along the line—and all of his arguments have been along that line—that there was no necessity whatever of conserving our forests, and that the world has never been injured by the deforesting of any section. There was a conference held on the conservation of our natural resources at the White House on May 13, 14, and 15, 1908. One of the papers read was by Mr. R. A. Long. I understand that he is one of the men who has peculiar knowledge upon this subject, having made a great many reports upon it, and being thoroughly acquainted with the subject-matter.

Mr. GALLINGER. Where is he from?

Mr. McCUMBER. He is from Kansas City. I want to read a little of what he says. He first speaks of the timber supply of the cities of Tyre, of Sidon, and of Joppa. Then, speaking further on that subject, he follows with this statement:

The rain-bearing clouds still float above the mountains of Syria; but they pass on over the bare and heated rocks, and the brooks and small streams of Palestine no longer exist, and throughout Syria stone furnishes the only material for building, and wood is as precious as silver.

May it not be true that the destruction of Tyre and Sidon was in great part in consequence of the destruction of these forests, which has rendered that country a barren desert, supplying a scanty sustenance to the sparse population—its beauty, its fertility, its usefulness gone? So the physical geographers assure us.

In "Sinai and Palestine," by Dean Stanley, an authoritative record, appears the following:

"The countless ruins of Palestine, of whatever date they may be, tell us at a glance that we must not judge the resources of the ancient land by its present depressed and desolate state. They show us, not only that 'Syria might support tenfold its present population, and bring forth tenfold its present product,' but that it actually did so. And this brings us to the question which eastern travelers so often ask, and are asked on their return, 'Can these stony hills, these deserted valleys, be indeed the Land of Promise, the land flowing with milk and honey?'"

Speaking further on he says, referring to the ancient writers:

Plato writes that the consequences of deforestation is the "sickening of the country." Cicero, in one of his philippics, designates those engaged in forest devastation as the "enemies of the public interests."

Mesopotamia, one of the most sterile countries in the East, was once praised on account of its fertility, where, according to Herodotus, "the culture of the grape could not succeed on account of the moisture;" and the Euphrates River, once the source of an ample water supply, is swallowed up in this desert.

Greece shows the progress of a similar decadence. Sicily, once the never-failing granary of the Roman Empire, while it was well wooded, is now entirely deforested, and crop failures are the rule. Cæsar and other Roman writers describe the "vast forests" throughout the entire territory. Since then thousands of square miles have been deforested. Many countries, where the destruction has been most reckless, have taken systematic measures to control the destruction and secure the reproduction of exhausted areas. To this they have been driven, not only by the lack of timber and fuel, but also by the prejudicial effects exerted upon the climate and the irrigation of the country by this denudation.

China has paid absolutely no attention to the preservation of her forests; hardly a twig left in what was her great forest fields, while Japan, close by, has 59 per cent of her total area under forests, and the Government has reserved under its control a very large part of the whole. Compare the conditions of these two countries, side by side, and draw your own conclusions.

Mr. President, there is an answer—not one answer, but many answers, and vivid answers—to the question of the Senator from Idaho as to whether at any place in the world the timber supply has been exhausted.

The junior Senator from Idaho [Mr. BORAH] insists that a higher duty, by advancing the price of lumber, will necessarily protect the forests of this country. I think that I have shown almost conclusively that the higher the price of lumber the greater devastation among the younger trees in the forests; but if I have not made myself absolutely clear upon that point, I want to call attention to the testimony given before the Ways and Means Committee by one who seemed to be pretty thoroughly acquainted with the matter. I now read from page 3153 of the hearings the statement of Edgar H. Bucklin, of Ithaca, N. Y. He is dealing mostly with the lumber districts of Maine, Vermont, and New Hampshire, where it is claimed that we need the higher protective duty in order to utilize all of your larger trees and not leave some of them to rot upon the ground; and here is what he says:

Experience and observation show that when there is a demand for lumber of that (low) grade at a good profit there is also a demand

for lumber from small trees, and trees that should be left standing for the future supply are all cut into lumber, even trees of 5 inches diameter on the stump, and the forest is denuded.

Again he says:

One of the reasons of the large supply in the market of low-grade lumber is that, on account of the high prices that have prevailed, a large proportion of lumber has been cut that should have been left standing for future growth.

I think those extracts answer the claim of the Senator from Idaho. Again Mr. Bucklin says:

When only the larger timber was taken, several cuttings were made at different times from the same land, and the tops and stumps were finally used up, as has been done generally in the State of Michigan.

The tariff on low-grade lumber tends to increase the destruction and cutting of small trees and the consequent destruction of the future forest. Canada more wisely admits all those grades free of duty upon which our tariff is $2 per thousand in the rough and $3 per thousand if planed, like common house studding, joists, rafters, and general dimensions.

The result (of our policy) is that the public are forced to use at high prices a poor grade of lumber that will soon decay, and the future supply is exhausted in the destruction of the young trees.

Mr. Bucklin says that in New Hampshire 3-inch logs are cut, and that in New York hemlock is cut if it will make a piece 4 inches square and 10 feet long. "The cutting of small trees," he says, "is general throughout the eastern portion of our country, and, in a lesser degree, is taking place in the West."

This is an answer, Mr. President, to the arguments that high prices will conserve the forests.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield to the Senator.

Mr. GALLINGER. I think the gentleman from whom the Senator from North Dakota quotes is laboring under a misapprehension so far as New Hampshire is concerned. In New Hampshire we have a state forestry commission, and, in addition to that, we have a volunteer forestry commission, made up of public-spirited men of means, who are devoting their time, or a portion of their time, to solving this problem. The result is that in New Hampshire, under the direction of these two forestry commissions, our forests are being very largely conserved. In addition to that, we are reforesting to a very considerable extent. The forester of the state forestry commission, an educated forester, is giving a great deal of his time in that direction. Of course, there may have been instances where small trees have been cut in New Hampshire, as doubtless they have been everywhere, but the policy of the State is against lumbering in that way, and we are doing the very best we can to provide for the future by taking care of the younger trees.

Mr. ELKINS. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. McCUMBER. I yield to the Senator.

Mr. ELKINS. Mr. President, the theory of conserving the forests, according to the Senator's argument, would place the burden on the individual owner. It happens that the individual purchases these timber lands the same as the farmer purchases his farm lands, and he holds them as his only means of business, to help raise his family. Now, the Senator wants to put the burden of preserving or conserving the standing timber by having it free, so as to let in foreign lumber, as I understand him, the ultimate object being to prolong the life of the timber—in other words, conserve the same, make it last longer.

In all other countries the conservation of forests and natural resources is the concern of the state and not of the individual. The Senator's argument leads to the injury of the individual to the extent of confiscation of his property in the public interest. What does he propose when the lumber of Canada and Mexico are exhausted? If these countries are to supply us, this must happen soon. The State must meet the question of conservation and not the individual. We should not destroy the business of the timber owners, strip them of their industries and means of a livelihood by making foreign lumber free in order to conserve our forests. The duty of conservation of our timber rests upon the Government and not the timber owner.

I remember that in the Boer war, when England wanted to raise money to carry on the war, a duty of 1 shilling was proposed on all exports of coal. One of the arguments was that the coal would be conserved by an export duty. If our Constitution permitted, the Senator might be nearer right if he proposed an export duty on lumber rather than let the burden fall upon individual owners by making it free and foreign lumber take our markets.

Mr. GALLINGER. We can not have an export duty under the Constitution.

Mr. ELKINS. No; of course we can not lay an export duty, as it is against the Constitution; but that is the theory of other governments; but if we could, it would not be good policy, nor fair and just, because it would be placing a burden belonging to the Government on the individual.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield to the Senator from Minnesota.

Mr. CLAPP. Waiving the constitutional difficulty of an export duty, I will ask the Senator if it is not a fact that, measuring the exportation of lumber from the United States to Canada in the last six years against the importation of lumber from Canada to this country, an export duty would not have brought more revenue to the Government?

Mr. ELKINS. We exported, if the Senator from North Dakota will allow me——

Mr. McCUMBER. I yield to the Senator.

Mr. ELKINS. We exported to Canada $15,000,000 worth of lumber last year, and that is a good deal. I do not know precisely what amount was imported from Canada, but I do not believe it was quite as much as that.

What I want to say is that the conservation of the forests is a matter of public concern, and properly so. Then why impose it on the individual? Men have invested all their fortunes in the lumber business, and why should we tell them now that they can not carry on their industry the same as their neighbors engaged in other business? It is right to tell them, "You are to prolong the life of timber by having your business made a languishing one, by which you can make no money?" Whenever you have a man in a position where he can not make money, he will abandon the business. That does not apply, I am willing to say, to all the lumber industries of the United States; but as to those bordering on Canada and Mexico, that would be the result if we had free lumber.

Mr. McCUMBER. Mr. President, it has never occurred to me in this debate that if I could secure the adoption of this amendment I was going to render homeless all the people who own timber land or that I was going to pauperize the Weyerhaeuser interest that owns about one-seventh, as I understand, of the entire timber supply of the United States, outside of what the Government owns, or that they would seriously suffer; nor do I believe that those men who bought their timber lands ten or fifteen years ago for about 15 cents per thousand and have seen them increase in value about 2,000 per cent, would be seriously injured if we should succeed in getting more lumber in from Canada.

I have stated again and again—and anyone who will study this question carefully will agree with me—that, considering the extent to which we are consuming our forests in the United States, considering the devastation of the forests in Canada, and the number of homes that are being built upon our western plains, under normal conditions in the next few years the demand is going to be greater than ever before, and that is itself a guaranty against a decreasing valuation of the lumber product. Those who have bought that product at almost nothing are not going to lose anything if we succeed in holding the price down to about what it is at the present time. Everyone of us know that the value of lumber for the last seven or eight years has been fixed, not entirely according to the question of supply and demand, but according to the limit of the ability of the American people to buy it. We were more prosperous from 1897 to 1907 than we had ever been before in our history.

Mr. DOLLIVER. Mr. President——

Mr. McCUMBER. Just a moment. We had more money than ever before; and, having more to spend and making more, we could still live and pay those exorbitant prices; but that condition could not continue forever; and even before the expiration of the year 1907 the price of lumber had already begun to go down, because it had got so high the people could no longer afford to purchase it.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. Certainly; I yield to the Senator.

Mr. DOLLIVER. I should like to ask the Senator from North Dakota upon what theory his amendment proposes to strike out section 199, which seems to be applicable to the tropical hard woods?

Mr. McCUMBER. I do not seek to strike it out. The amendment should not include paragraph 199.

Mr. DOLLIVER. If paragraph 199 is retained in the amendment, it would place on the free list tropical hard woods in all stages of manufacture.

Mr. McCUMBER. The amendment was not intended to cover that.

Mr. DOLLIVER. I should like to ask the Senator upon what theory he omits paragraph 202 from his amendment?

Mr. McCUMBER. That paragraph, Mr. President, covers articles upon which considerable labor has been expended.

Mr. DOLLIVER. More labor than on clapboards or shingles?

Mr. McCUMBER. I think so. "Hubs, for wheels, posts, heading bolts, stave bolts, last blocks, wagon blocks," I considered that that is not the lumber that is in general use.

Mr. DOLLIVER. On what theory do you put stave bolts on the dutiable list and put staves on the free list?

Mr. McCUMBER. I would state, Mr. President, that this matter is as it came over from the House. I have not tried to change it, because I did not consider that any of the articles mentioned there were of such general use as to require an amendment.

Mr. DOLLIVER. Staves on the free list did not come over from the House, but that change seems to be accomplished by one of the provisions of the Senator's amendment.

Mr. McCUMBER. I do not think the same rules apply to the articles mentioned in this provision that apply to all this other lumber that I have been discussing.

Mr. DOLLIVER. But you strike out the paragraph which provides a duty on staves, and at the same time leave the paragraph which preserves a very considerable duty on the material out of which they are made, which would seem favorably to affect the stave industry of some other country.

Mr. McCUMBER. I do not think that is correct.

Mr. DOLLIVER. Is it not true that your amendment puts staves on the free list?

Mr. McCUMBER. My amendment relates to paragraphs 197, 199, 200, 201, 203, 204, and 205.

Mr. DOLLIVER. Your amendment strikes out paragraph 204, which includes staves of wood of all kinds. That transfers them to the free list, if your amendment prevails; but you have omitted to put on the free list the materials out of which they are made.

Mr. McCUMBER. There would be nothing against that. That would be no criticism, certainly, that while the material might be admitted free the product should not come in free, after labor had been expended upon that material.

Mr. DOLLIVER. But the material has already had a good deal of labor expended upon it. The stave bolts are in the process of manufacture.

Mr. McCUMBER. Well, Mr. President, I suppose the wood is in the process of manufacture the moment the tree is cut down, but nevertheless it is not manufactured by being merely split into bolts.

Mr. DOLLIVER. I would like to ask the Senator another question. He seems to put staves on the free list, without disturbing at all the duties that are provided for barrels, casks, and the things manufactured out of staves.

Mr. McCUMBER. Mr. President, raw cotton is upon the free list and manufactured cotton is upon the dutiable list. The same reasoning would apply to this. I have cited the Senator to those cases in which there has been considerable labor expended, and I do not wish to take them off the dutiable list.

Mr. DOLLIVER. Mr. President, I have always understood that the putting of the duty upon the material out of which a thing is made naturally results in a somewhat higher duty upon the finished product. I think I have heard the Senator make that general observation. Yet I find that he has taken all these materials out of which barrels, casks, and boxes, and doors, sash, and blinds, and things of that sort are made, and conveyed them to the free list, and left these high rates of duty undisturbed on the materials out of which they are made.

Mr. McCUMBER. Yes, Mr. President; I have also included the lumber that goes into sash and doors and into many other manufactured articles, and have asked that it be put upon the free list; but I am not asking that the sash or the doors or anything manufactured from that lumber should be put upon the free list.

Mr. DOLLIVER. That is the very point to which I desire to call the Senator's attention.

Mr. McCUMBER. I understood the Senator——

Mr. DOLLIVER. The duties on sash, doors, blinds, and furniture and all that have been carefully and, as we supposed, scientifically, laid, in view of preserving certain duties on lumber as the product out of which they are made; but the Senator puts the material on the free list without giving attention, it seems to me, to the effect it might have on the propriety of the rate on the finished products.

Mr. McCUMBER. Mr. President, if the Senator was very desirous of maintaining a proper ratio between the raw product and the finished product, if we should adopt an amendment providing for the raw product, it would then be time enough to consider the proper differential for the manufactured product; but I propose to take only one proposition at a time; and then if this should be adopted, if the Senator thinks we should lower the other, he can present his arguments, and I for one will listen to them.

Mr. President, I do not know that there is any necessity of discussing the matter any further. I appreciate the fact that with the solid wall of protection on lumber which I find on both sides of this Chamber, the chances of the adoption of this amendment are not very bright, but I did wish to present my reasons for asking that lumber be placed on the free list, and I feel that all those reasons are absolutely valid.

Mr. DOLLIVER. Mr. President, if an amendment were presented here to put lumber on the free list, as that expression is understood in some sections of the country, it would appeal very strongly to me as a thing that might properly be considered; although I am bound to say that the amendment which has been offered by my friend from North Dakota [Mr. McCUMBER] reaches out in so many directions, covers such a great variety of things about which there has not been any public discussion, so far as I have heard, that I shall have very great difficulty in supporting that amendment in gross; and I desire to say a word or two about the lumber duties themselves.

The doctrine of protection, which has always been attractive to me, is national in its scope. There has never been any demand in the State of Iowa for any duty upon lumber.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Will the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. Yes.

Mr. CLAPP. I want to suggest to the Senator that it strikes me that the proper place to begin with this thing is just where the Senator from North Dakota proposes to begin; and if that be adopted, there will then be abundant time to preserve or to develop a condition that will preserve the proper relation between those products of lumber and the lumber itself.

Mr. DOLLIVER. There is some force in that, but it is not probable that it will reach that stage.

Mr. CLAPP. It is not probable if it is not favored; but it does seem to me that it is hardly the way to get at it, to go to throwing bricks at the other end of the house.

Mr. DOLLIVER. I do not desire to throw any bricks.

Mr. President, I do not myself believe that the American people have made up their minds to do a harsh and injurious thing to any community in the United States. I have spent a good deal of time in studying the operation of our lumber tariff. There never was a time in the history of the Government, from 1842 until to-day, when lumber was dutiable at all, that it was not dutiable at a higher rate than it is now. The duties on lumber and the products of wood entered into the tariff of 1842 and, except under the Wilson bill, stayed there throughout the whole period of subsequent tariff agitations, now for nearly three-quarters of a century. I do not think those duties are needed now as they were in those early times, and yet there are corners of our country where they may be needed now.

There has never been an imported board brought into the State which I have the honor in part to represent. There never will be, whether lumber goes on the free list or not. No man can bring in a board from Canada or from any other section of the outside world and sell it, except through the mercantile organizations, which control the distribution of lumber in the United States. So I do not feel as if I could state to the public that putting sawed boards on the free list would operate to disturb the lumber prices which prevail in the community in which I reside.

Lumber was put on the free list in 1894, and I was so interested to observe the effect of that provision of law that I made long journeys to the frontier to see how the lumber duties were operating, or, rather, how the policy of free trade in rough lumber was operating. At the city of Duluth I found a bridge being built of lumber, connecting the city of Duluth with the city of Superior, a magnificent structure over a mile long, connecting two of the greatest lumber yards in America, but being constructed out of lumber brought in from Georgian Bay, notwithstanding the fact that grass and oats were growing on the tops of the most imposing piles of sawed lumber there that I ever looked at in my life.

Mr. CLAPP. I want to ask the Senator——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. DOLLIVER. Certainly.

Mr. CLAPP. I want to ask the Senator why that was? Does he not realize that that was done before the system had developed of bringing that long timber from the Far West which we now get?

Mr. DOLLIVER. I do not know, but I remember the impression it made upon my mind, that while it did not affect my own people in the community where I lived, it might operate

adversely to the people who were trying to conduct the lumber business along the Canadian frontier; and I have never been surprised that the people of Maine, Vermont, and New Hampshire have felt less inclined toward free lumber, notwithstanding the rapid disappearance of their own forests, than some other sections of the country have been.

I went out to the Pacific coast and there had an opportunity to see how free trade in lumber was working on that far-off boundary of the United States. I was impressed by the fact that the remnants of Canadian lumber yards in British Columbia, in queer-looking craft of one sort and another, were being carried into every harbor of our Pacific Ocean under a foreign flag, sneaking even into Seattle and Tacoma, into San Francisco, Los Angeles, San Diego, and down that shore, delivered to our people in the place of that which was for sale in lumber yards in all those cities, but which could not be sold in the face of this competition.

To-day, if lumber goes on the free list, it might seem that it would not seriously affect those good people in Washington and Oregon, and yet it must be evident that lumber taken out of Vancouver Island and out of British Columbia ports can be carried down the Pacific coast in cheap vessels under a foreign register, with a freight rate discriminating in their favor very largely compared with our own coastwise freight rates. We might create the very singular situation there of people living outside of the United States enjoying a rate for ocean transportation based upon the standard fixed by tramp steamers, taking lumber from Vancouver Island and from British Columbia into every seaport of the Pacific coast, to the disadvantage of our own people who are manufacturing lumber at Portland and Seattle and in northern California.

Mr. President, I have often said to our people that if I could see any distinct and certain advantage to them in putting lumber upon the free list, I would be very much inclined to help them without inquiring very closely into how it would affect other sections of the country. But the more I have thought about the lumber question the more I have come toward the conclusion that what is proposed to be done in the amendment which has been offered by my honored friend the Senator from North Dakota will probably do the people whom we try to serve no good or little good, and at the same time may be a harsh and injurious stroke against our friends who have gone out into the mountain country and into the Pacific coast country and have there built up this great industry.

It is the fourth industry of the American people—agriculture, the metals, the textiles, the manufactures based upon wood. It employs nearly a million men in the United States. It has invested nearly a billion dollars. It has a product which makes it the fourth industry of our people.

The census of 1900 shows that at that time it was the chief manufacturing industry of 31 States of the Union, including my own, and an important industry in every State of the Union and in every Territory and in all our islands of the sea.

I doubt very much whether we approach the problem with wisdom when we take this article, representing such an investment and such an employment of labor so widely scattered, and put it upon the free list, without any regard to the influences that afford either the labor it employs or the capital that is invested in it, and without any attempt to secure from Canada a corresponding concession. I confess that I am in very strong sympathy with those of our fellow-citizens who are trying to make their living in remote regions of our country. Many of them have gone to Idaho, Washington, and Oregon from my own State, and without exception they look upon this policy as damaging to them. They say that the market which they have on the Pacific coast is their basis of profitable operation.

It is that market which underlies the permanent and steady prosperity of their industry. They say that free trade in lumber would expose their local market throughout the whole length of the Pacific coast to an immediate and damaging invasion from the coasts of British Columbia.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. DOLLIVER. I do.

Mr. McCUMBER. I desire to ask how that possibly can be, when those same sections are exporting to Australia and to Asia generally at least three times as much as the Canadians are exporting and are selling it in competition with British Columbia in all the foreign markets?

Mr. DOLLIVER. That is the exact question which I asked in more than 20 sawmills on the north Pacific coast. They said that the mills in Canada were sending to England and to their own eastern seaboard the first-class lumber which they produced, and the tragedy of the situation was that they were unloading on the coast cities of the United States the remnants of their lumber yards which they could not sell either in London or in Montreal. So we had the strange spectacle of our own industry prejudiced and in some cases totally destroyed, as they informed me.

Now, my doctrine of protection is as broad as this continent. If this doctrine is cast away where these scattered sawmills are concerned, it would be difficult to find any place for its application.

I do not propose, making an honest and conscientious study as I have tried to make of our industrial system, to intentionally expose to loss or injury even the humblest occupations of the American people; and hard as I have tried to get the consent of my own mind to it, I am not willing to take this industry, representing so vast an investment, representing the employment of so great an army of hard-working people, and put it in unconditionally upon the free list. It ought to retain a small duty at least, a duty large enough to be of consequence, when we seek, as we surely will at some time, a more reasonable trade relation with Canada than now seems probable. If a present of the revenue now derived from the lumber duties is to be made to citizens of Canada, we ought surely to accompany the gift with a request for reciprocal concessions on the same articles exported into the Dominion over duties very much larger than we now exact from these people.

The rates proposed are materially reduced from existing law, but not excessively cut down. I do not believe there is such a difference between the industrial situation on the two sides of the Canadian line as some have stated. Not only is the reduction of existing rates upon rough lumber possible, but a corresponding and well-considered readjustment of rates upon lumber in various stages of finishing ought to be made. I should like to see that done. I should like also, although I indulge in a very vain hope I am afraid, to see the duty upon lumber assessed upon the value of the product, so that we would not have the rates very high on some grades and very low on others. I should like to see carried out in the lumber schedule the principle for which I contend in all the great schedules of this tariff law—a reduction of rates, an equalization of rates, a modernization, if you please, of the system, so that it may stand the criticism that will fall upon it during the next ten years. I do not believe a step in that direction is taken when industry so universal as this is throughout this country is selected to be sacrificed.

I do not agree with those who think that the $1 rate fixed by the House is an excessive duty on lumber. I know that there is sold in Chicago lumber which pays the duty and pays a freight, and so small is the freight rate and so small is the duty that it effectually displaces sawed boards from all sections of the Southern States. But I do not intend to suggest that the rate of duty ought to be made so high that lumber from Louisiana can be put into Chicago on the same terms that lumber comes there now from Georgian Bay. Such a thing would not be practicable. But I wish this moderate duty, which is too low for full protection and too low even for maximum revenue, preserved as fixed by the House, so that the coast cities of America and the border line between us and Canada may not be subjected, in hard times, to the process of dumping the refuse of foreign lumber yards, which can not be sold advantageously in other markets.

Mr. CLAPP obtained the floor.

Mr. PILES. I wish to ask the Senator a question.

Mr. CLAPP. I yield for that purpose.

Mr. PILES. I wish to correct a statement made by the Senator from Minnesota for the benefit of the Senator from Iowa. He asked him the question if he did not know that in 1894 the mills on the coast were not in a position to furnish the long timber required.

Mr. CLAPP. Before that is answered I want to disclaim asking any such question.

Mr. PILES. What was your question?

Mr. CLAPP. I asked him if he was not aware that the system under which that long timber was brought into use had not been introduced.

Mr. PILES. We had mills on Puget Sound in 1894, and many years before that, prepared then, as they are now, to produce the long timber the Senator referred to. The Great Northern Railway Company gave us a rate in 1893, which was in force in 1894, which enabled us to transport timbers of the character referred to across the continent.

Mr. CLAPP. The dates furnished by the Senator agree with my view that the rate was to go into effect in 1893, but it takes time to develop a system by which you can bring that product across to the center of this continent. I live in that section and I saw the lumber, and it was only afterwards that the system was developed and that it was brought there to any extent.

Mr. President, I think the Senator from Iowa has laid down, for once, the correct rule upon which to base our judgment. If he believes, as he undoubtedly does, what he states as to the condition, then he is warranted in voting as he follows that judgment. I can not believe that. I want to remind the Senator from Iowa that he and I were together in a struggle in the Senate at a time when we were about all there was of it for a year or two, when men whose great success in life seemed to entitle them to be regarded as oracles in their business, as the success of the lumbermen to-day would entitle them to be regarded as oracles. They came here and the Senator from Iowa and myself heard the same story from those men, and with all the prestige of their great success they predicted disaster would follow as the result of our efforts. They undertook to enunciate that as an infallible statement upon their part, based upon their knowledge of the situation. The Senator knows that we went through that struggle, that month after month and year after year we gradually gained strength until finally we passed a law, and he knows that the predictions and prophecies of those men who claimed the right to prophesy, based upon their great success, and who would hardly permit humble men like him and me to challenge their judgment, failed after all. It may be, Mr. President, that to-day the men who have successfully managed the lumber business may be mistaken in that fear born of excitement incident to this tariff debate.

Mr. President, everything has a beginning, although it may sometimes look to us here as though some things will never have an ending. This tariff discussion had a beginning. I have been entertained somewhat in this Chamber. I have sat here and listened to arguments made for protection by those who are opposing us in our attempts at revision, and I have seen the nod of approval of Eastern Senators, as though those arguments were novel. They are not new, original, or novel. They are the arguments that have been made out in the Middle West for years, the arguments we have used.

I was somewhat interested by the senior Senator from New York [Mr. DEPEW], who told of the many years he had borne aloft the banners of protection, and how he conjured us to stand by the men who in all these years had borne aloft those banners, and he referred to my speech as an effort to differentiate between the producer and the consumer. It may sound egotistical, but I submit that my analysis here, made on the 7th day of May, that the interests of the consumer and producer were interwoven from one ocean to the other has not been surpassed in any of the outbursts of eloquence in defense of protection made here since that day.

While it is true that the Senator from New York may have held aloft the banners longer than some of us, he has not held them in the fray where we have held them aloft. It is one thing, sir, to talk protection to the people who, on the very first entry made upon their ledger, can see the advantage of protection and to talk protection to men who can only see that advantage as it comes indirectly to them in the widespread prosperity of a country a year or two years after the man who is the direct beneficiary of it sees that advantage.

The Senator from New York has preached protection where the very first entry on the ledger shows the advantage of protection. We have preached it where it took one and two years for the indirect benefit of protection to reach the people among whom we have held aloft the banner. I want to say, in all kindness to him, that I thought then, and I think now, it comes with ill grace from him to characterize himself as the life-long champion of protection and to make the suggestion that we have abandoned the principles of protection simply because we insist that the promise to revise the tariff shall be carried out in the spirit in which it was made and accepted.

I hear every day on this floor the assertion made that there are so many hundred millions of dollars invested in an enterprise; that there are so many thousand men employed in that enterprise. I witnessed last Saturday a strange spectacle to be witnessed within protection ranks. Two Senators were each claiming that he had voted for more things for the other than the other had voted for things for him. Mr. President, that is not my idea of protection. Unless protection can be as wide as the country it has no justification. The fact that men have invested in an enterprise is no warrant for a tariff unless that tariff is actually needed to preserve and maintain the integrity of that industry within our midst.

In 1897, after a long period of depression, the Republican party came into power, and they passed the Dingley tariff law. That, in connection with some changes in reference to our financial system, was followed by a marvelous development in this country. Prices bounded skyward as they never had bounded before, and that has continued during all the years that have passed; and to-day, despite the criticisms or the suggestions of others, I still maintain that it was that law which went far toward reviving the decayed and paralyzed industries of this country.

But, Mr. President, there came a time when the men who got the indirect benefits of this system began to see a great process not only by which great fortunes were made, but by which they began to feel here and there a limitation upon the individual activity and the individual rights of the American citizen, and then began this demand for a revision of the tariff.

Mr. President, it meant something. The great United States Steel Company was not demanding a revision of the tariff. The lumber interests of this country were not demanding a revision of the tariff. None of the great industries were demanding a revision. Then, from whom came the demand? It must have proceeded upon the theory that somehow in the growth of this great industrial life conditions had changed and a change was necessary in the tariff itself.

The national convention met last summer and made its declaration not in response to the demand of the great protected interests in this country, but in response, if in response to anything, to the demand of the people. The Senator from Idaho this morning suggested that there was nothing to respond to; that it was the product of a fear; but, anyhow, it came from a source other than the protected industries of this country, and it meant something.

I have watched for years the course of our President. I have seen him in almost every capacity that a public man holds, except that of legislator, and I yet have to see that man show any evidence of acting or making promises because of the shadow of a fear. That promise at Chicago was made in accord with his will and purpose, undoubtedly, because he was recognized then as the certain candidate of the party that made the promise.

He emphasized that promise upon the platform, and on the 4th day of March, if the senior Senator from New York had been here, he would have listened to the words of our President when he reviewed the question of the revision of the tariff. It was the plain, unmistakable import of those words that the spirit of that revision should be a downward revision. It was not to strike down American industries, for I do not believe there is a man on this floor who would uphold such a policy. I stand here in the presence of my Democratic friends and say I do not believe there is a man on the other side of this Chamber who would knowingly strike down an American industry. When we talk of revision within the limits of that promise we must remember that that promise all the time implies the protection of our industries within the limits prescribed in the platform, the difference in the cost of production here and abroad.

I shall not probably repeat that declaration. I shall sit here from this time on and let men float into this Chamber and make a set speech suggesting and perhaps broadly announcing that we have abandoned this principle, and probably I shall not reply to it, for I think perhaps little is gained by that kind of a discussion.

Let us apply this principle to the lumber industry and what do we find? We find that in 1897 under the stimulus of the combined activities of this country the lumber industry sprang up and developed as it had never developed before. We find in addition to that the price going skyward on lumber; and, gentlemen, we find in addition to that that we face a constantly decreasing supply.

Protection means not alone protection to the man who is operating a sawmill, but it means the application of that principle in its broad application to the American people. One element of that protection is the conservation of the forest products of this country. The Chief Forester has come to this body and the other with a suggestion that it will conserve the forest products of this country to stimulate the cutting of timber. It is a novel proposition, indeed, that you will conserve timber by making it important and gainful to the man who cuts the timber to cut all he possibly can of the timber.

It shows, Mr. President, one of the faults of our Government, and that is, vesting either by direct law or even in a quasi official capacity in any man outside of Congress the prerogative of advising Congress. I hold that man in high regard. I am a thorough friend to forestry, although I do believe that, differing in its relations to state lines from drainage and reclamation, it should in the main be the subject of state supervision. In this complex Government of ours we find excesses in the great cities, and we find extravagance in the central government. We find the best result of responsibility in the state government. While it may perhaps savor a little of heresy with reference to bygone

traditions, I am inclined to think that whatever a State can do it had better do, than to devolve the doing upon the Federal Government.

But to return to the proposition of conserving the forests, a new condition has grown up in the lumbering business that has been lost sight of in this discussion, and that is that the lumbermen themselves, the great lumbermen of this country, are beginning to recognize the importance of preserving their timber and to treat it as a continued investment, not only for them but for those who are to come after them. Already to-day some of the greatest lumbermen of this country are pursuing a policy of cutting out the timber which has passed the point where it will improve in value, and preserving and retaining the timber which will hereafter gain in value.

That is more potential as a principle, a factor in conservation, because that springs from the incentive of investment itself and not from any theory. Whatever we do to encourage that policy conserves forestry, and whatever we do to discourage that policy encourages the untimely cutting down of young and immature trees.

It does seem to me that there is an element which we are losing sight of. In the broad application of this principle we must recognize the interest to the American people of conserving the timber so far as it is practicable to do so, and we can not do that by stimulating the cutting down of the timber.

But some one says, "Well, you will lessen the production." Very little, indeed. I want to say to the Senate, I want to say to the Senator from Iowa—and he knows whatever I say I say in all graciousness of spirit and purpose—that with the growing demand in this country for building material, with the lessening supply from day to day of the timber of the country, there is no danger of a foreign invasion of lumber that will materially interrupt the present operation of the lumber industry.

My friend from North Dakota sounded the keynote this afternoon when he said that he did not expect to reduce the price of lumber, but, if possible, to prevent its advance.

Now, there is another thing, Mr. President, that I am going to take the liberty to suggest to the Senate. In the South there can not be any fear of Canadian competition. The only fear must be along the boundary line between the United States and Canada. We are peculiarly situated with reference to Canada. Wherever American timber touches Canada it touches Canadian timber. Wherever American mining interests touch Canada they touch Canadian mining interests, and all that separates them is an imaginary line.

I invite the study of Canada to every student of government and statesmanship. They have one of the best governments in the world to-day. Their government has been characterized by a standard of statesmanship absolutely unknown to us in the vast multitude of our products. In the vast sweep of the American zone, from the Gulf to that northern line, there has come to us a development, of course, far in excess of any that Canada has experienced; but when you get down to the basic principles of applying government to the development of a country, we may well take lessons from Canada.

They have so wisely administered their affairs that even with their narrow zone they are becoming a power which must be reckoned with. By wisely seeking their internal development instead of wasting their strength and resources in military expenses they are to-day ready with a loyalty which wins admiration and with a generosity which is commendable—ready to help the mother country.

There is another thing to be considered. Along this Canadian border, with nothing but an imaginary line to cross, it is idle in my judgment, and idle in my experience and observation, to talk about any great difference in wages on one side or the other. When a man, by a day's walk, can go from a mill on that side to a mill on this side, from a field on that side to a field on this side, that imaginary international boundary line will not maintain any very different scale of wages long upon one side or upon the other. And they are the same class of men. When we talk about a protective tariff and think of the overcrowded countries of Europe, of the cheap wage scale of Europe—when we realize that the wage-earner in Europe must and oftentimes has to borrow and incur a great expense to come to this country—there may be wisdom in attempting to maintain an artificial wall between his country and ours. But when we look to sparsely settled Canada, when we look to a class of men enjoying a wage scale practically the equivalent of our own wage scale, it seems to me that sooner or later the American people have got to recognize the impossibility of forever maintaining an artificial wall where there is no natural reason for the establishment or maintenance of that wall.

In dealing with Canada, we are confronted by two very peculiar conditions. One is governmental, and the other is economic. Under the government of Canada they can impose export duties. We can not. Under the government of Canada, with the various Provinces of that country, one Province may have a tariff and another may not have a tariff. We can have no such condition as that.

I want to say that what seems to be an advantage to America is Canada's advantage in the last analysis, and that is the greater wealth of the American manufacturer. Just as soon as he sees that it is advisable to cross that line and establish his factory there, he has the wealth with which to do it, as has been illustrated in the establishment on the Canadian side of agricultural-machine industries and investments. They have no such surplus capital with which to invade this side of the line with factories, and what at first blush would seem to be our advantage in our great wealth becomes a disadvantage when we realize that we must, by tariff legislation—and it has got to be wise legislation—guard against American investment going over there. Yet without that tariff wall built along an imaginary line, with no natural difference, the manufacturer would retain his business here.

Sooner or later, Mr. President, we shall have to recognize on a broader plane this natural relation to Canada. I predict here in the Senate to-day that the time will come when, even with the protective policy as firmly implanted as it is to-day in our general policy, yet in our tariff relation to Canada we will recognize that it must be limited largely to the basis of revenue as required by that country and this.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. CLAPP. With pleasure.

Mr. BEVERIDGE. I ask the Senator whether it is not a fact that that very cause has now operated to induce a great deal of American capital to go to Canada instead of remaining here?

Mr. CLAPP. It has caused some of that; and it has caused a great many others, who still retain their factories here, to go over there and build factories to supply the Canadian demand. It is an artificial line, and no genius can for any great length of time maintain that artificial line. Sooner or later we have got to recognize that fact.

Now, Mr. President, in regard to the lumber rate, applying what, to my mind, is the most satisfactory principle of all the evidence in this tariff discussion to the lumber question, I can see no necessity whatever for a tariff upon lumber, in view of the insignificant importation of lumber to this country and the vast production within our own midst. I want to tell the Senator from Iowa that a prominent lumberman once told me that Iowa itself was a market for more pine lumber than all the world outside of the United States. With that market to supply, with this timber in our midst, with our mills here, with our investments here, with the demand increasing and the supply diminishing, I do not believe that the American lumber interests will suffer one iota by taking off this duty. If I did, I would agree with the Senator. I would not stand here to strike down any industry.

But I want to remind the Senator that while the fact is urged that millions are invested in this industry, that fact, instead of being evidence of the necessity of retaining the tariff, would rather indicate the successful and permanent character of the industry and as no longer requiring this duty. It is more evidence, to my mind, of the ability of the industry to maintain itself.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. CLAPP. With pleasure.

Mr. FLETCHER. I should like to ask the Senator from Minnesota if it is not a fact that Canada imported into the United States more than four times as much lumber as the United States sent into Canada last year; and also if it is not a fact that the import duties of Canada are twice as great as the import duties of the United States?

Mr. CLAPP. As to the first question, I can not answer definitely. I can only answer it by saying that the total importations into this country would not menace one great lumber plant in the country. As to the second, I agree with the Senator from Florida; and I have been arguing that at some time and in some way we have need to meet Canada upon a different basis. With our population of 90,000,000 we may boast of our commercial superiority; but when we realize that we have the wealth to put into plants there and that they will go to Canada

if they are not operated here; when we realize that under their constitution they can impose conditions which we can not impose, we may as well open our eyes to the fact that we have got to meet this question, that we have got to get on a broad basis of dealing with Canada other than the narrow and artificial one upon which we deal with Canada to-day.

I say again, referring to the infinitesimal importation of lumber and the vast exportation of lumber from the Pacific coast to other points, the fact that the boundary line is absolutely imaginary, and if we undertake to maintain a higher scale of wages on this side, a day's walk would bring laborers to our mills—in view of these facts and circumstances, I do not believe that it is necessary or important to maintain this tariff.

When it comes to differentials, I invite the attention of the junior Senator from New York [Mr. ROOT] to the table of figures before me, which shows that the very first differential is in itself practically sufficient to minimize the importation of finished lumber from the Canadian side.

Mr. BAILEY. Mr. President, when this bill is passed, the protection clock strikes 12. The American Congress will never again, within the life of the youngest in this Chamber, be called upon to consider a tariff bill with rates approaching those specified in the measure now under consideration. The differences which have manifested themselves among Senators on the other side have been pronounced, and, in my judgment, some of them are irreconcilable. The difference between the high protectionist of New England and the moderate protectionist of the Middle West can not be accommodated by raising duties, and the only accommodation possible is on a basis of reduction.

Those differences themselves would have made division enough in the Republican party; but they might have been compromised, because both sides profess—and I will agree both sides are sincere in professing—themselves protectionists. Agreeing on the principle, it would not be difficult, perhaps, for New England's representatives to make concessions in rates that would measurably satisfy their Republican associates of the Middle West; but when the free-trade doctrine once finds a lodgment, as it has on the other side of the Chamber, then nobody can compute the trouble which they are destined to encounter.

Whenever one Republican reaches a point where he wants free trade in what he buys and protection on what he sells, the entire system is doomed. Our New England friends for many years have been gradually and effectively impressing upon their party associates the manufacturers' doctrine of free raw material, and while the Republicans of the West, the Middle West, and the farther West have steadfastly and sturdily resisted that, it has still made great progress, as is evidenced by the free list of the pending bill. Our friends of the Northwest have learned that free trade is an excellent thing for purchasers, and now they imitate the wisdom, not to say the selfishness, of their New England neighbors by demanding the right to buy what they need free of duty.

How long, Mr. President, can these warring factions live peaceably in the same party? Just as certainly as this bill passes—and it is as certain to pass as that time endures—it marks the hopeless division of the Republican party on the tariff question.

The Senator from Rhode Island [Mr. ALDRICH], if the newspapers are to be believed, will not be with us when we make the next tariff bill, for the report runs that he has resolved to retire and enjoy his well-earned rest.

So, when the next tariff bill is framed—in ten or twelve years, as will be the case, judging the future by the past—from his retirement he can witness the struggle, and he will witness the next struggle for duties very much lower than those for which the Republican protectionists of the Middle West now contend.

The country is resolved on that. That is the explanation of why there are so many revisionists on the other side. I do not mean to say that the people have made these Senators revisionists; but I am willing to say these Senators have made the people revisionists. It is not merely a response to public sentiment that induces so many Republican Senators to stand here and denounce these exorbitant duties, but it is an obedience to their own convictions; and it was in following those convictions that they have addressed their people and created a widespread and irresistible demand for this revision down.

Of course I would be better than human if I could find it in my heart to regret the division that exists among our friends on the other side, because out of that division will come many good results. First will come the success of an opposition party; and the success of an opposition party from time to time is desirable in this country. No party was ever, and no party will ever be, good enough to be trusted with the unbroken confidence of the American people for a long period. It is in the nature of men; if clothed with power for many years they will not remember their responsibility to the people.

The next good result undoubtedly will be a very great reduction in our tariff duties, and a corresponding relief for the consumers of the United States.

Mr. President, I have been somewhat entertained by the argument between our friends as to whether lumber was entitled to protection or not, and yet when I look at the rate of duty now imposed upon it I find that the duty on rough lumber is less than 12 per cent, and that that 12 per cent duty on lumber pours into the Treasury of the United States the splendid sum of $1,700,000. Upon the entire lumber or wood schedule—most of it lumber—the average duty will not be much more than 12 per cent, and on that moderate duty the Government collects more than $3,000,000.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Minnesota?

Mr. BAILEY. I do.

Mr. CLAPP. I want to ask the Senator whether, in reaching that conclusion, he takes into account the proposed rate on finished lumber? It may be that he does. I ask it more to get the information than through any criticism.

Mr. BAILEY. Yes, sir; and, Mr. President, I want to say that, of course, the differential for which the distinguished Senator from New York [Mr. ROOT] contended this morning, and the differential for which other Republican Senators will contend, does not appeal in any degree to me. A differential duty is essentially and purely a device of protection. I can understand how no consistent protectionist could vote against it, but I can not understand how any conisitent Democrat could vote for it. Our theory is to treat everybody alike; and if on a raw material worth $100 we levy a duty of 25 per cent, the importer pays to the Public Treasury $25.

If he takes it to his factory and then through a process of manufacture adds $100 to the value of the material, the duty ought still be 25 per cent; and the double value of the article would compel the importer to pay $50 to bring it in, and thus the manufacturer receives precisely the same return upon the value which he adds to an article as he paid on his raw material when he imported it.

I would not vote for any schedule which recognizes and establishes a differential, because, like the compensatory duty, it is essentially and purely a method of protection.

But Mr. President, I am not able to see how a Republican can contend that a duty of less than 12 per cent, yielding more than $3,000,000, is a protective duty; and yet our friends on the other side have absolutely ignored the revenue phase of the question. The only suggestion that has been made on this floor to-day was that of the Senator from Idaho [Mr. BORAH], who said that the duty was defensible, if on no other ground, for the sake of the revenue it yields.

I want to show my Democratic friends—of course they know it just as well as I do, and most of them know it better—that in the Democratic tariff act of 1846, about which Democrats speak so often and about which they are justified in always speaking, the duty on lumber was nearly double what it is in the existing law. Of course Senators all remember that the schedules of the Walker tariff act were not arranged according to the commodities or articles. There was no wool schedule, no metal schedule, and no earthenware schedule. The schedules in that act were arranged alphabetically and according to the rate of duty imposed, beginning with the Schedule A, which imposed the highest rate of 100 per cent, and that duty was laid on brandy and other similar luxuries. Schedule B, as I now recall, levying a duty of 40 per cent, was the next one.

The next was Schedule C, which levied a duty of 30 per cent; the next was Schedule D, which levied a duty of 25 per cent; and the next was Schedule E, which levied a duty of 20 per cent; and Schedule E, levying that duty of 20 per cent, included lumber. I will read it:

> Boards, planks, staves, laths, scantlings, spars, hewn and sawed timber, and timber to be used in building wharves.

This ideal Democratic tariff measure, whose duties were supposed to be adjusted with scientific precision from a Democratic point of view, levied a duty of 20 per cent on lumber; and yet we hear men say now that Democratic principle requires us to put lumber on the free list.

Mr. DIXON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Montana?

Mr. BAILEY. Yes, sir. I know what the Senator has in his hand, but it has no terrors for me.

Mr. DIXON. I have been very much interested in the Senator's description of the apparent inconsistencies on this side of the Chamber, and I am frank enough to say, with some degree of truth, I think. But now, as the great expounder of Democratic doctrine, how does he at this time square his present declaration of a tariff for revenue on lumber with that provision of the Democratic national platform adopted at Denver last June, which declared:

We demand the immediate repeal of the tariff on wood pulp, print paper, lumber, timber, and logs, and that those articles be placed upon the free list?

Mr. BAILEY. I understand that, just as I do the declaration for free raw materials generally. I utterly refuse to be bound by it, because it is not a Democratic doctrine. I understand it was declared by a Democratic convention, but, Mr. President, yielding obedience, absolute and implicit obedience, to any declaration of principles which my party may make—and when I can not yield that obedience I will withdraw from membership in it—I yet refuse to allow a set of delegates, selected by the people absolutely without reference to a question of that kind, but selected almost solely with a view to the candidacies of men, to assemble in a convention and assume the function of legislators. The business of a national convention is to declare the principles of the party; and if they are not willing to trust the Senators and Representatives belonging to that party to apply those principles according to wise details, they ought to select some other Senators and Representatives, and they will have to do it in my case. That is my answer.

Mr. President, the Walker tariff act was the consummate wisdom of a Democratic Secretary of the Treasury, and perhaps the greatest Secretary of the Treasury the Democratic party ever contributed to the Nation; and I say that, admitting at the same time that I do not revere his memory. He sat in this Senate from my native State, whose people honored him as they would have honored one of their own flesh and blood, and yet, when that cruel conflict between the sections came, he bore the commission of the General Government to a foreign nation and libeled the people of Mississippi. I have not forgotten that, and I shall not forget it. But, holding his memory in abhorrence for that disloyal deed to the people who had loved, honored, and trusted him, I yet pay him the just and well-deserved compliment of saying that the Democratic party has never contributed to a cabinet created since the foundation of this Republic an abler man than Robert J. Walker; and, even among his adversaries, he is esteemed in intellect second only to Alexander Hamilton among the men who have occupied the high position of Secretary of the Treasury.

I prefer to accept the doctrine written in a Democratic bill upon the recommendation of the greatest of Democratic Secretaries of the Treasury, written there deliberately after weeks and months of consideration, than to surrender my judgment and my conscience to a national convention whose delegates were not authorized or commissioned to speak upon such matters of detail.

More than that, Mr. President, I have the satisfaction in this case of living up to the Democratic doctrine, without the suspicion of a desire to serve the people whom I have the honor in part to represent in this Chamber. It makes no difference to the people of Texas whether you impose a duty on lumber or put it on the free list, for freight rates make it impossible for Canadian imports to affect the price of lumber in Texas.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Will the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I will.

Mr. ALDRICH. I agree with the Senator from Texas in his admiration of Mr. Robert J. Walker. The Democratic party have twice since 1846 had the opportunity in the House of Representatives to frame a tariff bill. Once they had the control of both Houses and prepared and passed a tariff bill. Those bills were as unlike the act of 1846 as the act which is now pending in this Senate is unlike the first tariff bill passed in 1789.

Mr. BAILEY. That is true; and there is an explanation for that, but it would require more time than I now care to consume in making it, and, besides, it is not relevant.

Mr. President, having said what I did about Mr. Walker, I think I am required to be a little more specific than I was. I dismissed him with the statement that he had libeled the people of my native State who had honored and trusted him, and that statement needs some qualification. What Mr. Walker did do was this: As the agent of the Government of the United States in Great Britain, he told the British people that Jefferson Davis, once a Senator here, afterwards, and at the time Mr. Walker made the misrepresentation, president of the Confederate States, had advocated and secured the repudiation of the Mississippi state debt.

Walker did not have the excuse of ignorance for making that statement. He knew it was not true. He knew that when that Mississippi public debt was repudiated Jefferson Davis had not entered public life. He knew that a part of the time that the controversy raged Mr. Davis was an officer in the Army of the United States, from which he resigned; and when the question was at its point of decision, Mr. Davis was spending seven years of retirement in diligent study, in the quiet of his Briarfield plantation, and took absolutely no part in that controversy. And yet, with a knowledge of that fact, Mr. Walker, in order to prevent the sale of confederate securities, represented to the British people that Mr. Davis was responsible for the repudiation of Mississippi's public debt.

Now, Mr. President, I want to say, and I can not reiterate it too often—because no matter how much I reiterate it, it will be misrepresented—that a Democrat must vote for low duties which raise revenue and must not vote for high duties to afford protection. But when I state this Democratic maxim some shallow-minded men call me a "protectionist." They seem to think that a Democrat must vote for every motion to put any article on the free list, and when we point to a low rate, a good revenue, and fortify the low rate and abundant revenue with the authority of an ideal Democratic tariff act, they still say we are protectionists.

Mr. President, I would like to see a Democrat of that kind make a tariff act. What would he do? He would have nine-tenths of our imports on the free list and one-tenth on the dutiable list, and the more articles he would put on the free list the higher he would be compelled to make the duty on those left on the dutiable list, and it is the sagacity of our Republican friends, who understand that, which furnishes the explanation of such a long free list in the pending bill.

For the enlightenment of Democrats and Republicans alike, I want to show you that the shortest provision in the Walker tariff act was its first, and one of the shortest was its last schedule. The first was the schedule whose duties reached 100 per cent, and it was just three lines. I will read them:

Brandy or other spirits distilled from grain, or other materials; cordials, absinthe, arrack, curacoa, kirschwasser, liqueurs, maraschino, ratafia, and all other spirituous beverages of a similar character.

That was the shortest. Now, except for the provisos, one of the shortest schedules of that act was its free list, and that free list was largely confined to articles that were not for sale and were not brought into the United States for the purpose of selling them. And yet, when Mr. Walker was advising Congress how to construct a tariff act, he advised that if this act, as then framed, would not raise sufficient revenue, not to put a higher duty on any of the dutiable articles, but to take some articles off of the free list and put them on the dutiable list.

The philosophy of that is apparent. The more numerous the articles on which you lay a duty, the lower we can make the duty on every article.

To illustrate: Suppose you have 2,000 articles imported, and you have $300,000,000 of revenue to raise through your custom-houses. If you place 1,000 articles on the free list, you are compelled to make the other 1,000 articles raise the $300,000,000. In other words, under a tariff bill so constructed, a thousand articles must yield $300,000,000; whereas under a tariff bill where a duty was levied on every imported article, 2,000 articles would raise the $300,000,000. The more numerous the subjects of taxation the less onerous the tax can be made on every subject. That is elementary. That is so plain that the marvel is that any man has ever misunderstood it.

The free list is not a Democratic invention, except in rare instances. The free list is a Republican invention. They understand that by taking the duties off of those articles which they do not choose to protect, they can make an excuse for laying a higher duty on those things which they do choose to protect.

Mr. President, the Senator from Minnesota [Mr. CLAPP], at the conclusion of his very interesting address, indulged in a burst of generosity. I do not say that in any satirical sense, because he is both a just and a generous man; and while I do not agree with him upon the principle which underlies the construction of a tariff bill, I do pay him the compliment of saying that I believe he earnestly strives to do what he thinks is best for all the people. In a burst of generosity the Senator from Minnesota turned to us and said that there is not a man on this side who would strike down an American industry; and he is right. But, Mr. President, while no man on this side would strike down an industry, neither would any man on this side compel a thousand men to hold up any one man's industry. That is our objection to your protective tariff.

Mr. ALDRICH. Will the Senator yield?

Mr. BAILEY. Certainly.

Mr. ALDRICH. When did the doctrine of free raw material cease to be a Democratic doctrine?

Mr. BAILEY. When men like myself came into power in the Democratic party.

Mr. ALDRICH. Were there any exponents of that doctrine before the Senator from Texas——

Mr. BAILEY. Oh, yes.

Mr. ALDRICH. Or since, outside of the Senate Chamber? I have failed to observe them.

Mr. BAILEY. If the Senator from Rhode Island will read the Democratic platform of 1896 on the tariff question, he will find the renunciation of the old doctrine. I drew it, and I drew it with that distinct idea in my mind.

Mr. ALDRICH. But, Mr. President——

Mr. BAILEY. If the Senator will permit me, one of the purest and best men who ever occupied a seat in this Chamber, or who ever served this Republic in any capacity, offered it in the Democratic platform committee. I drew it at the request of the late John H. Reagan, who was, in that convention, a delegate from our State.

Mr. ALDRICH. But Grover Cleveland was still living.

Mr. BAILEY. And did not support the ticket.

Mr. ALDRICH. And the galaxy of brilliant men who made the Democratic party great in his time were then alive, and no one of them, and no leader of any conspicuous character except the Senator from Texas, at that time was courageous enough to say that the Democratic party proposed to abandon the doctrine of free raw materials.

Mr. BAILEY. The Senator from Rhode Island surprises me. About Mr. Cleveland I shall utter no word of censure. He has accounted in another place for the deeds done in his body, and, at least until the clods have settled on his grave, he shall be exempt from my reproaches; but without intending to suggest that he refused to support our party, though our party had three times supported him, the Senator from Rhode Island is not unmindful of the fact that Mr. Cleveland and the brilliant men who, he says, made the Democratic party, did not then support the Democratic ticket, and it was not merely on the money question, about which many men honestly differed, but it was also on the tariff question; because, while speaking in the name of Democracy, they spoke against the Democratic party and denounced us for having abandoned the Democratic attitude on the tariff question as well as for having assumed a false attitude on the financial question.

Mr. ALDRICH. There was one man who at that time was even perhaps more conspicuous in Democratic circles than Mr. Cleveland—Mr. William J. Bryan. He was then, as he is now, so far as we can judge by his platforms and his doctrines, in favor of free raw materials.

Mr. BAILEY. If that was true, it would not convince me. It is true that Mr. Bryan came into Congress under Mr. Cleveland's administration; or rather, Mr. Bryan was serving his second term when Mr. Cleveland was inaugurated the second time. It is true, and we make no concealment of it, as we make no explanation of it, except to state the fact, that at that time the Democratic party did advocate the doctrine of free raw materials. The Democratic party did not, as a party, believe in it. It was a matter of expediency with nearly all of them. In our southern country we were told that if we would agree to take all the burden off of the manufacturer's raw material he would agree to relieve us from some of the burdens imposed upon us when we purchased his finished product; and to that proposition we yielded our support; but it never convinced our judgment.

It was not only an absurdity, but it was the grossest absurdity that any set of men ever attempted to impose on any other set of men in the history of American politics. Think of it. For a hundred years the Democratic party had denounced protection as a special favor to manufacturers; for a hundred years the Democratic party had denounced the manufacturers as the advocates and beneficiaries of an unjust system of taxation; and yet, all at once, by some mysterious and unexplained and unexplainable power, we were persuaded to change our attitude and to solemnly announce that we would give the beneficiaries of the protective tariff the benefit of free trade. Denouncing protection as a robbery of the many for the enrichment of the few, denouncing it as a system of special favor, we were persuaded to agree that the very beneficiaries of protection in what they sold should be the only people in the United States to enjoy the advantage of free trade in what they bought. There never was anything more absurd and unjust. It was indefensible then; it is indefensible now; and in my judgment no real Democrat will ever again attempt to defend it as a policy of the Democratic party.

That men make mistakes I grant you. But I have the candor to repudiate in express and unequivocal language the mistakes which my Democratic predecessors have made, and it is a pity that the Senator from Rhode Island does not imitate my example.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. When I finish the Senator will probably see the point. I have an income-tax amendment pending to this bill. The Republican party passed the first income-tax law. It passed it, I grant you, in a time of war, but it passed it when the Government of the United States was spending less money than it is spending to-day in these piping times of peace. Now, when they came to repeal it, in time of peace, the most distinguished Republicans resisted its repeal and declared that it was a sound and philosophic method of taxation. Why do you not say they were wrong, or else vote like they voted?

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. The Republican party, charged with the greatest responsibility ever placed upon any party, imposed, under the stress of those days, many onerous taxes. That constitutes, in my judgment, no reason why we should reimpose onerous duties at this moment.

Mr. BAILEY. That answer would suffice if we did not have an onerous government to support. But the Senator from Rhode Island can not forget that with eighty years of history behind us—eighty glorious years; eighty years of peace, contentment, and marvelous progress—when the rude alarm of that great war called this country to arms, the expenditures of the Federal Government were only about $60,000,000—a frugal government; a happy people, of simple tastes and habits—and we were expending the sum, then sufficient, now considered paltry, of $60,000,000. Eighty years we lived, we prospered, we were honored abroad and content at home, and yet the expenditures for the federal administration took but $60,000,000 from the energies and from the savings of the American people.

In these last fifty years or less we have multiplied that expenditure from $60,000,000 to $600,000,000, and, not content with that wasteful extravagance, we have now multiplied six hundred million by almost two.

As against the $60,000,000 which the Government was spending in 1861 we have a burden now of more than a billion every year, and yet the Senator from Rhode Island seems to forget that a burden can be as great in time of peace as it is in time of war. Who would have prophesied that the Republican party, born in a protest against what it called the arrogance and wealth of a class, would ever have so forgotten its primitive lessons that now its great leaders stand here and denounce those of us, or, if they do not denounce us, they denounce our protestations against this modern extravagance?

If the Senator from Rhode Island will go back to the earlier and the better, the simpler, and happier days of this Republic and retrench these expenses, I will agree to withdraw the income-tax proposition. In other words, if he will lift the burden under which the toiling and consuming masses are stooping to-day, I will not quarrel with him about how he lifts it. I protest against the injustice which lays upon the people who toil, and who toil, thank God, without much complaint, this enormous burden of a billion dollars every year.

Mr. President, if you will add what our towns, our cities, our counties, and our States are spending to the stupendous sum which the Federal Government is spending, it amounts to more than the value of our cotton and our wheat and our corn crops all combined. This vast sum would be too much for any kind of a government, and for the kind which you are now giving the people it is a criminal waste.

Let the Senator from Rhode Island and those associated with him in responsibility for this administration reduce this burden until the people can bear it without subtracting from their comfort and their happiness, and I will join him. But unless they retrench the expenditures until they shall reach a point where the people can endure them without serious inconvenience, I shall insist to-day and to-morrow and all the to-morrows that come, as long as I have the honor to remain a Senator, until an income tax is adopted as a part of our fiscal policy; and it will be advocated within the next ten years by Senators who will vote against it in this Congress.

Why, sir, the very argument—and I violate nobody's confidence when I say that—with which they are seeking now to persuade Republican Senators to vote against the income-tax

amendment is that they will try this bill, and if it does not raise revenue enough, they will have an income tax of their own. To some Senators they say they will frame a law agreeable to the opinion of the Supreme Court, but they select their man when they make that statement. They never make that to a lawyer who is entitled to a license to practice in any court, because there is not a lawyer in America entitled to admission to the bar who does not know that it is impossible to frame a law conforming to the decision of that court which could pass the Senate or any other body of sensible men that you could assemble in the United States; for the only law that would conform to the decision of that court would be a law that exempts the incomes arising from colossal fortunes and taxes only the incomes that arise from the exercise of brain and muscle. A good many people would escape the tax if it were laid on the exercise of brain who would have to pay it if it is laid on the income of property.

I am anxious for the vote, because I want to see how much progress they have made with that kind of persuasion. I do not call it an argument, for it is not an argument. When this measure was first introduced, we had a clear majority for an income tax. A vote will disclose if that majority has been converted into a minority. I am eager to see whether that is true, and the country wants to learn the truth.

So anxious am I, Mr. President, to know the result that I now ask unanimous consent that the Senate vote on the income-tax amendment to the tariff bill before it adjourns on Thursday next.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that on Thursday next a vote be taken on the income-tax amendment.

Mr. ALDRICH. I have already suggested several times in the hearing of the Senator from Texas that I shall object to fixing any time for a vote upon the income tax or any of the other provisions of the bill until we can agree to take a final vote on the bill itself.

Mr. BAILEY. That is unreasonable. I am perfectly willing myself for the Senator to have a vote on his bill. I interpose no objection, and I only ask that I may have a vote on my amendment. When the vote is taken on my amendment, I will not object to the Senator's request for a vote on his bill; and if Senators on that side object, he can apply his discipline.

Mr. ALDRICH. I am in hopes that within a very short time we can get a general agreement, which will include everybody on both sides of the Chamber, for fixing a time to vote on the bill.

Mr. CLAPP. I wish to remind the Senator from Texas that the only time it came to the point of an objection, if I remember correctly, the objection came from his side.

Mr. ALDRICH. The Senator from Virginia [Mr. DANIEL] objected.

Mr. BAILEY. There was an objection before that on your side.

Mr. ALDRICH. I will compromise with the Senator from Texas by taking a vote on the pending amendment now, if that will be agreeable to him.

Mr. BAILEY. I want to give notice to this effect, that just as soon as the pending amendment is disposed of I shall offer the income-tax amendment. I give that notice in fairness and in justice to everybody, so that all Senators may know. Of course the better place for it would be at the conclusion of the bill. It could then be sectionized. But that is a mere matter of form and unimportant, because in the conference committee they can transpose it and insert it at the end of the bill, with the sections numbered without any trouble.

Mr. ALDRICH. We are now considering the dutiable list of the tariff, and I will assume that the Senate will not proceed to the consideration of a provision which is entirely foreign to that. I assume they will not.

Mr. BAILEY. Of course the Senator means to say by that that he will make a point of order that it is not germane.

Mr. ALDRICH. No; I will ask the friends of the bill, who are considering the bill by paragraphs, to go on with the consideration and not take up any extraneous matter.

Mr. BAILEY. I have agreed time and again, and every Senator on this side has agreed, that for the convenience of those in charge of the bill they might pass provisions, and they have gone from the first to the last, and then back to the first and then to the middle. All that has been done by common agreement, by unanimous consent, nobody attempting to impede it, nobody attempting to waste any time.

This matter must be voted on. I want to say, furthermore, and I say it so that everybody can understand it, the distinguished Senator from Iowa [Mr. CUMMINS] has also an income-tax amendment. If we can not adopt one, we shall try to adopt the other. If we can so arrange the provisions of one as to be acceptable to all friends of an income tax, we will do that. If we can not do that, then we will do the best we can in that direction.

If the Senator from Rhode Island will withhold his objection and allow us to take a vote on my amendment on Thursday, I think undoubtedly he will expedite the consideration of his own measure. Somebody else can object. I give notice to the Senator from Rhode Island now that if he objects to my request I will object every time he prefers a request to fix a day to vote on the bill. I do not make that as a threat, but I simply say that we are going to fix a time for a vote on this amendment before we will ever fix a time for a vote on the bill. I say, besides that, I will not couple them again. The Senator from Rhode Island will permit me to vote on this amendment before he ever gets unanimous consent to vote on his bill. That is the orderly way, and I hope the Senator will not interpose an objection.

Mr. McCUMBER. I wish to amend my amendment so that it will be limited somewhat. I move to strike out all after the word "measure," in line 8, page 69, paragraph 197, down to and including the rest of the paragraph. That simply leaves the paragraph read:

Sawed boards, planks, deals, and other lumber of white wood, sycamore, and basswood, 50 cents per thousand feet, board measure.

It leaves in all of the other schedules except the part of paragraph 197 following the word "measure;" for instance, it leaves in paragraphs 199 and 200, paving posts and so forth; paragraph 201, clapboards; paragraph 202, hubs for wheels and so forth; and it also leaves in laths, pickets, and shingles.

Mr. ALDRICH. I ask that a vote be taken by yeas and nays on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from North Dakota.

Mr. McCUMBER. I offer it as a substitute for the former amendment.

Mr. ALDRICH. There is no objection, I take it, to the Senator modifying his own amendment.

Mr. McCUMBER. Very well; I withdraw the other amendment and substitute this amendment for it.

Mr. STONE. I ask that the amendment be read.

The SECRETARY. Instead of striking out all of paragraph 197, it is proposed to strike out all of the paragraph after the word "measure," in line 8——

Mr. McCUMBER. I am not affecting anything now but paragraph 197. I move to strike out all of paragraph 197, after the word "measure," in line 8.

Mr. DANIEL. I ask that the words proposed to be stricken out be read.

Mr. ALDRICH. The effect of the amendment, I understand, is to put rough lumber and finished lumber on the free list.

Mr. JOHNSTON of Alabama. I have a substitute that I desire to offer.

The PRESIDING OFFICER. The Senator from Alabama offers an amendment to the pending amendment.

Mr. JOHNSTON of Alabama. I offer as a substitute what I send to the desk.

Mr. BEVERIDGE. Is the amendment in order?

Mr. GALLINGER. Certainly, it is in order.

Mr. JOHNSTON of Alabama. It is not an amendment to a committee amendment.

The PRESIDING OFFICER. The Chair understands that it is a substitute for the amendment of the Senator from North Dakota.

Mr. ALDRICH. Which is an amendment to the provision of the House.

Mr. BEVERIDGE. And not an amendment to the committee amendment?

Mr. ALDRICH. It is not.

Mr. CULLOM. It is in order.

The PRESIDING OFFICER. The amendment proposed by the Senator from Alabama will be read for the information of the Senate.

The SECRETARY. It is proposed to insert as a substitute the following:

Nothing contained in this act shall prevent the admission free of duty of the following articles: Lumber of all kinds, laths, shingles, doors, and door locks and hinges, window frames, window sashes, bricks, lime, cement, slate roofing, nails, carpenter's tools, common window glass not exceeding 16 by 24 inches, tin plate for roofs, linseed oil, and white lead.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Alabama [Mr. JOHNSTON] to the amendment proposed by the Senator from North Dakota [Mr. McCUMBER].

Mr. JOHNSTON of Alabama. Mr. President, I merely want to say that I suppose every Senator on this floor recognizes how important it is that our people should be enabled to make their homes. If we could have every family in the United States in possession of their own homes in fee simple, we would have the best security for peace and good order that could be obtained.

I propose in this substitute to put other articles than lumber on the free list, articles that go into the making of a home. I shall not detain the Senate or prevent the Senate from taking a vote, but I will ask leave to print in the RECORD a table of the duty on the articles suggested by the amendment to be placed on the free list. It was prepared by experts.

The PRESIDING OFFICER. In the absence of objection, the matter referred to by the Senator from Alabama will be printed in the RECORD.

The matter referred to is as follows:

Tariff on house materials for frame house—average ad valorem rates under the Dingley law in 1907 compared with the Aldrich bill.

Paragraph.		Article.	Rates of duty.		Average ad valorem rate.	
Aldrich.	Dingley.		Dingley.	Aldrich.	Dingley.	Aldrich.
					Per ct.	*Per ct.*
197	195	Lumber, per M feet	$2.00	$1.00	11.75	5.88
		Lumber, planed, tongued, and grooved, per M feet	$3.50	$2.50	19.10	11.46
201	199	Clapboards, per M feet	$1.50	$1.00	5.99	3.98
203	201	Laths, per M pieces	$0.25	$0.20	9.63	7.69
205	203	Shingles, per M	$0.30	$0.30	13.77	13.77
211	208	Manufactures: Doors, window frames, etc., per cent	35	35	35.00	35.00
107	113	Window sash, glass of chief value, per cent	45	45	45.00	45.00
82	87	Brick, per cent	25	25	25.00	25.00
		Brick, glazed or enameled, per cent	45	45	45.00	45.00
		Brick, glazed tiles, per square foot	$0.08	$0.08	46.37	46.37
85	90	Lime, per 100 pounds, weight of barrels included	$0.05	$0.05	20.55	20.55
84	89	Cement, per 100 pounds, weight of barrels included	$0.08	$0.08	25.25	25.25
112	117	Stone, except marble, per cubic foot	$0.12	$0.12	23.51	23.51
	118	Stone, hewn, dressed, or polished, per cent	50	50	50.00	50.00
115	120	Slate roofing, per cent	20	20	20.00	20.00
160	162	Nails, wire, per pound	$0.00¼	$0.00¼	25.00	12.50
167	169	Screws, 1 to 2 inches, per pound	$0.06	$0.05	33.64	28.04
195	193	Tools, carpenter, etc., per cent	45	45	45.00	45.00
166	168	Saws, hand, per cent	30	25	30.00	25.00
97	101	Glass, common window, not exceeding 16 by 24 inches, per pound	$0.01⅞	$0.01⅞	71.59	71.59
100	104	Plate glass, cast, polished, finished or unfinished, not exceeding 24 by 30 inches, per square foot	$0.10	$0.12½	49.25	61.69
180	182	Above 24 by 30 inches and not exceeding 24 by 60, per foot	$0.22½	$0.22½	81.73	81.73
145	147	Lead, sheets, pipe, etc., per pound	$0.02½	$0.02½	48.99	48.99
195	193 159	Bathtubs, etc., article composed wholly or in part of steel, including plumbers' supplies and pumps, per cent	40	45	40.00	45.00
128	134	Tin plate for roofs, gutters, etc., per pound	$0.01½	$0.01½	46.25	32.39
51	55	White lead, per pound	$0.02¾	$0.02¾	46.13	46.13
49	53	Varnish, spirit, per gallon	[a]$1.32	([b])	104.23	35.00
33	37	Linseed oil, per gallon	$0.20	$0.15	49.67	37.25
411	402	Paper, hangings, per cent	25	25	25.00	25.00
403	394	Sheathing paper and roofing felt, per cent	10	10	10.00	10.00

[a] And 35 per cent.

[b] 35 per cent.

Average Aldrich rate on all lumber, and manufactures of, for frame house, 17.55 per cent ad valorem.

Average Aldrich rate on all brick, stone, etc., 29.46 per cent ad valorem.

Average Aldrich rate on all nails, hardware, etc., 32.63 per cent ad valorem.

Average Aldrich rate on glass for frame house, 71.70 per cent ad valorem.

Average Aldrich rate on plumbers' supplies used for frame house, 35.96 per cent ad valorem.

Average Aldrich rate on paints and varnish used for frame house, 39.46 per cent ad valorem.

Average Aldrich rate on paper hangings, etc., used for frame house, 17.50 per cent ad valorem.

Recapitulation of average rates on—	Per cent.
Lumber, and manufactures of	17.55
Brick, stone, etc	29.46
Nails, hardware	32.63
Glass	71.70
Plumbers' supplies	35.96
Paints, oils, and varnishes	39.46
Wall paper, sheathing paper, etc	17.50

NOTES ON BUILDING MATERIALS USED IN FRAME HOUSES.

Only about 2 per cent of the federal customs revenue is derived from such material, the large tax on homes is therefore not justified by the little revenue produced.

The great advance in the price of building materials since the Dingley law went into effect has produced a great reduction in the ad valorem rate of duty on articles entered under a specific duty—for instance, on sawed lumber (under the general tariff) the duty is $2 per thousand. In 1895 the value of this class of lumber was valued by the government appraisers at $8.97 per thousand, and the ad valorem rate of duty was equal to 22.29 per cent. In 1907 the valuation was 17.02 per thousand feet, equal to an ad valorem rate of duty of 11.75. Thus all the specific duties have been reduced by the advance in values.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. JOHNSTON] as a substitute for the amendment of the Senator from North Dakota [Mr. McCUMBER].

Mr. BEVERIDGE and Mr. OVERMAN demanded the yeas and nays, and they were ordered.

The Secretary called the roll.

Mr. CHAMBERLAIN. My colleague [Mr. BOURNE] is paired with the Senator from Oklahoma [Mr. OWEN].

Mr. BURROWS. I desire to state that my colleague [Mr. SMITH of Michigan] is paired with the junior Senator from Mississippi [Mr. McLAURIN]. If my colleague were present, he would vote "nay."

Mr. SMITH of South Carolina (after having voted in the affirmative). I overlooked the fact that I am paired with the senior Senator from Wyoming [Mr. WARREN]. I therefore withdraw my vote.

Mr. MONEY. My colleague [Mr. McLAURIN] is necessarily absent from the Senate. He is paired with the Senator from Michigan [Mr. SMITH].

The result was announced—yeas 13, nays 64, as follows:

YEAS—13.

Bacon	Frazier	Overman	Tillman
Bankhead	Gore	Paynter	
Clay	Hughes	Rayner	
Culberson	Johnston, Ala.	Taylor	

NAYS—64.

Aldrich	Crane	Frye	Nixon
Beveridge	Crawford	Gallinger	Oliver
Borah	Cullom	Gamble	Page
Bradley	Cummins	Guggenheim	Penrose
Brandegee	Curtis	Hale	Perkins
Briggs	Daniel	Heyburn	Piles
Bristow	Depew	Johnson, N. Dak.	Root
Brown	Dick	Jones	Scott
Burkett	Dillingham	Kean	Shively
Burnham	Dixon	La Follette	Simmons
Burrows	Dolliver	Lodge	Smith, Md.
Burton	du Pont	McCumber	Smoot
Carter	Elkins	McEnery	Stephenson
Chamberlain	Fletcher	Martin	Sutherland
Clapp	Flint	Money	Warner
Clark, Wyo.	Foster	Nelson	Wetmore

NOT VOTING—14.

Bailey	Davis	Richardson	Taliaferro
Bourne	McLaurin	Smith, Mich.	Warren
Bulkeley	Newlands	Smith, S. C.	
Clarke, Ark.	Owen	Stone	

So the amendment of Mr. JOHNSTON of Alabama to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from North Dakota [Mr. McCUMBER].

Mr. McCUMBER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DANIEL. Mr. President, I ask that the words proposed to be stricken out may be read.

The PRESIDING OFFICER. The Senator from Virginia requests that the words proposed to be stricken out be read. The Secretary will read as requested.

The SECRETARY. On page 69, line 8, after the word "measure," it is proposed to strike out the remainder of paragraph 197 in the following words:

Sawed lumber, not specially provided for in this section, $1 per 1,000 feet board measure; but when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished, 50 cents per 1,000 feet board measure; and if planed on one side and tongued and grooved, $1 per 1,000 feet board measure; and if planed on two sides and tongued and grooved, $1.50 per 1,000 feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

The Secretary proceeded to call the roll.

Mr. SMITH of South Carolina (when his name was called). As I have previously announced, I am paired with the Senator from Wyoming [Mr. WARREN], and therefore I withhold my vote. If he were present, I would vote "yea."

The roll call was concluded.

Mr. CLARK of Wyoming. My colleague [Mr. WARREN] is unavoidably absent from the Chamber. If he were present, he would vote "nay."

Mr. BURROWS. I again announce the pair of my colleague [Mr. SMITH of Michigan] with the junior Senator from Mississippi [Mr. McLAURIN]. My colleague also desires me to state, as he is necessarily absent from the Senate, that if present he would vote "nay."

Mr. MONEY. My colleague [Mr. McLAURIN] is absent on account of sickness in his family. If he were here, he would vote "nay." He is paired with the junior Senator from Michigan [Mr. SMITH].

The result was announced—yeas 25, nays 56, as follows:

YEAS—25.

Beveridge	Crawford	Gore	Paynter
Bristow	Culberson	Hughes	Rayner
Brown	Cummins	Johnson, N. Dak.	Shively
Burkett	Curtis	La Follette	Stone
Burton	du Pont	McCumber	
Clapp	Frazier	Nelson	
Clay	Gamble	Newlands	

NAYS—56.

Aldrich	Cullom	Hale	Perkins
Bacon	Daniel	Heyburn	Piles
Bailey	Depew	Johnston, Ala.	Root
Bankhead	Dick	Jones	Scott
Borah	Dillingham	Kean	Simmons
Bradley	Dixon	Lodge	Smith, Md.
Brandegee	Dolliver	McEnery	Smoot
Briggs	Elkins	Martin	Stephenson
Burnham	Fletcher	Money	Sutherland
Burrows	Flint	Nixon	Taliaferro
Carter	Foster	Oliver	Taylor
Chamberlain	Frye	Overman	Tillman
Clark, Wyo.	Gallinger	Page	Warner
Crane	Guggenheim	Penrose	Wetmore

NOT VOTING—10.

Bourne	Davis	Richardson	Warren
Bulkeley	McLaurin	Smith, Mich.	
Clarke, Ark.	Owen	Smith, S. C.	

So Mr. McCUMBER's amendment was rejected.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. OVERMAN. I ask the Senator if he will not withhold that motion and let us have an executive session?

Mr. ALDRICH. It is late, and I think the Senator had better let that go over until to-morrow.

Mr. CULLOM. Yes; let it go over until to-morrow.

Mr. OVERMAN. Very well.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island.

The motion was agreed to; and (at 5 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 25, 1909, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 24, 1909.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

THE JOURNAL.

The Clerk began the reading of the Journal of the proceedings of Thursday, May 20.

Mr. MACON. Mr. Speaker——

The SPEAKER. Without objection, the—for what purpose does the gentleman rise?

Mr. MACON. Mr. Speaker, I have been trying to get the Speaker's ear for a moment. For the approval of the Journal of the important things that occurred on the last legislative day of the House we ought to have a quorum present, and for that reason I make the point that there is not a quorum present.

The SPEAKER. The Journal has not yet been read.

Mr. MACON. I make the point at this time, Mr. Speaker, because I think there ought to be a quorum present before we approve the Journal of the last legislative day. I think we ought to have a quorum present before it is read even.

The SPEAKER. The gentleman from Arkansas makes the point that there is no quorum present. The Chair will count. [After counting.] The Chair is unable to count more than 175.

Mr. PAYNE. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from New York moves a call of the House.

The question was taken, and the motion was agreed to.

Mr. BARTLETT of Georgia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT of Georgia. Mr. Speaker, will the House on this call be called upon to vote on the approval of the Journal?

The SPEAKER. The Journal has not even been read, and the gentleman from Arkansas makes the point that there is no quorum present. The Doorkeeper will close the doors.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. I would ask the Chair if the Chair was not putting the usual formula that the Journal be adopted, provided nobody objected? Does not that imply that the Journal had been read?

The SPEAKER. The Chair was under the impression that the reading of the Journal had been completed, but finds, on inquiry from the Clerk, that he had not finished the reading of the Journal; and pending the reading of the Journal the gentleman from Arkansas [Mr. MACON] made the point of order that a quorum was not present. Now, that point having been made, no action can be had in the absence of a quorum, save alone to try to get a quorum on the one hand or to adjourn on the other.

Mr. CLARK of Missouri. The reason of my inquiry is that it was my understanding that the Chair was in the act of putting the usual formula as to adopting the Journal, if nobody objected, when the gentleman from Arkansas [Mr. MACON] impinged on the same.

The SPEAKER. The Chair was stating the question, but supposed that the Clerk had concluded the reading of the Journal; but the Chair is informed that the Clerk had not, and the point of the gentleman was made pending the reading of the Journal. The Chair could only find 175 Members present, and the gentleman from New York [Mr. PAYNE] moved the call of the House, which motion is in order; and the Chair, under the rule, has directed the doors to be closed and is about to ask the Clerk to call the roll.

The Clerk thereupon proceeded to call the roll, when the following-named Members failed to answer to their names, viz:

Adamson	Denver	Hubbard, Iowa	O'Connell
Allen	Diekema	Hughes, N. J.	Olmsted
Ames	Dixon, Ind.	Hughes, W. Va.	Page
Anderson	Dodds	James	Palmer, A. M.
Andrus	Draper	Johnson, Ky.	Palmer, H. W.
Anthony	Driscoll, D. A.	Johnson, Ohio	Perkins
Ashbrook	Driscoll, M. E.	Johnson, S. C.	Peters
Barnhart	Durey	Kahn	Poindexter
Bartholdt	Edwards, Ga.	Keifer	Pray
Bartlett, Nev.	Edwards, Ky.	Kendall	Pujo
Beall, Tex.	Elvins	Kennedy, Iowa	Reeder
Bell, Ga.	Esch	Kinkead, N. J.	Reid
Bennet, N. Y.	Fairchild	Kitchin	Reynolds
Bennett, Ky.	Ferris	Knapp	Rhinock
Bingham	Fish	Korbly	Richardson
Booher	Flood, Va.	Lafean	Riordan
Boutell	Foelker	Langham	Robinson
Bowers	Fornes	Langley	Rothermel
Brantley	Foster, Vt.	Law	Rucker, Colo.
Broussard	Foulkrod	Lindsay	Sabath
Brownlow	Fowler	Lorimer	Saunders
Burke, Pa.	Fuller	Lovering	Scott
Burke, S. Dak.	Gallagher	Lowden	Shackleford
Burleigh	Gardner, Mass.	Lundin	Sherwood
Burnett	Garner, Pa.	McCall	Simmons
Byrd	Gill, Md.	McGuire, Okla.	Slemp
Calder	Gill, Mo.	McHenry	Small
Cantrill	Gillett	McKinlay, Cal.	Smith, Iowa
Capron	Gilmore	McKinley, Ill.	Snapp
Carlin	Godwin	McKinney	Southwick
Carter	Goldfogle	McLachlan, Cal.	Sparkman
Chapman	Good	McLaughlin, Mich.	Steenerson
Clayton	Gordon	McMorran	Sterling
Cocks, N. Y.	Goulden	Madden	Stevens, Minn.
Conry	Graham, Ill.	Malby	Sulzer
Cook	Graham, Pa.	Mann	Tawney
Cooper, Pa.	Greene	Martin, S. Dak.	Taylor, Ala.
Coudrey	Griest	Miller, Kans.	Washburn
Covington	Griggs	Miller, Minn.	Webb
Cox, Ohio	Gronna	Millington	Weeks
Cravens	Hamill	Mondell	Weisse
Crow	Hanna	Moon, Pa.	Wheeler
Crumpacker	Hardy	Moore, Tex.	Willett
Currier	Harrison	Morrison	Wilson, Pa.
Davidson	Haugen	Morse	Woodyard
Dawson	Hitchcock	Mudd	Young, Mich.
De Armond	Hobson	Norris	Young, N. Y.
Dent	Howell, Utah	Nye	

The SPEAKER. One hundred and ninety-seven Members have answered to their names on this call. A quorum.

Mr. PAYNE. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The doors will be opened; the Clerk will read the Journal.

The Journal of the proceedings of Thursday last was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KNAPP, indefinitely, on account of sickness in family.

To Mr. BARTLETT of Nevada, for one week, on account of sickness.

To Mr. McKINLAY of California, for one week, on account of sickness.

To Mr. McMORRAN, indefinitely, on account of important business and sickness.

To Mr. REEDER, for two weeks, on account of illness.

WITHDRAWAL OF PAPERS.

Mr. LEE, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of C. C. Bryan, Fifty-ninth Congress, no adverse report having been made thereon.

Mr. STEVENS of Minnesota, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Mary Smith, Sixtieth Congress, no adverse report having been made thereon.

CHANGE OF REFERENCE.

Mr. CLARK of Missouri. Mr. Speaker, I ask for a change of reference of the bill (H. R. 9310) granting an increase of pension to William L. Carr. It is a pension bill of a Mexican veteran that ought to have gone to the Committee on Pensions, but accidentally was sent to the Committee on Invalid Pensions.

The SPEAKER. Without objection, the change will be made to the Committee on Pensions.

There was no objection.

LEAVE TO PRINT.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to print some remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

MESSAGES FROM THE PRESIDENT.

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

ELECTRIC RAILWAY BETWEEN PONCE AND THE PLAYA, PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States (H. Doc. No. 40), which was read, referred to the Committee on Insular Affairs, and ordered to be printed.

To the Senate and House of Representatives:

In accordance with section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of the joint resolution approved May 1, 1900 (31 Stat., 716), I transmit herewith copy of an ordinance passed by the executive council of Porto Rico on April 29, 1909, entitled:

"An ordinance further amending an ordinance passed by the executive council of Porto Rico April 19, 1907, entitled 'An ordinance supplementary to an ordinance entitled "A franchise granting to W. S. H. Lothrop, his heirs, successors, and assigns, the right to construct and operate an electric street railway in certain streets in the city of Ponce, and between the city of Ponce and the Playa thereof,"' passed by the executive council on the 27th day of February, 1901."

WILLIAM H. TAFT.

THE WHITE HOUSE, *May 20, 1909.*

ELECTRIC LINE BETWEEN SAN JUAN AND RIO PIEDRAS, PORTO RICO.

The SPEAKER also laid before the House the following message from the President of the United States (H. Doc. No. 41), which was read, referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of the joint resolution approved May 1, 1900 (31 Stat., 716), I transmit herewith a copy of an ordinance passed by the executive council of Porto Rico on May 6, 1909, entitled:

"An ordinance granting to the San Juan Light and Transit Company the right to own, extend, and operate certain electric railway lines between the city of San Juan and the town of Rio Piedras, in the island of Porto Rico, and to supply electric light and power to the public."

WILLIAM H. TAFT.

THE WHITE HOUSE, *May 24, 1909.*

PHILIPPINE TARIFF BILL.

The SPEAKER. The pending question is the motion of the gentleman from New York to order the previous question on the so-called "Philippine tariff bill" (H. R. 9135).

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on the amendments. Is a separate vote demanded on any amendment? If not, the vote will be taken on the amendments en bloc.

No separate vote was demanded.

The question was taken; and the amendments were agreed to en bloc.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division, Mr. Speaker.

The House divided; and there were—ayes 139, noes 68.

So the bill was passed.

Mr. PAYNE. Mr. Speaker, there is an amendment to the title.

The SPEAKER. Without objection, the title will be amended.

There was no objection.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the bill was passed was laid on the table.

PORTO RICO.

Mr. PAYNE. Mr. Speaker, I would like to ask unanimous consent to take up for consideration on Thursday of this week the Porto Rican bill reported from the Committee on Ways and Means.

Mr. HENRY of Texas. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. PAYNE. Mr. Speaker, I think we will find another way to take it up, if we can have a quorum.

Mr. WILSON of Illinois. Take it up now.

Mr. PAYNE. No; some action will have to be taken by the committee.

Mr. HENRY of Texas. I will reserve the right to object, at the request of the gentleman from Tennessee.

Mr. PAYNE. Is the objection withdrawn?

Mr. HENRY of Texas. I reserve the right to object.

Mr. GARRETT. Mr. Speaker, I wish to ask the gentleman from New York what sort of an agreement he will make respecting debate on the bill?

Mr. PAYNE. Mr. Speaker, so far as I am concerned, I will agree to any reasonable unlimited debate.

Mr. GARRETT. I want to say to the gentleman that I have made up my mind, so far as I am concerned, that I shall not take the responsibility of objecting to this bill. I understand that this is the Olmsted bill?

Mr. PAYNE. Yes.

Mr. GARRETT. I do not believe that that bill ought to pass this House like a bridge bill or like a bill granting a right of way over a quarter of an acre of public land. I think it is a grave and serious bill. I think there is a grave and serious condition and, so far as I am concerned, I am not going to take the responsibility of objecting, but I believe there ought to be some chance for an expression of opinion by those who may not agree with the terms of the bill.

Mr. PAYNE. Mr. Speaker, so far as I am concerned, I will say to the gentleman that I am in favor of using the whole of Thursday for general debate if necessary, and the whole of Monday next. I have no disposition at all to try to rush the bill through without consideration.

Mr. HARDWICK. Will the bill be read under the five-minute rule?

Mr. PAYNE. Oh, yes; and I shall request that it be considered in Committee of the Whole House until the consideration of it is completed, to be taken up on Thursday.

Mr. HENRY of Texas. Mr. Speaker, inasmuch as the gentlemen who have been on the Committee on Insular Affairs heretofore seem to desire this course, I am willing to defer to their judgment, and if they wish to enter into an agreement with the gentleman from New York [Mr. PAYNE] about considering the bill, I shall not renew the objection.

Mr. CLARK of Missouri. Mr. Speaker, I would like to make one remark about this. I do not want to make any speech about this bill myself, and I do not think there are more than two or three men in the House who have a present intention of making a speech about it.

Mr. PAYNE. I do not think so either.

Mr. CLARK of Missouri. But I do believe that if somebody were to make a short, cracky speech on that subject it might precipitate a very interesting debate. For that reason I would not want any limit to the time.

Mr. PAYNE. Well, I do not propose to put any limit on it at all, but to allow the most liberal debate. Of course it would be subject, if it should run along unreasonably, to a motion to conclude debate.

Mr. CLARK of Missouri. Oh, of course.

Mr. PAYNE. Then my request for unanimous consent is, Mr. Speaker, that the House resolve itself into the Committee

of the Whole House on the state of the Union on Thursday next, immediately after the reading and approval of the Journal, for the consideration of that bill, to be considered subject to a motion that the committee rise, that bill have precedence until it is completed, and that general debate shall continue through Thursday, if necessary, and also through Monday next, if Members desire to speak.

Mr. GARRETT. And to be confined to the bill itself.

Mr. PAYNE. Yes; and the debate to be confined to the bill itself. I am obliged to the gentleman for putting in that provision.

Mr. LIVINGSTON. Why not do it now?

Mr. PAYNE. Well, the gentleman from Pennsylvania [Mr. OLMSTED], who introduced the bill, is not present, and I do not desire to go on in his absence.

The SPEAKER. The gentleman from New York asks unanimous consent that on Thursday next, immediately after the reading and the approval of the Journal, the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the so-called "Porto Rican bill" (H. R. 9541). Is there objection?

Mr. MACON. Mr. Speaker, I think we better wait until we get to it. We may not be living next Thursday.

Mr. GARRETT. And to add to that request that debate shall be confined to the bill.

Mr. MACON. There is no reason why we should go on in that way, Mr. Speaker, and I object.

The SPEAKER. And the gentleman from New York adds to the request that debate shall be confined to the bill. The gentleman from Arkansas objects.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry or a suggestion: I suppose that on the call of committees this bill will be in order, providing I have authority from the Committee on Ways and Means to make a motion. I have not any such authority at this time, and therefore I refrain from making any such motion; but I give notice that I shall endeavor to get that authority before next Thursday and make the motion so that the bill can come up as I have suggested, notwithstanding the objection that comes from the gentleman from Arkansas [Mr. MACON], and at that time I shall endeavor to carry out fully my idea of giving a general chance for debate on the bill.

Mr. MACON. Mr. Speaker, in response to what the gentleman says, inasmuch as he mentions me, I will say that I object on the ground that I do not think it is wise for us to make agreements so far ahead in matters of this kind.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry. Would it then be in order to make that motion?

The SPEAKER. The Chair is of opinion that after the committees have been called through, notwithstanding calendar Wednesday, the House not meeting now under a prior order upon Wednesdays, the House would have the power under the rules on the motion of any Member to resolve itself into the Committee of the Whole House generally.

Mr. PAYNE. Mr. Speaker, I call for the regular order.

The SPEAKER. And in Committee of the Whole House on the state of the Union it will be competent for the committee to take up this bill.

Mr. FITZGERALD. Mr. Speaker, does the gentleman from New York expect to dispose of the President's message before he proceeds to the consideration of the bill?

Mr. PAYNE. Mr. Speaker, that depends on whether that would come up before the call of committees. I call for the regular order.

The SPEAKER. The gentleman from New York demands the regular order.

Mr. FITZGERALD. Mr. Speaker, I submit that the unfinished business is the motion of the gentleman from New York to refer the message of the President of the United States to the Committee on Ways and Means.

Mr. PAYNE. Mr. Speaker, I am ready to meet any question that comes up, and I call for the regular order.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the regular order is the motion of the gentleman from New York to refer the President's message to the Committee on Ways and Means.

Mr. PAYNE. That is for the Speaker to decide.

The SPEAKER. The pending question, the Chair is informed by the Journal clerk, is upon the motion made by the gentleman from New York [Mr. PAYNE] to refer the President's message, the so-called Porto Rican message, to the Committee on Ways and Means. The question will be taken on the motion of the gentleman from New York to refer that message to the Committee on Ways and Means.

The question was taken, and the motion was agreed to.

The SPEAKER. The gentleman from New York demands the regular order, and the Clerk will call the committees.

The Clerk began and concluded the call of committees.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Porto Rican bill, No. 9541.

Mr. GARRETT. And pending that, Mr. Speaker——

Mr. PAYNE. Mr. Speaker, I will change that motion and move that the House resolve itself into the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from New York moves that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. PAYNE. Mr. Speaker, pending that motion, the gentleman from Tennessee [Mr. GARRETT], I understand, wants to make some suggestion about the time for debate.

Mr. GARRETT. Mr. Speaker, the first motion of the gentleman from New York was that the House resolve itself into the Committee of the Whole House on the state of Union for the consideration of the Porto Rican bill, and, pending that, I wished to ask about time, but now the motion is that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. PAYNE. I understand that that is the only bill that is before the Committee of the Whole House on the state of the Union. What does the gentleman suggest about debate?

Mr. GARRETT. That debate be confined to the bill.

Mr. PAYNE. I have no objection to that. Has the gentleman any other suggestion?

Mr. GARRETT. That is all. I have no request for extensions even.

Mr. PAYNE. The gentleman from Tennessee makes the request that debate be confined to the general subject of the bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate on bills on the Union Calendar be confined to the bill that the committee considers. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union, Mr. TOWNSEND in the chair.

PORTO RICO.

Mr. PAYNE. Mr. Chairman, I call up the bill H. R. 9541.

The CHAIRMAN. The gentleman from New York moves that the committee take up the bill H. R. 9541.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900.

Be it enacted, etc., That the act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, is hereby amended by inserting at the end of section 31 of said act the following additional proviso:

"*And provided further*, That if at the termination of any session the appropriations necessary for the support of government shall not have been made an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid."

SEC. 2. That all reports required by law to be made by the governor or members of the executive council of Porto Rico to any official in the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. PAYNE. Mr. Chairman, I only want to say a word this morning in regard to this bill, because I expect to turn it over to the gentleman who introduced it on Thursday when he is here. The first section of the bill simply carries out the suggestions of the President in his message which he lately transmitted to this body and to Congress, and provides that the appropriation of the preceding year may be expended in case for any reason the appropriation bill fails between the two houses of the legislature. This is the same identical provision that has been in the Philippine law for the last three or four years—ever since the creation of the lower branch of the legislature in the Philippine Islands—and has worked there without friction and carries out the suggestion of the President in his message. Of course I suppose that every Member has read the message of the President. If they have not, I hope they will not fail to do so.

It has not been printed as a House document, for the reason it has been held up in the air for the last two or three weeks and was not referred until this morning to the Committee on Ways and Means; but in order to escape that I have included

a copy of the message in this report. Section 2 of this bill makes the further provision authorizing that all reports required by law to be made by the governor or any official of Porto Rico to any official in the United States shall hereafter be made to an executive department of the United States, to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department. The original Porto Rican act provided for at least reports to four different officers in different departments of the Government in regard to particular branches of the service; so that those reports are scattered through four different departments, and there is no unity or head to the business; this simply provides that these reports be sent to some executive department, to be designated by the President of the United States, and the President is authorized to place all these affairs in that executive department. A similar provision is in the Philippine bill, and under it all the reports of all of the executive business in reference to the Philippine Islands go, as the House knows, to the Insular Bureau in the War Department.

Now, Mr. Chairman, that is all I desire to say at this moment. Does the gentleman from Tennessee desire to ask a question?

Mr. GARRETT. Yes. The last section of the bill which the gentleman just explained—of course, this bill is to meet an emergency——

Mr. PAYNE. Certainly.

Mr. GARRETT. Now, would not the gentleman be willing for the last section to go out?

Mr. PAYNE. That seems to be a reform so obvious, I will say to the gentleman, upon reading it, that it seemed to the committee that it ought to go into the bill and be provided for now. It is very obvious that that should be done. Of course the civil government part of this law came here from the Senate, and that matter was not fully considered at that time. It was the early legislation in regard to the general government of these islands and this scattering of the reports to four different departments or bureaus of the Government in four departments went into that law; but later when the House and Senate considered the matter when the Philippine bill was up, they concluded to send it to one department, and that is to the War Department, where it was originally placed. I understand, possibly, that this would not go to the War Department, but to some other department of the Government. For that reason it is here, and I would not at this present time agree to any amendment striking it out.

Mr. GARRETT. I want to say to the gentleman, that so far as my examination has extended—and I have examined that somewhat carefully—I do not really see any objection to the last section.

Mr. PAYNE. Well, I could not see any when it was brought to our attention.

Mr. GARRETT. The last section does not involve a matter of legislation that goes beyond an emergency?

Mr. PAYNE. Yes and no. This seems to be important that this thing should be done at once. However, that is a matter of detail in the bill. My own impression is—and I think the members of the Committee on Insular Affairs will agree with me in that—that this old law ought to be considered by that committee and important amendments agreed to.

Mr. GARRETT. I understand that it is the desire of both the administration and the parties in Porto Rico, who are supposed to be against the administration, that there shall be a revision of the so-called "Foraker Act."

Mr. PAYNE. I can see how that would be. I had no information on the subject.

Mr. GARRETT. Why can not that section go into the revision of the bill?

Mr. PAYNE. That is a matter for after consideration. I will be glad to hear anything the gentleman has to say, when he makes his speech, in regard to that.

Mr. GARRETT. The gentleman does not understand that I am going to make a speech.

Mr. PAYNE. I supposed the gentleman was.

Mr. GARRETT. It is not my present intention.

Mr. PAYNE. I will state to the gentleman that I am disappointed. I have nothing further to say on the subject, Mr. Chairman. I reserve the balance of my time. I do not know whether any other gentleman wishes to address the House this morning or not. Does the gentleman from Porto Rico [Mr. LARRINAGA] desire to address the House?

Mr. LARRINAGA. Yes.

Mr. PAYNE. Mr. Chairman, I reserve the balance of my time.

Mr. CLARK of Missouri. Mr. Chairman, I want to make two statements, and then I will yield thirty minutes to the gentleman from Porto Rico. My own judgment about this thing is that Porto Rico ought to be erected into a Territory, with a full territorial government, and let the people work out, under the general supervision of Congress, their own destiny. In the second place, I have tried in the committee and in a general way here to get this limitation that we are putting on them, whatever it is, confined to one year, but the sentiment of the committee was against it, and it was pretty hard to do it anyway under the Foraker Act. And before this is over, if it runs along, I may enlarge on these two ideas. For the present I yield thirty minutes to the gentleman from Porto Rico [Mr. LARRINAGA].

Mr. LARRINAGA. Mr. Chairman, do I understand that the time allowed to me by the gentleman from New York [Mr. PAYNE] is to be added to the thirty minutes of the gentleman from Missouri [Mr. CLARK]?

Mr. PAYNE. I suppose the gentleman can be recognized in his own right if he wants more time. I reserve my time.

Mr. CLARK of Missouri. Mr. Chairman, in order to simplify the matter, I ask that the gentleman from Porto Rico have an hour.

Mr. PAYNE. Let him have his hour.

The CHAIRMAN. The gentleman has an hour, under the rules, in his own right.

Mr. LARRINAGA. Mr. Chairman, I honestly believe that the happiest day of my life would be the day when I could rise on the floor of this House and express the sentiment of the people of Porto Rico toward this Nation, and yet not to have anything to say in the shape of a protest against something that has been done in Porto Rico or on the working of the Foraker Act, so repugnant to our people. Whether I will be the man or whether some one else will be, it matters not; but, I repeat, that day will surely be a happy one for the Commissioner from Porto Rico. But it has been my painful duty always to stand here and be disagreeable to the Members of this House, because the Commissioner from Porto Rico must always protest against that organic act. But I do not wish to dwell any more on that, and will proceed to the matter under consideration.

The bill introduced by the gentleman from Pennsylvania proposes to add at the end of section 31 of the Foraker Act an additional proviso:

And provided further, That if at the termination of any session the appropriations necessary for the support of government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated; and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid.

Mr. Chairman, I am going to read a condensed statement of the facts in connection with the present difficulty in the legislature of Porto Rico.

From the inception of the civil government in Porto Rico there has been a tendency on the part of the executive council to have its own exclusive way. The house of delegates has been but a body of mere figureheads. One of the members of the executive council had the nerve and the honesty to tell us so.

In the first part of March, 1900, the council (upper house) sent to the lower house (house of delegates) an appropriation bill. Since the governor in his message gave assurance of great contraction in the revenue of the insular treasury, recommending at the same time the necessary economy in the appropriations, the committee on ways and means of the house of delegates wished to cut down the high salaries of the officials and all employees according to a scale, as follows:

	Per cent.
Salaries from $500 to $1,000	5
Salaries from $1,001 to $2,000	10
Salaries from $2,001 on	15

This reduction of salaries would make possible the carrying on of public works and schools without any risk of running into a deficit, and the continuous progress of schools and roads could be maintained, as it has been, increasing from year to year since the control in the island of the Union party took place, in 1904, 1906, and 1908.

The financial committee (ways and means) did away with some of the offices of the federal court, which court is repugnant, on account of its attitude, to the people of Porto Rico; said reductions not applying to the salaries of the judge and the district attorney, nor of the marshal, which are fixed by the organic act, and the legislature, therefore, has no power to alter them.

The house approved the recommendations of the committee on finance. The appropriation bill, thus amended, went back to the council, which did not concur to the amendments.

One after another three different committees were appointed, and all of them failed. This took place at the last moment before the closing of the legislature. Meanwhile the executive council was leaving without any consideration several house bills—a bill organizing a division of the island into several counties, in the same manner in which they are established in the States of New York, New Jersey, etc.; a bill to establish manual training schools; a bill for the establishment of an agricultural bank; and others with a tendency to self-government, such as the election of mayors, councilmen, and judges by the vote of the people instead of by appointment of the governor; and another giving some representation to the taxpayers in the board of appraisers, and also on school laws.

This constant practice on the part of the executive council of ignoring the lower house had been creating a profound feeling of resentment in the latter, and therefore a tendency to resist.

Mr. DOUGLAS. Will the gentleman yield just at that point?

Mr. LARRINAGA. Certainly.

Mr. DOUGLAS. Will the gentleman kindly advise us what printed matter he is reading from?

Mr. LARRINAGA. A brief that I have here, in which all these facts are given, from a committee of the house of delegates.

Mr. DOUGLAS. Is it published as a document here?

Mr. LARRINAGA. It is not; but it has been printed and distributed to every Member of this House and the Senate.

Mr. DOUGLAS. I thank the gentleman.

Mr. LARRINAGA. The gentleman will find it among his papers at his office, I am sure.

The hour for the adjournment of the legislature was fast drawing near and the members were preparing to retire a minute after 12 o'clock.

Meanwhile Treasurer Willoughby and Attorney-General Hoyt, for the council, and Mr. Munoz Rivera and Mr. Soler, for the lower house, were trying to come to an understanding. They agreed to go before the governor, who agreed to call an immediate extra session in order that, through having some bills from each house agreed upon, the appropriation bill could be adjusted in a way satisfactory to everybody.

Mr. Willoughby and Mr. Hoyt presented a list of the bills in which the executive council was mostly interested, and Mr. Munoz and Mr. Soler those of the house.

The interview with the governor resulted in his giving a proclamation calling the members of the legislature to an extra session for the next day, March 12, 1909.

The house was ready to withdraw its amendment to the appropriation bill and to accept it as the executive council desired it, adopting the same attitude as to the other bills.

During the last hours of the 13th day of March the house was ready to pass the council bill, but the council insisted in objecting to the house bills.

The education bill was entirely denatured and shortened, reducing it to a mere remnant of the original. The bill relating to the mayors and the municipal councilmen was destroyed, leaving the appointment again to the governor and not to the people. The bill regarding the appraising of the property and the one relating to police reforms were postponed indefinitely.

It was impossible for the house to yield in every point and the council holding entirely its position as to every measure. In view of the situation, at about 9 o'clock in the evening the house decided to withdraw its concessions in the appropriations bill regarding the federal court, and, sustaining the others, declaring at the same time to be always willing to compromise.

Mr. Chairman, the economies regarding the federal courts had already been withdrawn; the house was ready to compromise and was always willing to compromise.

The house continued to await the action of the council, hoping that the council would be willing to make some concessions to the people's desires, so that public opinion might obtain some satisfaction. The executive council was obdurate and decided to carry out its ideas at any rate.

On Tuesday, March 15, at 2 o'clock in the morning, the house was yet patiently waiting, every member occupying his seat. All of a sudden the executive council decided to adjourn and close the legislative session.

The rest everybody in the United States knows. They took the next steamer and came here to Washington. They have been here about two months. They had the ear of the President and every Member of the Senate and House they were pleased to see. They have been here for two months pleading for powers that will be to the detriment of the people of Porto Rico. They have been holding a club over us and calling us all sorts of names in the press. This work has been going on all the time, and they have been doing all they could to foster a sentiment against the people of Porto Rico. They can not for a moment think the Porto Rican people are entitled to any rights. The Senate committee heard these men the other day. The Attorney-General found that the President's bill was not good. It failed to cover the ground and remove the difficulty. They found that the bill was too liberal. They found that the Foraker Act was poor. The Senator from Ohio had failed to cast in appropriate verbiage his ideas. He had failed entirely to put in words the meaning and the principles of that act.

The other gentleman, Mr. Willoughby, said that he wanted to come before Congress to have the power of concurrence taken away from the house of delegates, because it was a club that the lower house had been wielding over their heads for nine years. Mr. Chairman, there is no such thing. The only club that is being wielded is that sword of Damocles that has always been dangling over our heads, and that is now before us.

From the very first day they said, "If you do not agree to everything we will go to Congress, and Congress will take from you that power, and we will have the power to appropriate all the money we want." That is all they want. As I said before, one of them had the honesty to say so, to tell us that the house of delegates were mere figureheads. I heard that gentleman, the secretary of Porto Rico, before the committee, when he came, almost trembling, and asked that committee to remove from us that power, the power to agree in the appropriations, because he said we wanted "to trade in legislation." I thought that gentleman was about to collapse and faint as these words passed his lips, "trade in legislation."

Mr. Chairman, before this deadlock for nine years the house of delegates has been yielding and yielding, and have done nothing but what the executive council wanted to do. Now this deadlock has come because the house of delegates could not stand any longer the pressure of public opinion. The people could not understand why, if that body exists, they can not pass that bill establishing an agricultural bank to help the poor farmers. Right after the cyclone of 1899 the house of delegates, which was not formed of members of our party, but of the other party, tried to pass a similar bill for the relief of the agricultural classes, but the executive council would not agree to it, although they were their political friends. Those gentlemen asked for a loan for this agricultural bank, but it was refused.

We have seen day after day, Mr. Chairman, the small farms of our country people sold at public auction to pay five and ten and fifteen dollars of taxes, and all of these small farms have gone into the hands of wealthy men. Yes, Mr. Chairman, for nine years the papers have been full of advertisements of small farms sold at public auction. Year after year we have introduced that bill, and they have refused to pass it. The people can not understand why we can not stand on our rights and have that bill passed. Who is going to make me believe that the President of the United States, if he had been properly informed, the man whom you have seen here day after day coming to Congress, going before the Committee on Insular Affairs, gathering all information for an agricultural bank for the Filipino farmers, would have accepted the reason given by the executive council; that they could not accept that agricultural bank scheme because the finances of the islands would not stand it?

Mr. Chairman, the first time that the treasury of Porto Rico borrowed money has been last year, when the executive council voted a million dollars for the improvement of roads and bridges. Every year we have appropriated hundreds of thousands of dollars for the building of new roads.

Mr. HILL. Will the gentleman yield for a question?

Mr. LARRINAGA. Yes, sir.

Mr. HILL. Do I understand that the agricultural bank, the charter of which was refused, was a bank of which the capital was to be furnished by private subscription, or was it an agricultural bank which the government was to establish and guarantee?

Mr. LARRINAGA. The insular government proposes to give a guarantee to the parties that would furnish the money.

Mr. HILL. It is not the ordinary bank where the capital is furnished by private subscription which is objected to, but it is the guaranty of the government that is objected to.

Mr. LARRINAGA. Yes; we have plenty of credit. We have always been a money-loaning country.

Mr. HILL. Let me supplement that by another question. Is it the gentleman's opinion that if the agricultural bank is chartered, it could secure private capital without the government guaranty?

Mr. LARRINAGA. Well, who would furnish it then?

Mr. HILL. Why, the stockholders. They would take their own chances and make their own loans. Does the gentleman in his judgment think that such a bank could be organized and be successful without the government guaranty?

Mr. LARRINAGA. I hardly think so in a colony governed as Porto Rico is.

Mr. HILL. Then the difference of opinion between the two parties is whether the government shall guarantee this institution or whether it shall be a private institution.

Mr. LARRINAGA. No; there is no such thing. Let me tell the gentleman that I hardly think that any bankers or any financial association would be willing to loan their money under those conditions in a country which of itself has no representation, and therefore no responsibility. The guaranty is to come from the present government, constituted as it is, because that is the only personality there.

Mr. HILL. And it was on that question of whether the government should assume that responsibility or not that the bill failed.

Mr. LARRINAGA. Yes; and has been failing for the last nine years, because the executive council would not have it so.

Mr. PARSONS. Was this bank to loan money on coffee lands?

Mr. LARRINAGA. On any agricultural lands of all kinds.

Mr. PARSONS. Was it not particularly designed to loan money to small coffee planters?

Mr. LARRINAGA. No.

Mr. HILL. To loan money on sugar or anything else.

Mr. LARRINAGA. On sugar, tobacco, coffee, oranges, pineapples—anything that the planter and farmer produce.

Mr. PARSONS. Was it not the situation of the coffee planters that led to the suggestion of an agricultural bank so that they could be able to borrow money to rehabilitate their lands?

Mr. LARRINAGA. Not particularly that I know of. I remember that when we introduced the first scheme for that bank they objected, and the only reason they could give was this: That if we gave money to people who had their property mortgaged, they would pay the mortgages, which in a large measure were held by Spaniards, and the Spaniards would take the money and go home. They think the Porto Ricans are the most stupid people on earth.

Mr. HILL. I do not wish to interrupt the gentleman too much, but if he will permit, I desire to ask him another question. What was the proposed capital of this bank?

Mr. LARRINAGA. When it was first suggested, it was right after the cyclone, and we then wanted more money—$5,000,000.

Mr. HILL. And how much of that was to be furnished by the government?

Mr. LARRINAGA. Not a cent.

Mr. HILL. All to be furnished by private subscription?

Mr. LARRINAGA. Yes.

Mr. HILL. And the government was to guarantee the loans?

Mr. LARRINAGA. Yes; the insular government.

Mr. HILL. And the difference between the two parties is that one says they do not want the government to guarantee the loans and the other does. Is that the proposition?

Mr. LARRINAGA. They do not give any reason. They do not want any bank at all. If they can find anybody who will furnish the money without a guaranty of the government, we are willing to take it, but who will do that in a colonial government?

Mr. SMITH of California. Are there not some banking institutions there under the present law?

Mr. LARRINAGA. Yes; but what we want the small farmers to get is a cheaper rate of interest.

Mr. SMITH of California. But there may be private banks organized under the laws as they now exist.

Mr. LARRINAGA. Yes; but the interest is very high in Porto Rico, and that is why we want to help the farmers with the establishment of an agricultural bank.

Mr. HUMPHREYS of Mississippi. What is the rate of interest?

Mr. LARRINAGA. There is no fixed rate. The commercial houses loan at anywhere from 12 to 18 per cent, with a mortgage on the property. The interest the banks charge is from 9 per cent up, the man paying every expense, and I have had the information that it goes up to a good deal more than that.

Mr. HUMPHREYS of Mississippi. No legal rate of interest has been fixed under the law?

Mr. LARRINAGA. Not at all. Well, the legal rate is supposed to be 9 per cent—or the custom, as the gentleman will understand.

Mr. HUMPHREYS of Mississippi. There is no rate beyond which they can not contract?

Mr. LARRINAGA. No. Nine per cent has been always accepted. Mr. Chairman, those gentlemen of the council gave the reason that we could not afford to guarantee those two millions. As I was saying, last year they asked us for a loan of $1,000,000 to improve roads and bridges. It was not much wanted.

By increasing our yearly appropriation a couple of hundred thousand dollars, we had to pay no commission, no interest, and in the time necessary to expend the million borrowed we would have by ordinary appropriation gotten those roads built. But our house of delegates would not appear as denying a cent either for roads or schools, and we accepted, and that is the only money that our treasury owes to-day—$1,000,000.

Mr. HILL. Will the gentleman allow me to ask him one further question?

Mr. LARRINAGA. Yes.

Mr. HILL. The roads are now maintained by the districts, and not by the general government?

Mr. LARRINAGA. The small roads or trails by the municipalities, but the main roads in general are maintained by the insular government.

Mr. HILL. Does Porto Rico have any debt?

Mr. LARRINAGA. None at all; but we owe for that $1,000,000.

Mr. HILL. But they did not vote that?

Mr. LARRINAGA. We did, and it has been or is being expended on roads. Our house of delegates would never refuse a dollar for roads or schools.

Mr. HILL. But previous to this the roads had been maintained by the municipal districts?

Mr. LARRINAGA. No, sir; the roads have been maintained by the insular government, even in the time of Spain, though some of them were maintained by the Government of Spain engineers, but with our money. I refer to the military roads. The balance were built by us. I was chief engineer of the insular works for twelve years, and I know everything about it.

Now, there is another scheme on for a loan of $3,000,000 more. It is not a bad scheme, and the house has agreed with the council to loan them that money.

Mr. HILL. For roads?

Mr. LARRINAGA. No; for irrigating a part of our southern coast of the island, where dry weather sets in every four or five years. From time immemorial we had that scheme. We engaged a very able and well-reputed English engineer, Mr. Webb, to study out a system of irrigation for that part of the island. But the next year it rained, and for three or four years it rained; and you must know that the people of Porto Rico are exactly like all other people in the world—when they do not see any danger in sight—they do not care to take any precaution.

When a dry year came again they took up that irrigation business, but it took some months for the preparation of it, and as it rained again they dropped it, and they have done that for about fifty years. Now, two years ago there was a long spell of dry weather. The crop was lost, and they took up the scheme again. Now they say they are going to do it, rain or shine, and I hope they do it.

Mr. HILL. But that is not one of the points of difference at the present time.

Mr. LARRINAGA. I was going to tell the gentleman. We are owing $1,000,000, and if this is carried out it will be $4,000,000; but this loan is to be repaid. This is a money-making proposition, because the lands in the southern part of the island are very rich, and if planters can insure their crop the planters who use the water are going to repay the capital and interest, so it is not going to be any load on the Porto Rican treasury. So, in fact, we are only owing $1,000,000, that the executive council wanted last year. But even assuming that these three million are lost, that the planters could not be compelled to pay for the water they are going to use, and that the insular government would be compelled to pay every cent of it, which is absurd, making then $4,000,000 debt in all, I tell you, gentlemen, that these $4,000,000 would not be any great burden for the Porto Rican treasury.

Some thirty-six years ago we had to pay for our slaves. During those two years when we had a complete republican form of government, as Spain had gone into a republic, an election was held to establish the community of Porto Rico in a republican form of government, and we elected 16 men to the lower house, full-fledged representatives, and 6 senators to the upper house, and instructed them that the first thing to do was to free the slaves, as the republic had freed the whites. And those men went and did it, and we took our financial business into our hands, made a loan of $7,000,000, and paid every slave owner, and in a few years paid every cent of the capital and interest. So that we can not admit, as the executive council thinks, that $4,000,000 is too much for Porto Rico. They are very much mistaken. I suppose they believe so in good faith; but they have been told time and time again that Porto Rican property is to-day worth a good deal more than it was before; that by the mere fact of the American flag being on the land property has risen three times in value generally; and I tell you, gentlemen, many years ago our property was appraised at $160,000,000; and if you multiply that by two or three, what is the value of the property in Porto Rico?

Now the law allows us to loan 7 per cent of that capital or fourteen or fifteen millions and upward; yet those gentlemen come to the President, who has no time to see into these little things of a little bit of a country, who has no time to take everything up and hear everybody, and they give him that reason—that they rejected that bill because Porto Rico could not afford it. But they can afford to go on selling to the rich men the property of the poor, because these last can not pay the $5 or $7 tax on their property. Porto Rico can make an appropriation for that agricultural bank just as easy for $2,000,000 as the United States could make it for $200,000,000 for any national enterprise.

Mr. DOUGLAS. Will the gentleman yield for a question?

Mr. LARRINAGA. Certainly; with the greatest pleasure.

Mr. DOUGLAS. I would like to find out for my own information and that of the committee. As I understand it, you speak about a committee from the executive council.

Mr. LARRINAGA. That came here—a commission.

Mr. DOUGLAS. There was also a committee coming from the Unionist party of the house of delegates.

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. What hearings did they have, Mr. Commissioner, in Washington, and before whom?

Mr. LARRINAGA. We went to see the President first. Then we went to the Secretary of the Interior, to whom the President referred us, and then I believe the President and the Secretary of the Interior had another meeting with them.

Mr. DOUGLAS. Then, as a matter of fact, the President referred both sides to the Secretary of the Interior?

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. How many days were consumed in the hearings before the Secretary?

Mr. LARRINAGA. One session only. It lasted several hours.

Mr. DOUGLAS. Was each side fully heard?

Mr. LARRINAGA. I believe so.

Mr. DOUGLAS. And neither side asked for any more time? Each side presented the matter to the Secretary of the Interior?

Mr. LARRINAGA. Yes.

Mr. DOUGLAS. And he made a report to the President?

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. Then is it not true that both sides appeared before the President and the Secretary of the Interior?

Mr. LARRINAGA. Yes, sir.

Mr. DOUGLAS. Then, as a matter of fact, did not the President give a full opportunity to both sides to be heard in this matter?

Mr. LARRINAGA. Yes; they were heard. The reason why I am speaking only of the commission of the executivè council before the Senate committee is because those gentlemen of the house of delegates, being private citizens, with their own business to attend to, had already gone away when the Senate called on me to represent them, I suppose, and also called the other three gentlemen who were here.

There is one other thing we object to. Those gentlemen are always here in Washington instead of attending to their business in Porto Rico, seeing every friend of the President and every Member of Congress. They have been here two months, and in those two months have tried to disparage the people of Porto Rico with literature which they or their friends, which amounts to the same thing, are publishing all through the press of the country.

Mr. DOUGLAS. Who are the gentlemen you speak of, Mr. Ward and Mr. Willoughby?

Mr. LARRINAGA. Mr. Ward and Mr. Willoughby and Mr. Hoyt, the attorney-general.

Mr. DOUGLAS. Is it not true, I will ask the gentleman, that they did not come to Washington, or propose to come, until the committee was appointed by the Unionist party to come and make certain representations to the President?

Mr. LARRINAGA. It was just the contrary. They said to the committee of the house, the committee of conference, "We will adjourn," and left, and it was learned that they would come by the next boat and then the members of the house agreed also to send a committee on the same boat, but they came with their own money.

Now, Mr. Chairman, the other reason they give for not accepting the other bill of the house——

Mr. GILLESPIE. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Porto Rico yield to the gentleman from Texas?

Mr. LARRINAGA. Certainly. I want to make a parliamentary inquiry, Mr. Chairman. May I be allowed to inform the Members who may wish to ask me questions that they are at liberty to rise without asking the permission of the Chair, so far as I am concerned?

The CHAIRMAN. The Chair will take care of that.

Mr. GILLESPIE. Before you get off of that agricultural bank, I want to ask you what per cent of the real estate values did they propose the bank should lend?

Mr. LARRINAGA. Forty per cent of the real value. At the time of this last agricultural scheme I was not there, but the one we had been presenting for many years before fixed 40 per cent of the actual value of the property appraised by the treasurer and other appraisers of the land. I do not quite remember.

Mr. GILLESPIE. Now, another question. Did you propose to limit the rate of interest on those lands by that bank?

Mr. LARRINAGA. Of course.

Mr. GILLESPIE. What was the limit?

Mr. LARRINAGA. In this bank, do you mean?

Mr. GILLESPIE. Did you say that the bank could not lend money except at a certain rate of interest or no higher than a certain rate?

Mr. LARRINAGA. It was limited to 6 per cent in the previous one. I suppose they had fixed the same rate in this.

Mr. GILLESPIE. You say that the average rate of interest there now is from 9 per cent up?

Mr. LARRINAGA. I have seen a pile of deeds that high [indicating] composed of 18 per cent first mortgages.

Mr. DOUGLAS. Was that in quite recent times?

Mr. LARRINAGA. The banks of Porto Rico and San Juan loan at 9 per cent.

Mr. DOUGLAS. Is there any commercial paper now in Porto Rico, except the 7 and 8 per cent?

Mr. LARRINAGA. No; the gentleman is right.

Now, Mr. Chairman, the other bill that they objected to, and which was presented by the house, was a bill to establish a manual training school. They say that it was against the Foraker Act. They have failed to show how. If, in the management of the school, some rules would conflict with the Foraker Act, I suppose if they had been willing to sit there and compromise the objectionable feature would have been removed. In that connection I have to tell you that they wanted to establish a manual training school because the first one had been a failure; and the best thing that could occur did happen for the building, and everything connected with it, when Divine Providence burned it one night; and I need not say anything further on that. I was a member of the commission appointed by the governor to investigate that fire, and I had better pass over it.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield for a minute?

Mr. LARRINAGA. Certainly.

Mr. HUMPHREYS of Mississippi. The gentleman said that if they had been willing to stay there the objections to this bill would have been compromised?

Mr. LARRINAGA. Yes.

Mr. HUMPHREYS of Mississippi. Just what do you mean—the executive council?

Mr. LARRINAGA. They adjourned and left. When the regular session of the legislature closed, the governor called an extra session, and in that extra session they were trying to adjust things. But they would not yield a line from their position. They wanted, as they had always done, to have their own way, because they understood that the lower house was afraid of their coming to Washington to represent us before Congress and before the Executive in the way they had been doing it, and that fear kept us back all the time. They expected we would yield to them, and that there was no use of their being on hand. They took advantage of that opportunity to come and have Congress do as they always expected you to do.

Mr. HILL. Will the gentleman allow me to ask him another question?

Mr. LARRINAGA. Certainly; with pleasure.

Mr. HILL. The first manual training school, that you say was burned by Divine Providence, was a failure. Was that in the way of the building proper, or in the management?

Mr. LARRINAGA. That building cracked and there were constant complaints against it; it had to be propped up and was a failure all through.

Mr. HILL. Was it a failure as to the school, or simply a failure as to the building? What was the cause of the failure?

Mr. LARRINAGA. I can honestly give no reason to the gentleman. In those first days the confusion in the administration of the country was so great, which I believe is always the state of affairs when a new government is inaugurated, that the school was not properly managed, and the building was not properly constructed. That was an incident to the first days' régime. But I want to state that in these days our government is running more normal, and in the present condition I do not think such a thing would take place. The other bill they objected to was a bill to have the municipal judges elected, and not appointed by the governor.

Mr. HUMPHREYS of Mississippi. If the gentleman will permit me, I think it was stated in some of the papers filed here, I think by a gentleman who represented the executive council, that the purpose of the house of delegates in advocating this manual-training school was to take the entire system of education out of the hands of the constituted authorities and put it into other hands. Now, is that an exact statement?

Mr. LARRINAGA. How can the gentleman from Mississippi [Mr. HUMPHREYS] imagine that by establishing a particular school a whole system of education can be changed?

Mr. HUMPHREYS of Mississippi. What is the gentleman's opinion about that; that that was an accurate or an inaccurate statement?

Mr. LARRINAGA. I could not tell whether it was proper, because I fail to see how the Foraker Act covered that point at all.

Mr. HILL. The first manual-training school was under the control and direction of the insular government. It was not established by any municipality, but by the insular government, was it not?

Mr. LARRINAGA. Yes. It was established by the insular government, which amounts to saying by the executive council.

Mr. HILL. They did not object to it, then. After it was destroyed, what is the reason that it becomes at once a cause for difference of opinion?

Mr. LARRINAGA. Not at once. Nine years have elapsed.

Mr. HILL. Why is it that there is a difference of opinion now after they both united previous to the destruction of the first school?

Mr. LARRINAGA. Because they did it all then. We did not unite to do it. And now we want to have a little share in the establishing of it. That is about all. I will tell the gentleman from Connecticut [Mr. HILL] that if it has come to pass that the desire of a people to control their own affairs is a crime, then in the name of my people I shall have to plead guilty. We do want self-government. [Applause.]

The other bill, as I was about to say, Mr. Chairman, was a bill to elect the municipal judges. We do not want those judges appointed by the governor. The reason for it is just the very reason that they give not to have them elected by the people. They say that if those judges are elected—the municipal judges, the justices of the peace—they will be a weapon in a political party.

Then their confession is that the whole country belongs to that party and that those judges will represent the true opinion of the people, and that is true. They want to keep those appointments of municipal judges in the hands of the governor, because they can more easily incline a man to help them in political plans than have the whole people accord to their desires. No, Mr. Chairman, our administration of justice in Porto Rico has always been good and honest from time immemorial. Our supreme court of justice is held in as high esteem by the people of Porto Rico as your Supreme Court here is by the people of this country. I remember when we conspired against Spain. I remember the time when all of the jails were filled with Porto Ricans, because we did conspire. Some policemen tortured some of our people to find out the truth, we represented to Spain, and the Spanish judges stood by the people and indicted the police, and the governor was removed by cable. Our people have been educated to respect the administration of justice. We are a law-abiding people and not what we are represented by those gentlemen here in those papers.

Mr. Chairman, to show you why we want to take from the hands of the governor the appointment of those judges, I will cite you an instance. Just on the recommendation of Governor Post a vacancy in the supreme court of the island has been filled with a lad who never practiced law, only because he is a friend of the administration; because he is a friend of the governor. Nevertheless, those gentlemen and their papers, who are opposing us in the press, are attacking Governor Post; and Governor Post has been helping them all the time. He was instrumental in recommending to the President to appoint that lad to a seat on the supreme bench of the island, which has been a shock to the whole country

Ever since Governor Winthrop went there political oppression has ceased. The elections have been fair, and that is the reason we have carried the whole island, from one end to the other; and we will do so every year unless that executive council, encouraged by the bill that you are going to pass, goes back to the policy of 1900 and 1902 and uses the same methods to place their friends in the house of delegates.

At that time elections were carried by the clubs and the revolvers of the police, when homes were attacked, when institutions were assaulted and destroyed, and when people were kept from the polls by violence. That is what they want to go back to. Mr. Chairman, I had myself to go down with my friends on the streets of San Juan and fight the mob that attacked our house. Public property was destroyed and not a single arrest made. I had to go down with my friends into the streets to fight, so as to prevent the fights taking place in the parlors of our homes amongst our wives and children. But, like the henchmen of tyranny, they were cowards and ran. But when they caught one of our men alone they clubbed him to death in the streets. A decent man could not sit in any public place without being attacked. Yes, Mr. Chairman, those are the times they long for; but the one who stopped that was, as I said before, a friend of President Taft, Governor Winthrop. That was his crime, and that is the reason they are assaulting him in their press. That is the reason they are assailing Governor Post, because he does not fall back to those times. I am not defending Governor Post. I just have told you what he has done respecting the appointment of that gentleman to the supreme court. Last year only, he opposed me and beat me before the Executive in the appointment of a member of that executive council, a native who had been there eight years, a man that could not be elected by the people to fill any office in the land.

Mr. HARDWICK. Will the gentleman yield for a question?

Mr. LARRINAGA. Yes.

Mr. HARDWICK. Is the governor siding with the executive council or with the house of delegates?

Mr. LARRINAGA. Just at this moment nobody can tell, because the press of the executive council is attacking him savagely. Next to traitor he is called every name in the vocabulary.

Mr. HARDWICK. Has he taken any public position about those acts?

Mr. LARRINAGA. Not at all. On the contrary, those two appointments against our party had been recommended by him. On my side, here in Washington, where I am best informed, he has sided with the other people.

Mr. HARDWICK. As far as those bills which you have been describing to us are concerned, does Governor Post side with the executive council or with the house of delegates, or has he taken any public position about these legislative matters?

Mr. LARRINAGA. I believe he has taken no stand. His willingness to see a compromise arrived at has been shown by his ordering the legislature to have an extra session the next day, and my impression is that he was very sorry that both houses did not come to some agreement.

Mr. Chairman, I desire now to finish my remarks. I know what the fate of this bill is going to be. You are a patriotic people, but you are wrongly informed. Those people have represented us as we are not. As I told you before, when we used the best of judgment with our internal economic affairs in the times of the republic, we had, and we deserved it, the praise of the whole world. Every nation in the world pointed to Porto Rico as a model people, but I am not going to give you the opinion of other people.

Mr. BORLAND. Will the gentleman permit an interruption?

Mr. LARRINAGA. Yes.

Mr. BORLAND. There is one more matter of dispute there which I did not hear the gentleman from Porto Rico touch upon, and that is in relation to the assessment of property for taxation.

Mr. LARRINAGA. I thank the gentleman for that suggestion. Mr. Chairman, I believe the customs of a people should be indulged, if not fully respected. From time immemorial, in the old times of Spain, our assessments were made by a committee of the highest taxpayer, the middle taxpayer, and the smallest taxpayer. Well, our people look to that and want to get at it. Why? Because any man from Nebraska or California or Massachusetts who is appointed to do that does not know anything about it.

He does not know the language, so he can not go among the people and get information. He has not been in business there, and he does not know what the value of the land is; and therefore we want to pass that bill giving to the people of Porto Rico some participation in the assessments of property.

Mr. HARDWICK. And they do not appoint native Porto Ricans to those places?

Mr. LARRINAGA. Americans, as a rule; but, of course, I can not say if there is not one or two Porto Ricans among them. But this is not the case; we do not object to these appointments because the appointees are Americans. We have Americans in our municipal councils who have been elected by the people. What we wished to establish by that law is that the treasurer, together with the taxpayers, would appoint the municipal board of appraisers.

Mr. HARDWICK. But does the governor or the treasurer appoint Porto Ricans at all?

Mr. LARRINAGA. He appoints anybody he chooses.

Mr. HARDWICK. But, as a matter of fact, has he appointed any Porto Ricans at all?

Mr. LARRINAGA. No, sir; I think not.

Mr. HARDWICK. I just wanted to know the fact.

Mr. LARRINAGA. That was the other bill they objected to. Now, gentlemen, why did they not accept one of those bills so as to have some shadow of a reason?

Mr. BORLAND. I do not want to delay the gentleman's speech, but——

Mr. LARRINAGA. I am very happy to yield.

Mr. BORLAND. I notice in the message of the President he stated that the proposed change of the method in assessing property for taxation would put it in the hands of the largest taxpayers of the district. What is the ground for that assertion, and do you agree with that?

Mr. LARRINAGA. None at all. The executive council wishes to insinuate, I suppose, that we will take the millionaires—we have none in Porto Rico—and appoint them, so that they will put the taxes on the poor people and the wealthy people will go scot-free. They always start from the supposition that we are the meanest people on earth.

Mr. HARDWICK. Before the gentleman passes from that point—did I understand the gentleman to say just now that the treasurer had not appointed any Porto Ricans?

Mr. LARRINAGA. I can not say if in any particular case he has. I have been here four years—almost all the time in Europe and the United States—and I could not say it in some particular case he might not have appointed some, but not that I know of.

Mr. HARDWICK. But you do mean to say in the majority of the cases they have appointed people of the United States rather than Porto Ricans.

Mr. LARRINAGA. The bill goes to that end; because one thing is appointing any man and another thing is appointing a taxpayer. The bill calls for the appointing of a board of appraisers by the treasurer, together with some taxpayers.

Now, gentlemen, you are about to pass this bill. Here are two parties. You are going to decide this case on the statement of three men—well, they represent six, that is true—but they are the interested parties; they are the parties who fear that if you give us a more liberal organic act they may lose their offices. Now, the other party; who are they? They are the men who have been slandered as being politicians and only willing to grab hold of the administration of the island, and so forth.

The CHAIRMAN. The time of the gentleman from Porto Rico has expired.

Mr. HILL. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed.

Mr. PAYNE. Mr. Chairman, how much more time does the gentleman require?

Mr. LARRINAGA. Ten minutes.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for fifteen minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LARRINAGA. I thank you, gentlemen. This is the complexion of that house. They have 34, because 1 has died. I will not read the names, as they will not tell anything to you. There are eight sugar planters—taxpayers. They are those politicians who want to grab the administration. Thirteen lawyers. It happens in our house of delegates the same as it does here; it is funny. [Laughter.] I am not a lawyer, myself.

Mr. Chairman, I am a civil engineer, but the majority are lawyers; and I tell you, gentlemen, these lawyers are taxpayers, 90 per cent of them; they are proprietors; they are the men said to be in the interest of a grabbing administration. Now, there are four coffee planters. Among those coffee planters you will find not only lawyers, but civil engineers, who have studied their profession in this country; and there are two newspaper editors and proprietors; there are three farmers; and there are—we always take them in—two representatives of the laboring class. The labor party is not strong enough to elect any ticket, and we always take some—sometimes we have had even four, but now we have two. And that is the complexion of the house of delegates, as against these six gentlemen, who, no matter how good they may be, must of necessity know less about our people, our customs, and our laws than those 34 gentlemen who had the benefit of an education here in the universities of the United States and those of Europe and who own property and are the taxpayers. Now, you are going to pass on this bill. These gentlemen of the council say that we are incapable; that we are not prepared; that we are a mongrel race, a degenerate people and incompetent, lazy, and so forth; but, gentlemen, as against that I do not want you to take the authority of our people, but I want you to take the authority of the men who have been there in the executive council, but who could not hold there. It seems that the atmosphere is not good enough for that type of men.

Dr. Martin Brumbaugh, superintendent of schools in Philadelphia, will tell you about the Porto Rican people. I do not want you to take the opinion of the Old World. I want you to take the opinion of Professor Brumbaugh, who was the one who changed the Spanish system of schools for the American system.

Mr. MOORE of Pennsylvania. Will the gentleman tell us whether the conditions have improved, and whether they improved under Dr. Martin Brumbaugh's administration?

Mr. LARRINAGA. The conditions not only improved, but they are the foundation of a beautiful system of education.

Mr. MOORE of Pennsylvania. The system inaugurated by him was entirely welcome to the people?

Mr. LARRINAGA. Not only welcome, but it was so much so that if we had to elect an executive council by the vote of the people I would present the name of Professor Brumbaugh, and he would be elected. And not only he, but there is Prof. MacCune Lindsay, who took his place. These gentlemen have been in touch with the people on account of their offices. Read what Professor Lindsay said in his speech at the Mohonk conference about the Porto Ricans.

Mr. MOORE of Pennsylvania. I only wanted to ask you if you would not tell us whether the conditions had continued to improve, so far as the rank and file of the Porto Rican people are concerned, by reason of educational methods introduced under American auspices?

Mr. LARRINAGA. Certainly; they have.

Mr. MOORE of Pennsylvania. They have improved generally throughout the Island?

Mr. LARRINAGA. Certainly.

We had $600,000 before, and we will have a million dollars in the country now devoted to education, very soon.

Mr. MOORE of Pennsylvania. I want to ask you whether the English or the Spanish language is spoken in the executive council's meetings?

Mr. LARRINAGA. Both.

Mr. MOORE of Pennsylvania. In your legislative branch only the Spanish language is spoken?

Mr. LARRINAGA. Sometimes we had Americans. We had two or three Americans, and those natives who spoke English used to discuss in English. I have done it.

Mr. MOORE of Pennsylvania. May not some of the differences of opinion, so far as the people of the island are concerned, arise from the fact that they do not thoroughly understand each other?

Mr. LARRINAGA. Let me tell the gentleman from Pennsylvania that I would be willing to amend the Foraker Act, making that executive council elective by the people, if they were to be all Americans—and we will find plenty of them down in Porto Rico—and the gentleman will see that there is no misunderstanding between Americans and Porto Ricans on account of the language.

Mr. MOORE of Pennsylvania. I want the gentleman to understand that I am in thorough sympathy with what he is driving at. I have been on the island. I do not quite agree with him as to the eligibility of all the natives of the island to vote for President of the United States. I question whether some of them are ready for that at this time. I want to ask the gentleman—and I am entirely friendly in my inquiry—if there had been a better understanding between the English and Spanish speaking people on the island if conditions would not continue to improve?

Mr. LARRINAGA. Not only the difference in language is no objection, but our people take to English readily. Let me tell the gentleman that forty years ago I was a protectionist of the American manufacturers there.

I introduced stone breakers, steam rollers, and steam portable engines, and I built the first railroad in the island introducing American rolling stock, which cost 45 per cent higher than the European material. And I established a free school for teaching English—broken English, of course.

Mr. PARKER. I want to ask the gentleman, during the time that he has left, if he has any suggestion as to what action should be taken, so as to allow the courses in schools to go on during the next year under the present situation of affairs, when no appropriations are made by the Porto Rican legislature?

Mr. LARRINAGA. That makes me think that the gentleman believes that the bill is not going to pass.

Mr. PARKER. This bill is one suggestion; what suggestion does the gentleman make so that the courts and schools may go on?

Mr. LARRINAGA. I suggest, Mr. Chairman, that you do just as the President has advised—that the budget of the previous year go on, provided that the Foraker Act is taken up by the Committee on Insular Affairs and amended in a liberal sense. If the gentleman from New Jersey will accept my resolution, I will introduce one providing that the Foraker Act be revised at the next session of Congress, and the budget of last year shall go on.

Mr. BORLAND. Mr. Chairman, would the gentleman permit me to ask him this: Would he advise the restriction of this act to one year?

Mr. LARRINAGA. I would be in favor of restricting or limiting the power of the executive council. Now, if this is to go to the hands of the executive council, I would be in favor of doing that which would most restrict their power.

Mr. BORLAND. As I understand, your suggestion was for the continuation of last year's budget?

Mr. LARRINAGA. That would be under this act, if it is passed.

Mr. BORLAND. Until the Foraker Act can be amended.

Mr. LARRINAGA. Until it can be revised by the Committee on Insular Affairs at the next session of Congress.

Mr. BORLAND. Would it be a part of your suggestion that the pending bill be limited to one year?

Mr. LARRINAGA. That the provisions of the bill continue only until the act can be amended at the next session of Congress in the best interests of the people there.

Mr. HILL. But suppose the Foraker Act was not amended to meet the approval of the party objecting. What other course should be pursued?

Mr. LARRINAGA. I really do not know, unless it be to make a new and better one.

Mr. HILL. Very well; it is a political party; and they have their political differences there just as we do here.

Mr. LARRINAGA. I will tell the gentleman that the other party is for self-government, also.

Mr. HILL. I concede that they are all patriots, as we are, on both sides of the controversy.

Mr. LARRINAGA. Yes, sir.

Mr. HILL. Suppose the Foraker Act was not amended to meet the views of the gentleman. What would you do for next year?

Mr. LARRINAGA. Next year there will be no trouble. The minute you take that club from the executive council they will be more reasonable; and so will the house of delegates, not having this constant menace, being then more responsible to the people. This is human nature. Then, if after all there should be trouble again, let them come before a committee of the House. Let that committee study the bills and the points of contention and decide the case. Then both parties will think twice before coming here without just and good reasons.

Mr. GARRETT. May I ask the gentleman this: If I understand the question of the gentleman from Connecticut, he would suggest that the Congress might study with profit the legislation that was proposed by the house of delegates as a condition precedent for the passage of the appropriation bill.

Mr. LARRINAGA. Certainly; and pass upon it.

Mr. GARRETT. The gentleman from Connecticut, if the gentleman will permit me, is familiar with the fact that the power of the press has been the mainstay of English liberty for a thousand years; and the gentleman from Connecticut, if he will read the demands that were made by the house of delegates of Porto Rico, will be at great trouble to answer or to show where there was not justice in those demands.

Mr. HILL. Oh, well, Mr. Chairman, the "gentleman from Connecticut" is perfectly able to judge for himself in regard to that without having a rule laid down by the gentleman from Tennessee. I have visited Porto Rico and know something of the conditions that exist in Porto Rico. I do not believe it is well to decide any question between two political parties, even in the United States—purely political questions, coming between two political parties in the United States—before hearing both sides.

I do not believe the gentleman from Tennessee would advocate any course of action to be taken without hearing both sides in regard to the matter. I think we should pass this bill as it stands, and at the same time give full opportunity to all parties to present their views and have them considered by a proper committee of this House; and, if such a bill is introduced, it will go before a committee of which the gentleman from Tennessee is a member, and we will give just such careful consideration to it as we can.

The CHAIRMAN. The time of the Commissioner has again expired.

Mr. DE ARMOND. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended ten minutes more, as most of his time has been taken by colloquy.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Chairman, if the gentleman will permit me one moment, I shall impose further on the gentleman's courtesy——

Mr. HILL. Oh, I think I have more confidence in the gentleman's judgment than he has in mine.

Mr. GARRETT. Those questions, of course, will have to be determined at that time.

Mr. PAYNE. Mr. Chairman, how does the gentleman from Tennessee get the floor?

The CHAIRMAN. The chair understood that the gentleman from Porto Rico had yielded to the gentleman from Tennessee.

Mr. LARRINAGA. Mr. Chairman, I have only a few words more to say, because I want to close my remarks. I see that I am imposing upon the attention of the House, and if I were to present all of the points in this controversy it would take a great deal of time. I was speaking of the opinion of those people in regard to the people of Porto Rico, and I was telling you that I did not want you to take the opinion of our people or the opinion of the people of Europe. I want you to take the opinion of those two commissioners of education of Porto Rico. I want you to take the opinion of President McKinley, when he told our delegation, "Gentlemen, do not worry; we are going to make of your country the envy of the Latin-American countries; we are going to do full justice to your aspirations." Take the opinion of President Roosevelt, when he said to another commission from Porto Rico that very few people are in the condition that the people of Porto Rico are, socially, politically, and economically. Do not take my opinion. Take the opinion of Governor Winthrop, here in this message. I could read you many paragraphs to the same effect, but I desire only to read the last four or five lines. In that he says:

> It is a great satisfaction to be able to report that, in spite of the very great interest manifested in the elections and the natural difficulties in applying a new law, the campaign was remarkably free from unpleasant incidents. The self-control and respect for law observed at the voting booths should be a cause of pride and congratulation to all Porto Ricans.

Mr. Chairman, I do not want to use the evidence of two years ago. I want you to read the report that is just fresh in the Executive Mansion, the report of General Wood, who, coming from Porto Rico the other day, says that our soldiers could not be better. You have seen them here in Washington, and yet they are calling us cowards in some newspapers—those three gentlemen who would not dare to stand before any member of the house of delegates and tell him in his face what they have been telling in the press of this country. Those soldiers, Mr. Chairman, are the descendants of the men that in the last two centuries have fought for our country and have beaten back the British and the French and the Dutch. They are the same men. They represent the men that some day will have to fight shoulder to shoulder with your own soldiers under that flag. [Applause.]

I know, gentlemen, that you are going to pass this bill. We will have to submit. But in the controversy between those men who represent a system repugnant to our people and those 34 men who represent the wealth and the intelligence of my country let God Almighty in heaven and the American people in this free land be our judges. [Applause.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and had come to no resolution thereon.

ADJOURNMENT.

Then, at 2 o'clock and 27 minutes p. m., on motion of Mr. PAYNE, the House adjourned to meet on Thursday next.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mrs. M. E. Arrowood, administratrix of estate of William Cousey, deceased, *v.* The United States (H. Doc. No. 38)—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Marion B. Young and Geno D. Weller, sole heirs of Samuel C. Young, deceased, *v.* The United States (H. Doc. No. 39)—to the Committee on War Claims and ordered to be printed.

Message and accompanying papers, transmitting a copy of an ordinance passed by the executive council of Porto Rico on April 29, 1909 (H. Doc. No. 40)—to the Committee on Insular Affairs and ordered to be printed.

Message and accompanying papers, transmitting a copy of an ordinance passed by the executive council of Porto Rico on May 6, 1909 (H. Doc. No. 41)—to the Committee on Insular Affairs and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 10022) requiring chairs or stools to be provided for female clerks and help in stores, etc.,

in the District of Columbia—to the Committee on the District of Columbia.

By Mr. KEIFER: A bill (H. R. 10023) to amend section 4877, Revised Statutes of the United States—to the Committee on Military Affairs.

By Mr. WICKLIFFE: A bill (H. R. 10024) for the erection of a federal building at Covington, La.—to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 10025) to provide for use of water power at Dam No. 2, on White River, Arkansas—to the Committee on Rivers and Harbors.

By Mr. RICHARDSON: A bill (H. R. 10026) for the purpose of improving the navigation of the Tennessee River over the Elk River Shoals and the Big and Little Muscle Shoals in connection with the development of the water power thereof by the Muscle Shoals Hydro-Electric Power Company—to the Committee on Rivers and Harbors.

By Mr. SMITH of Michigan: A bill (H. R. 10027) for the erection of a statue of Sequoyah, a Cherokee Indian, the inventor of the Cherokee alphabet—to the Committee on the Library.

By Mr. PETERS (by request): A bill (H. R. 10028) to establish a variation of the measurement of time—to the Committee on the Judiciary.

By Mr. SLAYDEN: A bill (H. R. 10029) to create a bureau of harbors and waterways under the Department of Commerce and Labor—to the Committee on Interstate and Foreign Commerce.

By Mr. AIKEN: A bill (H. R. 10030) dividing the State of South Carolina into two judicial districts, providing for the appointment of a district judge, etc.—to the Committee on the Judiciary.

Also, a bill (H. R. 10031) to limit the effect of the regulation of commerce between the several States and Territories as to certain commodities—to the Committee on the Judiciary.

Also, a bill (H. R. 10032) to increase the compensation of carriers on rural free-delivery mail routes—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Colorado: A bill (H. R. 10033) to secure to the members of the Third Regiment Colorado Volunteer Cavalry, who served during the late civil war, and their widows and minor children, the benefit of the provisions of the general pension laws and of the act of June 27, 1890, and the act of February 6, 1908, and to restore the status of said regiment—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10034) to pay railway postal clerks actual and necessary traveling expenses—to the Committee on the Post-Office and Post-Roads.

By Mr. MOORE of Pennsylvania: A bill (H. R. 10035) for the erection of a cold-storage building for the Department of Agriculture—to the Committee on Public Buildings and Grounds.

By the SPEAKER: Memorial of the lower house of the Porto Rican legislature, protesting against proposed amendments to the organic law relating to the legislature—to the Committee on Ways and Means.

Also, memorial of the legislature of Wisconsin, praying for the creation of a permanent tariff commission (nonpartisan) with judicial functions—to the Committee on Ways and Means.

Also, memorial of the legislature of Hawaii, praying that the title to the several waterworks systems, public highways, parks, squares, etc., be ceded back to the Territory—to the Committee on the Territories.

Also memorial of the legislature of Massachusetts, protesting against the imposition by the Federal Government of a tax on inheritances—to the Committee on Ways and Means.

Also, memorial of the legislature of Wisconsin, praying for the exclusion of Asiatics—to the Committee on Foreign Affairs.

Also, memorial of the State of Illinois, praying for legislation to encourage old-age insurance—to the Committee on Ways and Means.

Also, memorial of the State of Wisconsin, praying for national encouragement to the Interparliamentary Union for discussion of international arbitration—to the Committee on Foreign Affairs.

Also, memorial of the State of Illinois, praying for an appropriation for the Lincoln Farm Association—to the Committee on Appropriations.

Also, memorial of the legislature of the Territory of Hawaii, praying for the enactment of legislation for certain amendments to the organic law of the Territory of Hawaii—to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 10036) for the relief of Jeremiah Looper—to the Committee on War Claims.

By Mr. ANDREWS: A bill (H. R. 10037) granting an increase of pension to James Martin—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 10038) granting an increase of pension to Samuel E. Allmon—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 10039) to remove the charge of desertion from the military record of Hiram Binkley—to the Committee on Military Affairs.

Also, a bill (H. R. 10040) for the relief of the estate of John Z. Hamel, Davidson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 10041) for the relief of the estate of W. S. Huggins, Davidson County, Tenn.—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 10042) granting an increase of pension to Jasper D. Lacy—to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 10043) granting an increase of pension to Charles W. Merriam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10044) granting a pension to Ellen Harrington—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 10045) granting a pension to Martha Thompson—to the Committee on Pensions.

Also, a bill (H. R. 10046) granting a pension to Zachariah Cassedy—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 10047) granting a pension to Susan K. Stork—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 10048) granting an increase of pension to Johnson H. Fitzpatrick—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 10049) granting an increase of pension to Martha M. Hildreth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10050) granting an increase of pension to Michael Kelliher—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 10051) granting an increase of pension to George C. Presley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10052) granting an increase of pension to John G. Lang—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 10053) granting an increase of pension to James Tucker—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 10054) granting an increase of pension to Nelson R. Harrington—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 10055) granting an increase of pension to Phoebe Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10056) granting an increase of pension to William B. Norman—to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 10057) granting an increase of pension to William L. E. Trueax—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10058) granting an increase of pension to Joseph E. Cox—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 10059) granting a pension to Lottie A. Dunn—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 10060) granting an increase of pension to George B. Van Pelt—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 10061) for the relief of Edward L. Wells—to the Committee on Private Land Claims.

By Mr. JOYCE: A bill (H. R. 10062) granting an increase of pension to John T. Waxler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10063) granting an increase of pension to James K. Meyler—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 10064) granting a pension to Annie M. Kiely—to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 10065) for the relief of Edward Korp and Anna Korp, parents of John J. Korp, deceased—to the Committee on Claims.

By Mr. KOPP: A bill (H. R. 10066) granting an increase of pension to John F. Whitford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10067) granting an increase of pension to Edwin Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10068) granting an increase of pension to Ransom Jackson—to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 10069) granting an increase of pension to George W. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10070) granting an increase of pension to Eli W. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10071) granting an increase of pension to Charles F. Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10072) granting an increase of pension to Elizabeth Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10073) granting a pension to Catherine Konnermann—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 10074) for the relief of the estate of Julia E. Rightor, deceased—to the Committee on War Claims.

By Mr. MOSS: A bill (H. R. 10075) granting an increase of pension to David Argray—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10076) granting an increase of pension to William G. Cooper—to the Committee on Invalid Pensions.

By Mr. NICHOLLS: A bill (H. R. 10077) granting an increase of pension to Eli Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10078) granting an increase of pension to David Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10079) granting an increase of pension to Seth E. Stanton—to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 10080) granting an increase of pension to James P. Gay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10081) granting an increase of pension to John J. Stockholm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10082) granting an increase of pension to Morris McClen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10083) granting a pension to George H. Woodruff—to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 10084) granting an increase of pension to Louis C. Withaup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10085) granting an honorable discharge to Peter Fleming—to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 10086) granting an increase of pension to Almira L. Clay—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 10087) granting an increase of pension to Louisa Jacobs—to the Committee on Pensions.

By Mr. STURGISS: A bill (H. R. 10088) granting an increase of pension to Nimrod Austin—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 10089) granting an increase of pension to Charles Hinman—to the Committee on Pensions.

By Mr. TENER: A bill (H. R. 10090) granting an increase of pension to Anna M. Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10091) granting an increase of pension to Samuel Nutting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10092) granting an increase of pension to Harriet McIlvaine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10093) granting an increase of pension to C. M. Lindley—to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10094) granting an increase of pension to John A. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10095) granting an increase of pension to William P. Borah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10096) granting an increase of pension to Calvin Beauchamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10097) granting an increase of pension to W. R. Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10098) granting a pension to Charles R. Carneal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10099) granting a pension to Frederick Bailor—to the Committee on Pensions.

Also, a bill (H. R. 10100) granting a pension to J. H. Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10101) granting a pension to Lydia Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10102) granting a pension to Mary Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10103) appropriating $300 to the heirs of Howard Newman, deceased—to the Committee on Claims.

By Mr. THOMAS of North Carolina: A bill (H. R. 10104) granting an increase of pension to C. E. P. Lance—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 10105) granting a pension to William T. Hunter—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Local Union of the United Mine Workers of America, at Canonsburg, Pa., protesting against the decision of Chief Justice Wright, of the District of Columbia, against Messrs. Gompers, Mitchell, and Morrison—to the Committee on the Judiciary.

Also, petition of Magic Council of the Order of United American Mechanics, of Connellsville, Pa., and other councils of the same order at McKeesport and Cokeville, Pa., praying for the exclusion of Asiatics—to the Committee on Foreign Affairs.

Also, petition of American Association of Masters, Mates, and Pilots, praying for the passage of House bill 15657 (60th Cong., 2d sess.), concerning life and property at sea—to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Association of Employing Lithographers, praying for tariff duties which will equalize the difference between American and foreign wages—to the Committee on Ways and Means.

Also, petition of Tualatin Grange, of Sherwood, Oreg., and R. J. Bunton, of Burlington, Kans., praying for a reduction of the duty on sugar—to the Committee on Ways and Means.

Also, petitions of Jennie Roach and 45 others and Mrs. L. A. Thompson and 36 others, of Pittsburg, Pa., protesting against an increased duty on women's gloves—to the Committee on Ways and Means.

Also, petition of Hattie A. Jenks, of Chicago, Ill., and 54 others, protesting against the increase of duty on leather gloves and hosiery—to the Committee on Ways and Means.

Also, petition of Republican Club of the City of New York, protesting against the creation of a permanent tariff commission and against the frequent revision of the tariff—to the Committee on Ways and Means.

Also, petition of Agnes Myers and 43 others, of Pittsburg, Pa., protesting against an increase in the rates of duty on gloves—to the Committee on Ways and Means.

Also, petition of Hardt & Klippel and John W. Hattle and other firms and individuals, of Lyons, N. Y., protesting against an increase in the duty on women's gloves—to the Committee on Ways and Means.

Also, petition of Parker Improvement Association, of Parker, Ariz., protesting against legislation to enable private parties to acquire land on the Colorado River available for dam sites—to the Committee on the Territories.

Also, memorial of legislature of New Mexico, praying for an exercise of the supervisory powers of Congress as to acts of the territorial legislature, relating to the publication of legal notices—to the Committee on the Territories.

By Mr. ALEXANDER of Missouri: Paper to accompany bill for relief of Levi P. Hyatt—to the Committee on Invalid Pensions.

By Mr. ALEXANDER of New York: Petition of Chamber of Commerce of Buffalo, N. Y., favoring a permanent tariff commission—to the Committee on Ways and Means.

By Mr. ANDREWS: Memorial of the mayor and city council of Clovis, N. Mex., praying Congress to disapprove an act of the thirty-eighth legislative assembly of the Territory of New Mexico, known as the "publication law"—to the Committee on the Territories.

Also, memorial of the city of Albuquerque, N. Mex., praying Congress to disapprove an act of the thirty-eighth legislative assembly of the Territory of New Mexico, known as the "publication law"—to the Committee on the Territories.

By Mr. ANDERSON: Petition of A. S. Downs, of Martel, Ohio, against second-grade rubber not being stamped as such—to the Committee on Interstate and Foreign Commerce.

Also, petition of American Gypsum Company, against reduction of duty on gypsum—to the Committee on Ways and Means.

Also, petition of Zorn-Hornung Company, against a duty on hides—to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of Trades and Labor Council of Racine, Wis., against any reduction of duty on cigars coming from the Philippines—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of Carter, Macey & Co. and John Emmans, of New York City, opposing removal of duty on tea—to the Committee on Ways and Means.

Also, petition of Faxon, Williams & Faxon, of Buffalo, N. Y., favoring reduction of duty on wheat—to the Committee on Ways and Means.

Also, petition of New York State Cooperative League of Savings and Loan Associations, opposing reduction of tariff on lumber—to the Committee on Ways and Means.

Also, petition of B. F. Couch & Co., of Buffalo, N. Y., favoring tariff on glue—to the Committee on Ways and Means.

Also, petition of Jewelers' Board of Trade of New York City, favoring a tariff commission—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Association, favoring free hides—to the Committee on Ways and Means.

By Mr. FORNES: Petition of Isaac Prouty & Co., of Spencer, Mass., for free hides—to the Committee on Ways and Means.

Also, petition of National Woolgrowers' Association, for free wool—to the Committee on Ways and Means.

Also, petition of Darling & Co., of New York City, for reduction of duty on glue—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Works, for revision of duty on wool—to the Committee on Ways and Means.

Also, petition of New Idea Publishing Company, Butterick Publishing Company, and Standard Fashion Company, all of New York City, for free pulp—to the Committee on Ways and Means.

Also, petition of E. & J. Burke, of New York City, for increased duty on malts—to the Committee on Ways and Means.

Also, petition of F. D. Mott & Co., of New York City, favoring a duty on tea—to the Committee on Ways and Means.

Also, petition of G. W. Loft, of New York City, for free cocoa—to the Committee on Ways and Means.

Also, petition of Hall & Ruckel, of New York City, for free soda ash—to the Committee on Ways and Means.

Also, petitions of La Manna Azema & Farnam, Collin D. Mawer Company, Alart & McGuire, and other olive importers, all of New York City, for reduction of duty on olives—to the Committee on Ways and Means.

Also, petition of Powers & Mayer, for reduction of duty on diamonds—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Manufacturing Company, for free hides—to the Committee on Ways and Means.

By Mr. FULLER: Paper to accompany bill for relief of Nelson R. Harrington—to the Committee on Invalid Pensions.

Also, petition of Worlfel Leather Company, of Morris, Ill., for free hides—to the Committee on Ways and Means.

Also, petition of American Clay Producers' Association, of Macon, Ga., against proposed reduction of duty on wood pulp and paper—to the Committee on Ways and Means.

Also, petition of Chicago Advertising Association, of Chicago, Ill., against the proposed license tax on display signs—to the Committee on Ways and Means.

Also, petition of Norvall Shapleigh Hardware Company, of St. Louis, against increase of duty on razors—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of New York wholesale merchants, opposing any change of duty on hosiery—to the Committee on Ways and Means.

Also, petition of Rosenstein Brothers (Incorporated), of New York City, favoring reduction of duty on fish—to the Committee on Ways and Means.

Also, petition of Kirtland Bros. & Co., of New York City, favoring free gun shells—to the Committee on Ways and Means.

Also, petition of post-card manufacturers and allied trades, favoring an increase of duty on post cards and other lithographic prints—to the Committee on Ways and Means.

Also, petitions of Lace and Embroidery Association and J. Boesch & Sons, of New York City, favoring protection on laces—to the Committee on Ways and Means.

Also, petitions of Dr. S. C. Minor and E. & J. Burke, of New York City, favoring free malt—to the Committee on Ways and Means.

Also, petition of Powers & Mayer, of New York City, favoring protection of precious stones—to the Committee on Ways and Means.

Also, petition of the Butterick Publishing Company, New Idea Publishing Company, and the Standard Fashion Company, favoring free wood pulp—to the Committee on Ways and Means.

Also, petition of New York Silk Conditioning Company, favoring free wool—to the Committee on Ways and Means.

Also, petition of Cincinnati Boot and Shoe Manufacturers Association favoring free hides—to the Committee on Ways and Means.

Also, petition of Alart & McGuire, La Manna, Azema & Farnan, and C. D. Mawer & Co., all of New York City, favoring reduction of duty on olives—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of A. M. Lorentz and 21 others, of Mankato, Minn., favoring removal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HARDWICK: Paper to accompany bill for relief of Mary P. Walker—to the Committee on Invalid Pensions.

By Mr. HAYES: Paper to accompany bill for relief of Julia A. Ray—to the Committee on Invalid Pensions.

Also paper to accompany bill for relief of James Burke—to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Petitions of Thomas P. Baker, of Walterboro, Colleton County, S. C., and Department of Indiana, Grand Army of the Republic, approving bill opposing portrait of Jefferson Davis being placed on silver service of battle ship Mississippi—to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of Francis W. Leiper—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Paper to accompany bill for relief of Jane E. Higgins—to the Committee on Invalid Pensions.

By Mr. HUFF: Petition of citizens of Scottsdale, West Newton, and Ligonier, Pa., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Lodge No. 310, Brotherhood of Locomotive Firemen and Engineers, of Derry, and Lodge No. 601, of Youngstown, both of the State of Pennsylvania, favoring bills H. R. 7553 and S. 326 and S. 1986—to the Committee on Interstate and Foreign Commerce.

By Mr. KEIFER: Petitions of Craig Brothers and 37 others, of Washington Court House, Ohio; Duffey Brothers and 38 others, of Circleville, Ohio; and G. H. Kraft & Son and 15 others, of Asheville, Ohio, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. KELIHER: Petition of consumers of wheat products of the city of Boston, Mass., against proposed tariff on wheat—to the Committee on Ways and Means.

By Mr. LINDBERGH: Petition of hardware dealers of Bena, Minn., urging adoption of paragraph No. 151, H. R. 1438, as recommended by the Senate Finance Committee—to the Committee on Ways and Means.

Also, petition of Cigar Makers' Union of St. Cloud, Minn., against tobacco schedule of the Philippine tariff—to the Committee on Ways and Means.

Also, petition of business men of Cokato, Minn., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. MOORE of Pennsylvania: Petition of Italian Society I. M. S. Bartaglieri Vac Marmora, for adoption of October 12 as a holiday in honor of Columbus—to the Committee on the Judiciary.

By Mr. OLDFIELD: Papers to accompany bills for relief of Rachael C. Groves, Monroe Pettigrew, and Isaac B. Carter—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolutions of Elm City Lodge, No. 284, Brotherhood of Locomotive Firemen and Engineers, of New Haven, Conn., favoring H. R. 7553, relative to the safety of employees and travelers upon railroads—to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Ohio: Petition of J. H. Dubrow and others, manufacturers of Columbus, Ohio, against increase of duty on thorium nitrate—to the Committee on Ways and Means.

By Mr. THOMAS of Ohio: Petition of citizens of the Nineteenth Congressional District of Ohio, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. TOU VELLE: Petition of W. F. Baitty, secretary of Cigar Makers' Union No. 313, of Lima, Ohio, against free Philippine cigars—to the Committee on Ways and Means.

Also, petition of C. F. Hickok, of Sidney, Ohio, favoring a rate of 2 cents per pound on Canadian maple sugar—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of citizens of Fond du Lac, Wis., favoring a duty on tea and a retaliatory tax on coffee—to the Committee on Ways and Means.