James C. Weaks to be postmaster at Monroe, La., in place of Pinckney Weaks. Incumbent's commission expired December 12, 1908.

MINNESOTA.

Edwin G. Braden to be postmaster at Wayzata, Minn. Office becomes presidential July 1, 1909.

NEW HAMPSHIRE.

Arthur H. Copp to be postmaster at Wolfeboro, N. H., in place of Forrest W. Peavey, deceased.

NEW JERSEY.

Alonzo Hand to be postmaster at Highlands, N. J. Office becomes presidential July 1, 1909.

William K. Van Iderstine to be postmaster at Maplewood, N. J. Office becomes presidential July 1, 1909.

NEW YORK.

Elijah P. Raynor to be postmaster at West Hampton Beach, N. Y. Office becomes presidential July 1, 1909.

Lincoln Sackett to be postmaster at New Lebanon, N. Y., in place of Kathryn C. M. McGrath. Incumbent's commission expired December 13, 1908.

NORTH CAROLINA.

James B. Winders to be postmaster at Warsaw, N. C., in place of James B. Winders. Incumbent's commission expired February 10, 1909.

NORTH DAKOTA.

Jesse M. Pierson to be postmaster at Granville, N. Dak., in place of Edward T. Pierson, resigned.

J. M. Stewart to be postmaster at Mayville, N. Dak., in place of David Larin, resigned.

OHIO.

William O. Custis to be postmaster at Jamestown, Ohio, in place of William O. Custis. Incumbent's commission expired February 10, 1909.

SOUTH DAKOTA.

William H. Doherty to be postmaster at Lemmon, S. Dak. Office becomes presidential July 1, 1909.

Herbert B. Tysell to be postmaster at Britton, S. Dak., in place of Frederic J. Brown, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 25, 1909.

POSTMASTERS.

COLORADO.

Ahiman V. Bohn, at Leadville, Colo.

IDAHO.

Claude H. Duval, at Nampa, Idaho.

IOWA.

Oswell Z. Wellman, at Arlington, Iowa.

MARYLAND.

Mary W. Tise, at Hyattsville, Md.

MASSACHUSETTS.

George C. Look, at Woods Hole, Mass.
Elisha Peterson, at Duxbury, Mass.

NEW JERSEY.

Charles G. Melick, at Milford, N. J.
George Phillips, at Branchville, N. J.

SENATE.

SATURDAY, *June 26, 1909.*

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

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal is approved.

MERGER OF RAILROADS.

The VICE-PRESIDENT. The Chair lays before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 25th instant, certain information relative to the legal proceedings against the New York, New Haven and Hartford Railroad Company and the Boston and Maine Railroad Company for a violation of what is known as the "Sherman antitrust law," and so forth.

The communication will be referred, with the accompanying papers, to the Committee on Commerce and printed (S. Doc. No. 116).

Mr. CULBERSON. I ask that it may be printed as a document.

The VICE-PRESIDENT. It will be printed.

Mr. KEAN. It should not go to the Committee on Commerce, I think.

Mr. CULBERSON. It ought to go to the Committee on the Judiciary, it occurs to me.

Mr. KEAN. Either the Committee on the Judiciary or the Committee on Interstate Commerce.

Mr. HALE. Let it go to the Committee on the Judiciary.

The VICE-PRESIDENT. Without objection, the former reference made by the Chair is abrogated and the communication will be referred to the Committee on the Judiciary.

Mr. CULBERSON. I understand the order is, also, that it shall be printed as a document.

The VICE-PRESIDENT. It will be printed under the rule as a document.

Mr. CULBERSON. It might be printed in the RECORD also. It is a short statement, I think.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY-GENERAL,
Washington, D. C., June 25, 1909.

SIR: I have the honor to acknowledge the receipt of a copy of a resolution adopted by the Senate on June 25, 1909, as follows:

"That the Attorney-General be, and he is hereby, directed to inform the Senate whether the legal proceedings against the New York, New Haven and Hartford Railroad Company, and the Boston and Maine Railroad Company, for violation of what is known as the 'Sherman antitrust law,' have been dismissed; and if any statement has been given out by him touching the matter within the past few days, that he attach a copy of such statement to his reply to this resolution. He is also directed to inform the Senate when such proceedings were begun and instituted."

In reply, I beg to state that I have directed the United States attorney for the district of Massachusetts to dismiss the legal proceedings brought by the United States against the New York, New Haven and Hartford Railroad Company and the Boston and Maine Railroad Company for violation of what is known as the "Sherman antitrust law." In connection with that matter, a statement was given out by me touching the matter, a copy of which accompanies this communication.

The proceedings were begun and instituted by the filing of a bill in equity in the circuit court for the district of Massachusetts on May 22, 1908.

I have the honor to be, sir,
Very respectfully,

GEO. W. WICKERSHAM,
Attorney-General.

The PRESIDENT OF THE SENATE.

JUNE 24, 1909.

The Attorney-General received to-day a certified copy of the act passed by the legislature of Massachusetts and approved last Friday by the governor of that State, creating the Boston Railroad Holding Company. This act authorizes the new corporation created under it to acquire and hold all or any part of the stock and bonds of the Boston and Maine Railroad Company, and further authorizes any railroad corporation theretofore incorporated under the laws of Massachusetts to acquire and hold the stock and bonds of the Boston Holding Company.

The purpose and effect of this statute, as publicly announced and as contemplated by its terms, is to authorize the consolidation of the Boston and Maine Railroad Company and the New York, New Haven and Hartford Railroad Company. This is to be accomplished, first, by the Boston Holding Company acquiring the control of the Boston and Maine Railroad Company, and, next, by the New York, New Haven and Hartford Railroad Company acquiring control of the Boston Holding Company.

The statute referred to further provides that the stock of the Boston and Maine to be acquired by the holding company shall not hereafter be sold without express authority from the legislature, and that the stock of the holding company, if acquired by the New Haven road, shall not hereafter be sold without express authority of the legislature. Finally, it is provided that the Commonwealth of Massachusetts may, at any time, by an act of the legislature, upon one year's notice, take for its own use, by purchase or otherwise, all the stock and bonds of the holding company upon certain terms designed to protect creditors and secure just compensation, the whole plan and purpose being to permit the consolidation of the Boston and Maine with the New Haven Company, and to provide for their operation hereafter under one management, with safeguards to protect the interests of the people of Massachusetts.

In view of the fact that the suit of the United States now pending against the New York, New Haven and Hartford and the Boston and Maine Railroad companies for a violation of the antitrust act rests almost entirely upon a claim that these companies had already consolidated by means of stock ownership, and since the community most directly affected is the State of Massachusetts, whose laws now expressly authorize such consolidation, the Attorney-General has determined to dismiss the Government's action.

In that action the further complaint was made that the New Haven Railroad had acquired a number of trolley lines in Massachusetts and adjoining States, and that this was a combination in restraint of interstate commerce. Since the Government's suit was determined upon, however, the supreme judicial court of Massachusetts, in a case involving the right of the New Haven road to acquire trolley properties in Massachusetts, has decided that the railroad company has no such power, and that company has been parting with such trolley properties. Upon this question the Attorney-General is convinced that whatever may have been the merit of the claim when the suit was begun, there is not now in this case any such element of competition in interstate commerce by reason of such ownership of trolley lines as would justify a further prosecution of the action.

The Attorney-General has directed that the case of the United States against the New York, New Haven and Hartford Railroad Company and the Boston and Maine Railroad Company et al. will be dismissed at once.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

PETITIONS AND MEMORIALS.

Mr. PILES. I present resolutions adopted by the Central Labor Council of Seattle and vicinity, in the State of Washington, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and be printed in the RECORD, as follows:

CENTRAL LABOR COUNCIL,
Seattle, Wash., June 18, 1909.

To United States Senator SAMUEL H. PILES.

DEAR SIR: The inclosed resolution speaks for itself, and it is the wish of this Central Labor Council of Seattle and vicinity that you indorse the same and do all possible for passage of the same. Hoping this will meet with your approval, and that we shall hear from you concerning the same, I am,

Very respectfully,

[SEAL.] JAS. R. HARRIS,
Secretary Central Labor Council of Seattle and Vicinity.

—

The following resolutions were unanimously adopted at a meeting of the Central Labor Council of Seattle and vicinity, held on Wednesday, June 16, 1909:

Believing that the proposed amendment to the pending tariff bill which changes the per capita tax on immigrants from $4 to $10 is a step in the right direction, and knowing that the American Federation of Labor, of which we are a part, has advocated further restrictions on immigrants: Therefore be it

Resolved, By the Central Labor Council of Seattle and vicinity, in regular session this 16th day of June, 1909, that we favor the proposed amendment, and earnestly hope that our Washington Senators and Congressmen will support the same; and be it further

Resolved, That a copy of this resolution be sent to Senators PILES and JONES and Representatives HUMPHREYS, CUSHMAN, and POINDEXTER; also to the President of the United States and the Speaker of the House.

Mr. FRYE presented a memorial of Willow Grange, No. 366, Patrons of Husbandry, of Jefferson, Me., remonstrating against an increase of the duty on imported gloves, which was ordered to lie on the table.

Mr. NELSON presented a petition of the Business League of St. Paul, Minn., praying for the creation of a permanent tariff commission, which was ordered to lie on the table.

Mr. DEPEW presented telegrams in the nature of memorials from sundry manufacturers of New York City, N. Y., remonstrating against the repeal of the duty on Paris green, which were ordered to lie on the table.

AMELIA L. DICK BOYD.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 59, submitted by Mr. BURTON on the 22d instant, reported it without amendment, and it was considered by unanimouse consent and agreed to, as follows:

Senate resolution 59.

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Amelia L. Dick Boyd, widow of Charles W. Boyd, late a laborer of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

JOSIAH L. PEARCY, JR.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution 60, submitted by Mr. JOHNSTON of Alabama (for Mr. TAYLOR) on the 24th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Senate resolution 60.

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Josiah L. Pearcy, jr., son of Josiah L. Pearcy, late a laborer of the United States Senate, for the sole benefit of the widow of the deceased, a sum equal to six months' salary, at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

BILLS INTRODUCED.

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

By Mr. CARTER:

A bill (S. 2763) to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes; to the Committee on Post-Offices and Post-Roads.

A bill (S. 2764) to establish a fish-hatching and fish-culture station at or near Columbia Falls, in the State of Montana; to the Committee on Fisheries.

A bill (S. 2765) providing for the purchase of a painting of Abraham Lincoln; to the Committee on the Library.

A bill (S. 2766) providing for the appointment of an inspector of mines for the district of Alaska, defining his powers and duties, fixing his compensation, and for other purposes; to the Committee on Mines and Mining.

A bill (S. 2767) for the relief of Edward Brassey; to the Committee on Claims.

A bill (S. 2768) to establish engineering experiment stations at land-grant colleges; to the Committee on Agriculture and Forestry.

A bill (S. 2769) to amend article 6 of an agreement between the Turtle Mountain band of Chippewa Indians and the United States, through the commissioners of the United States duly appointed for that purpose, on the 2d day of October, 1892, as modified and amended by act approved April 21, 1904; to the Committee on Indian Affairs.

A bill (S. 2770) granting an increase of pension to Charles Maxwell Waterman;

A bill (S. 2771) granting a pension to Charlotte W. White;

A bill (S. 2772) granting an increase of pension to John A. Richards; and

A bill (S. 2773) granting a pension to George Walters; to the Committee on Pensions.

A bill (S. 2774) for the relief of George H. Potter;

A bill (S. 2775) for the relief of the heirs of Warren S. Baxter, deceased;

A bill (S. 2776) providing for the inclusion of certain unappropriated public lands in the State of Montana within the boundaries of Madison National Forest;

A bill (S. 2777) to establish the Glacier National Park in the Rocky Mountains south of the international boundary line in the State of Montana, and for other purposes;

A bill (S. 2778) to create an additional land district in the State of Montana, to be known as the "Harlowton land district;" and

A bill (S. 2779) for the relief of S. W. Langhorne and H. S. Howell; to the Committee on Public Lands.

By Mr. TALIAFERRO:

A bill (S. 2780) granting an increase of pension to James M. Adams (with the accompanying paper); to the Committee on Pensions.

By Mr. CARTER:

A bill (S. 2781) to provide for the extension of Nineteenth street from Belmont road to Biltmore street, in the District of Columbia, with a uniform width of 50 feet, and for other purposes; to the Committee on the District of Columbia.

By Mr. LA FOLLETTE:

A bill (S. 2782) granting an increase of pension to Levi L. Beers; and

A bill (S. 2783) granting an increase of pension to Charles Kisow; to the Committee on Pensions.

RATES OF REVENUE.

Mr. NELSON. I present a compilation of the estimated rates of duty under the bill H. R. 1438, known as the "tariff bill," as it passed the House of Representatives, together with the rates estimated under section 3 of the bill based upon the law of 1897 for the year ended June 30, 1907, including rates on free-list articles under section 3 of the House bill. I move that the compilation be printed as a document (S. Doc. No. 115).

The motion was agreed to.

CENSUS APPROPRIATION BILL.

Mr. HALE. I ask that House bill 10933, reported by me yesterday from the Committee on Appropriations, be laid before the Senate and proceeded with.

Mr. CULLOM. I should like to hear it read.

Mr. HALE. There are no amendments. Let it be read.

The Secretary read the bill (H. R. 10933) making appropriations for expenses of the Thirteenth Decennial Census, and for other purposes, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE TARIFF.

The VICE-PRESIDENT. The calendar is in order. The first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. BRADLEY. I desire to offer an amendment to strike out paragraph 333 and insert a new paragraph.

The VICE-PRESIDENT. That will be considered after the pending amendment is disposed of. The pending amendment is that offered by the Senator from Georgia [Mr. BACON]. It will be read.

The SECRETARY. It is proposed to insert the following paragraph in the free list, to be designated as paragraph 651½:

Plows, tooth and disk harrows, harvesters, forage and feed cutters, reapers, agricultural drills and planters, mowers, horse rakes, cultivators, thrashing machines, and cotton gins: *Provided*, That articles mentioned in this paragraph, if imported from a country which lays an import duty on like articles imported from the United States, shall be subject to duties existing prior to the passage of this act.

Mr. STONE. Mr. President——

Mr. OVERMAN. I suggest the want of a quorum.

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from North Carolina?

Mr. STONE. Yes.

The VICE-PRESIDENT. The Senator from North Carolina 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	Clark, Wyo.	Frye	Overman
Bacon	Clay	Gallinger	Page
Beveridge	Crane	Gamble	Paynter
Borah	Crawford	Gore	Penrose
Bradley	Culberson	Guggenheim	Perkins
Brandegee	Cullom	Hale	Piles
Briggs	Cummins	Hughes	Scott
Bristow	Curtis	Johnson, N. Dak.	Simmons
Brown	Davis	Johnston, Ala.	Smith, Mich.
Bulkeley	Depew	Jones	Smoot
Burkett	Dick	Kean	Stone
Burnham	Dillingham	McLaurin	Sutherland
Burrows	Dixon	Martin	Taliaferro
Burton	du Pont	Money	Tillman
Carter	Fletcher	Nelson	Warner
Chamberlain	Flint	Nixon	
Clapp	Frazier	Oliver	

The VICE-PRESIDENT. Sixty-six Senators have answered to the roll call. A quorum of the Senate is present. The Senator from Missouri will proceed.

Mr. STONE. Mr. President, before I resume the thread of my remarks on the pending amendment I desire to address myself briefly to another subject. I wish to call attention to the fact that neither the President nor the Secretary of State nor the Finance Committee—whoever should have furnished it—has yet sent to the Senate the report made by the German Government to our Government on industrial conditions in Germany. The Senator from Rhode Island [Mr. ALDRICH] has promised from time to time that that report would be forthcoming in two or three days. He has made that statement several times, and yet days lengthen into weeks—I would not be far wrong if I said into months—until we are now practically through with the dutiable schedules, and still this document is withheld from the Senate, for what reason I do not know, and Senators have been denied an opportunity to examine it and see whether it would be of value in the consideration of the rates fixed in these multitudinous paragraphs. I suppose now we will not have it at all during this session.

Mr. President, it appeared during the discussion of that question in the earlier stages that a large number of like reports had come from other governments. The Senator from Rhode Island stated that they ought not to be made public, and he objected to having them printed for the use of the Senate, because he said they were confidential. As no Senator was willing to violate international propriety, the matter rested on the statement of the Senator from Rhode Island.

I have here a clipping from the Textile World Record for October, 1908. It seems that the editor of that publication addressed a letter to the then Secretary of State, Mr. ROOT, in September last, and asked him for a copy of the correspondence had between his department and our diplomatic and consular representatives respecting this matter. The Secretary wrote that the matter could not be furnished for publication. It seems, however, that the correspondence was not regarded as confidential in England, and a part of it was given out and published there. The editor of the Textile World Record obtained that correspondence, or some portion of it, and printed it. I wish to insert in the RECORD what was so printed, without reading, to show that inasmuch as this matter was made public in England there is no reason why it should not be made public in the United States, and there is no reason for claiming that the publication of it here would be a breach of propriety as between the two nations. I ask that it may be inserted.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

FOREIGNERS ASKED TO MAKE OUR TARIFF.

[From the Textile World Record for October, 1908.]

Our English correspondent refers briefly in this issue to an inquiry that is being made by American consuls into industrial conditions abroad with the object of securing information regarding cost of production to aid Congress in revising the tariff next spring. Upon receipt of our correspondent's letter and English papers containing similar items we sent the following to the Secretary of State:

BOSTON, MASS., *September 12, 1908.*

Hon. ELIHU ROOT,
Secretary of State, Washington, D. C.

DEAR SIR: I learn from the English newspapers that the American consuls in England are sending to British manufacturers a list of questions regarding cost of production, which they ask to have answered by the British manufacturers for the purpose of helping the House Ways and Means Committee to revise the American tariff next spring. I would consider it a favor if you would send me a copy of the questions which our consuls have been authorized to submit to foreign manufacturers, and which I take it have been approved by your department.

Yours, very truly, SAMUEL S. DALE, *Editor.*

To this we received the following reply:

DEPARTMENT OF STATE,
Washington, September 16, 1908.

Mr. SAMUEL S. DALE,
Editor Textile World Record.

SIR: The department is in receipt of your letter of the 12th instant, requesting a copy of the questions sent by the department to American consular officers with a view to procuring information for the use of the Committee on Ways and Means of the House of Representatives in its work preparatory to the revision of the United States tariff. In reply I have to inform you that the questions to which you refer are *not for publication*, and the department regrets that it must decline to comply with your request. They will probably be made public in due time by the committee of Congress at whose instance they were issued.

I am, sir, your obedient servant,

ALVEY A. ADEE, *Acting Secretary.*

When this letter was received we knew that the information the Acting Secretary of State refused to give to us for the American public had already been published in England, where it had been the subject of general comment. Under these conditions there could be no good reason why it should not be made known in the United States. Accordingly we cabled to our English correspondent, asking him to send us a copy of the State Department's questions, and here they are, with the letter from the consul at Birmingham to the manufacturers and exporters in his district. (We omit the questions.)

BIRMINGHAM, ENGLAND, *August 25, 1908.*

DEAR SIR: I am instructed to make a report on industrial conditions in this consular district, covering cost of labor and conditions, cost of production, prices, and exports to the United States, for the use of the Committee on Ways and Means of the United States House of Representatives. The inquiries made of me are most comprehensive in character, and indicate a determination to obtain the most exact information possible as a basis for the complete revision of the existing tariff law. This revision will, in all probability, be in the direction of *a reduction of duties*, but, of course, that is all in a tentative condition.

To obtain this information I must apply to manufacturers engaged in the many industries of this district, and I am anxious for your assistance. I would say the more exact and complete the information I can furnish the better will my Government be prepared to act. *If, as it appears, the general tendency of the revision is to be in a downward direction, such a revision should increase exports from the United Kingdom to the United States, and you will see, therefore, that it is in the interests of this district, as it is of my own Government, that the fullest information be furnished me.*

In these circumstances I must ask questions in regard to your business which ordinarily the business man regard as business secrets. The information furnished, I am informed by my Government, will be treated in confidence—that is, none of it will be so used as to indicate the source whence it came.

I inclose a copy of a schedule that I request you to fill up and return to me at your early convenience. You will observe that by figure 3 is the statement, "Name of establishment." This information is desired so that if any further inquiries be necessary, it may be possible to inquire through me. Appreciating that, while you may be willing to give the information desired you may think it important that your name should not be included in my report, I shall, if you so desire, refrain from furnishing your name to my Government, and shall substitute therefor a number by which I can identify you and be prepared to answer any further inquiries that may be made of me.

I am hopeful of obtaining this information, and feel sure that, *as an exporter*, you will be glad to furnish me with it. I shall be very pleased, in fact, would prefer, to discuss this question personally with you, in order to more fully explain what I seek.

Yours, respectfully,

ALBERT HALSTEAD, *American Consul.*

Mr. STONE. Mr. President, on yesterday the Senator from Georgia [Mr. BACON] addressed a question to the Senator from Rhode Island [Mr. ALDRICH] while the latter was on the floor speaking to the amendment proposed by the Senator from Georgia. The question asked by the Senator from Georgia was this:

I simply desire to ask the Senator this question: If he concedes the proposition that there is a large monopoly, and they are charging exorbitant prices——

Mr. ALDRICH. I do not concede either one of those propositions.

I was proceeding when the adjournment was had yesterday to show that both those propositions advanced by the Senator from Georgia are true. I had put in some evidence to prove, first, that the International Harvester Company of New Jersey and the International Harvester Company of America constitute one of the most perfect examples of industrial monopoly this country has known or that human ingenuity could contrive.

I had read an interview given out on yesterday by the attorney-general of Missouri, who had been to New York to take the deposition of Mr. Perkins, of the firm of J. Pierpont Morgan & Co. From this interview we learn that Mr. Perkins is the man who organized this giant monopoly. We learn further from this interview that Mr. Perkins stated in his deposition that while the president of the two corporations, Mr. McCormick, and one of the vice-presidents, Mr. Deering, were nominally associated with him in the management of the corporations, inasmuch as his firm had financed it, he did himself in fact dominate and control both concerns.

I also read from the testimony of Cyrus H. McCormick, given by him in the case now pending in the supreme court of Missouri to oust the trust from doing business in that State. I read that testimony to show that this combination was made up of five or six of the largest companies which theretofore had been doing business independently, and that these companies thus merged into one had been doing about 80 per cent of the business of the entire country. Since the merger other concerns have been absorbed, until now that combination is doing 85 per cent of the business of the country.

I read from the testimony of William H. Jones, vice-president of both the manufacturing and selling corporations, to the same effect; and at that point I was obliged to discontinue because the hour of adjournment had arrived. I was then about to supplement the testimony I had offered to prove that a monopoly does exist, notwithstanding the denial of the Senator from Rhode Island, by the statement referred to by the Senator from North Carolina [Mr. OVERMAN].

Mr. DAVIS. Mr. President——

The VICE-PRESIDENT. Will the Senator from Missouri yield to the Senator from Arkansas?

Mr. STONE. Certainly.

Mr. DAVIS. If the Senator from Missouri will permit a voluntary suggestion, I will state that the International Harvester Company was driven out of Arkansas and forced to retire from business there because of prosecutions and convictions under the Arkansas antitrust law.

Mr. STONE. I am obliged to the Senator for interpolating that statement and furnishing that information. In one State, then, the courts have already found that this International Harvester Company is a trust. Was it a state court?

Mr. DAVIS. It was the state court, and the judgment still stands. The federal court had jurisdiction of another branch. It was not appealed.

Mr. STONE. A similar suit is pending before the supreme court of Kansas, as I remarked on yesterday, and the commissioner appointed by that court to take depositions has, I am informed, reported the testimony with his findings, and he finds that the International Harvester Company is a trust and a monopoly. A similar suit before the supreme court of Missouri is now pending; a large amount of testimony has been taken; and the attorney-general stated on yesterday that he believes that a clear case has been made by the State, and that the testimony on behalf of the State is now practically closed. I make this résumé of my remarks on yesterday, so that I may now get a better start from the point at which I then left off.

Mr. President, on January 22, 1908, Mr. Hansbrough, then a Senator from North Dakota, made a speech on the floor of the Senate, which can be found on page 963, part 1, of the RECORD of that session. I desire to read some extracts from that speech. Mr. Hansbrough said:

The International Harvester trust was organized in August, 1902. There were at that time some eight or ten separate companies engaged in the manufacture of harvesting machinery. About that time an effort was made to get these different constituent companies together, to consolidate them. That effort was finally successful, and eight of the constituent companies went into the International Harvester trust.

The International Harvester Company was organized under the laws of the State of New Jersey with a capital of $120,000,000. About the same time the International Harvester Company of America, with a capital of $1,000,000—

I think he is mistaken as to that. I understand the capital is $3,000,000—

was organized under the laws of the State of Wisconsin by the same men. It was clearly the purpose of this monopoly, of this combination, to evade the federal law by having the manufacturing company organized under the laws of one State, and the distributing or selling company organized under the laws of another State.

Mr. President, at the time that this monopoly was created the average price of a self-binder to a farmer in my part of the country was from $95 to $105. To-day the same machine costs the farmer $145, or it did last year, and I am advised that the monopoly has put the price of machines for the present year at $150.

That is not all, Mr. President. The International Harvester Company obtained control and a monopoly over most of the ingredients entering into the manufacture of binding twine, so that the farmer who purchases his binding machinery of the trust must also buy his binding twine of the trust.

And that is not all. They have obtained a control over several manufacturing establishments devoted to the making of gasoline engines, an establishment devoted to the manufacture of cream separators, and one engaged in the manufacture of manure spreaders. They have also secured a monopoly of the harness business, as well as of other necessary articles that the farmers of the country must buy; and all these articles have been advanced in price in keeping with the price that the trust has put upon its harvesting machinery.

Mr. President, in my own State of North Dakota, which produces over $100,000,000 worth of grain every year—wheat, barley, oats, and flax—the farmers are obliged to purchase somewhere near 10,000 binders every year. The price of these binders has been advanced since 1902 from about $100 to about $150. Senators can easily calculate the amount of tribute that the farmers of my State alone are obliged to pay to this monopoly.

Further he said:

At this very hour, Mr. President, this monopoly in farming implements is taking a hand in the politics of the State of North Dakota. It is laying its wires at this moment, through its trusted political agents, to capture and control the delegates who will represent that State in the next Republican national convention. Not alone this, but the edict has gone forth from this monopoly that I am to be defeated for the United States Senate because I had the temerity to offer a resolution of investigation.

Mr. President, it seems that they got the right kind of delegates elected to the Republican convention, and the right kind of members of the state legislature also, for if they were after his scalp, as the Senator said they were, they got it. The trust has the scalp of the North Dakota Senator dangling at its belt. Here, Mr. President, is testimony furnished by a Senator standing on this floor and speaking, as he said, from personal knowledge of the facts, showing that the International Harvester combine not only controlled the market of North Dakota, but that it had increased its prices to the point of extortion. Here is testimony to prove that the Senator from Georgia was right on both points involved in his issue with the Senator from Rhode Island.

Mr. President, I have other testimony at hand to prove that the International Harvester Company is a trust and a monopoly, but what I have supplied is certainly sufficient for that purpose, since it comes for the most part from the lips of the chief officers of the corporations constituting the trust; and so I think I can safely rest that issue at this point.

Mr. President, I said I would have something to say about the profits of this business before the trust was organized. I assert that there was no excuse, from an industrial or business standpoint, for this great combination. When asked why it was made, the answer was that competition was fierce; that expenditures were unnecessarily large, as a result of that competition; that by uniting their properties and efforts they could curtail the expenses of operation; that they could reduce largely the number of men employed, and introduce other economies in running the business; and that by this and by putting an end to competition they could manage the business more successfully and secure better returns and larger profits. I have no doubt of that; but they were making money when operating separately and in competition.

Mr. President, in proof of that I will read another extract from the testimony of Mr. Cyrus H. McCormick, given in the case to which I have referred. He is not only the president of the two new corporations, but he was also the president of the McCormick Company before the consolidation. I read the following:

Q. What was the capitalization of the McCormick Harvesting Machine Company?—A. Three million.

Q. What had it been in the first instance?—A. Two million and a half, I should say. It was always two million and a half.

Q. It was always that?—A. Yes, sir.

Q. In 1902 it had an existence of fifty years?—A. It was organized in 1879.

Q. Before that the business had existed not as a corporation?—A. It existed in 1831, when my father started it.

Q. It had a small beginning?—A. Yes, sir; began from nothing.

Q. It increased to a corporation of two million and a half and larger assets?—A. Yes, sir.

Q. Had you paid dividends on your stock?—A. Yes, sir; every year.

Q. Increasingly large?—A. Yes, sir; I do not remember what they were. The capital increased in the business until the surplus was much larger than the capital stock.

Q. What was your surplus in 1902?—A. I do not know; I should say it was—I could not tell—it was many times, many times two and a half millions.

Q. And it was more than it was in 1901; that is, in 1902?—A. Yes, sir; it must have been more; yes, sir.

Q. And 1901 more than 1900?—A. Yes, sir; it increased each year.

I read that to show that this company, before it entered into this consolidation and became a party to this criminal organization, was paying dividends to its stockholders, and accumulating a surplus, which its president said had grown until it had become many, many times larger than the capital stock of two and a half or three million dollars. If his company was doing that, it is inconceivable that the other large competing companies were losing money or doing an unprofitable business. If the McCormick had been the only company making money, and if all the others had been losing money, do you suppose with that advantage and mastery of the trade Mr. McCormick would have gone to New York to consult Mr. Perkins and initiate a move to bring his distressed and losing competitors into an organization whereby they would share in his enormous profits? That would present an instance of commercial altruism without a parallel. But he did go to see Perkins and opened up negotiations which brought the presidents of the other great companies to New York for a like consultation with the mighty Mr. Perkins. The result was that Mr. Perkins went over to New Jersey and organized the International Harvester Company of New Jersey, and took over these great independent

establishments, paying for their properties in the stock of the New Jersey company.

Mr. OVERMAN. What Perkins is that, I will ask the Senator from Missouri?

Mr. STONE. George W. Perkins, of J. Pierpont Morgan & Co., bankers and brokers in New York.

Mr. OVERMAN. The same man who engineered the deal between the Tennessee Coal and Iron Company and the United States Steel Company?

Mr. STONE. Yes; I so understand.

Mr. President, I wish now to read a brief extract from the testimony of Edwin D. Metcalf, of Auburn, N. Y., who was formerly an officer of the D. M. Osborne Company, once large, independent manufacturers and sellers of agricultural implements, but now a part of the trust. I am reading from the testimony given by him before the Ways and Means Committee, on page 7317 of the hearings.

The CHAIRMAN. How long have you been engaged in the manufacture of these implements?

Mr. METCALF. Since 1890.

The CHAIRMAN. You were connected with D. M. Osborne & Co., of New York?

Mr. METCALF. Yes, sir.

The CHAIRMAN. At the time that you commenced your engagement with them, were they exporting to any extent?

Mr. METCALF. Our foreign sales in 1890 were about $20,000.

The CHAIRMAN. Abroad?

Mr. METCALF. Yes, sir. Our exports have risen to over $3,000,000 a year from Auburn.

The CHAIRMAN. They are $3,000,000 a year now?

Mr. METCALF. They were for that one company at Auburn.

The CHAIRMAN. What means did your company take to obtain that trade abroad?

Mr. METCALF. We formed an organization in foreign countries the same as we had in this country. We visited the countries and learned what the people wanted and how they wanted their tools made, and made them as they wished them and did not try to compel them to take a machine which was known as a "standard machine" in this country.

Mr. President, this company organized its foreign business as it organized its domestic business, and both grew enormously. Can it be imagined that this was a losing business? He must be a very credulous man who would think so. I can produce other testimony of like kind, but this is enough. I offer this to sustain my averment that there existed no sound industrial reason or excuse for organizing this combination. There was no question of self-preservation in it, for they were prosperous. The organization was made for the selfish and cold-blooded purpose of throttling competition, creating a monopoly, and extorting at pleasure from the people.

Mr. President, perhaps it would be interesting to read a page or two from this testimony to show the devious methods resorted to when this trust was formed. I will quote an extract from the testimony of Mr. McCormick—next to Perkins the best angel of the trust:

Q. Were you present in New York when you signed this agreement of the transfer of your company?—A. Yes, sir; I was.

Q. Where were you?—A. At the Manhattan Hotel.

Q. Were any other members of the companies present?—A. Yes, sir; it was signed down in town in the office of one of the lawyers.

Q. Who was that?—A. I think Mr. Cravath's office.

Q. What other representatives of what other companies were there?—A. Mr. Deering was there, Mr. Jones, Mr. Glessner, and myself.

Q. That was what date?—A. That was the date of the paper, the 28th of July; that was the date I referred to as the first time we met.

Q. Upon that date a paper similar to this was signed by each of these representatives of each of their companies?—A. I understood so; I never saw the paper.

Q. You understood so?—A. Yes, sir.

Q. That was the first time your company had agreed to go into this consolidation or whatever you please to call it?—A. That was the culmination of the conferences with Mr. Perkins. We had come to an agreement with him a day or two before.

Q. I mean the papers were signed up then?—A. Yes, sir; that is the first time we signed up the papers. That is the first time I met these gentlemen or saw them.

Q. Had you known they were in New York?—A. I had heard by hearsay one of them was there.

Q. Mr. Casson, who wrote these articles, tells a somewhat dramatic story, and that you all were placed around at different hotels and Mr. Perkins went from hotel to hotel and kept you there pending an organization and bringing you all to a common understanding.—A. That part is largely pictorial.

Q. State what element of fact there is in it.—A. I suppose, in view of subsequent matters, that they were at different hotels.

Q. You have since come to know that?—A. We did not know at that time.

Q. You have since known, from your association with these gentlemen, that they were placed around at other hotels or were at their hotel and Mr. Perkins was conferring with each of you separately?—A. Yes, sir.

Q. You say you had knowledge one of these gentlemen was there?—A. Some one told me he saw Mr. Glessner on the street. I do not remember who he was.

Q. You knew at that time that other companies were to be taken over by the International Harvester Company?—A. I inferred it very distinctly. As I said, there was nothing in our talk with Mr. Perkins that would indicate that.

Q. I asked you where you got the inference—where had you secured the inference that these other companies would become a part of the consolidation?—A. Simply our own judgment as we talked the matter over; my brothers were there with me. We inferred the matter ourselves. We had no positive information on the subject.

Q. I do not want to quibble on a matter of legal knowledge. It was your understanding when you were in New York that there was a New Jersey corporation that was to take over the five companies that did go in?—A. It was not limited to five companies. Mr. Perkins never said he would buy five companies. We imagined the New Jersey company was to be formed and it was not to buy only our company.

Q. Your imagination went to the extent that you had a pretty well settled conviction that at least these five companies would be taken over?—A. We had a conviction that some of the companies would be taken over.

Q. You imagined that these five would be in the list?—A. Naturally, these were the ones we thought about.

Q. Because they were the largest companies that had produced these conditions you thought were injurious?—A. Yes, sir; we naturally would think about those. That would occur to anybody in forming a new company.

Q. That did occur to you?—A. Yes, sir.

Q. They were the largest companies, as you stated?—A. Yes, sir; in the order stated.

Mr. President, I read that to show the secrecy and covertness with which this combination was effected. Here were the presidents of these five or six companies gathered in New York to confer with Mr. Perkins and Judge Gary, and to close a transaction in which a new corporation, with a capitalization of $120,000,000, was to be formed; in which great properties were to be transferred to and paid for in the stock of this new corporation; and these presidents, assembled for this common purpose, were kept apart and hidden from each other. They were placed at different hotels, and Perkins passed from one to another, conferring with them, so that it might be said that they did not themselves meet around a council table, discuss the business, and come to a conclusion with regard to it; but that each dealt separately with Mr. Perkins, and sold to him, without reference to anything or anybody else. But McCormick says he knew the other men were in New York and that Perkins was conferring with them, as he was with him; and he imagined—"imagined" is the word—that they would all be taken over with his company. Of course he knew all about the business and how it would eventuate. Why not? The McCormick Company was not in distress, and it did not need J. Pierpont Morgan & Co. for its separate and individual uses. It was already enormously rich and prosperous. It had a capitalization of $3,000,000, with a surplus many, many times in excess of that capitalization, and it had paid out the very year before the combination was effected enormous dividends to its stockholders. McCormick was there, and all of them were there, to organize this stupendous combination in restraint of trade. It is not difficult, therefore, to understand the reason for all this secretiveness, for all this slipping around and about in the shadow. They were engaged upon an enterprise they knew was contrary to the law of the land. The explanation is apparent.

Mr. President, on yesterday the Senator from Rhode Island said that even though it should be conceded that this corporation exists in violation of law, even though it should be conceded that the products of its factories were trust controlled, he would still oppose putting their products upon the free list, because, he said, that would result in transferring the business of manufacturing those products from this country to Canada and to Europe. I submit that that is a remarkable contention. It amounts to this—at least, so far as Congress is concerned, and amounts to nothing more or less—that when a criminal combination has been organized, and even though it stands boldly forth flaunting defiance in the face of the law and public authority, we will not legislate so as to circumscribe and lessen its power for evil by opening our doors to the world, and thus inviting outside competition after home competition has been destroyed, but that we will let it go on merrily along its lawless way for fear that we might drive that particular manufacturing business to foreign lands. To my thinking, that position is intolerable. I know the Senator may say that the way to proceed is to attack through the courts. He will say enjoin and dissolve the corporation and prosecute its officials criminally. Undoubtedly that is what the Department of Justice ought to do, but the Department of Justice seems not only to be blind, but asleep. It does not seem possible to make the department conscious of this criminal assault upon the industries of the land or to drive it into active hostility against it.

But, sir, if the Department of Justice sits with palsied hands, the Senate of the United States, at least, should assert itself. I could not pause to consider a question like this from the standpoint suggested by the Senator from Rhode Island. First of all, we should see to it that no corporation should violate the law and defy the public authority of the Nation. Such a criminal as that should be crushed at whatever cost.

But, sir, as a matter of fact, there is no danger of driving the manufacture of agricultural implements to Canada or to Europe. Let me read you something from the testimony of

high officers of this very combination, being statements made under oath. Here is what Mr. Metcalf said on the hearings before the Ways and Means Committee:

Mr. CRUMPACKER. Why did you build your Canadian plant?
Mr. METCALF. Because of the Canadian duty.

I pause to say that the Senator from Rhode Island was in error—I think it was he who made the statement; some one did, at any rate—that the International Harvester Company had more than one plant in Canada. They have but one; and when this witness was asked why they built that one, his answer was because of the Canadian duty.

Mr. CRUMPACKER. Do you manufacture any cheaper in Canada than in the United States?
Mr. METCALF. They do not.
Mr. CRUMPACKER. As cheaply?
Mr. METCALF. Comparatively.
Mr. CRUMPACKER. Can you manufacture cheaper than the English manufacturer or the German manufacturer?
Mr. METCALF. I think they can. Otherwise they could not compete with them in Germany and also in England.
Mr. CRUMPACKER. About labor; the price of labor is higher here than in England and Germany?
Mr. METCALF. Yes; it is.
Mr. CRUMPACKER. By manufacturing upon a large scale it enables you, with others, to make your products cheaper than your foreign competitor who has the cheaper labor?
Mr. METCALF. We have improved methods in this country in almost every industry, which help our industries.

Mr. C. S. Funk, general manager of the International Harvester Company, testified before the commissioner appointed by the supreme court of Missouri to take testimony in the case pending there, and in answering a question as to the cost of production he said:

Q. The material is more than the labor?—A. The material is more than the labor.

The chief cost, therefore, is in material, not in labor. And so it would seem from this testimony that agricultural implements are not produced in Canada any cheaper than here, if as cheaply; and Mr. Metcalf says that the cost of production here is not any greater, but, in his judgment, less than the cost of production in England or Germany. Here is a man who for many years has been associated with this business, first as an officer of the D. M. Osborne Company before it was absorbed by the trust and since then employed by the trust itself. He was largely instrumental in working up a considerable trade for his old company in Europe, a trade that grew in a few years from $20,000 a year to over $3,000,000, and who is familiar with conditions both here and there, and he states under oath that the cost of manufacture is not greater in America than in England or Germany.

But that is not all. I wish to call attention to another interesting fact. I quote again from McCormick's deposition:

Q. Well, has the International of New Jersey, directly or indirectly, or the stockholders of that company any connection or interest in the Wisconsin Steel Company?—A. It has; the Wisconsin Steel Company owns the ore mines and coal properties and steel mills of the International of New Jersey.
Q. And the International of New Jersey owns the controlling stock of the Wisconsin Steel Company?—A. All the stock.
Q. The same thing is true of the Wisconsin Lumber Company; the International Harvester Company owns the land?—A. Yes, sir.
Q. And the South Chicago Furnace Company, is that a separate company?—A. There is no such company now, because the Wisconsin Steel Company bought the plant and everything belonging to the South Chicago Furnace Company; that was the former name under which the steel plant operated at Chicago.
Q. How did the International take over the Illinois Northern Railway Company?—A. That was turned over by the McCormick Harvesting Machine Company. It was owned by the McCormick Harvesting Machine Company.

And so we find that this great combination owns large areas of timber, owns coal mines, and iron mines, and railroads and everything necessary for the successful and economical administrations of its business; and these represent vast investments that can not be transported to Canada or to Europe. Now, Mr. President, in the face of all this, why would these people close their factories in America, where they monopolize the greatest market in the world, and flee to Canada or to Europe if we should put their products on the free list? Do you suppose they would abandon this market? And could they not supply it far more conveniently and economically from factories here than from factories in Europe, especially as the cost of production is about equal in the two countries? If they should run away and spend millions in building new factories abroad, what would become of the millions invested in factories here? Would they go away in a spirit of spite and abandon their factories, forests, mines, and railroads in America? It is positively ludicrous to think of it.

Mr. President, I turn now to show that the retail prices of farm machinery have increased since the organization of this New Jersey trust. I have already read the testimony of Senator Hansbrough and other testimony upon that point, but I will offer something in addition.

Referring again to the deposition of Cyrus H. McCormick, I find that the harvester business of the trust amounted to $42,000,000 in 1906 and $46,000,000 in 1907. And I find that near the close of 1907 an average advance of 5 per cent was made on the then prevailing prices on all descriptions of agricultural machinery, the advance to become operative in January, 1908. This advance was intended to be a 5 per cent advance on the total sales then being made. Based on the sales of $46,000,000 in 1907, the advance would aggregate approximately two and one-half million dollars. Some classes of machinery were advanced more than others, but it was intended to make the total advance average about 5 per cent of the total sales. It appears, for example, in this deposition that a 6-foot binder was advanced from $95 to $107.50. These were advances, so Mr. McCormick said, made by his manufacturing concern to local retail dealers. What advance the local dealer made to the farmer who purchased for use and consumption I am not prepared to say; but it is safe to assume that the local dealer was not slow in taking care of his own profits.

Mr. President, this arbitrary enhancement by the trust of the selling price of their productions was not demanded on any ground of necessity or fair dealing. From the deposition of Vice-President William H. Jones, to which I have already referred, I read the following:

Q. Was it in 1907 you made a horizontal increase in the price of your output?—A. In 1908.
Q. Although during 1907 you made $8,000,000?—Yes, sir. I suppose.

And so we have this case, that this New Jersey combine was organized on a capitalization far in excess of the value of the assets turned over to it—a capitalization wherein perhaps one-half was represented by water—and this concern, organized in this way, cleared $8,000,000 in 1907; and, not being statisfied with that, an arbitrary advance in prices was made which would add another two and a half million to its profits.

Mr. President, I will rest this issue at this point. I think I have shown beyond reasonable controversy that this trust is a monopoly, and that its prices are extortionate.

Mr. President, I wish now to show our protection Republican friends that a duty on imported agricultural machinery is not necessary to protect the American manufacturer. I hold in my hand some official statistics taken from a volume issued by the Department of Commerce and Labor in 1908, entitled, "Commerce and Navigation." These statistics show that the American manufacturers of agricultural implements of all kinds in 1907 exported and sold in foreign countries $26,937,000 of their productions. These statistics cover different years and show that there has been a steady increase in exports of these manufactures. On the other hand, the imports of this class of manufactures have been nominal. In 1907, when imports reached the highest point, the value of the imports was only $23,643. The excess of exports over imports for that year was $26,913,000.

Mr. BACON. Mr. President, I will ask leave to give to the Senator, to be inserted right in that connection, a statement of the product of the manufacturers of agricultural implements. In 1905—this being the last statement made in the official publication of statistics—the annual product was $112,007,428. It is interesting to have that figure placed in juxtaposition with the figures which the Senator has just given as to imports and exports. They are taken from the Statistical Abstract.

Mr. STONE. I am gratified to have the Senator put that in. But in addition to these official statistics, which alone show there is no necessity for a protective tariff on agricultural implements, I wish now to offer some additional proof to the same effect. I desire to read from statements made by manufacturers of this machinery when they were heard before the House Ways and Means Committee at the time that body had this measure under consideration. Some of these witnesses are connected with the trust, and some are associated with smaller concerns not yet bodily taken over into the combine, although there can be no doubt that the prices they fix on their manufactures are practically dictated by the trust.

I read, first, an extract from a brief filed by Hugh R. Griffin, of the Johnston Harvester Company, as follows:

Our industry needs little or no protection. * * * To get we must give; for France is alive to her interest. Our industries require the open door, or the door ajar, at least, and we can not afford to see the gates locked in our face without the strongest effort to protect and retain what American inventive genius created. American industry established, and the eternal watchfulness of American citizens abroad, who have opened the remotest countries for our production, have fought for and are striving to conserve.

I read now from a written statement made by S. S. Strattan, jr., secretary of Gaar, Scott & Co., of Richmond, Ind., as follows:

It is also true that as a general thing foreign agricultural implements and machinery are inferior to those produced in this country, and in many lines this exists to such an extent that the American farmer would not have the foreign product regardless of price. The

difference in wages of this country and Canada in our line is not very great, and we have no objection whatever to the tariff on thrashing machinery from that country being reduced to the same amount that the Canadian government puts on our machinery or even to a lower point. In fact, we think the duty should be reduced at least one-half, regardless of what the Canadian government may do, and taken off entirely if they will do the same.

I read now from the testimony given by Edwin D. Metcalf, an officer of the International Harvester Company, as follows:

Q. You recommend an abolition of the duty on farm implements, do you not?—A. I do.

Q. What for?—A. So as to open the markets of all nations on an equal basis, so as to increase our foreign business.

Q. That we have but one tariff for foreign manufacturers and treat them all alike, and you think that if we would abolish that tariff we can get better trade conditions in foreign countries?—A. With the proviso which I recommend, which is very important to the smaller manufacturer.

Q. That is, the retaliatory provision?—A. If we do not get the same treatment they give favored nations, then they shall pay the 20 per cent tariff.

Q. Would it be any inducement to the foreign manufacturer of foreign implements to open a market here for him when he can not compete successfully with you in his own market?—A. There are some nations that would probably send some goods to this country.

Mr. President, could a better case be made out to show the utter uselessness of this tariff? According to these manufacturers, whether they be of the trust or outside the trust, this tariff is unnecessary for their protection. Like the shoe manufacturers of America, they are prepared to go forth into the world and dominate the markets of the world. But I want the tariff off for another reason. It is all right for these manufacturers to go out into the world beyond our boundaries and seek foreign markets, but I want our own doors wide open, to the end that foreign manufacturers of this machinery may come here also and to that extent put a check upon extortions practiced by domestic manufacturers on American consumers. The harvester trust has one plant in Canada, but there are numerous other plants, owned by Canadians, engaged in making the best and most modern types of agricultural machinery. Open our vast market to those manufacturers, and they will come in here and compete for the trade of our farmers. I do not care whether these American manufacturers think they need a protective tariff or not. Considering the fact that this great business is controlled by a stupendous monopoly, which exists in open defiance of law and to the detriment of the public welfare, I think the products of their mills should be put on the free list, and this should be done without reference to their wishes in the premises.

Mr. DOLLIVER. Mr. President——

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Iowa?

Mr. STONE. I do.

Mr. DOLLIVER. The Senator spoke of a certain lawsuit in Missouri, and gave extracts from the testimony therein taken. What was the character of the suit, and how did it result?

Mr. STONE. I have given an epitome of the history of the trust and of the suit the Senator inquires about, but evidently the Senator was not in the Chamber and did not hear what I said. I will repeat briefly what I said. The International Harvester Company of New Jersey was organized in 1902. It took over and absorbed five or six of the leading companies manufacturing farm machinery, and whose aggregate business amounted to about 80 per cent of the total business of the country. Other smaller concerns have since been added to the combination. A little later on a corporation known as the "International Harvester Company of America" was organized in Wisconsin by the people who owned and controlled the New Jersey concern. The two corporations are owned and managed by the same people. The New Jersey concern manufactures, but does not sell its products to the public. The Wisconsin concern is the selling agent of the New Jersey concern. Now, the suit brought in Missouri was instituted by the State on the relation of the attorney-general before the supreme court, and it is alleged in the petition that this combination exists and is doing business in violation of the laws of the State, and the prayer of the petition is that these corporations be ousted from the right to do business in that Commonwealth. Similar suits were brought in Kansas and Arkansas. The commissioner appointed by the supreme court of Kansas to take testimony has reported to the court, and he finds that this harvester company is a trust and a monopoly, doing business in violation of the laws of that State. In Arkansas the case has been finally concluded, and a judgment of ouster rendered. In the Missouri case the testimony on the part of the State has just been completed. The case, of course, is still pending. A good part of what I have read to the Senate is from depositions taken by the attorney-general of Missouri in the case pending in that State. I hope this will give the Senator a fair insight into the matter about which he inquired.

Mr. President, much more might be said, but I will not pursue the subject further. This much only will I add. I will cheerfully vote for the amendment proposed by the Senator from Georgia [Mr. BACON], although not quite in the form I would prefer to have it. His amendment puts agricultural machinery on the free list, but with a proviso that if any foreign country imposes a tariff duty on American-made agricultural machinery when it is introduced into that country, then and in that case a tariff shall be levied here upon importations of like machinery from that country into this. I would prefer the amendment should provide that a tariff should be levied here upon imports into this country only when the imports come from a country which imposes a discriminating duty against the manufactures of the United States. I would incorporate in the proviso of his amendment a provision to this effect: That when any foreign country imposed a discriminating duty against American exports into that country, then a tariff should be levied here on importations from that country. A discriminating duty is now imposed on American manufactures of this kind in France, and possibly in other countries. Referring to the House Hearings, page 7312, I find that Mr. Griffin, of the Johnston Harvester Company, made this statement:

At present in France all American and Canadian makers of agricultural machinery pay a duty of 15 francs per 100 kilos. England, Germany, and Sweden all sell their machinery in France, but pay two-fifths less duty because they enjoy the minimum tariff rate of 9 francs per 100 kilos.

In other words, England, Germany, and Sweden are allowed the minimum rate provided for in the French law, while the maximum rate is assessed against American manufactures of farm machinery. I do not like that. The fact that American manufacturers take their goods into France despite this discrimination and there successfully compete with the manufacturers of surrounding nations is a strong proof that they do not need a protective tariff to shield them against foreign competition at home. There is no necessity for a countervailing or retaliatory provision in our law. Nevertheless, I resent this discrimination of the French Government against American products. I would frame the proviso therefore on the line suggested, not because of any industrial or commercial necessity, but as a demand that we be treated in all respects upon terms of equality with other nations. However, I will not offer any amendment to the amendment, but will content myself with allowing the proposition to go to a vote in the form in which it has been presented by the Senator from Georgia.

Mr. President, I apologize to the Senate for having occupied so much time. I know all Senators are anxious to hurry this bill along to a conclusion and are impatient of delay. Still I have felt that what I have said ought to be said in the public interest and out of the hope that it might aid in winning votes to the amendment offered by the Senator from Georgia.

Mr. DAVIS. Mr. President, I observe before beginning that most of the seats of the Republican Members of the Senate are vacant. I suspect before I shall have finally concluded some of them at least will be occupied.

Mr. HALE. Mr. President——

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

Mr. DAVIS. Certainly.

Mr. HALE. I do not want to interfere with the Senator's plans, but the committee has felt that, if practicable, it would be desirable to finish the schedules to-day. Of course, if much time is taken by Senators in addressing the Senate it makes that less likely to take place. I only rose, as I said, without desiring to interfere with the Senator's plans, to ask him whether it would be as convenient for him to let the consideration of the remaining schedules—there are only a few—go on to-day and perhaps defer his remarks until Monday.

I do not mean by that to attempt to interfere at all with the Senator, but if he could do that, I think we probably would to-day dispose of most of the schedules. Of course, that must rest in the discretion of the Senator.

Mr. DAVIS. Has the Senator concluded?

Mr. HALE. Yes.

Mr. DAVIS. I should like very much to accede to the wishes of the committee, but I prefer to make my remarks at this time.

The VICE-PRESIDENT. The Senator from Arkansas will proceed.

Mr. DAVIS. Mr. President, I shall not discuss particularly the amendment under consideration, but, availing myself of the latitude permitted in debate upon this floor, I shall submit a few general observations on some features of the bill now under consideration.

It had been my intention, sir, for reasons well known to the Senate, to content myself with merely casting my vote as seemed

best according to the dictates of my conscience and under my obligations as a Senator, but the more I think of the outrageous iniquities embraced in this bill, and because of certain statements which have been made upon this floor, I can not content myself, Mr. President, in merely casting my vote, but shall attempt in a very brief way to point out and call attention to some of the outrages perpetrated upon the American poeple by this bill.

I shall preface my remarks with the statement and discussion of a few fundamental principles underlying this whole matter that are as old, perhaps, as the subject-matter under consideration, and that are well known to each Senator upon this floor.

It has come to be generally understood now by all men who have sufficient intelligence to discuss this subject that the tariff is a tax, and that this tax is paid by the consumer of the article which the tariff seeks to protect. It is also well understood and generally accepted to be true that the higher the tariff, the heavier the tax. If this were not true, Mr. President, and if the import duties laid by the Government upon foreign products did not permit the home manufacturer to charge a higher price for the products of our own country, I would feel but little interest in the tariff and the extent to which it might be levied.

In former times I have heard it contended by protectionists of some intelligence that the tariff was simply a duty laid by the Government upon foreign commodities, by means of which the Government derived her revenue for governmental expenses, and that this tax was not paid to any extent by the consumer of domestic products and did not permit the home manufacturer to increase the price of his commodity; but this contention, Mr. President, has long been exploded, and is not contended for by the advocates of this bill.

The original idea, Mr. President, as I understand it, in the levying and collecting of customs duties under the tariff system, was to place the tariff so reasonable as to stimulate imports, thereby enlarging the revenue to the point that the expenses of the Government might be paid largely in this way; but, sir, a new school of political economy is present in the land to-day, and we are told boldly by the advocates of this bill upon the floor of the Senate that the chief consideration of its promoters is not to collect a revenue for governmental expenses, but to permit the home manufacturer to reap greater profits upon the commodities manufactured by him. We are told in the selfsame breath that the collection of revenue to the Government is of minor importance; that the principal object and ultimate purpose of this bill is to make the rich richer and the poor poorer. Sir, this, in my judgment, is a willful and deliberate prostitution of the taxing power of the Government in the interest of a select few, and so great has been the solicitude of Senators in this Chamber for the protected industries of the country, and so high has been the tax laid, that the import duties collected by the Government have not been sufficient, together with the internal revenue and other taxes, to meet its current expenses; and the Republicans of this body, headed by the President of the United States, are driven in their pitiful extremity to the Democratic household for relief, and to the adoption of Democratic principles to sustain the Government in this time of profound peace.

Mr. President, I shall not consume the time of the Senate with any historical discussions of the tariff, but shall content myself, sir, with the broad definition, laid down by myself, that the tariff is a tax paid by the consumer of the article upon which it is laid; and this tax has grown so heavy and burdensome, Mr. President, by steps of gradual progression since the Republican party came into power, that the people of this Government, in all parts of its great Union, and of whatever political belief or faith, have grown to understand this great question, at least to the extent of recognizing the justice of the definition I have given, and to know that they, who consume the products, are paying the tax; and in recent years so great have become the discontent and the murmurings of the people on account of the great burdens thus imposed upon them, and that their brethren more fortunate are reaping greater rewards, that they have constantly demanded of the dominant party in power that they be partially relieved of these burdens; that the tax be lowered; that the profits of manufacturers be lessened, and the cost of living to the great American consumer be cheapened; that the burden of taxation be lowered upon the necessities of life and raised, if necessary, upon its luxuries; that the dinner pail of the laborer might be filled with better and more wholesome food; and that the household of the common people might be blessed with more of the daily comforts of life.

Procrastination and delay, sir, has been the watchword of the Republican party in this Nation, until they saw defeat staring them in the face in the good year of 1908. Then it was that, in convention assembled in the city of Chicago, they solemnly promised the American people that the tax rate would be lowered; that the burden of the American wage-earner, laborer, and consumer would be lightened; that there would be a revision of the tariff. Ah, Mr. President, I am not willing to accept the definition of that term, "revision of the tariff," as expounded to us by the supporters of this measure. What they term a "revision of the tariff" for the American people, means a revision upward instead of downward.

If the dominant party, Mr. President, had possessed the courage and patriotism and the manhood to have stated boldly and plainly in their platform declarations of 1908 that they intended to increase rather than to lower the tariff rates, the places that know them to-day would have known them no longer forever, and they would have been a hiss and a by-word in their land; their destruction would have been inevitable. But, sir, by artifice and cunning and by platform jugglery they led the American people to believe that they intended to do just what they did not intend to do—lighten the burden of taxation upon the consumer. They dared not disclose their real purpose. They dared not let it be known that they intended to make the possibilities of the American protected industries yet greater, and to still swell their already colossal fortunes, and to take from the poor man the last vestige of hope and from their helpless families their means of sustenance.

But, sir, the American people are awakening to-day to the full realization of the fact that they have been tricked and cheated of their birthright, and that the promises of the Republican party of this country are but as broken reeds and smoking flax; and to-day, sir, they are turning their faces in hopefulness and glad acclaim to the great Middle West, where a small cloud has arisen, not larger than a man's hand, but which is gathering in strength and volume, led on by the insurgent forces of the Republican party in this body, that assures, sir, the downfall and destruction of the Bourbon element, that old dominant party planted by Hamilton, in which there yet reposes the spirit of kings and the belief that one crowd was created to be ridden, booted, and spurred by their masters, and that when they call for bread they should be given a stone, and when their children cry for a fish they should be given a serpent. These insurgents, sir, catching the spirit of freedom and independence, catching the spirit of Democracy, and catching the spirit of the eternal brotherhood of man, have before them great possibilities, and in their ultimate success and helpfulness to the people depends much for the future happiness of this Republic.

I do not say this, Mr. President, because I approve of Republicanism in any form, whether insurgent or Bourbon, but I realize that if any relief shall come to the people of this country this old spirit of the kings must be stamped out and the old Republican idea of protection must be uprooted. I hail with delight, sir, any evidence of the breaking away from old-time Republicanism and the turning to the true principles of government, even though remotely advocated, of Thomas Jefferson and his followers, which have been the mainstay, the security, and blessing to this Republic.

Now, Mr. President, has the ultra wing of the Republican party, headed in this body by the senior Senator from Rhode Island, been true to the American people? Have they kept their promises, if not made in so many words, yet accepted and understood by all men, that they would lighten the burden of taxation, and that the tariff would be revised downward, and not upward?

It would not be possible, sir, in the time I shall take, to enter into an analytical discussion of this bill, but it is not contended, Mr. President, even by its authors, that it is a revision downward, but it is admitted on all hands that, upon the general averages of the entire bill, it is an increase rather than a decrease. Why was there such an insistent demand by the American people that the tariff be revised if they did not mean it was to be revised downward? Is there any so foolish to think for a moment that the American people would ask that their taxes be yet greater; that their burdens be made heavier; and the possibilities of the manufacturers be augmented? Sir, the very statement of the proposition is its own refutation, and the man who would contend for it upon the floor of this Senate would be held up to ridicule and execration by the American public.

All people want the tax lowered, and the Republican party, knowing this desire, whether by trickery or otherwise, led them to believe that their demands would be acceded to, that their supplications would be heard, and were the beneficiary of such

belief in the election of 1908. That they have proven false to the people is evidenced by every line of this bill; and, sir, with brazen effrontery, the Finance Committee of the Senate tell us in no uncertain words that it is the object of this bill to give to a select class in this Government yet greater privileges, to build yet higher and stronger the wall of protection, that the American industries may prosper and grow rich at the expense of the consumer in this great Republic; that its object is not primarily to raise revenue.

Why is this true, Mr. President? Why do the Republican leaders on this floor no longer conceal their real purpose? Why do they exhibit their mailed hand and cloven hoof in this transaction? Sir, they are drunk upon power, upon temporary glory, upon passing success. They feel that these protected industries, whose "slush fund" and whose "blood money" has kept them in power for the last quarter of a century, possess now such omnipotent power that their hold upon the throats of the people can not be loosened, and their power to further rob them can not be destroyed.

Sir, there are many strange things and peculiar conditions that have been evolved by a discussion of this measure. First of all, this bill is virtually the product of one man, the senior Senator from Rhode Island, a little State scarcely larger than one of the counties in the Empire State of Texas; and he, Mr. President, was selected, it has been charged and not denied, as a Member of this body by a legislature chosen by 11 per cent of the votes of Rhode Island. So it is, sir, that this bill to-day, with all of its iniquity and all of its enormous burdens, is imposed upon the American people by the representative of the will of 11 per cent of the people of the little State of Rhode Island.

Ah, sir, members of the Finance Committee may proclaim until their hair grows white with remonstrance that this statement is not true, but, sir, we see daily and hourly a demonstration of its truthfulness upon the floor of this Senate. Members of that committee accede to the dictates of the chairman of this committee to such an extent that it is patent to all. Why, sir, the Senator from Utah [Mr. SMOOT] has so long been under the influence of this environment that he has copied the mannerisms, the mode of speech, and the other senatorial paraphernalia of the senior Senator from Rhode Island.

Sir, I listened with astonishment only a few days ago when the Senate was considering the duty upon glass that the Senator from West Virginia [Mr. SCOTT] pleaded, I will not say abjectly, but pleaded, sir, with the senior Senator from Rhode Island for the permission to be allowed to offer an amendment to the pending schedule. He was nodded down with the tactics of a schoolmaster, and to such an extent, sir, that it called forth an impassioned resentment from the Senator from Idaho [Mr. HEYBURN], who served public notice upon the chairman of the Finance Committee, the senior Senator from Rhode Island, that no such schoolmaster tactics would be tolerated by him.

Mr. PERKINS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Arkansas yield to the Senator from California?

Mr. DAVIS. Certainly.

Mr. PERKINS. I should like to inquire of the Senator from Arkansas if this bill did not originate in the House of Representatives, and if it was not passed there by a majority of that body?

Mr. DAVIS. Yes, sir; but it has been truly stated by the metropolitan press of the day that all the PAYNE has been extracted from the bill and the ALDRICH injected into it.

Mr. PERKINS. Does it not require a majority vote of the Senate to amend the bill?

Mr. DAVIS. The very point of which I complain is that the superabundant effulgence of the mighty intellect of the senior Senator from Rhode Island is so great that the majority upon the Republican side, catching its scintillations, fall in abject reverence before the mighty senior Senator from Rhode Island, and a majority vote is forthcoming.

Ah, sir, I speak from the record. I do not violate parliamentary usage and custom when I confine myself to facts, as disclosed by the records of this body, and it demonstrates conclusively to my mind that this bill is the result of the dominating influence of the senior Senator from Rhode Island.

In the ranks of Republican Bourbonism a new situation has developed, Mr. President, that was never heard of before in this Government, that was never attempted by the dominant party in the history of this Nation. Search the records, sir. I defy Democrat or Republican to produce for it a precedent. The Democratic minority upon the Finance Committee have absolutely been excluded from a participation in the framing of this bill. They have been politely and courteously advised, if not directly, they have indirectly, that their presence at the sittings of that committee are not necessary. They have not been permitted to be present at the submission of any amendment offered by the majority. Neither have they been allowed to offer any suggestions themselves or to report to this Senate a minority finding.

And, sir, upon each morning, as the Senator from Rhode Island submitted amendments by the committee, almost invariably he announced that it was the unanimous report of the committee, and each time it became necessary or was thought proper for the senior Senator from Mississippi [Mr. MONEY] to rise in his place and state to the Senate that the statement of the Senator from Rhode Island applied only to the majority of the committee and did not embrace the will of the minority.

I grant you, sir, that it is entirely proper that the majority should frame this tariff bill. Sir, upon their shoulders I want it understood that the burden of these iniquities rest; but decency and the proper regard for the minority on this committee should at least suggest, sir, that they be allowed the privileges accorded to the meanest criminal in the land, the right to be heard, the right of protest, and the right of appeal, and the right to have submitted to the entire Senate the wishes of the minority. But, sir, so arrogant has grown this old Bourbon crowd of Republicanism that they absolutely trample under foot courtesy and the ordinary amenities and civilities that should be accorded to a helpless minority.

Shall the Democrats of this body bear one iota of the responsibility of this iniquitous measure? Sir, I say no. It rests not upon the Republicans as a whole, not upon the Finance Committee as such, but the responsibility rests solely and alone upon the senior Senator from the little State of Rhode Island.

This, Mr. President, has grown to such an extent that the minority here on this side of the Chamber felt called upon to hold a caucus, and I violate no party secret or no secret of my colleagues when I say that in that caucus a solemn protest of the minority was registered against this unheard-of conduct of the majority of the committee; and that protest, framed in the shape of a resolution, was intrusted to the senior Senator from Virginia [Mr. DANIEL], who, no doubt, will explain and introduce it at his own proper convenience.

Sir, it had never been heard of before in the Senate. Can any Senator point me to a precedent where the minority were not permitted to be present in committee to vote on an amendment? Can any Senator point me to a precedent where a minority were not allowed to offer their views as a minority upon any proposition and present it before the Senate? The senior Senator from Rhode Island said, "Nay, nay, Pauline," and so it was done.

I have never yet known, Mr. President, neither can any Senator cite me to a precedent, where the minority upon any committee were not permitted to be present at the hearing of amendments proposed, and to vote upon the same, and were not permitted to offer their views for the views of the majority. This, sir, may be said to be a trivial matter by the friends of this majority, but to my mind it is of the greatest moment. It shows, sir, the utter disregard and the haughty indifference to the will of the few as against the will of the many. It absolutely inaugurates a precedent in this deliberative body that, in my judgment, will arise in the years to come to fret you; marks the beginning of that intolerance and disrespectful regard to the will of the minority that may reach to the point of stifling their voice upon the floor of this body.

But, sir, let us turn to the questions at issue. If the tax upon the common people has been increased, and the opportunities of the protected classes have been enlarged, then, sir, proportionately has the power for evil been increased, and the resistive forces of the masses have been correspondingly diminished. This protective system, sir, has built up for its beneficiaries such colossal fortunes that they are no longer content with the mere robbing of the masses, but they have turned upon the lesser of their own class, and by great combinations of wealth and capital great corporations have been formed for the sole purpose of controlling the entire output of a given article and controlling the markets of the world, squeezing out its smaller competitors, forcing them to the wall, thereby acquiring to the large corporations a complete monopoly of the entire industry.

This mode of procedure, sir, has been known at all times, from the common law in England down to this good moment, as a trust, and has been held criminal by the courts of final resort throughout the length and breadth of the land. It can no longer be denied, Mr. President, that the protective tariff, and

the protective tariff alone, is responsible for these gigantic trusts, for these corporations without a soul to damn, a body to punish—mere creatures; entities of the law—for their crushing and blighting influence upon the trade and consumers of our land.

It is not my purpose, sir, in this discussion to invade the field of the trust question at length; but, in a speech which I had the honor to deliver on this floor upon the 11th day of December, 1907, I attempted to show the evil features and disastrous consequences of this offspring of tariff protection, and there gave a list of the combinations protected by this bill, who are to-day shutting out competition, stifling their competitors, and seeking to dominate the commerce of the land.

In that speech, sir, I showed from the testimony taken before the Industrial Commission, appointed by Congress for the purpose of investigating the subject of trusts and their formations, that Mr. Havemeyer, the great sugar king, in his testimony, said that the tariff was the immediate and prime cause of the formation of the trusts. Mr. Gates, the great wire king, said the tariff protection was responsible for the trust in which he was interested, and that their object in the formation of the trust under the protective wing of the tariff was that they might become wire kings of the world, and so it is shown by the testimony of all of the witnesses summed up by that commission that more than 500 industrial trusts that flourish to-day are the direct and proximate result of the protective system, and so alarming has this condition become, Mr. President, that the late President of the United States, Mr. Roosevelt, in a special message to Congress, called attention to the necessity of national legislation along this line, and every State in this Union, where the will of the people is regarded, have set themselves to the task of destroying and uprooting this gigantic evil. It is said, sir, by naturalists, that fish never die a natural death; that they are destroyed by artificial causes, and in most part are eaten by the larger fish. So these giant monopolies, these great aggregations of wealth, are to-day engaged in the task of swallowing up and destroying their smaller competitors, that they may live undisputed masters of the land.

If these great concerns, Mr. President, could pilfer and destroy under former tariff laws, how much more their power is augmented by an increase of their opportunities, as is developed in the present tariff bill. I have stated upon the floor of this Senate upon a former occasion that if the common people were compelled to pay directly taxes for the support of the Government of the United States, in its present profligate waste and extravagance, just as they pay their state and county taxes, this Republic would not last twenty-four hours.

I would not be understood, Mr. President, as advocating the discontinuance of the custom-houses and the entire abolition of custom-house duties. I adhere to, and give willing assent to, the Democratic doctrine that a tariff may be properly levied for revenue only; and the very minute, sir, that it crosses the line and gives to the eastern manufacturer and the western sheep grower or any other industry of this land protection to their business, then, sir, it is money wrongfully taken from the pockets of the consumer and added to the profits of the beneficiary.

Just what is a revenue tax and what is a tax for protection has long been a mooted question; but that question, Mr. President, has been put at rest in this bill by the very words of its promoters, when they proclaim to the American people that the true object of the bill is not to raise revenue, but to afford protection. So, sir, in this discussion we do not have to split hairs as to what is a revenue tax and what is a protection tax.

Ah, Mr. President, the framer of this bill might, to an extent, be excused if he had even kept the promises of the Republican party to the poor people of the land, to the middle classes, if you please, to the consumers of this Republic, who eat their bread, as God commanded, in the sweat of their faces. If he, in the formation of this bill, had reduced the tax on the necessities of life and had raised it upon the luxuries, so as to have equalized the burdens, required the man who coveted the better things of life to pay the burden, then, I say, he might, in some measure, be forgiven; but I submit here a table, prepared by the experts of the Committee on Finance—and that is just as close as any Democrat has ever been able to get to that committee, to get hold of a couple of their experts—showing the articles of everyday necessities under the Dingley bill and the rate of taxation, and on the same class and quantity of articles, under the present bill.

So, Mr. President, in many instances, upon those articles of daily necessity and comfort to the laboring man of this Republic, the tax has been gradually increased, while upon the whole, sir, it has not been decreased, and I submit this table for the consideration of the Senate, and ask that it be printed with my remarks as a part thereof, without the necessity of reading.

The VICE-PRESIDENT. In the absence of objection, permission is granted.

The table referred to is as follows:

Farmers' supplies—Approximate tariff duties on $1,525 worth of articles under the present law and the amount of duties under the proposed law.

Description of article and price.	Amount purchased.	Retail price.	Rate of duty under present law.	Amount of duty under present law.	Rate of duty under proposed law.	Amount of duty under proposed law.
Meat:						
500 pounds bacon, at 10 cents per pound	$100.00	$50.00	5 cents per pound	$25.00	5 cents per pound	$25.00
357 pounds ham, at 14 cents per pound		50.00	do	18.75	do	18.75
Flour, 10 barrels, at $5 per barrel	50.00	50.00	25 per cent	12.50	25 per cent	12.50
Coffee, 250 pounds, at 10 cents per pound	25.00	25.00	Free		5 cents per pound	a 12.50
Tea, 25 pounds, at 20 cents per pound	5.00	5.00	do		10 cents per pound	a 2.50
Corn meal, 1,666 pounds, at 1½ cents per pound	25.00	25.00	20 cents per bushel (48 pounds)	6.94	40 cents per 100 pounds	
Soda, 100 pounds saleratus, at 5 cents per pound	5.00	5.00	¾ cent per pound	.75	⅝ cent per pound	.62
Salt, 10 barrels, at $1 per barrel	10.00	10.00	12 cents per 100 pounds	3.40	12 cents per 100 pounds	3.40
Lard, 416.8 pounds, at 12 cents per pound	50.00	50.00	2 cents per pound	8.34	2 cents per pound	8.34
Sugar, 1,000 pounds, at 5 cents per pound	50.00	50.00	1.95 cents per pound	19.50	1.9 cents per pound	19.00
Molasses, 25 gallons, at 40 cents per gallon	10.00	10.00	6 cents per gallon	1.50	6 cents per gallon	1.50
Cotton goods of all kinds for clothing:						
31¼ yards fine unbleached cloth, at 40 cents per yard.	100.00	12.50	1½ cents plus 2 cents per yard	1.10	8 cents plus 2 cents per yard	3.14
200 yards sheeting, unbleached, at 22 cents per yard, 2¼ yards wide.		44.00	25 per cent	8.00	4⅝ cents per square yard	12.12
100 yards cloth, bleached, at 10 cents per yard		10.00	2½ cents per square yard	2.50	3 cents per square yard	3.00
100 yards calico, dyed, at 13 cents per yard		13.00	30 per cent	3.90	8 cents per square yard	8.00
50 yards cloth, gingham, at 15 cents per yard		7.50	40 per cent	3.00	do	4.00
50 yards cloth, checks, at 13 cents per yard		6.50	30 per cent	1.95	do	4.00
2 dozen pairs stockings, at $1.75 per dozen		3.50	70 cents per dozen and 15 per cent	1.93	70 cents per dozen and 15 per cent	1.93
2 dozen pairs stockings, at $1.50 per dozen		3.00	60 cents per dozen and 15 per cent	1.65	60 cents per dozen and 15 per cent	1.65
Wool clothing:						
2 suits men's clothes, at $15 per suit	200.00	30.00	44 cents per pound and 60 per cent	13.60	44 cents per pound and 60 per cent	13.60
6 suits boys' clothes, at $6 per suit		36.00	do	16.00	do	16.00
50 yards worsted, at 40 cents per yard		20.00	11 cents per square yard and 55 per cent.	12.10	11 cents per square yard and 55 per cent.	12.10
50 yards flannel, at 35 cents per yard		17.50	11 cents per square yard and 50 per cent.	10.50	11 cents per square yard and 50 per cent.	10.50
100 yards dress goods, part wool, at 30 cents per yard.		30.00	8 cents per yard and 50 per cent	15.50	8 cents per yard and 50 per cent	15.50
1 man's overcoat		16.00	44 cents per pound and 60 per cent	32.00	44 cents per pound and 60 per cent	32.00
3 boys' overcoats		18.00				
1 woman's cloak		16.50				
4 girls' jackets		16.00				
Hats and caps, men's and boys' hats, ladies' and girls':						
2 men's wool hats	25.00	3.00	do	4.76	do	4.76
3 boys' wool hats		3.00				
3 boys' wool caps		1.50				
2 ladies' hats, trimmed		6.00	50 per cent	4.37	50 per cent	4.37
8 girls' hats, trimmed		11.50				

a Taxed in section 2 under the maximum rates to go into effect after March 31, 1910.

Farmers' supplies—Approximate tariff duties on $1,525 worth of articles under the present law and the amount of duties under the proposed law— Continued.

Description of article and price.	Amount purchased.	Retail price.	Rate of duty under present law.	Amount of duty under present law.	Rate of duty under proposed law.	Amount of duty under proposed law.
Blankets and bed linen:						
1 pair wool blankets, extra length	$20.00	$4.00	33 cents per pound and 50 per cent	$2.47	33 cents per pound and 50 per cent	$2.47
3 pair wool blankets		6.00	22 cents per pound and 30 per cent	2.68	22 cents per pound and 30 per cent	2.68
1 pair single blankets		1.50	do	.67	do	.67
50 yards unbleached sheeting, at 17 cents per yard.		8.50	2½ cents per square yard	2.50	3 cents per square yard	3.00
Mattresses, cotton ticking, filled with vegetable substances:						
4 double mattresses	23.00	20.00	45 per cent	6.30	45 per cent	6.30
1 single mattress		3.00	do	.90	do	.90
China dishes, etc.:						
Set dinner china, with colored edge	25.00	15.00	60 per cent	6.00	60 per cent	6.00
White china		6.00	55 per cent	2.20	55 per cent	2.20
Earthenware, yellow and brown		4.00	25 per cent	.50	25 per cent	.50
Furniture	100.00	100.00	35 per cent	21.00	35 per cent	21.00
Stoves and cutlery:						
1 kitchen stove	60.00	35.00	45 per cent	9.00	45 per cent	9.00
1 heating stove		20.00	do	5.40	do	5.40
Knives and forks, spoons—Carving knife, butcher knives, etc.		5.00	do	1.35	do	1.35
Carpet, 30 yards, 2-ply ingrain	15.00	15.00	18 cents per square yard and 40 per cent.	7.20	18 cents per square yard and 40 per cent.	7.20
Picture frames, etc.:						
Wooden picture frames	10.00	6.00	35 per cent	1.40	35 per cent	1.40
Glass for same		2.00	75 per cent	.75	75 per cent	.75
Looking-glass		2.00	10 cents per square foot and 50 per cent.	.55	12½ cents per square foot and 50 per cent.	[a] .76
Musical instruments:						
Organ	75.00	65.00	45 per cent	18.00	45 per cent	18.00
Fiddle		10.00	do	4.50	do	4.50
Family Bible	5.00	5.00	25 per cent	.75	25 per cent	.75
Boots and shoes for family	50.00	50.00	do	8.75	15 per cent	5.25
Farm machinery:						
1 harrow	310.00	20.00	20 per cent	60.80	do	45.60
1 self binder		130.00				
1 cultivator		20.00				
1 mower		40.00				
1 stubble plow		14.00				
1 horse rake		30.00				
1 drill		50.00				
Farm and garden tools		6.00	45 per cent	1.80	45 per cent	1.80
Vehicles:						
1 wagon	135.00	60.00	35 per cent	41.25	35 per cent	41.25
1 hack, 3-seated		75.00				
Harness:						
1 wagon harness	42.00	17.00	45 per cent	18.90	do	14.70
1 light harness		25.00				
Total	1,525.00			455.76		450.67

[a] Taxed on glass, that being component of most value.

NOTE.—The value of the cotton and woolen goods if appraised for duty is estimated.

In the above table the amount of duty or tariff tax is appraised upon the value of the articles, if imported. The average import prices are about 60 per cent of retail prices.

The rates of duty, and so forth, in the above table are given in the Estimated Revenues, and comparison of the present and proposed laws published by the Committee on Finance, United States Senate, April 12, 1909.

Mr. DAVIS. In passing, sir, I wish to call attention to the enormous tax to consumers of articles of daily necessity—and I am truly glad that my good friend the Senator from Vermont [Mr. PAGE] has just come into the Chamber. I am coming to his case just now. Let us take here, first, the item of meat, bacon, and hams, the prices of which are controlled in this Government by the great packing-house combination, by the great meat trust, in which Mr. Cudahy, Mr. Armour, Mr. Swift, and Mr. Hammond are its chief exponents. We do not import meat of this character, Mr. President. Only a few Westphalian hams, to tickle the palate of the epicure, are brought into this country. We are exporters of meat of this character. If the tax does not increase the price of the commodity, and is not paid by the consumer, let the Government of the United States place an export duty of 5 cents a pound upon hams and bacon instead of an import tax, and you will see the great meat trusts throw a fit in the twinkling of an eye. No, Mr. President, the tax engine is reversed. A tax of 5 cents a pound is put in the Dingley bill, and in the present bill upon all hams and bacon imported into this country. What for? To shut out competition; to give an absolute monopoly to Cudahy, Swift, Armour, and others of their ilk, and allow them to invade the breakfast room of every family in this Government from the highest to the lowest; levy a tribute upon every man's breakfast, where hams and bacon are consumed.

Ah, sir, I was surprised when I heard my good friend the Senator from Vermont [Mr. PAGE] pay such a high tribute to the business character and integrity of his compatriot and acquaintance, Mr. Swift. He said he disliked very much to hear these men and their business held up to public ridicule and contempt in the staid Senate of the United States. They may be decent men, Mr. President, personally—about this I shall not speak because of the lack of knowledge—but in their business methods, sir, and under the license and liberty accorded to them by the Congress of the United States, they are robbing and filching from the pockets of the common people the cost of their daily meals.

I thank God, Mr. President, that the Southern and Western States, at least, have instituted a warfare against these corporations that is driving them from their borders and lessening the confines of their operations.

I am proud of the fact, Mr. President, that I myself drafted a law for the good State of Arkansas that has driven these vampires from our borders. Only a few days since the Hammond Packing Company, one of the members of this gigantic combine, was forced to stand and deliver at the muzzle of the law. They paid into the common school funds of my State $25,000 of their ill-gotten gains, and withdrew from the State. The other big companies are still under fire. The law has been upheld in all of its parts. The same bill, enlarged only so as to meet the exigencies of interstate traffic, which I have had the honor to introduce at each session of this Congress since I have been a Member, has been sneered at and ridiculed by some of the wiseacres of the land; by high-collared lawyers of the country, their pockets filled with corporation fees. And, sir, I am proud to say that after one of the most searching and critical dissections any statute has ever undergone, the Supreme Court of the United States, without a dissenting vote, upheld that law in its most vulnerable points, and to-day it stands in all of its entirety and forcefulness on the statute books of my native State, to the terror and menace of the wicked and unjust combinations of this land.

And under the provisions of this law, Mr. President, the good friend of the Senator from Vermont, Mr. Swift, dare not cross the borders of Arkansas, dare not put his foot in a business way upon our soil. We recognize in him, sir, that same spirit

as that of the pirates that lurked along our cliffs to rob our merchant marine that passed their way. Mr. Swift, Mr. Armour, and Mr. Cudahy have formed a combination, sir, the worst that can possibly be imagined, because they fix the price on the breakfast bacon that the Senator from Mississippi [Mr. McLAURIN] ate this morning for his breakfast. That causes, I see, a titter of amusement on the part of some of my Republican friends. They are disposed to laugh while Rome burns; they are disposed to make merry while the trusts throttle the laboring men of this country and take from their dinner pails and the homes of their families the necessities of life.

Sir, this bill lays a tax of 5 cents per pound upon cured meat and a tax of $5 a barrel on flour, enabling the great flouring mills of the country to exact a tribute from the breakfast table of the consumer; on the corn bread that is eaten by the people of the country a tax of 1½ cents a pound is laid; on the soda that enters into the corn bread and biscuit of the consumer a tax of 5 cents a pound is laid; on the salt that is also one of the constituent parts of both, 1 cent a pound; on lard, which enters into the making of the bread of the country and other necessities, there is a tax of 1½ cents a pound. These, sir, are prohibitive duties, levied not for the purpose of revenue, but levied for the purpose of protection.

The sugar that is used by the consumer of this land has a tax of 2 cents per pound; on the molasses of the consumer a duty of 6 cents a gallon is laid. Ah, Mr. President, I was astounded at the reasoning of my good friend the senior Senator from Virginia [Mr. DANIEL], in a recent speech delivered upon this floor, in which he argued that the farmer is the beneficiary under these duties. For his opinions I retain the most profound respect, for him personally I entertain the tenderest regard, and not in any sense do I attempt a criticism of that great speech, but I am compelled to differ from his conclusions.

As an illustration, Mr. President, we do not import hogs from which meat and lard are produced. The farmer who produces these animals gets no benefit from the tax laid upon live stock in this bill. Why? Because none are imported, and these articles, upon which it would seem, upon a casual observation, the farmer is benefited, are put in the bill to purposely deceive and to purposely mislead. Can any Senator insist that the farmer gets a better price for his hogs on foot when he sells them to the packer because of the tariff laid upon live stock? I say he does not, but the minute the hog becomes the finished product in the process of killing, packing, and curing, it passes into the hand of the meat trust, and because of the reason that no meat and no hogs are imported into this country, because the duty is so high as to be prohibitive, and hence they have the exclusive monopoly on this necessity of life, fixing their prices on this finished product at their own sweet will, limited always of course to the amount of the tariff.

Let us take another item of everyday necessity. Cotton goods of all kinds have a tax rate upon them that is prohibitive and gives to the manufacturer of this product of the Southland, that must be sold in open competition with the markets of the world, an absolute monopoly upon the finished product. The manufacturer gets our cotton free of duty and returns to us the finished product with a prohibitive tax added.

Upon $12.50 worth of unbleached cloth, Mr. President, 31¼ inches wide, under the Dingley bill the tax is 1½ per cent plus 2 cents a yard, which would be $1.10. Under the present bill it is 8 per cent plus 2 cents a yard, which would be $3.14 tax on $12.50 worth of goods. Does the Senator from Mississippi [Mr. McLAURIN] think the farmers of his State would stand that for a minute if they knew it?

But, sir, the further you get into this cotton schedule the worse the enormity of the bill. Under the Dingley bill 200 yards of unbleached sheeting, such as is used by the poor people, worth $44, was taxed 25 per cent, or $8. Under the present bill it is taxed 43 per cent plus 8 cents a square yard, or $12.12. A hundred yards of bleached cloth, worth 10 cents a yard, or $10, under the Dingley bill was taxed $2.50. Under the present law it is $3. Under the Dingley bill 100 yards of dyed calico, worth $13, estimated, a tax of $3.90 was laid. I used to think the prettiest sight I ever saw in my life was 8 yards of calico, a good fiddle, a puncheon floor, a pretty southern girl, and a country dance; but I never imagined, Mr. President, that we were paying $8 in taxes for the 8 yards of calico worn by our partners. Under the present law a tax of 8 cents per square yard is laid, or $8 in taxes upon $13 worth of cotton goods.

Do you think, Mr. President, that the American people would stand this if they knew it? They are long-suffering and patient, but when they once awaken to the situation of this outrageous taxing system of the Republican party their vengeance may know no bounds.

The further you go into this thing the worse it is. Under the present bill, sir, 50 yards of cotton checks—that is a thing that every little nigger in the South has to wear. A cotton check slip is the first thing a nigger kid wears. I want to tell Republican Senators what they are doing for nigger kids—50 yards of cotton checks, costing 13 cents per yard, worth $6.50, paid a tax of $1.95; but under the present law a duty of 8 cents a square yard is laid, a tax of $4 on $6.50 worth of goods. Tell me, sir, that this is equality, that this is justice? Go before the American people in the next campaign and tell them that you forced a revision of the tariff upward. They will dodge from you, Mr. President, like a blind goose in a back alley that hears a hissing noise, or an old mule who has been hit too frequently over the head with a bridle. They will want no more revision such as you have in this bill.

On 2 dozen pairs of stockings—and those are not stockings worn by the élite of the land. They are the common, everyday stockings worn by the common everyday folk; they are not the stockings that are worn by the silk-stocking brigade in this country—just the common, ordinary, all-cotton stockings. What is the tax on them, Mr. President? On 2 dozen pairs of stockings, costing $1.50 a dozen, a tax of $1.65 is laid under the present bill, or a tax of $1.65 upon $3 worth of goods.

Let us pass from this to the woolen schedule. And there, sir, the iniquities are more plain and more palpable, keeping in mind, Mr. President, that the Republican party has promised the American people that they proposed to reduce the tax upon them. Let us take two suits of men's clothes—common wool clothes, if you please—costing $15 per suit, or $30 for both. There is a tax of $13.60 laid in the present bill; not for the purpose of revenue, but to please the colleagues of the distinguished Senator from Wyoming [Mr. WARREN] and the associates of the Senator from Utah [Mr. SMOOT]. Thirteen dollars and sixty cents, sir, of tax upon $30 worth of clothes. It must go into the pockets of the manufacturer, and we are told without a blush of shame that this is the expressed purpose; that it was the deliberate and ultimate purpose of the framers of this bill. When you touch the cheap woolen clothes of the children of the land, the iniquities of the bill are greater. Six suits of clothes worth $36 are taxed $16; 50 yards of worsted, valued at $120, is taxed $12.10; 50 yards of cheap flannel, valued at $17.50, is taxed $10.50; $30 worth of cheap part-woolen dress goods is taxed $15.50; $7.50 worth of cheap woolen hats for men and boys under this bill are taxed $4.76; $6 worth of ladies' trimmed hats is taxed $4.37—you can not tell where the hat begins and where the tax ends—upon one pair of woolen blankets costing $4 a tax of $2.47 is laid.

And so I might go throughout the entire woolen schedule. But what more is needed to show the absolute injustice, the terrible wrong, that is being perpetrated upon the American people by means of this unjust and outrageous measure?

Let us pursue our investigation along another line for a moment. Twenty dollars' worth of mattresses is taxed $6.30. A set of cheap china, such as is used by ordinary men, valued at $15, is taxed $6. A hundred dollars' worth of cheap furniture is taxed $21. A kitchen stove worth $35 is taxed $9. Five dollars' worth of cheap knives, forks, spoons, and butcher knives, such as are used by the poor people of the country, is taxed $1.35. One cheap carpet, two-ply ingrain, costing $15, is taxed $7.20.

Wooden frames, sir, that are used by the poor for framing pictures of their relatives and friends, costing $6, glass upon the same costing $2, making a total of $8 in all, are taxed $2.15. The cheap looking-glass hanging on the back porch, where the farmer washes his face at his return to his humble meal, costing $2, is taxed 75 cents. A cheap organ, upon which his daughter learns to play for Sunday school and church, costing $65, is taxed $18. The old man's fiddle, that has so often brought peace and happiness around the fireside at eventide, costing $10, is taxed $4.50. The family Bible, from which the words of the blessed God are read in family devotions, costing $5, is taxed 75 cents. So we see, Mr. President, that not an article of daily necessity or comfort escapes the terrible burdens laid by this bill.

Fifty dollars' worth of boots and shoes, Mr. President, is taxed $8.75. Three hundred dollars' worth of farming implements—and this touches the schedule under consideration—consisting of plows, rakes, drills, cultivators, mowers, and binders, is taxed $45.60. One cheap hack, three seated, valued at $75, Mr. President, is taxed $41.75. Thirty-five dollars' worth of harness is taxed $14.70; and, according to the totals shown, if taken altogether, sir, a purchase of $1,500 worth of goods of daily necessities imposes a tax upon the consumer of $450.70.

The highest rate of tax laid in my State to support municipal, county, and state governments is 29 mills, or about thirty-five or forty dollars on the same amount of property. Ah, Mr. President, see the gross injustice; see the terrible iniquity. For whose benefit is this outrageous tax levied? I am told that the framers of this bill had a wonderful solicitude for the wage-earner, for the producer, and for the farmer, but if we analyze it and see the duties imposed, we stand astounded and amazed at the monumental cheek and gall of the man who would make such a contention.

If the figures I have quoted are not correct—and I see some of the members of the Finance Committee present—let some member of the committee arise in his place and refute them here. I pause for a reply. Let the issue be fought out here. Let there be no dispute as to the facts when we go before the American people, for by them this issue will be finally settled. These great burdens, sir, placed upon the consumer but aptly illustrate the terrible danger in a long lease of power given to any political party or to any man. One man, sir, ought not to hold one office always. He soon comes to disregard the will of his people and to think the office belongs to him. Rotation in office, as well as rotation in political parties, is one of the safeguards of this Republic.

I was surprised, sir, at the senior Senator from Indiana—and I am indeed sorry the Senator is not in the Chamber—in a recent speech before this body, discussing the iniquities of the cash-register monopoly, in which he showed conclusively by the testimony at hand that this monopoly, fostered and protected by the tariff system, as proposed in this bill, were selling their products to home consumers at twice the price charged to foreign consumers. Without competition either at home or abroad, yet he handled them with gloves, declaring that he disliked to even use the word monopoly in the discussion, fearing that he might do them some wrong. I can not understand, Mr. President, why this delicacy of treatment of this evil upon the part of the Senator from Indiana. Is the word monopoly, as applied to an evil of this kind, distasteful to him, or has he grown so sensitive that he no longer calls a spade a spade and a hoe a hoe?

I am fully conscious, Mr. President, that no good results are accomplished by mere invective, but it is with some alarm that I see Senators upon this floor bowing and apologizing to these giant monopolies—saying they do not wish them held up to derision and spoken of with scorn—and handled with kid gloves in the discussion of their iniquities.

Having seen, Mr. President, to some extent the enormous burdens imposed upon the American consumer by the framers of this bill, let us see for a moment what is given as a compensation for these burdens, free of tax, by the promoters of this measure. Let us examine some of the demands of the consumer upon this floor and see what he is given in lieu thereof by the chairman of this committee. A very large and respectable minority of this Government, the great Democratic party, in its convention in the city of Denver, in July, 1908, demanded that this Congress should place lumber upon the free list; should give to the poor man, as well as the rich, cheap material of which to construct his home. Ah, Mr. President, I am not one of that school of latter-day Democrats that believe that cheap lumber should not be given to the poor man simply because it helps the rich as well.

I am not one of that class of Democrats that believe that great commodities of this character of such daily necessity should be taxed by the American Government to the point of protection. A dollar and a half a thousand is proposed by the present bill, which itself would not be protective, but adding 25 per cent ad valorem, the maximum rate that may be added by the President of the United States, and under the terms of this bill will be added, makes this joint rate prohibitive.

In other words, sir, rough lumber, quoted at $17 per thousand, would bear a maximum rate of $4.25, and a rate of $1.50 is fixed by this bill, making $5.75 a thousand, which I contend is prohibitive.

I am not here, sir, to read a lecture to Democratic Senators who failed to carry out this pledge of the Democratic platform, solemnly made to the people of this Government. Neither am I here to read those Senators out of the Democratic party or to substitute my conscience for theirs. I am here to say, Mr. President, that I am that character of a Democrat that will swallow the Democratic platform from "ende to ende," and that believes every enunciation when once agreed to in solemn convention from "kiver to kiver."

I believe, sir, that the will of the majority, right or wrong, should rule. It is more often right than wrong, and if wrong, it would soon readjust itself to the right. When I come to that point in Democracy, Mr. President, where I can not give loyal support to such important planks in the Democratic party, when promulgated, I will pack my bag and baggage and boldly leave the organization and hunt for principles and tenets to which I can yield willing service.

This is the kind of a Democrat I am, sir. Others may choose for themselves, and justify if they can their conduct in party councils.

It has been said by some on this floor, sir, in a spirit of disparagement, I thought, that the last Democratic platform was born of the brain of that matchless leader of the common people of this land; was born of the brain of that man who is beloved to-day and idolized by the middle and poorer classes as no other man has ever been loved in this Government.

I may be asked here—and I digress just for the purpose of replying to what might be injected if Republican Senators so desired—I might be asked the question, If Mr. Bryan is so well loved by the common people and middle classes of the land, why was he not elected President? Why did he receive fewer votes in the last election than even in the election before?

In answer to that, Mr. President, I want to say that a majority of the white people in this country are Democrats. Let some Senator make a note of that and look up the record. The balance of power thrown against Democracy in this country is the vote of the nigger in Illinois, Ohio, and Indiana. Leave to the Caucasian race the vote of this Government on the question of Presidency, and you will not last as long as the proverbial snowball in the lower regions.

But for myself, sir, and my people, I wish to thank God, that in these days of greed and graft; that in these days of commercialism, when the world has run mad for the acquisition of wealth; in these dark days, when the old ship of state is tempest tossed and threatened with destruction, that he has raised up a man with the purity of character and nobility of life, the keen insight into all public questions, the honest and courageous spirit of expression, the matchless mind, and the honesty of purpose he has given to William J. Bryan.

I am not one of those, sir, jealous of his fame, jealous of his goodness of heart, jealous of his breadth and intellect, that would bark at his heels and decry and pull him down. Neither am I one of those, sir, that proclaim to the world to-day that the star of his destiny is upon the wane.

True, it is, sir, that the God of nations, the God of the plain people of this country, who holds all things in the hollow of His hand, by whom the very hairs of our heads are numbered, and in whose presence a sparrow does not fall without His notice, has decreed that he shall not be President of the United States, but, in my judgment, has reserved his life for grander and nobler purposes, for yet greater blessings and benefits to mankind; and I trust, sir, that he will never circumscribe the field of his usefulness, the field of his eternal greatness, by accepting a seat in the Senate of the United States. I say that, Mr. President, with due regard to the dignity and importance of this position. I do not mean to disparage either arm of the legislative branch of the Government. But, sir, the field is too small. His powers of usefulness would be too circumscribed, and a pitiable spectacle he would present, indeed, were he here to-day, bound and gagged, helpless and impotent, as are the minority, by the overpowering prowess of the senior Senator from Rhode Island.

In this connection, sir, I wish to say that so far as actual results are concerned, so far as the real good we may hope to accomplish for our constituency and for the people at large, every Democratic Senator had as well fold his tent and return to his people. Why longer contend against the inevitable? The edict has gone forth that the bill shall pass as written, and it will. The groaning and murmurings of a discontented and outraged public will continue to ascend to high heaven until they are either hushed in absolute, abject despondency and slavery or stilled by the terrible blast of the bugle and the cannon's dreadful roar.

Ah, sir, the common people demanded lumber on the free list, and they are given instead acorns and persimmons. We asked for free bagging and ties with which to wrap the product of the South, but we are met with the withering smile of the senior Senator from Rhode Island, and instead we are given catguts and dried blood. We asked for free hides, that will enable the manufacturers of boots and shoes to give to this country cheaper footwear, who were here with petitions, by letter, and protest, asking Congress to take off the duty on hides, giving the country their assurance that if this is done they can compete with the shoe manufacturers of the world and give to the American consumer cheaper and better shoes. We are met again by the senior Senator from Rhode Island, and, instead of cheap shoes and free leather, we are given ipecac and rags. My God, Mr.

President, insult is added to injury, and the free list, as proposed by this committee, is an insult to the intelligence of the American people.

Digressing for a moment, I call upon the members of the committee who are present to point out to me one item of everyday consumption, of necessity, of general utility, that is put upon the free list by this bill. I pause for an answer. O Mr. President, echo answers! Apatite—I do not reckon it is the old appetite that we all carry around with us; I do not know—is on the free list; catgut, dried blood, ashes, acorns, persimmons. Why do you not put "Billy Possum" on the free list and help out your persimmon schedule, and make cheap 'possums for the White House emblem? My God, Mr. President, did you ever hear of such a free list? Free, free, free, just like the Gospel of the lowly Nazarene—free to the poor in all countries and all climes.

When we ask for free wool we are given free ashes, which fittingly typifies the hopes of the American consumer. I had thought, Mr. President, that the American Congress were called upon to legislate for the American people at large, and not in the interest of the favored few, the plutocracy of this Government. We must either serve plutocracy, sir, or serve the people. Their interests are diametrically opposed, and we can not serve two masters. We will serve one and despise the other. We will serve one to the neglect of the other. Nothing in Holy Writ is truer than this declaration, Mr. President.

I would not impugn the motives of any Senator, because I do not deal in that sort of tactics. When I want to say a Senator is corrupt, I will just say so in so many words, and fight it out on a question of impeachment. Neither would I, by indirection or comparison, violate the rules of propriety of this Senate; but, sir, I was pleased recently when the senior Senator from Wisconsin arose in his place, when the schedule of iron ore and lead was under consideration, and withheld his vote, because he said he was interested in that product. He said he had some of that kind of stuff in his pocket, and he could not afford to vote for a tax that would benefit him and keep the stuff.

Ah, Mr. President, I would not hold up the senior Senator from Wisconsin as the most honest man in this Senate, who possesses all the virtues extant. Neither, indeed, sir, do I think he would have me do so; but I think such an exhibition of candor as his—yea, sir, of common fairness—demands public recognition at the hands of the American people.

On the other hand, Mr. President, I was much surprised and chagrined at the remark that fell from the lips of the Senator from West Virginia [Mr. SCOTT], unwittingly perhaps, on June 15, in the discussion of the schedule upon window glass, who complained seriously when a reduction was proposed upon this industry, stating the glass factories in his State were threatened with bankruptcy and annihilation, and boldly proclaimed that a certain Senator, who was not then on the floor of the Senate, had told him that he had lost $25,000 in the window-glass industry last year; and, more strange still, Mr. President, this statement is not contained in the RECORD. I can not understand, Mr. President, why this does not occur in the RECORD. In vain have I searched, with the assistance of the clerks. Nowhere can it be found.

Have you any wonder, then, Mr. President, that there are continuously being published articles in the metropolitan press of this country, such as come to my desk daily and such as lie there now, to the effect that the Senate is honeycombed with Senators who are voting strictly in their own interests?

Mr. President, I neither assume responsibility for these publications nor do I attempt to insinuate that they are true.

Sir, I remember well the testimony before the Finance Committee read on this floor where the Senator from Utah stated to the carded-wool manufacturers of this country, "If the duty proposed by this bill is not satisfactory to you, quit your business, like I am going to do, and go into the worsted manufacture, which is specially cared for by the bill."

Ah, sir, I speak from the record. I call public attention to the facts, as shown by the record, that the country may draw their own conclusions. Sir, I am willing to stand with the Senator from Wisconsin and turn my pockets before my constituents every Saturday night, if they require it.

Ah, Mr. President, I implore this Senate to return to the principles of the fathers in the administration of the affairs of this Republic and restore her to her primitive moorings, for fleeting show only at last is wealth, ambition, and power. Alluring and seductive are their enticements to selfishness alone; and be reminded, sir, they are transitory, and in the end are a tinkling brass and a sounding cymbal. Do not chide me, Mr. President, when I plead for the Republic. To her I have given my best love, and devotedly do I pray that it may be kept a perpetual heritage to our children.

Let us, I implore you, sir, win back the confidence and love of the people while yet it is day. Let us build to ourselves a living monument in their hearts and affections. Let us arise above selfish consideration and awaken from sinister and partisan dreams, and assure forever for our posterity the priceless blessings of equal rights and universal liberty.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. BACON].

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

The VICE-PRESIDENT. The Secretary will call the roll.

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

Aldrich	Crane	Gore	Page
Bacon	Crawford	Guggenheim	Paynter
Bailey	Culberson	Heyburn	Penrose
Beveridge	Cummins	Hughes	Perkins
Borah	Curtis	Johnson, N. Dak.	Piles
Bradley	Davis	Johnston, Ala.	Scott
Brandegee	Depew	Jones	Shively
Briggs	Dick	Kean	Simmons
Bristow	Dillingham	La Follette	Smith, Mich.
Brown	Dolliver	McCumber	Smoot
Burkett	du Pont	McEnery	Stone
Burrows	Elkins	McLaurin	Sutherland
Burton	Fletcher	Martin	Taliaferro
Carter	Flint	Money	Taylor
Chamberlain	Foster	Nixon	Warner
Clapp	Frazier	Oliver	Wetmore
Clark, Wyo.	Gallinger	Overman	
Clay	Gamble	Owen	

The VICE-PRESIDENT. Seventy Senators have answered to the roll call. A quorum of the Senate is present. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. BACON].

Mr. BACON. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BEVERIDGE. Just a minute, before the vote is taken. Some days ago, when this question came up, I made an investigation of the consular reports. I have made a compilation here, which shows the remarkable fact that the International Harvester Company, instead of selling its machinery abroad cheaper than it does here, sells it cheaper here than it does abroad. It gets more for its agricultural machinery in foreign countries, according to these consular reports, than the same machines bring here. If that be true, Mr. President, it is certain that the International Harvester Company is perfectly indifferent whether these machines do or do not go on the free list. The exportations of these machines by the International Harvester Company, according to consular reports, bring it a greater price than it gets for the machines it sells here. So far as the Harvester Company is concerned, I think it would welcome free trade. But by putting these machines on the free list I can see the possibility of injuring such manufacturers of agricultural implements as are not in the trust and yet not helping the farmers a bit. There are several of them in my State. I think there are a few in every State in the Union.

The International Harvester people do not in the least need this duty. I do not know whether the independent manufacturers need it or not; but if anybody does need it, they do.

Mr. GALLINGER. Mr. President——

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

Mr. BEVERIDGE. Yes.

Mr. GALLINGER. The Senator very aptly suggests that he does not know whether the independent manufacturers need this protection or not. I want to suggest to the Senator that putting these articles on the free list may be a very great advantage to the harvester trust in this respect: They now have a factory in Canada; they are about establishing factories in Germany, in France, and very likely in other countries.

If they can get these machines manufactured cheaper abroad than they are manufactured here, putting them on the free list would be a great advantage to them in the way of enabling them to export them to this country.

Mr. BEVERIDGE. That consideration seems to have weight; although, in quickly thinking upon the subject, it would seem that they would not manufacture abroad, in Canada, or elsewhere, and then import here to compete with their own American product. Why should they want to compete with themselves?

Mr. GALLINGER. Why not?

Mr. BEVERIDGE. Does the Senator think they would compete with themselves? But, in any event, the figures from the consular reports show that instead of selling abroad cheaper than they do here, which is true of a great many other manu-

factured articles, it is a singular circumstance, and the only one of which I know, that here the reverse is true. I do not understand the explanation, though probably such an explanation exists. But according to these government figures, the International Harvester Company appears to be one great combination that is showing some sense and some honesty, unless these figures are false. Where government figures show a thing like that of such a corporation, it ought to be given the credit, and all the more because it is so unusual a case.

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

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. BEVERIDGE. Yes.

Mr. McLAURIN. If this company is selling its manufactured products at higher prices abroad than here, I should hardly think it would want to manufacture these articles abroad and bring them here.

Mr. BEVERIDGE. That is the point that I made.

Mr. McLAURIN. It does not seem reasonable that they would bring them from a market where they could get a higher price, and pay the freight and the insurance to this country, and sell them in a market where they would have to sell cheaper, or where they would, at all events, sell cheaper.

Mr. GALLINGER. If the Senator will permit me, they would very likely glut the market in Canada, for instance, and have a surplus that they could send here. There is no trouble about that, it seems to me.

Mr. BEVERIDGE. I think I will put this compilation in the RECORD. If there should be any mistake about the figures—though I am sure there is not, because it has been very carefully compiled—it can be corrected. I should like to put that in the RECORD.

The VICE-PRESIDENT. Without objection, it will be printed in the RECORD.

The statement is as follows:

Comparative statement of the retail prices of binders, mowers, reapers, and rakes in the United States and the principal European countries, as shown by the reports of Bureau of Manufactures, United States Department of Commerce and Labor.

	Binder.	Reaper.	Mower.	Rake.
United States	$125.00	$75.00	$50.00	$22.00
Great Britain	135.16	81.22	55.80	25.70
France	173.70	105.18	63.69	29.91
Germany	203.00	113.00	67.50	27.00
Denmark	167.50	91.12	60.30	30.82
Sweden	160.80	80.04	60.30	24.12
Hungary	243.60	121.80	81.20	36.54
South Russia	169.95	96.82	66.95	27.29
North Russia	180.25	91.70	66.95	29.05
West Siberia	187.98	101.97	72.10	30.90

NOTE—The foreign prices are taken from the official reports published in the Daily Consular and Trade Reports. Issue of February 23, 1909 (No. 3413); issue of March 3, 1909 (No. 3420); issue of April 8, 1909 (No. 3450).

Mr. BEVERIDGE. I again say that this is an extraordinary circumstance, because usually the reverse is the case. I presented here the other day some figures as to the amazing difference between the price of cash registers in this country and precisely the same machines in England. The difference is astounding—just half there what they are here.

I mean to say cash registers were sold abroad for just half what they were sold for here. But the agricultural implements of the International Harvester Company seem to be an exception. I do not know what the reason is. Certainly free trade in these implements could not possibly harm that corporation. But I can see a possible injury to every manufacturer of agricultural implements who is not in this combination—and they exist in every State in the Union.

Mr. STONE. Will the Senator permit me?

Mr. BEVERIDGE. Certainly.

Mr. STONE. Waiving the question of European manufacture and import, waiving the question of the cost of production there and here and all questions relating to that view of the subject, if it be true, as I think I conclusively showed this morning it is true, that the International Harvester Company has an absolute monopoly, or as nearly absolute as can well be conceived of, of the American market; if it be also true that like machines can be made, and are made, in Canada at about the same cost of production—and not necessarily by this trust, which has one establishment of its own there, but by Canadian manufacturers—and if agricultural implements were put on the free list, would not the Canadian manufacturers stand in the way of an abuse by the American monopoly of the opportunity to charge extortionate prices to the American consumer?

Mr. OVERMAN. Mr. President, I wish to read here a letter taken from The Commoner, written by a hardware dealer in Lynden, Kans. He says:

The writer has spent several years in the employ of the International Harvester trust, the last four years of which I spent having charge of a large territory for them in northern Europe, quitting their employ about seventeen months ago; am now engaged in the hardware and implement business here. During my trips to Europe, I sold to European dealers harvesting machinery f. o. b. cars at Chicago as follows: Binders, $33; mowers, $12; hay rakes, $5; and reapers for $15 less than they are sold to American dealers, besides selling the European trade a special, stronger made, and more durable machine than domestic types in order to handle the heavy crops raised over there and compete with the substantially built European machines. Here the trust is free from any such competition, as our tariff imposes a prohibitive duty on machinery, namely, $85 on a self-binder.

In response to a resolution of the Senate a report was submitted by the Secretary of Commerce and Labor, from which I quote:

I have the honor to acknowledge the receipt of the following resolution of the Senate of April 5:

"*Resolved*, That the Secretary of Commerce and Labor be, and he is hereby, directed to inform the Senate what has been accomplished with reference to the statement requested by resolution sent to that department, and to give to the Senate such information as he can with respect to manufactured products which are sold in foreign markets at lower rates than in America."

Here [exhibiting] is the report. Nothing is said about agricultural implements; it seems to be all about sewing machines. It is a general report by a man by the name of Davis, when there was a specific resolution with respect to this very matter passed by the Senate, and the department has paid no attention to it.

Mr. SMITH of Michigan. The Senator from North Carolina [Mr. OVERMAN] said yesterday that some Senator on this side of the Chamber had made the statement that agricultural implements were sold in Canada for $125 and in this country for $150. I should like to ask the Senator from North Carolina what implement he referred to?

Mr. OVERMAN. The RECORD in regard to that matter was read this morning by the Senator from Missouri.

Mr. SMITH of Michigan. No.

Mr. OVERMAN. As I understood, the Senator said $150 in Canada.

Mr. SMITH of Michigan. No; you said it was sold for $125 in Canada and $150 here.

Mr. OVERMAN. I was told——

Mr. SMITH of Michigan. I understood the Senator to make that statement. What sort of implement was it?

Mr. OVERMAN. A self-binder; a harvesting machine.

Mr. SMITH of Michigan. Let me demonstrate to the Senator how absurd such a proposition is on its face.

In the first place, Canada is right on our border. We will assume a case at Detroit, where agricultural implements are largely sold. If they were to sell a reaper in Canada for $50 and in the United States for $70, the man who bought a reaper in Canada almost anywhere near the American border might turn right around and ship it to the United States and make a profit on his deal of almost twenty times the duty. In other words, a reaper purchased in the city of Detroit by parties in Windsor for $20 less than it is sold for in Detroit could be sent back under the proviso contained in section 27 of the Dingley law, and the seller would not be penalized by our tariff at all.

I think it is utterly absurd that any concern would sell its manufactured products in Canada cheaper than it sells them here. But assuming that extravagance to be correct, I want the Senator from North Carolina to understand that every workman who makes agricultural implements gets the same wage for the agricultural implement that is sold abroad, no matter at what price, as for the agricultural implement that is sold at home.

Mr. LA FOLLETTE. Mr. President——

The VICE-PRESIDENT. Will the Senator from Michigan yield to the Senator from Wisconsin?

Mr. SMITH of Michigan. Certainly.

Mr. LA FOLLETTE. With reference to the Harvester Company's plant in Canada, I should like to call the attention of the Senator from Michigan to the fact that their representatives before the Committee on Ways and Means asserted that with respect to their manufacture in Canada it costs them just as much as it does to manufacture here.

Mr. SMITH of Michigan. I have no doubt about that.

Mr. LA FOLLETTE. That the wages are the same, and they have no advantage whatever over the production in this country.

Mr. SMITH of Michigan. No; I have no doubt about that. I cheerfully concede the statement of the Senator from Wisconsin to be founded in fact. But the point I desire to make is that if they sell an American plow in Canada, that plow may be reimported into the United States without duty. So the only

thing that would be added to the American price would be the freight to Canada and back again, and the freight from Canada to almost any point along the Michigan border would be so small that if that discrepancy in price existed they could afford to buy these plows in Canada and send them back here and sell them at an additional profit in competition with the very factory that made them.

Mr. LA FOLLETTE. The Senator understands they can not sell their articles in Canada without paying a tariff duty on them.

Mr. SMITH of Michigan. The Canadian tariff?

Mr. LA FOLLETTE. Yes.

Mr. SMITH of Michigan. Certainly not; but the American tariff does not restrict reimportations of American manufactures, and nobody would be foolish enough to sell for $50 over there an article that they could resell in the United States for $70 without taking it off the car.

Mr. PILES. Will the Senator yield to me for a moment?

Mr. SMITH of Michigan. Certainly.

Mr. PILES. The Senator said, and I think correctly, that every American machine that is sent abroad carries with it the wages of an American workman.

Mr. SMITH of Michigan. Certainly.

Mr. PILES. Such being the case, I should like to ask the Senator this question: Suppose the International Harvester Company having, as it has, large manufacturing plants in the United States, should establish similar plants in Germany or any other foreign country where its machines can be manufactured at a less cost than in this country; would not the American workman be at the mercy of the Harvester Company if its machines were admitted free of duty?

Mr. SMITH of Michigan. Yes; and I doubt whether the price would be lowered to Americans.

Mr. PILES. In the case of a strike against a reduction in the American wage scale, all the Harvester Company would have to do to bring its workmen to its terms would be to import its machines free of duty from its foreign factory until its workmen acceded to its demands.

Mr. SMITH of Michigan. Certainly. Mr. President, I agree entirely with the admirable statement of the honored Senator from Washington. It would not only be a most extraordinary competition for us to invite, but it would absolutely put the American workingman in the agricultural-implement factories of our country out of business; and if this course is to be pursued, the wage-earner, who is the customer of the farmer and the patron of all other producers within the radius of his necessities, would suffer a loss of purchasing power.

The other day the Senator from Mississippi [Mr. McLAURIN] offered an amendment to put all agricultural implements and sewing machines on the free list. I ran over in my own mind the number of American workmen who would be thrown out of employment if that were done, and I figured it into the tens of thousands. Every one of those Americans is a consumer of our products; he is a consumer of the agricultural products of the farms; he is a consumer of the work of every loom; he is a user of the products of every factory; and is a patron of every other employee under our industrial system. I would no more throw the markets of this country open to the free importations of that kind of products than I would burn the humble home of the artisan, mechanic, and American laboring man.

Mr. OVERMAN. Will the Senator allow me?

Mr. SMITH of Michigan. Certainly.

Mr. OVERMAN. The Senator seems to be well acquainted with these manufacturing operations.

Mr. SMITH of Michigan. I am not acquainted at all. I do not know anyone connected with these institutions. I have no acquaintance with a single person engaged in the business. But I do know that there are tens and tens of thousands of Americans employed in making agricultural implements.

Mr. OVERMAN. I want to ask the Senator if the following is true, as stated by the former Senator from North Dakota January 22, 1908:

> Mr. President, at the time that this monopoly was created the average price of a self-binder to a farmer in my part of the country was from $95 to $105. To-day the same machine costs the farmer $145, or it did last year, and I am advised that the monopoly has put the price of machines for the present year at $150.

I do not know whether that is true or not. I desire to ask the Senator if he knows.

Mr. SMITH of Michigan. I do not know a single fact upon which the Senator from North Dakota predicated his statement. I do not know whether it is true or not, but I do know that this is not the place to dissolve a monopoly by driving workmen out of employment. You can dissolve unlawful corporations in the courts of justice if they offend the State and not in the Senate, and I am unwilling to even attempt it here, knowing that hundreds of thousands of men would thus suffer from our flagrant disregard for constitutional procedure.

Mr. OVERMAN. I am satisfied the Senator was not here, and that he did not hear the evidence read yesterday by the Senator from Missouri [Mr. STONE], taken in court at St. Louis a month ago, in which the witness admitted that they had created this monopoly for the purpose of crushing out competition, and also in order that they might get along without so much labor, that they might discharge many laborers.

Mr. SMITH of Michigan. Mr. President, the Senate of the United States is not sitting as a grand jury to indict offenders against the law. Our function is not judicial or executive. It is our business to make laws, and we may define offenses; it is the business of the Executive and the judicial department to pass upon them and prescribe rules of procedure. We are not sitting as a grand jury impaneled to try citizens for infraction of the statutes. Our business is to make the laws.

Mr. OVERMAN. But the Senator does not get my point.

Mr. SMITH of Michigan. We are not here to punish.

Mr. OVERMAN. The Senator is standing up for the employment of American labor, but instead of giving employment to the laborers this monopoly decreased the employment of laborers.

Mr. SMITH of Michigan. Does not the Senator from North Carolina admit that the men in agricultural implement manufacture abroad are getting lower wages than in America?

Mr. OVERMAN. I think so, except in Canada.

Mr. SMITH of Michigan. Then why do you wish to throw them into competition with our own?

Mr. OVERMAN. I asked the Senator a question. The Senator said he was in favor of the American laborer. I show him by this testimony that this monopoly was enabled to throw and did throw out of employment scores of laborers in this country.

Mr. SMITH of Michigan. There is not a better illustration of the efficiency and wisdom of the policy of the protective tariff to be found in any State of the Union than the illustrations that are furnished upon every side in the State of the Senator from North Carolina.

Mr. OVERMAN. Does the Senator admit that this monopoly has obtained and absorbed 85 per cent of the industrial institutions of this country by reason of the protective tariff? I want to know if the Senator admits that this is true.

Mr. SMITH of Michigan. I admit that the Senator from North Carolina represents a great industrial State, and that its industries have been developed under the policies of the Republican party.

Mr. OVERMAN. I will not admit that, Mr. President——

Mr. SMITH of Michigan. The cities of North Carolina stand as a bulwark for our political principles. I was in three Congressional districts in the Senator's own State in the last campaign.

Mr. OVERMAN. But the Senator does not answer my question.

Mr. SMITH of Michigan. In one moment. Those three districts returned Representatives in direct contradiction to the wishes of the honored Senator from North Carolina, whom I greatly respect, and in full sympathy with the principles of the party that I represent.

Mr. OVERMAN. Did the Senator hear the letter read from the president of the Cotton Mills Association, saying that they can compete with the world and need no protection?

Mr. SMITH of Michigan. No; but I saw the spindles and I heard their merry music, and I saw the happy people in your State actively employed.

Mr. OVERMAN. The Senator is getting away from the point. I desire the Senator to answer my question.

Mr. SMITH of Michigan. The honored Senator enjoys and contributes to the prosperity of the people of his State, and they honor him for it, and we honor him here.

Mr. OVERMAN. I asked the Senator if he admitted that this absorption of the industrial institutions engaged in making farming implements to the extent of 85 per cent was the result of the protective tariff. That is the question I ask the Senator.

Mr. SMITH of Michigan. No, indeed; otherwise they would not have built additional factories in Europe.

But, Mr. President, will the Senator from North Carolina be willing to take the duty off of cotton manufactures?

Mr. OVERMAN. A high protective duty, a prohibitive duty, yes.

Mr. SMITH of Michigan. I am sure the Senator will not be willing to throw the cotton mills of his own State open to unfair competition.

Mr. OVERMAN. I voted against the cotton schedule as reported by the committee.

Mr. SMITH of Michigan. The Senator from North Carolina would not be willing to reduce the cotton workers in his own State to competition with the cotton workers in Europe?

Mr. OVERMAN. Mr. President, it will not have that effect. We have no fear on that score. I am told by the president of the association that we can compete with the world, notwithstanding their low wages. I believe in what he tells me, because he knows, and the Senator does not know.

Mr. SMITH of Michigan. Mr. President, I do not think we can afford to experiment with this danger, and the Senator from North Carolina would be the last to invite disaster. We carried three Congressional districts in North Carolina against the protest of the Senator from North Carolina, and the Representatives of those districts voted for the passage of the House bill.

Mr. OVERMAN. Yes; my people in those districts understood that you were going to revise the tariff downward. You have not kept faith with them. Here you are revising it upward. It was the talk of North Carolina, I heard it all over the State, that you were going to revise the tariff downward.

Mr. SMITH of Michigan. And the Senator knows full well that the growth of the protective principle is no greater in any part of the Union than it is in his own State of North Carolina.

Mr. CULBERSON. Mr. President, it is a happy condition when we turn from men who discuss whether this or that one understands the subject to read from a Senator whom we all admit thoroughly understands the tariff question and its effect upon the question whether American goods are sold in foreign countries cheaper than in the United States. I want to contribute a sentence from the speech of the Senator from Rhode Island [Mr. ALDRICH], chairman of the Committee on Finance, who we all know understands this subject. This speech will be found in the CONGRESSIONAL RECORD of June 2, 1906, pages 7943–7946, inclusive, in which that Senator says:

It is a well-known fact, about which there is no dispute, that producers in the United States and in every one of the great industrial nations sell portions of their products from time to time at a less price to people of other countries than to their regular customers at home.

Now, Mr. President, coming to this question of agricultural implements, which is immediately under discussion, I want to call attention to a letter written by Mr. George J. Seabury, of New York, of June 23, published in the American Industries of July 1, 1905. I will not stop now to read it all, but I want to call attention to a paragraph or so in the letter, and ask that the remainder may be inserted:

PRICES ON AGRICULTURAL IMPLEMENTS—MR. SEABURY TO THE FRAY AGAIN.

EDITOR AMERICAN INDUSTRIES: A speech was made at the last convention of the National Association of Manufacturers at Atlanta by the manager of an agricultural-implement industry, in answer to a statement made by me in an address "On tariff revision and the remedy." In it I asserted that American agricultural implements were sold for export below home prices, and I also stated that Canadian, English, and German firms were successful competitors of our American implement manufacturers; moreover, that German manufacturers were sending competitive wares into our home market, mentioning Texas in particular. These statements are true. The speaker had the assurance to state that my assertions were untrue, and volunteered the statement that the wares of his establishment were not only sold at the same price for export as in the United States, but higher prices were obtained. In my general statement I qualified my assertion by saying that exporters of American products operated under that rule except where the wares represented a monopoly or were patented. To this statement I also added in my own behalf that we were compelled to undersell home prices in order to acquire export trade, which is also true.

The remainder of the letter referred to is as follows:

These facts are generally known, our surplus agricultural implements being disposed of at from 25 to 40 per cent less on export orders for competitive wares. If proofs are needed to sustain this assurance, an application to the undersigned at 59 and 61 Maiden Lane, New York City, will satisfy the most incredulous investigator that I spoke truthfully and that evidence will be furnished from the largest manufacturing firms in and out of the agricultural implement syndicates or combinations and from export merchants, who ship these goods to every part of the world.

Facts and statistics are unimpeachable. I have no motive in studying international problems other than to present our strength and weaknesses in promoting and preserving our national commercial interests in any form. It is seldom that an incident like the above has occurred in my experience, covering more than thirty years; whenever it has, it was inspired either through willful misrepresentation or lack of definite information.

GEORGE J. SEABURY.

NEW YORK, *June 23.* (*American Industries, July 1, 1905.*)

I want now to read what may be called ancient history, but it is such a Republican authority, Mr. President, that I feel disposed to print it, notwithstanding.

In 1890, the Hon. Jeremiah M. Rusk, Secretary of Agriculture under the Harrison administration, said:

I had an opportunity to take some stock in the combination (American Harvester Company), and I know what inducements were offered. An investigation will show that this same combination is now selling, or offering to sell, machinery in Russia and Australia and other wheat-growing countries at a lower figure than they do in this country. This won't do, and I need not offer any argument to prove the weight or truth of the assertion. The first thing the farmer will do when he is acquainted with the facts will be to make a howl against trusts and protection that does not protect. Whether justly or not, he will charge it to the Republican party. I am as certain as I can be of anything that this mower and reaper trust will cost the Republican party hundreds of thousands of votes at the next presidential election unless it takes a firm stand against it and trusts in general.

Mr. BACON. I just want to understand in regard to the price list submitted by the Senator from Indiana. I glanced at it hurriedly. I think the list probably will be the American prices with the transportation added. Of course I can not speak of that with definite certainty, but I should judge from the amount of increase that that is about it.

Now, it struck the Senator from Indiana as a very strange and remarkable fact, if a fact, that the machinery was sold for a greater price in Europe than in America. I presume the explanation is simply this: These are simply their price lists, but there is no evidence of any sale in such price lists, and I have not the slightest idea myself that there were sales at the prices indicated, because it is so utterly at variance with the conceded fact as to all other articles of American manufacture which are sold in Europe.

The Senator from Michigan endeavored to show the improbability of such sales by the illustrations which he gave of what a purchaser of an American implement could do if he bought it for a less price in Canada and was permitted to reship it into the United States under the provision of our law, which permits the product of American-made goods without payment of duty.

I call the Senator's attention to the fact that that argument would apply to all sales in foreign countries of articles of American manufacture at a less price than they are sold in this country, and we do know the fact is not disputed that in a vast number of articles of American manufacture this is done. This is the only instance in which it has been claimed that there is anything to the contrary of that, or that goods of American manufacture are sold in foreign markets at a higher rate than they are sold in this market.

Without detaining the Senate I will simply call attention to a fact, not within my personal knowledge, but it has been published, and I presume it is a fact. I have never seen it denied. A man in New York bought a lot of American-made watches in England and brought them back and sold them in the United States at a very large profit, and, as is generally considered, he made a fortune. Of course whether it was a fortune or not would depend upon each man's estimate of what would constitute a fortune.

Mr. ALDRICH. Mr. President, I stand by the statement which I made and which the Senator from Texas [Mr. CULBERSON] has quoted. But in this particular industry I have had the figures submitted to me, and in justice to the International Harvester Company I am bound to say that they have convinced me, and I think when the figures are published they will convince every Senator, that the net sum received by them for the machines which they make is less in the United States than it is in any other country in which they compete.

Again, the Senator says that we must not build up a monopoly, and that practically we must put these articles on the free list because there is a monopoly. There is no monopoly. There are a considerable number of independent agricultural-implement manufacturers in the United States. I was told by one of them this morning that the sole effect of putting these articles upon the free list would be to strengthen the hands of the International Harvester Company and to drive out of business all of their competitors.

Mr. BACON. The Senator speaks about building up a monopoly. That is not the question at all. It is an existing monopoly. The fact is one which has been stated here repeatedly, and it has never found denial, that this monopoly has so increased prices that they are receiving on articles now 50 per cent more than they were a few years ago.

I simply desire to say in connection with that, referring to the question which was before the Senate yesterday afternoon as to what probable effect the removal of this barrier would have upon prices, if it has no other effect it would have a conservative influence in restraining these people from fixing exorbitant prices, which are so burdensome to people.

As to the independent concerns, I have no doubt it is true of them as it is true of the independent iron industry, as testified to by Mr. Carnegie, that at last those who are controlling the great mass of the business fix the price, and those who claim to be independents, and who may be in a sense independents, do not dare to vary from those prices. If they did, they would be crushed and driven out of business.

Mr. MONEY. Mr. President, if it be true, as stated by Senators on the other side of the Chamber, that American manufacturers of these machines used in America sell at a higher rate abroad in competition with the world than they do at home, then a tax upon what they make has no sense in it either as a revenue or as a protective measure, because the competitors with whom they contend in foreign fields will not insist upon sending their products here to sell at a lower rate than they do everywhere else. It is nonsense to talk that way. I do not undertake to say to-day what is the difference in prices here and abroad; but I recollect very distinctly that in the debate on the tariff in 1894 I had, and made proffer of it to the House of Representatives, of which I then had the honor to be a Member, a pamphlet or catalogue of the prices issued by a great implement firm in Pennsylvania. I have forgotten in what part of that State their establishment was located, but I recollect distinctly they made agricultural implements, and blacksmith's and carpenter's tools especially. I recollect that I had the English catalogue for the American market and the Spanish translation for the Argentine and Habana Oriente. and also another English catalogue for Australia and South Africa. I recollect that the price of almost every single thing was a long way below the price to the American consumer. I am informed now that when an American buyer purchases a carload of material of any of these manufacturers, it is not crated to him, as a general thing, but is put f. o. b. the cars at the depot; but if it is sold abroad, it is crated, sent by railroad to the nearest port, and put on ship f. o. b. I do not know whether these things are true or not, but that is what I get as the result of some investigation into the question.

Certainly, Mr. President, we can not fear the competition of the world, because they will never bring their goods to the cheapest market. So we shall never get a revenue from the tax, and we can not possibly get protection, because the American himself is going abroad to get a higher price. If the object of the tax is simply to reduce the price of things in America, there would not be a single protectionist who would vote for it. I will modify that and say that certainly no manufacturer has ever appeared before a committee of this House or of the other and asked to have a tax placed upon his product to reduce its price to the home consumer.

My friend from Michigan [Mr. SMITH], who is always listened to with such interest, would protect any trust, if I understand him, or any monopoly for fear if that were not done it would throw some American laborer out of employment. That does not seem to be at all likely when they have got control of the home market and are competing successfully all over the world. No reduction of the tax can possibly hurt a man who is already in competition with the universe. He does not need protection. He is not a protected man, if the statement is true; and I want to say that I believe much of it is true, though perhaps some of it is not.

As for the sentiment in North Carolina, discovered by the Senator from Michigan on his tour through that State and his meeting with transient North Carolinians at conventions and elsewhere, I will say that I happened to have the honor some years ago—four or five or six—of being invited to address the club at Charlotte, N. C. It was not a commercial club, as it is called, but purely a manufacturers' club. It was an exceedingly intelligent body of men, and they had to be to make money as they did. I found that 300 men within a radius of 100 miles of the city of Charlotte were at that meeting. There are 15 mills in that city. After a good deal of conversation, I think I convinced some of them—at least they said they were convinced—that the only competitors which they needed to fear were the mills of the East, and that when they joined in the cry for protection it was simply to establish more firmly in business their only competitors on the face of the earth, for if there is no benefit in the tax to the manufacturer, as has been ably demonstrated by the Senator from Michigan at least, then the mills of the East would move to the South or they would go out of business, except in those articles of manufacture where the artistic skill of their employees enables them to overcome the difference in the price of the material that enters into the finished product.

I can understand that. I gave the other day, in a minute or two, my reason for so thinking, as I was told in the city of Boston that they would retain it for that reason, just as the Bohemians maintained the manufacture of painted glassware in their cottages in the mountains, long, long after the manufacturers of the earth had endeavored to crush them out of business, simply by the force of their genius, their skill, and their talent in the most beautiful painting that made articles of glass works of art, now of almost priceless value wherever they are found.

I can understand very well how that class of goods can be maintained by a protective tariff; but it seems to me that if there is any manufacturer of cotton goods in the South—and they are nearly all heavy goods—he does not understand very well his own interests when he attempts to coalesce with the people engaged in the manufacture of finer goods in the North and wants to keep in business the only competitors he has on the face of the earth in the making of heavy goods. Those goods are never sold in the American markets to any extent. They go abroad. The English, as everybody knows, have attempted to imitate our goods by putting sizing in the cloth to give it weight. They have gone far enough to imitate our brands and paste them on the cloth, but the Chinese, to whom those goods are generally sent, keen in trade, detected at once the imposition, and rejected the British goods for American goods.

I can understand very well how a district or two of North Carolina could change its vote about almost anything; that happens sometimes even in the State of Michigan, and may happen elsewhere; but it is not at all dependent upon a tariff that neither protects nor adds to revenue. I can believe the statement made by the Senator from Michigan and other Senators upon the other side of the House.

I do not object to the amendment offered by the Senator from Georgia [Mr. BACON] particularly. I know it is not going to pass, however, because it is fixed that we are to have something in this bill for everybody who has applied for it. But it would be inconsistent with the common sense of the manufacturer to say that he would send his people down here day after day by the hundred to ask for something that would reduce the price of his wares in the market which he desires to control.

Mr. SIMMONS. Mr. President, I do not desire to make a speech upon this question, but for some time I have been engaged in collecting the statements of various manufacturers in this country with reference to the difference between the prices charged for their products in this country and abroad.

I have in my hand a compilation of those statements. They embrace statements of probably eight or ten or a dozen different manufacturers. I had intended to read these statements to the Senate; but I know how anxious we all are to reach a vote on these schedules, and so I shall content myself, if I can get the consent of the Senate, with putting the statements in the RECORD as a part of my remarks.

I also desire, Mr. President, to insert as a part of my remarks a statement which I have caused to be prepared by an expert, who has been assisting the minority members of the Committee on Finance, showing the export and the domestic prices of certain important products in this country.

The PRESIDING OFFICER. Without objection, permission to do so is granted.

The statements referred to are as follows:

EXPORT PRICES.

For some years it has been claimed by the Democrats in Congress and denied by the Republicans that the trusts and combines of the United States were selling their products cheaper abroad than here. It was difficult to prove the facts. The protectionists claimed that only our out-of-fashion goods or nonsalable surplus was dumped abroad at bargain prices. In August, 1900, however, the Bureau of Statistics issued a report on commerce and finance, admitting that "if restriction of consumption at home does not operate to prevent the shortsighted policy of discrimination against domestic development of manufacturing industries, the other contingency is more or less sure to arise, namely, the demand for the reduction of the tariff." Then on May 11, 1901, Charles M. Schwab, president of the steel trust, in testifying before the Industrial Commission, stated that export prices are always somewhat lower than home prices, and cited that the export price for steel rails was about $23 a ton and the price here was $26 and $28.

On April 2, 1902, Mr. John M. Peters testified before the Ways and Means Committee that lead was being exported and sold for but little more than half of the home price. On the same day Mr. A. G. Webster, president of the New England Shoe Association, testified that leather was sold for export at 5 to 10 per cent below domestic prices, but whether this leather was the product of the beef-trust tanneries he did not state.

ENGLISH EVIDENCE.

In July, 1904, the first volume of the report of the Chamberlain commission, which consisted of about 60 of the leading business men of England, was published. It related to iron and steel, and the evidence of some of the witnesses that appeared before that body throws a lurid light upon the "dumping" process of protectionist countries on free-trade England. A few extracts make interesting evidence for American consumers of iron and steel products:

EVIDENCE OF ENGLISH FIRMS AS TO PRICES OF "DUMPED" GOODS.

Firm No. 898. Pig iron from the United States is imported into this country below cost price here. Our customers are buying at 5s. per ton less than we can produce at, and the Americans are reported to be selling for export to England at a price equivalent to 8s. per ton lower than the price at which they are supplying their own country.

Firm No. 1147. We were informed by an American mattress maker last summer that American wire, which could be bought in Birmingham at £18 per ton, was sold for £21 in the States, and when freight, etc., is taken into consideration this would be a drop of between 15 per cent to 20 per cent. Our price in Birmingham is £18 10s., but 90 per cent of the wire used by mattress makers in Birmingham is American, and doubtless the same condition prevails in other towns.

REPUBLICANS APOLOGIZE.

In 1908 our Republican friends concluded it was no longer wise to combat the overwhelming evidence that the trusts and combines were selling cheaper abroad than at home, and their only excuse became that all protectionist countries do it. Their campaign text-book for that year contains a quotation of a statement by E. H. Gary, the head of the steel trust, made before the Committee on Merchant Marine and Fisheries of the House of Representatives in April, 1906, as follows:

"The Great Britain home price of rails is $31.50 per ton, and the export price of Great Britain is $25 f. o. b. their mills. In Germany the home price is $30 and the export price $24; in France the home price is $31 and the export price $25.50; in Austria the home price is $31 and the export price $25.50; in Belgium the home price is $30 and the export price $24; in the United States the home price is $28 and the export price about $26.60. There is less margin in this country than anywhere else, and the home prices abroad, you will observe, are invariably larger than our home prices.

"Now, take structural material, including shapes, plates, bars, angles, and tees. In Great Britain the home price is $1.60 per 100 pounds, and the export price $1.35; in Germany the home price is $1.50 and the export price $1.25; in France the home price is $1.65 and the export price $1.35; in Austria the home price is $1.50 and the export price $1.35; in Belgium the home price is $1.55 and the export price $1.35; in the United States the home price is $1.60 and the export price $1.40. Our customers, generally, however, are covered for the season at about $1.40. These figures are taken from authoritative sources, and I think that there is no doubt that they are reliable. They are the figures upon which we are doing our business right along every day.

"'If you did not have this avenue of export trade by which you could dispose of the surplus product which is in excess of the domestic demand,' said Representative Littlefield, 'you would either have to stop producing and therefore lose the use of your mills and sustain a loss in that respect, or you would have to carry the surplus product on hand until the demand was created for it elsewhere.'

"Yes; but I do not think it would be practicable to manufacture and carry the surplus; it runs into money so fast. I think we would have to shut down our mills, and you know what that means in the disorganization of forces. So it really comes to this: That we would be obliged to increase the cost of manufacture if we could not run at full capacity. That would be the inevitable result."

MANUFACTURERS ADMIT SELLING CHEAPER ABROAD THAN AT HOME.

Mr. Charles M. Schwab, in his sworn testimony before the Ways and Means Committee on December 15, 1908, when asked the question, "How much lower did American manufactured steel rails sell for abroad as compared with what they sold for at home?" answered, "I should say probably $10." When asked, "It is a habitual process to sell them cheaper abroad, is it not?" he replied, "Yes, sir; and a very wise process." (Tariff Hearings, 60th Cong., pp. 661, 662.)

Mr. Gary, head of the steel trust, the next day at the same hearings testified that in 1905 the export price of steel rails was $20.98, which was $6.39 less than the home price.

Mr. H. F. Lyman, in a letter to the Ways and Means Committee, says: "He had seen prices on wire quoted by the American Steel and Wire Company from their London office to wire-rope manufacturers in England which were nearly 50 per cent less in price than the prices he found existing at the same time on the same grade of wire in this country."

Mr. Samuel M. Nicholson, president of the Nicholson File Company, known as the "file trust," acknowledged, on January 15, 1909, in his evidence before the Ways and Means Committee, that his company sold files in the United States for 25 to 28 per cent more than those they sold in Germany. (Hearings, pp. 2202, 2203.)

On November 10, 1908, Mr. N. B. Arnold, of the Keystone Varnish Company, of Brooklyn, N. Y., representing the Varnish Manufacturers' Association, gave testimony before the Ways and Means Committee asking that the presenting duty on varnish be retained. He also gave evidence as follows:

"Mr. COCKRAN. But, as a matter of fact, you are able to compete with the foreigner?

"Mr. ARNOLD. Absolutely. We go into foreign countries and compete with the world. We sell the goods, and those shipments are increasing from year to year, the goods being sold at a profit. There is no dumping ground for varnish. I have sold goods in foreign countries all over the world myself as far back as 1882. I do not believe this story about giving away goods to get rid of them. I will say that I sold sewing machines in 1882 abroad at a price of $19.50 for the same machines that were selling in this country for $65, and they were not made anywhere else excepting in this country. And I will say, too, that I made money out of it.

"Mr. COCKRAN. Where did you sell them?

"Mr. ARNOLD. In South Africa.

"Mr. COCKRAN. At a profit?

"Mr. ARNOLD. Yes.

"Mr. COCKRAN. There was some difference in the profit between Africa and America, was there not?

"Mr. ARNOLD. Yes.

"Mr. POU. And the same kind of machines were sold as here?

"Mr. ARNOLD. Yes; and at a price of $65. I sold plows in South Africa for $8.50 that you could not buy for less than $12.50 up to $20 in this country. And I say that all this rubbish about dumping goods in foreign countries is nonsense. I have been connected with the foreign business, as I say, for three years, and I want to say that I can do better business here than I can over there. I have been over there looking the situation over, and there is nothing in it."

Similar testimony on other articles will be found in the tariff hearings, amongst which are:

TULIO LARRINAGA, prices in Porto Rico (pp. 4145, 4146).
Charles De Witt, corkscrews (pp. 6586, 6587).
Von Lengerke & Detmold, shotgun shells (pp. 6651, 6652).
Winchester Bennett, ammunition (p. 6657).
J. Fritz Brind, safety fuse (p. 6660).
Lau & Co., mining fuse (p. 6665).
R. L. McCormick, lumber (p. 3005).
E. B. Walden, cornstarch (pp. 4240, 4241).

STANDARD OIL TRUST.

The Report of the Commissioner of Corporations on the Petroleum Industry, part 2, published in August, 1907, says, on page 317:

"In the discussion of the foreign-oil trade (Pt. III) it will be made clear that the prices of American oil in the chief export markets have been dictated by the Standard. During 1904 and the first nine months of 1905 foreign prices of American oil were depressed to an unusually low level, a level much below that in the domestic market. While this reduction of foreign prices may have lowered the aggregate profits of the Standard, this is no excuse for the maintenance of exorbitant prices in the United States. It was the voluntary policy of the Standard, and constituted an unfair discrimination against the domestic consumer."

The report gives detailed comparisons of prices, both domestic and for export, and "the movement of prices in the domestic market, at least since 1897, has been widely different from the movement of the New York export price. The latter does not begin to show the enormous advance which has taken place in the domestic trade." For Germany, the report says (p. 372):

"This table shows that the prices of oil in Germany have been constantly at a lower level than prices in the United States, the difference (after allowing for difference in quality) ranging from 1.11 to 2.56 cents, and averaging 2.02 cents per gallon. The excess in the United States price was particularly great from November, 1905, the average for this period being 2.17 cents. This was a period of very sharp competition in Germany. The records of the Deutsch-Amerikanische, Petroleum-Gesellschaft, the Standard's leading marketing concern there, as well as those of independent companies, show a great decline or an absolute disappearance of profits during this period, as will be shown in the part on foreign trade."

For the United Kingdom, Denmark, and the oriental countries, the report shows a similar reduction from the prices charged in the United States.

HARVESTERS CHEAPER IN NORTHERN EUROPE.

Olaf Larsen, a hardware dealer of Lynden, Kans., in a letter published in the Commoner, of Lincoln, Nebr., states how agricultural machinery is sold cheaper abroad than here. He says:

"The writer has spent several years in the employ of the International Harvester trust, the last four years of which I spent having charge of a large territory for them in northern Europe, quitting their employ about seventeen months ago; am now engaged in the hardware and implement business here. During my trips to Europe I sold to European dealers harvesting machinery f. o. b. cars at Chicago as follows: Binders, $33; mowers, $12; hayrakes, $5; and reapers for $15 less than they are sold to American dealers, besides selling the European trade a special stronger made and more durable machine than domestic types, in order to handle the heavy crops raised over there and compete with the substantially built European machines. Here the trust is free from any such competition, as our tariff imposes a prohibitive duty on machinery, namely, $85 on a self-binder."

The tariff-reform committee of the Reform Club, New York, published on May 20, 1909, a pamphlet entitled "Protective Favors to Foreigners," by James G. Parsons, secretary of the tariff-reform committee, and, under the head of "Prices from the export commission houses," says:

"In addition to the great volume of exportations which a number of the big trusts and manufacturing concerns make directly through their own export departments and which have been referred to above, the export commission houses are constantly sending out a great quantity and variety of miscellaneous manufactured goods and specialties of all sorts. By far the larger part of the exportations of the great number of smaller manufacturing establishments, as well as of a considerable number of very large ones, are made through these export houses. These are apparently not quite as numerous as they were a few years ago, because the big trusts are doing more of their own export business themselves, but there are yet between two and three hundred export concerns in New York. Some of the largest of these publish weekly or monthly export trade journals, which circulate only in foreign countries, and which, besides giving descriptive articles, serve as catalogues and price lists through the announcements in their advertising columns and elsewhere.

* * * * * * *

"Of all the export journals, the Exporters and Importers' Journal gives by far the most comprehensive assortment of export prices. At the publication offices of all the export journals precautions are taken to prevent copies from getting into the hands of any domestic buyers or inquirers. The greatest precautions are observed at the office of the Exporters and Importers' Journal. It is very difficult for anyone but a subscriber or advertiser to obtain a copy of this periodical. If a copy is obtained in this country, it contains only the list prices in the department of prices current for export, which is the journal's most important feature. The key to the actual prices of these articles is given only in a separate special discount sheet, which is inserted only in the copies of the journal actually mailed to a foreign country. This sheet contains several hundred discounts arranged in columns, each discount opposite a number, each number referring to a certain part of the list of prices current in the journal, so that, with the discount sheet and journal together, the actual selling prices of the articles listed can be determined.

* * * * * * *

"A copy of the issue of the Exporters and Importers' Journal for January 16, 1909, with the discount sheet to make it complete, has very recently come into the possession of the tariff-reform committee through a correspondent abroad. A number of manufacturers' export price lists were also obtained to corroborate and supplement the figures given in this issue. The form and appearance of the discount sheet and of the list prices in the Exporters and Importers' Journal are here given.

* * * * * * *

"Table 1 shows the difference in discounts, and is therefore much more comprehensive than Table 2, which shows the differences in dollars and cents between export and home prices of certain specific articles. For example, the export discount on plumbs and levels is 70, 10, 10, 10, and 5 per cent, while the home discount is only 60 and 10 per cent. This means not merely that a particular plumb or level is referred to, but that these discounts apply to many kinds and sizes of plumbs and levels made by the manufacturer mentioned, all of which are sold for 72 per cent more in the home market than for export. Frequently, if not usually, the price lists of other manufacturers of the same articles as are here compared show about the same differences between export and home prices. It has been thought best in most cases not to publish the names of the manufacturers whose prices are quoted."

TABLE I.—*Showing differences in discounts between export and home prices.*

[By James G. Parsons, Senate Document No. 54, Sixty-first Congress, first session.]

Articles and description.	Export discount from list.	Home discount from list.	Per cent difference.
Auger bits:	*Per cent.*	*Per cent.*	
Irwin's solid center	60, 10, and 10	50 and 10	39
Snell's	70	60	33⅓
Snell's "King"	60 and 10	50	39
Auger handles, Gunn's No. 5, adjustable and ratchet	35	15 and 10	18
Bells, Texas cow	50 and 10	50	11
Bird cages, Hendryx's brass	50	30	40
Bolt clippers, "New Easy"	60, 10, and 5	50, 10, and 10	18
Bolts:			
Carriage, ⅜ by 6 inches and smaller	80 and 10	75 and 10	25
Machine, ⅜ by 4 inches and smaller	80 and 10	75, 10, and 5	19
Tire	80, 10, and 5	80	17
Borers, bunghole, Enterprise	40 and 2	25	27
Braces:			
Fray's genuine "Spoffords"	70	60	33⅓
Fray's ratchet, Nos. 81-161	60 and 10	50	39
Fray's ratchet, Nos. 83-143	60 and 10	50	39
Fray's ratchet, Nos. 62-142	70	50	66⅔
Fray's ratchet, Nos. 66-166	60 and 10	50	39
Fray's sleeve, Nos. 207-214	60, 10, and 10	50	54
Fray's sleeve, Nos. 407-414	60 and 10	50	39
Fray's sleeve, Nos. 606-614	60 and 10	50	39
Fray's plain, Nos. 306-314	70	50	66⅔
Can openers, "King"	25	0	33⅓
Cartridges, rim fire	60, 10, 10, and 6	50	64
Chains, kennel	60 and 10	60	11
Coffee mills, Enterprise	40 and 10	20 and 25	11
Door rollers and hangers, Lane's	60, 10, 10, and 5	60 and 10	17
Gauges, Disston's steel and center	45	25, 7½, and 10	12
Harness snaps:			
Covert's "Trojan"	50 and 10	40	33⅓
Covert's "Yankee"	50	30 and 2	37
Covert's "Derby"	40 and 10	25	39
Lawn sprinklers, Enterprise	40 and 2	30	19
Levels, Starrett's bench and pocket	40 and 5	33⅓ and 5	11
Oilstones, "Lily White" and "Washita" No. 1	50	33⅓	33⅓
Plumbs, levels, etc., Disston's	70, 10, 10, 10, and 5	60 and 10	72
Sausage stuffers, Enterprise	40 and 2	25 and 7½	18
Saws:			
Disston's Nos. 7, 107, 107½, 3, and 1	45 and 7½	30 and 7½	27
Disston's combination	45 and 7½	30 and 7½	27
Disston's Nos. 12, 16, D8, 120, 76, 8	40 and 10	25 and 7½	28
Disston's compass and keyhole	40 and 10	25 and 7½	28
Disston's butcher	50	30	40
Disston's framed wood	50	25	50
Disston's band	70, 10, and 10	60	65
Scroll saws, Barnes's velocipede	30	20	14
Screw-drivers, Disston's electric	70, 10, 10, and 10	70	37
Smoked beef shavers, Enterprise	40 and 10	25 and 7½	28
Squares:			
Disston's try, rosewood handle	70, 10, 10, 10, and 5	60 and 10	72
Disston's steel	45	25, 7½, and 10	13
Traps, Lovell's rat and mouse	50	33⅓	33⅓
Trowels, Disston's brick	45 and 7½	25	47
Vises:			
Armstrong's plain and hinged	80 and 10	60	122
Armstrong's pipe	60	50	25
Bonney's	50	30 and 10	26

TABLE II.—*Showing difference between export and home prices of certain specified articles.*

Articles and description.	Export price.	Home price.	Difference.
Auger bits:			*P. ct.*
Irwin's solid center, 4-16 ... per doz	$1.30	$1.80	39
Irwin's solid center, 16-16 ... do	2.92	4.05	39
Auger handles, Gunn's No. 5 ... do	9.75	11.48	18
Bird cages, Hendryx's No. 316 ... do	13.00	18.20	40
Bolt clippers, "Easy" and "New Easy," No. 1 ... each	1.71	2.03	18
Bolts:			
Carriage, ⅜ by 6 inches ... per 100	.60	.75	25
Machine, ⅜ by 4 inches ... do	.57	.68	19
Tire, ⅜ by 6 inches ... do	.65	.76	17
Braces:			
Fray's genuine "Spofford," No. 107 ... per doz	6.30	8.40	33⅓
Fray's ratchet, No. 81 ... do	10.44	14.50	39
Fray's ratchet, No. 62 ... do	6.90	11.50	66⅔
Fray's sleeve, No. 207 ... do	7.13	11.00	54
Fray's sleeve, No. 606 ... do	7.56	10.50	39
Fray's plain, No. 306 ... do	3.60	6.00	66⅔
Bunghole borers, Enterprise, No. 1 ... do	.74	.94	27
Can openers, "King" ... per gross	4.50	6.00	33⅓
Coffee mills, Enterprise, No. 1 ... each	1.22	1.35	11
Files, Nicholson's:			
Mill and round bastard, 3 to 4 inch ... per doz	.40	.64	60
Mill and round bastard 5-inch ... do	.48	.68	45
Mill and round bastard, 6-inch ... do	.59	.75	27
Flat bastard, 3 to 4 inch ... do	.40	.79	98
Flat bastard, 5-inch ... do	.48	.83	73
Flat bastard, 6-inch ... do	.59	.92	56
Flat bastard, 7-inch ... do	.75	1.03	37
Flat bastard, 8-inch ... do	.88	1.13	28
Flat bastard, 9-inch ... do	1.01	1.35	34

TABLE II.—*Showing difference between export and home prices of certain specified articles*—Continued.

Articles and description.	Export price.	Home price.	Difference.
Files, Nicholson's—Continued.			*P. ct.*
Flat bastard, 11-inch ... per doz	$1.51	$1.84	22
Flat bastard, 13-inch ... do	2.11	2.52	19
Square bastard, 3 to 4 inch ... do	.40	.81	102
Square bastard, 5-inch ... do	.48	.88	83
Square bastard, 6-inch ... do	.59	.98	66
Square bastard, 7-inch ... do	.75	1.09	45
Square bastard, 8-inch ... do	.88	1.18	34
Square bastard, 9-inch ... do	1.01	1.41	40
Square bastard, 10-inch ... do	1.23	1.58	25
Square bastard, 11-inch ... do	1.51	1.94	29
Square bastard, 12-inch ... do	1.82	2.18	20
Square bastard, 13-inch ... do	2.11	2.67	27
Gauges:			
Disston's combined steel ... each	.55	.62	12
Disston's center ... do	.17	.19	12
Harness snaps:			
"Trojan," 1⅛ loop ... per gross	2.70	3.60	33⅓
"Yankee," 1⅛ loop ... do	2.90	3.98	37
"Derby," No. 733 ... do	2.70	3.75	39
Lamp chimneys:			
Macbeth's No. 502 ... per doz	.40	.68	70
Macbeth's No. 504 ... do	.50	.82	64
Lawn sprinklers, Enterprise, No. 2 ... each	1.76	2.10	19
Levels, Starrett's 24-inch bench ... do	1.28	1.42	11
Plumbs and levels, Disston, No. 12 ... per doz	5.82	10.08	72
Pocketknife and tool kit, Ulery's ... per set	1.15	1.50	30
Rifles:			
Stevens's "Little Scout," No. 14 ... each	1.35	1.75	30
Stevens's "Maynard Jr.," No. 14 ... do	1.80	2.20	22
Stevens's No. 16 ... do	2.00	2.60	30
Stevens's "Little Krag," No. 65 ... do	2.50	3.00	20
Stevens's "Favorite" ... do	3.47	4.50	30
Sausage stuffers, Enterprise, No. 5 ... do	2.20	2.61	18
Saws:			
Disston's hand, 30-inch, No. 7 ... per doz	13.74	17.48	27
Disston's hand, 30-inch, No. 16 ... do	15.39	19.98	28
Disston's combination, No. 43 ... do	15.26	19.42	27
Disston's butcher, 24-inch, No. 7 ... do	8.50	11.90	40
Disston's framed wood, No. 60 ... do	6.00	9.00	50
Disston's band, 2-inch, 18-gauge ... per foot	.157	.26	65
Barnes's combined scroll and circular ... each	28.00	32.00	14
Screws, flat-head iron wood:			
Size, ½ inch, Nos. 1 to 4 ... per gross	.034	.073	115
Size, ⅝ inch, Nos. 1 to 4 ... do	.034	.073	115
Size, ½ inch, Nos. 1 to 3 ... do	.034	.073	115
Size, ⅝ inch, No. 4 ... do	.038	.076	100
Size, ¾ inch, No. 4 ... do	.04	.079	97½
Screws, flat-head brass wood:			
Size, ½ inch, No. 1 ... do	.072	.136	89
Size, ¾ inch, No. 6 ... do	.084	.195	132
Size, ¾ inch, No. 6 ... do	.084	.211	151
Size, ⅞ inch, No. 6 ... do	.096	.227	136
Size, ¾ inch, No. 6 ... do	.108	.251	132
Screws, round-head iron wood:			
Size, ½ inch, No. 1 ... do	.034	.087	156
Size, 1 inch, No. 6 ... do	.06	.112	87
Size, 1½ inches, No. 10 ... do	.10	.17	70
Size, 2 inches, No. 16 ... do	.228	.378	66
Size, 3 inches, No. 18 ... do	.412	.67	63
Screws, round-head brass wood:			
Size, ½ inch, No. 1 ... do	.072	.168	133
Size, 1 inch, No. 6 ... do	.16	.329	106
Size, 1½ inches, No. 10 ... do	.336	.776	131
Size, 2 inches, No. 16 ... do	.768	1.955	155
Size 3 inches, No. 18 ... do	1.24	3.646	194
Screw-drivers, Disston's electric, 12-inch ... per doz	1.36	1.86	37
Shoe dressing:			
Whittemore's "Gilt Edge" ... do	1.20	1.75	46
Whittemore's "Baby Elite" ... do	.60	.67	12
Shotguns:			
Stevens' No. 105 ... each	2.80	4.25	52
Stevens' No. 107 ... do	3.00	4.50	50
Stevens' No. 225 ... do	8.67	9.75	12
Smoked-beef shavers, Enterprise, No. 23 ... do	4.32	5.55	28
Squares:			
Disston's try, rosewood, 10-inch, No. 1 ... per doz	1.66	2.88	72
Disston's steel, 4-inch ... each	1.10	1.46	13
Traps, Lovell's mouse and rat, metallic ... per gross	5.50	7.33	33⅓
Trowels, Disston's brick, 8-inch, No. 1 ... per doz	4.07	6.00	47
Vises:			
Armstrong's hinged, No. 1 ... each	1.80	4.00	122
Armstrong's combination, with leg sockets ... do	6.40	8.00	25
Bonney's No. 112 ... per doz	2.25	2.84	26
Watches:			
Elgin movement, 20-year gold-filled case ... each	7.98	10.23	28
Elgin movement, silveroid case ... do	3.04	4.47	47
Wrenches, Hawkeye "5 in 1" ... per doz	3.60	4.50	25

Mr. GORE. Mr. President, I hope that this debate will not close until some Senator on the other side has explained why it is that the man who is engaged in manufacturing farming implements in the United States can not compete with the foreigner, when the man who is engaged in producing farm products in the United States must compete with the foreigners of all the earth. Farm labor in the United States is paid from 50 cents a day all the way to $1.75 a day. This is from 2 to 20 times as much as the wages that are paid to their competitors throughout the farming nations of the world. The man who produces wheat in the great wheat fields of the West

must meet the foreigner in all the markets of the civilized world. He must sell his wheat in competition with Russian wheat, which is produced by labor that is paid from 10 to 15 cents per day; he must sell his wheat in the market places in competition with wheat that is produced in India by pauper labor that is paid from 7 to 10 cents a day. The cotton farmers of the South must meet in the markets of the earth the cotton that is grown in India and in Egypt, and grown by ryots and coolies, who toil from the rising to the setting sun for the miserable pittance of from 6 to 10 cents a day.

If the farmers of the United States must compete with the half-fed, half-clad pauper laborers of the earth, then why should they be compelled to buy their implements from a tariff-protected trust, sheltered against all foreign competition?

The Senate has not extended, and the Senate can not extend, any beneficial protection to the farmers of the United States. I am well aware that the tariff on corn has been increased by this bill from 15 to 20 cents per bushel. Mr. President, I confess that I enjoy a joke, but the tariff on corn is an overdraft on my sense of the ridiculous. You might as well levy a tariff on the trade winds or impose protection upon waterfalls in order to encourage Niagara or Yosemite.

Think of it! In 1906 we produced 2,927,000,000 bushels of corn and imported only 10,000 bushels, and that principally for seed. For every 200,000 bushels which we produced we imported 1 bushel; for every 70,000 bushels produced we imported 1 peck; for every 9,000 bushels produced we imported 1 quart; for every 4,500 bushels produced we imported a pint. Terrible competition that, and the farmer must be protected against the foreigner. This tariff on corn is an insult to the self-respecting, intelligent, and patriotic producers. The farmer is not only to be crucified upon this cross of high protection, but he is being compelled to carry his own cross to his own crucifixion.

The Senator from North Dakota [Mr. McCUMBER] labored hard on one occasion to prove that wheat was higher in the United States than in Canada owing to our present tariff of 25 cents a bushel, which the Senate has generously increased to 30 cents per bushel. Some good Samaritan sent me a copy of the Chicago Record-Herald, I believe of June 12, and I desire to quote the market prices of July wheat in the hearing of the Senate. At Winnipeg July wheat was quoted at $1.30¼, at Duluth at $1.30½, and at Minneapolis at $1.31½. Now, sir, mark the change when you leave the Canadian line. July wheat was quoted in New York at $1.26; in Chicago at from $1.18 to $1.22, notwithstanding our protection of 25 cents per bushel. But, sir, the contrast sharpens as we proceed. July wheat was quoted in St. Louis at $1.16, 14 cents less than in Winnipeg, notwithstanding the duty of 25 cents, and in Kansas City, the market in which I feel the deepest interest, July wheat was quoted at $1.12, 18 cents less than the Canadian wheat in Winnipeg, notwithstanding your splendid protection of 25 cents per bushel.

Mr. President, the tariff on corn and the tariff on wheat are a delusion and a snare; they are intended to be a delusion and a snare; and whenever farmers complain that duties have been increased on the necessaries of life, the great statesmen of this Senate will complacently assure them that they ought not to murmur; that the farmer was not neglected; that the duties were increased on agricultural products.

These increased duties on farm products are intended to dazzle and to deceive the farmers of this country.

I repeat that, despite all your tariff protection, the farmers of the United States must meet the pauper farmers of all the earth in the market places of the earth; and I say, in God's name, since they must sell in the cheapest markets of the world, they ought to be allowed to buy their farming implements in the cheapest markets of the world. It is simply a question as to who stands higher in the esteem and affection of the Senate—the American farmer or the international trust on farming implements.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia [Mr. BACON].

Mr. BACON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRIGGS (when his name was called). I am paired with the senior Senator from Maryland [Mr. RAYNER]. I transfer that pair to the senior Senator from Oregon [Mr. BOURNE] and vote. I vote "nay."

Mr. CLAPP (when his name was called). I am paired for the present with the junior Senator from Arkansas [Mr. DAVIS]. I understand, however, that he would vote "yea" if present, and therefore I will take the liberty of voting. I vote "yea."

Mr. CLAY (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE], who is necessarily absent from the Senate. If he were present, he would vote "nay" and I should vote "yea."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL]. I make the announcement for the day.

Mr. JONES (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. SMITH], who is absent on account of sickness. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote. I vote "nay."

Mr. OWEN (when his name was called). I am paired for the afternoon with the Senator from Montana [Mr. DIXON]. I transfer that pair to the Senator from Arkansas [Mr. DAVIS] and vote. I vote "yea."

Mr. SIMMONS (when his name was called). I am paired for the day with the junior Senator from Illinois [Mr. LORIMER]. I am advised that if he were present, he would vote "nay." If permitted to vote, I should vote "yea."

Mr. TILLMAN (when the name of Mr. SMITH of South Carolina was called). My colleague [Mr. SMITH] is detained from the Chamber on account of illness. He is paired with the Senator from Washington [Mr. JONES].

The roll call was concluded.

Mr. SMITH of Maryland. The senior Senator from Maryland [Mr. RAYNER] is unavoidably absent to-day. He is paired with the junior Senator from New Jersey [Mr. BRIGGS]. If my colleague were present, he would vote "yea."

Mr. McLAURIN (after having voted in the affirmative). I inquire if the junior Senator from Michigan [Mr. SMITH] has voted?

The PRESIDING OFFICER. The Chair in informed that he has not voted.

Mr. McLAURIN. I am paired with the junior Senator from Michigan on this vote. If he were present, he would vote "nay" and I should vote "yea." I withdraw my vote.

Mr. FRYE. I will transfer my pair with the Senator from Virginia [Mr. DANIEL] to the senior Senator from Connecticut [Mr. BULKELEY] and vote. I vote "nay."

The result was announced—yeas 26, nays 45, as follows:

YEAS—26.

Bacon	Fletcher	Martin	Smith, Md.
Bailey	Foster	Money	Stone
Bankhead	Frazier	Newlands	Taliaferro
Bristow	Gore	Overman	Taylor
Chamberlain	Hughes	Owen	Tillman
Clapp	Johnston, Ala.	Paynter	
Culberson	La Follette	Shively	

NAYS—45.

Aldrich	Crane	Gallinger	Penrose
Borah	Crawford	Gamble	Perkins
Bradley	Cullom	Guggenheim	Piles
Brandegee	Curtis	Hale	Scott
Briggs	Depew	Heyburn	Smoot
Brown	Dick	Johnson, N. Dak.	Sutherland
Burkett	Dillingham	Jones	Warner
Burnham	Dolliver	Kean	Warren
Burrows	du Pont	McCumber	Wetmore
Burton	Elkins	Nixon	
Carter	Flint	Oliver	
Clark, Wyo.	Frye	Page	

NOT VOTING—21.

Beveridge	Daniel	McLaurin	Smith, Mich.
Bourne	Davis	Nelson	Smith, S. C.
Bulkeley	Dixon	Rayner	Stephenson
Clarke, Ark.	Lodge	Richardson	
Clay	Lorimer	Root	
Cummins	McEnery	Simmons	

So the amendment of Mr. BACON was rejected.

Mr. ALDRICH. I ask that the committee amendment be now agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. BACON. What is the committee amendment?

Mr. ALDRICH. Striking out the proviso.

Mr. BACON. I understand the Senator proposes to strike out that proviso upon the ground that he anticipates the adoption of the minimum and maximum provision. I suppose if that is not adopted, he will restore the proviso.

Mr. ALDRICH. Probably.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. On page 186, paragraph 468, it is proposed to strike out the proviso.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. MARTIN. Mr. President, I desire to offer an amendment——

Mr. ALDRICH. I suggest to the Senator from Virginia that I promised to take up the paper paragraph next; and if he will withhold his amendment for the present——

Mr. MARTIN. Very well.

Mr. BROWN. I offer the amendment which I send to the desk as a substitute.

Mr. BRADLEY. I desire to offer an amendment to strike out paragraph 333 and insert a new paragraph.

Mr. ALDRICH. If the Senator from Kentucky will wait until we dispose of the pending proposition——

Mr. BRADLEY. Why not dispose of it now?

Mr. ALDRICH. I am willing. I think it will not cause any discussion.

Mr. BRADLEY. I desire to leave the Senate, as I am not feeling very well, and I should like to have it disposed of.

Mr. ALDRICH. Very well.

Mr. BRADLEY. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out paragraph 333 and insert a new paragraph in lieu thereof, as follows:

333. Hemp and tow of hemp, 2 cents per pound; hemp, hackled, known as "line of hemp," 4 cents per pound.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BROWN. I offer the amendment I send to the desk as a substitute for paragraph 402.

The PRESIDING OFFICER. The Senator from Nebraska offers a substitute for paragraph 402.

Mr. ALDRICH. I ask that the vote may be reconsidered by which that paragraph was agreed to——

Mr. BROWN. It never has been acted upon.

Mr. ALDRICH. That is correct.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska [Mr. BROWN] will be stated.

The SECRETARY. As a substitute for paragraph 402 it is proposed to insert the following:

402. Chemical wood pulp, unbleached, one-sixth of 1 cent per pound, dry weight; bleached, one-fourth of 1 cent per pound, dry weight. Mechanically ground wood pulp shall be admitted free of duty: *Provided*, That if the President shall ascertain and shall make proclamation to that effect that any country, dependency, province, or any subdivision thereof, has unduly discriminated against the United States by the imposition of an export duty or other export charge of any kind whatsoever upon any pulp wood, wood pulp, or printing paper exported into the United States, or has forbidden or unfairly restricted the exportation thereof in any way, either directly or indirectly, thereupon and thereafter there shall be imposed upon all mechanically ground wood pulp a duty of one-twelfth of 1 cent per pound, dry weight; and an additional duty upon chemical wood pulp, unbleached, of one-sixth of 1 cent per pound, dry weight; and upon chemical wood pulp, bleached, of one-fourth of 1 cent per pound, dry weight, when imported from such country, dependency, province, or any subdivision thereof, into the United States.

Mr. BROWN. Mr. President, I desire to point out the only difference between the substitute and the paragraph sought to be displaced. There is no difference with respect to chemical pulp. The Senate will observe that the proposal contained in the House measure is a reenactment of the Dingley rate, so far as pulp is concerned, at one-twelfth of 1 cent a pound. But it contains a proviso that says it may be admitted free on certain conditions and provides for countervailing and additional duties.

My substitute reverses the order by declaring, in the first place, that mechanically ground pulp shall be free; but it contains a proviso which authorizes a rate of duty of one-twelfth of a cent a pound, on condition that the rate shall go into effect after the President has investigated and ascertained and has by proclamation declared that there has been undue discrimination against us. In other words, my substitute postpones the imposition of countervailing and retaliatory duties until the President shall have ascertained the existence of undue discrimination against us. It seems to me that is better logic. It is certainly simpler in form, and I believe it ought to be adopted.

I wish to say, further, that the substitute contains one provision that is not in the House bill at all. I refer to the provision mentioned a moment ago, that the President shall be the moving power to ascertain the condition of the business and of the duties with reference to both countries. Every student of the question for the last twelve years has advocated making it a matter of treaty between the governments. This substitute gives the President authority to enter that dominion of inquiry and investigation and consideration with other governments.

I hope the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. I ask that paragraph 402, as amended, may be agreed to.

Mr. MARTIN. Mr. President——

Mr. ALDRICH. I hope the Senator will allow me for a moment.

The PRESIDING OFFICER. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I now ask that paragraph 405 be agreed to.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. The Chair did not hear the Senator. What paragraph is referred to?

Mr. BROWN. Paragraph 405—the printing-paper paragraph. I ask that the proviso found on page 158, beginning on line 5, be stricken out and the following inserted as a substitute; and I will say in advance that this has the same effect with respect to printing paper that the other amendment had with respect to pulp.

The PRESIDING OFFICER. Will the Senator from Nebraska kindly indicate what he wishes to have done?

Mr. BROWN. I offer a substitute for the proviso beginning at line 5.

The SECRETARY. In lieu of the proviso in paragraph 405, on page 158, beginning on line 5, insert the following proviso:

Provided, That if the President shall ascertain, and make proclamation to that effect, that any country, dependency, province, or any subdivision thereof, has unduly discriminated against the United States by the imposition of an export duty or other export charge of any kind whatsoever upon any pulp wood, wood pulp, or printing paper exported into the United States, or has forbidden or unfairly restricted the exportation thereof into the United States in any way, thereupon and thereafter there shall be imposed upon all printing paper valued at 3 cents per pound or less an additional duty equal to the rate imposed by this section upon such paper when imported from such country, dependency, province, or any subdivision thereof, into the United States.

Mr. CLAPP. Mr. President, before the vote is taken on the substitute, I simply want to say that, personally, I am opposed to any provision whatever by which the President or anyone else shall impose a duty on paper or pulp. But I believe that both of these substitutes very much improve the House provision, and I do not care to embarrass them by any discussion at this time. I might offer substitutes after they are adopted, but I realize that it is Saturday afternoon, and that Senators are anxious to get through with the matter. I will therefore bring it up when the maximum and minimum clause comes up, or perhaps when the bill is in the Senate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

Mr. LA FOLLETTE. Mr. President, I hope we may be permitted to have the yeas and nays on this vote.

The PRESIDING OFFICER. On which the Senator from Wisconsin demands the yeas and nays. Is there a second? In the opinion of the Chair, not a sufficient number have asked for the yeas and nays.

Mr. LA FOLLETTE. I wish the Chair would again put the question to the Senate. I do not believe it is understood.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. BROWN], upon which the Senator from Wisconsin [Mr. LA FOLLETTE] asks for the yeas and nays. Is there a second? In the opinion of the Chair, there is not a sufficient number. The question is on agreeing to the substitute.

The substitute was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the paragraph as amended.

Mr. CRAWFORD. Mr. President, I simply wish to express the hope that at some time before these matters are finally disposed of we may have an opportunity to vote directly upon the question of admitting into this country absolutely free of duty, without these provisions, wood pulp and pulp wood. I am willing to accept this, if we can not get anything better; but I am not satisfied that we are gaining much by putting these conditions upon the admission of pulp wood and wood pulp. I say that because, whether the President does it or whether the law does it automatically, I believe that whatever duty is imposed is simply an additional tax from which there is no escape, and that it will be paid on this side of the boundary line.

The PRESIDING OFFICER. The question is on agreeing to the amended paragraph.

The paragraph as amended was agreed to.

Mr. ALDRICH. Mr. President, the Senator from Virginia has an amendment he desires to offer.

Mr. MARTIN. Mr. President, with the permission of the chairman of the committee, I desire to return to paragraph 55, on page 14.

The VICE-PRESIDENT. Without objection, the Senate will return to paragraph 55.

Mr. MARTIN. And I ask its reconsideration, with a view of offering an amendment.

The VICE-PRESIDENT. It is not necessary to reconsider the paragraph.

Mr. MARTIN. Mr. President, that paragraph places Paris green and London purple on the dutiable list at 15 per cent ad valorem. Almost the sole use of these articles is as insecticides. They are used by truck raisers all over the country, and especially by the potato growers in the States of Maine, Maryland, Delaware, and Michigan; in fact, in all the trucking districts of the country.

I think these articles ought to be placed on the free list; and I shall, later on, move an amendment in another place putting them on the free list. I now move that paragraph 55 be stricken out.

The VICE-PRESIDENT. The Secretary will report the amendment offered by the Senator from Virginia.

The SECRETARY. On page 14, strike out paragraph 55, reading as follows:

Paris green and London purple, 15 per cent ad valorem.

Mr. ALDRICH. Mr. President, I have a large number of very vigorous protests with reference to this matter from the manufacturers of Paris green and London purple. I am willing that the amendment of the Senator from Virginia shall be adopted; but the committee reserve the right to investigate the question, and may perhaps ask the Senate to reverse the action if they find it necessary.

Mr. MARTIN. Of course it will be in the power of the Senator to ask for a reversal of the action of the Senate, but I can certainly ask no more at present than that it be adopted. If a motion to reverse is made later, I shall ask to be heard upon it.

Mr. HALE. This is not a committee amendment?

Mr. MARTIN. Oh, no; it is not a committee amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Virginia.

The amendment was agreed to.

Mr. MARTIN. I now move that an additional paragraph, to be numbered 472½, be inserted after——

Mr. ALDRICH. It had better be added to the paragraph dealing with arsenic, paragraph 488 of the free list, after the words "arsenic and sulphide of arsenic, or orpiment."

Mr. MARTIN. I would just as soon have it there.

Mr. ALDRICH. That is where it belongs.

Mr. MARTIN. I move the insertion of an additional paragraph there.

Mr. ALDRICH. At the end of paragraph 488.

Mr. MARTIN. Just add the clause there, making it paragraph 488½.

Mr. ALDRICH. No; you do not need to make it paragraph 488½. Make it a part of paragraph 488.

Mr. MARTIN. I will make it part of that paragraph, then. I move to add the words "Paris green, and London purple."

The VICE-PRESIDENT. The Senator from Virginia [Mr. MARTIN] offers an amendment, which will be reported by the Secretary.

The SECRETARY. On page 196, line 5, after the word "orpiment" and before the period, insert a semicolon and the following words:

Paris green, and London purple.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. McCUMBER. Mr. President, I offer the following amendment, which has been agreed to by the committee.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 68, paragraph 194, insert, to come in after the words "ad valorem," in line 16:

Provided, however, That all machines used for the manufacture of linen or cloth from flax and flax fiber imported prior to January 1, 1912, shall be admitted free of duty.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. DOLLIVER. I wish to know the effect of the amendment.

Mr. McCUMBER. It refers to machinery for the manufacture of flax fiber into any kind of cloth. There is no such machinery manufactured in the United States at the present time, and a number of contemplated establishments desire to install their machinery this year.

Mr. KEAN. Every flax manufacturer in the country has paid 45 per cent on his machinery.

Mr. McCUMBER. There is not any machinery of this kind manufactured in the United States.

Mr. KEAN. But all that has been brought in has paid 45 per cent.

Mr. McCUMBER. That may be; but there is none being brought in now.

Mr. KEAN. Do you not think you are working a great injustice to the people that have paid 45 per cent duty on their machinery?

Mr. McCUMBER. No; I do not.

Mr. KEAN. I do.

Mr. McCUMBER. I do not, in the case of this character of machinery, as long as it is not manufactured in the United States.

Mr. ALDRICH. Mr. President, I will say to the Senator from New Jersey that the committee will examine this amendment, and see that no machinery that has heretofore been imported shall be discriminated against.

Mr. BURTON. Mr. President——

Mr. DICK. Mr. President——

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the junior Senator from Ohio?

Mr. BURTON. I yield to my colleague.

Mr. DICK. What is the character of this machinery? In the first place, is it patented machinery?

Mr. McCUMBER. I can not say whether the machinery is patented or not. I simply know, from the information I get from the companies that desire to use the flax fiber in Minnesota, in North Dakota, and in Michigan, that they wish to import this machinery free until they can establish their business.

Mr. DICK. Is it machinery of a very complicated character?

Mr. McCUMBER. I do not know much about the machinery.

Mr. NELSON. Mr. President, I think it is the machinery described in the volume I have in my hand.

Mr. McCUMBER. No; it is not. This is flax machinery.

Mr. DICK. Is all the machinery used for that purpose now machinery that is imported?

Mr. McCUMBER. There is none now manufactured in the United States, according to my information, and there never has been any.

Mr. DICK. And all that has been imported heretofore has paid 45 per cent duty?

Mr. McCUMBER. I do not know what character of the machinery has been introduced heretofore, because there has been very little, if any, of this kind imported.

The VICE-PRESIDENT. Now, does the Senator from North Dakota yield to the junior Senator from Ohio?

Mr. McCUMBER. I do.

Mr. BURTON. I do not fully understand what is included in this paragraph. Does it admit lace-making machines free of duty until July 1, 1912?

Mr. McCUMBER. Up until 1912; no longer. That gives us only a year and a half.

Mr. BURTON. The Senator from North Dakota is in error in stating that no machines of this nature are manufactured in this country.

Mr. McCUMBER. Not only is that the information I get from the American Society of Equity, a farmers' association which has looked into the matter, but the Senator from Michigan wired to ascertain whether any of this machinery is manufactured in the United States, and he got the same response—that there is none manufactured here.

Mr. BURTON. I am informed that an establishment for making that class of machinery is now under way, if not already completed, at Elyria, Ohio. They wrote to inquire about this paragraph, and have relied upon it in the form in which it stands in the bill. It seems to me this is a very dangerous exception to make.

Mr. McCUMBER. In this short period of time, Mr. President, there will be very little of this machinery imported. I should like to call the Senator's attention to the fact that the whole question of whether or not we can manufacture the flax fiber that is raised in the States I have named into cloth, linen, and so forth, is an uncertain question in the development of the industry. Undoubtedly it will be quite a while before it can be made to pay, and at most it is only in the experimental stage. It seems to me we ought to encourage these experiments and make the cost of the attempt as reasonable as possible in view of the fact that it may result in loss and failure.

Mr. BURTON. I can not agree with the Senator from North Dakota that three years—from July 1 next until July 1, 1912—is only a short time. It is three years; and that is long enough——

Mr. McCUMBER. It will only be two years and a half, Mr. President.

Mr. BURTON. That is long enough to destroy a new industry that has relied on the law as it has been for years, and as it is now. I see no reason for this favoritism, for bringing in

free this kind of machinery, when all other varieties of machinery of the same class are made dutiable; and I must enter my decided protest and my opposition to the passage of this amendment.

Mr. McCUMBER. Mr. President, when the Senator states that a factory for making machinery of this kind is being built by manufacturers of this country, does he not refer to lace-making machinery, and not to flax machinery?

Mr. BURTON. It is a factory for the manufacture of lace-making machinery. I asked the Senator from North Dakota the direct question whether the amendment included lace-making machinery, and I understood him to answer in the affirmative.

Mr. McCUMBER. My amendment has nothing to do with lace-making machinery.

Mr. BURTON. I certainly misunderstood the Senator from North Dakota then; for that was the direct question I asked.

Mr. McCUMBER. No; it is only for the manufacture of flax straw into linen cloths, not lace articles.

Mr. BURTON. It has nothing to do with lace making, then?

Mr. McCUMBER. Oh, no; nothing at all.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. McCUMBER].

Mr. CRAWFORD. Let us hear it read.

The VICE-PRESIDENT. Without objection, the amendment will again be reported.

The SECRETARY. In paragraph 194, after the words "ad valorem," in line 16, insert:

Provided, however, That all machines used for the manufacture of linen or cloth from flax and flax fiber, imported prior to January 1, 1912, shall be admitted free of duty.

Mr. SMITH of Michigan. This is not a new proposition——

Mr. ALDRICH (to Mr. SMITH of Michigan). The amendment has been agreed to.

Mr. HALE. I offer the amendment I send to the desk.

The VICE-PRESIDENT. Is it an amendment to the amendment?

Mr. ALDRICH. The amendment was agreed to, I thought.

The VICE-PRESIDENT. Oh, no. The question has not been put upon the amendment.

Mr. ALDRICH. I ask that it may be put.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. McCUMBER].

The amendment was agreed to.

Mr. GORE. Mr. President——

Mr. HALE. Let my amendment be acted upon.

Mr. ALDRICH. I ask that the paragraph be disposed of.

The VICE-PRESIDENT. The Chair will recognize the Senator from Oklahoma in a moment. The Senator from Maine offers an amendment, which will be stated.

The SECRETARY. On page 167, at the end of paragraph 412, and the amendment already agreed to at that place, insert the words:

The rates fixed by this paragraph shall take effect November 1, 1909.

The amendment was agreed to.

Mr. GORE. I desire to offer an additional paragraph to this schedule——

Mr. ALDRICH. That is not now in order, I suggest.

Mr. BEVERIDGE. Not until the paragraph is disposed of.

Mr. BACON. Mr. President——

Mr. ALDRICH. This paragraph should be disposed of first, and then the committee amendments will be first in order.

The VICE-PRESIDENT. The Chair does not know what it is that the Senator from Oklahoma desires to do.

Mr. GORE. I desire to offer an additional paragraph to the print-paper schedule. I attempted to get recognition of the Chair when we were on that schedule, but was unsuccessful.

Mr. ALDRICH. All the print-paper paragraphs have been disposed of, and the amendment would not now be in order.

Mr. BACON. Mr. President——

Mr. GORE. I attempted to obtain recognition, but the occupant of the chair changed before I succeeded.

Mr. ALDRICH. I have no objection to the paragraph being read, that we may know what it is about.

The VICE-PRESIDENT. The only way to reach it is by unanimous consent, which is what the Senate is doing now—jumping from one place to another. No regular order is being pursued.

Mr. ALDRICH. I ask for the regular order.

The VICE-PRESIDENT. Does the Senator from Rhode Island demand the regular order?

Mr. ALDRICH. I do.

The VICE-PRESIDENT. Will the Senator from Rhode Island kindly indicate what is the regular order?

Mr. ALDRICH. The question is on agreeing to the paragraph just amended.

The VICE-PRESIDENT. The Senator from Rhode Island is correct about that. The question is on agreeing to the paragraph to which an amendment has been accepted.

Mr. BEVERIDGE. I move to amend the paragraph in line 10 by inserting after the words "cash registers" the words "15 per cent ad valorem."

The VICE-PRESIDENT. We are not on that paragraph at all.

Mr. BEVERIDGE. Yes; indeed we are.

The VICE-PRESIDENT. We are attempting to approve paragraph 412.

Mr. BEVERIDGE. One hundred and ninety-four is what we are on.

The VICE-PRESIDENT. The Senator from Maine has since offered an amendment to another paragraph, which amendment has been accepted, and the question now is on the approval of the paragraph as amended.

Mr. HALE. That is all.

Mr. ALDRICH. I ask that it be done.

Mr. BEVERIDGE. What paragraph?

The VICE-PRESIDENT. Paragraph 412.

Mr. BEVERIDGE. Then, the Senator from Maine jumped to another paragraph?

Mr. HALE. I did.

Mr. BEVERIDGE. Ah, yes; I understand.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. BEVERIDGE. What is that?

The VICE-PRESIDENT. Paragraph 412.

The paragraph as amended was agreed to.

Mr. BEVERIDGE. I renew my amendment.

The VICE-PRESIDENT. The Chair would suggest that we first dispose of the matter of the Senator from Oklahoma.

Mr. BEVERIDGE. It is not in order. The Senator from Rhode Island has called for the regular order.

Mr. BACON. I have several times addressed the Chair. I desire to be heard on that question.

The VICE-PRESIDENT. The Chair desires to inquire, if he may, of the Senator from Rhode Island, what he now considers the regular order?

Mr. ALDRICH. Paragraph 194 was not disposed of, I think. I may be mistaken. The amendment of the Senator from North Dakota was agreed to, but the paragraph as amended was not.

Mr. BEVERIDGE. That is correct. Then, the Senator from Maine put in an amendment to another paragraph, which left paragraph 194 amended, but not agreed to.

The VICE-PRESIDENT. The statement is correct. The perfection of paragraph 194 is the regular order.

Mr. BEVERIDGE. I renew my amendment.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. In one moment. The Secretary will state the amendment.

The SECRETARY. After the words "cash registers," in line 10, insert "15 per cent ad valorem."

Mr. BACON. I do not desire to interfere with action upon the amendment, but when it shall have been disposed of I wish to say something on the other question.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Indiana.

Mr. BURTON. Mr. President——

Mr. ALDRICH. I hope the Senator from Ohio will allow this amendment to go in. I assure the Senator that the committee will, before final action is taken, carefully consider the matter.

Mr. BURTON. I have no objection to that if it is requested. But this is rather an unusual proceeding—to allow an accusation of this kind, when the accused should at least have a chance to be heard in defense, to influence the action of the Senate in changing a duty. Under the promise, however, of the Finance Committee I am willing that the amendment be adopted. I presume it makes very little difference to the company whether the duty is 30 or 15 per cent.

Mr. DICK. Mr. President, I want to understand the assurance of the chairman of the Finance Committee. I did not hear it when it was made.

Mr. ALDRICH. I made the request that the amendment be allowed to go in, but with the understanding that before final action the committee would carefully examine whether or not the rate ought to be reduced.

Mr. DICK. Is not this practically final action?

Mr. ALDRICH. I think not. The bill will have to be considered in the Senate and in conference. There are several important stages, I think, through which the bill must go before it is finally passed.

Mr. DICK. I appreciate, however, that each step taken removes us just that much further from a fair consideration of the subject. When the matter was up a day or two ago we understood that before it would be disposed of a full hearing would be given to all parties in interest. I think, under that agreement, the Senator from Indiana ought not to press his amendment at this time, but should wait until such hearing has been given and there has been such consideration by the committee as will warrant a recommendation on its part.

Mr. BEVERIDGE. Mr. President, if I was not absolutely sure that the manufacturers themselves could not by any possibility be injured by this rate on cash registers, and if I was not sure, to a moral certainty, that even they themselves, for the reasons given, would not object to 15 per cent or even to having all of the duty taken off, I certainly would be willing to let it go over. But in view of the fact that there are absolutely no importations, and of difference in the prices abroad and here, and of the unquestioned fact that 15 per cent is abundant and not even needed by this company, I think we may as well dispose of it now.

Mr. BURTON. Will the Senator from Indiana yield to me for a question?

Mr. BEVERIDGE. Certainly.

Mr. BURTON. Is he willing to state to the Senate the source of his information on this subject? Is it not true that it came from the attorney of a rival corporation——

Mr. BEVERIDGE. I do not know a thing about that.

Mr. BURTON. Between which and the National Cash Register Company there is a bitter feud?

Mr. BEVERIDGE. It came, I will say, from a man of the very highest credibility. What his relations are to any rival of the Dayton Cash Register Company I do not know; and I never did know until you suggested it just now. The question, however, is whether or not any of these statements of fact are untrue. One or two statements that I got and asked about were stated to me by a Senator on the floor as I was speaking who himself had had experience with this company.

Mr. BURTON. Did not the informant of the Senator from Indiana admit that he was the attorney for a rival corporation?

Mr. BEVERIDGE. He never said a word to me about being the attorney of a rival organization.

Mr. BURTON. Did not the Senator from Indiana know that?

Mr. BEVERIDGE. No; I did not.

Mr. BURTON. He was an attorney, was he not?

Mr. BEVERIDGE. I do not know whether he is an attorney or not. The Senator knows perfectly well who it was, and the Senator knows that he is reliable. But that is aside from the point. The question is whether or not it was true. I am assured it was. A part of the information came from one of the Senators sitting right behind me while I was speaking.

Mr. BURTON. Did the informant of the Senator from Indiana claim to be a friend of the public?

Mr. BEVERIDGE. No; he made no claim of being a friend of the public. But, as a matter of fact, I think he was a friend of the public.

Mr. BURTON. If my colleague will yield to me, I want to state the facts in regard to this matter. I know them to be that the informant, who was the attorney of the rival company, trying in every way to destroy the business of the National Cash Register Company, went to the Senator from Indiana, believing that if they destroyed that they would build up their own, and apparently the Senator from Indiana listened to a prejudiced party seeking to do them an injury.

I do not object to this matter being passed on by the Senate, but I do object to the precedent that we are to act upon information that is conveyed to the Senate in that kind of a way. I do not question the good faith of the Senator from Indiana, although I think he displayed an unusual degree of enthusiasm against this company and in action against it; but I think it is time to question whether that is a proper basis to act upon in the Senate.

Mr. BEVERIDGE. Mr. President, I displayed not any more enthusiasm than I am accustomed to show upon a question involving a public duty. The question is not at all where the source of information was. The Senator knows full well that it was brought by a man as highly reputable as any man of his acquaintance. His connection as an attorney of an independent company is something I knew nothing about; and it would not have affected me one way or the other if I had known. That is not the question. The question is whether it is true.

Do I understand that the Senator from Ohio is in the attitude of defending that corporation? I have always known that it is one of the most model plants of the world from an industrial and sociological point of view. That does not excuse it for its outrageous business practices. I do not wish to bring up the matter unless the Senator wants to.

Mr. BURTON. I say, whether the accusations are true or not, they are of so serious a nature that, unlike the Senator from Indiana, I am unwilling to come to a conclusion upon them until a thorough investigation of the facts has been made. I would not be willing now to listen to the officers even of the cash register company without further information. I certainly would not listen to a lawyer who came here for the express purpose of injuring the business of another company.

Mr. BEVERIDGE. Even aside from its business practices, not one allegation of which can be questioned as far as that is concerned, the reduction of this duty rests upon the fact that there is not a single one of these machines imported, though these very identical machines are now selling in England at precisely half the price. That is proved by the price lists here in America and in England. When the question came up the Senator from Rhode Island, I think, at once stated that the cash registers, which heretofore had not appeared by name in our tariff bills, were inserted here as a matter of classification. Formerly they came in under "Manufactured machines not specifically classified." That is how they had, then, a duty of 45 per cent. In order to make a better classification they were put in here.

The Senator never had had his attention called to it; there had been no hearings upon it, and it went into the bill at 30 per cent as a matter of classification. But upon those facts the Senator from Ohio would not suggest that more than a duty of 15 per cent should go on. If that would injure this enormous corporation, it would certainly a great deal more injure any little corporations or factories or firms that are trying to make cash registers.

Mr. BURTON. Mr. President, the objection is that it is not facts, but imagination—accusations that are made by an enemy. I must enter my decided opinion that that is not a proper way in which to settle a tariff schedule.

In view of the form that this discussion has taken I am inclined to ask for a vote upon this subject, if it is taken now, or it can be postponed for a fuller and freer discussion in the future.

Mr. BEVERIDGE. I join the Senator in asking for a vote.

Mr. BURTON. We have heard hardly a word from this company. I have not investigated the facts relating to its business, the amount of importations, if any, and the prices charged abroad, but I do not think the Senate ought to accept some photograph brought in here by an attorney for a rival concern—an establishment that is more than a rival concern; it is a vicious opponent.

Mr. BEVERIDGE. Does the Senator——

Mr. BURTON. As they rely not upon facts——

Mr. BEVERIDGE. Does the Senator deny that these very machines are selling in England at exactly one-half what they are selling here?

Mr. BURTON. I do not know the facts about it, but I do not believe they are. In the first place, they would have to be of a different model, and they would have to be marked, as is very obvious, in pounds, shillings, and pence. The Senator from Indiana is very ready to accept that statement when it comes to him from a partial and prejudiced source. I am not equally willing to accept such statements.

Mr. BEVERIDGE. I am relying for my source of information upon a man with whom the Senator can settle himself. He knows as well as I do that a more reputable and honorable man does not live in the world. But that aside, there are two facts to which nobody can make objection. One of them is that this machine is sold in England for half it is sold here, and, second, not a single machine is imported.

Mr. McCUMBER. Will the Senator give me a little information further on this subject?

Mr. BEVERIDGE. If I can.

Mr. McCUMBER. I understand that the National cash register is a patented article.

Mr. BEVERIDGE. I think it is.

Mr. McCUMBER. Therefore the same article could not come from a foreign country here. The competition must necessarily be another character of a cash register manufactured in a foreign country. If I understand the Senator correctly, the National cash register is sold, we will say, in England for one-half as much as it is sold in the United States.

The Senator, I think, rightly assumes, therefore, that it could not be manufactured abroad or manufactured, at least, for 50 per cent of its present selling price.

Mr. BEVERIDGE. No; I did not say that.

Mr. McCUMBER. I assume that would follow.

Mr. BEVERIDGE. No.

Mr. McCUMBER. And sold at a profit.

Mr. BEVERIDGE. The facts, as I understand them to be, are that this machine is sold in England at one-half of what it is sold for here; that it is shipped to England, and the manufacturer sells abroad——

Mr. McCUMBER. It is not sold at a loss.

Mr. BEVERIDGE. Of course not; I assume not.

Mr. McCUMBER. I have reason to believe that they are making a machine that can be manufactured as cheap as can be made here. If they can be manufactured and sold for just one-half of what they are sold for here, then we are levying a duty at the present time under the law of 30 per cent. Why can not the foreign manufacturer come in and still make a good profit, because he has still 70 per cent above the 30 per cent to compete against the National cash register, and if he does not compete against the cash register with a spread of 30 cents above what he could sell it for, what is the reason?

Mr. BEVERIDGE. According to that argument——

Mr. McCUMBER. I am asking for information. That conclusion is my own.

Mr. BEVERIDGE. The Senator's last statement was not a matter of information. It was a matter of reasoning.

Mr. McCUMBER. I want to know why they can not do it?

Mr. BEVERIDGE. According to that reasoning, they would have been wiped out of existence already. As a matter of fact there is not one single machine that is imported into this country. On the other hand, we are immense exporters.

Mr. McCUMBER. I assume they are not imported. The duty at present is 45 per cent. What I mean is this: If we make that duty 30 per cent, they could still have a spread of 70 per cent above what is necessary now for reasonable profit, provided they can sell it now for 50 per cent less than they are selling in the United States.

Mr. BEVERIDGE. That would mean that this same company would make their machines here and send them abroad and then send them back here, or if they manufactured abroad they would send them here and sell them in competition with themselves, which is a reductio ad absurdum.

Mr. McCUMBER. I hope the Senator will not assume that I have made a statement of that kind. I am speaking of any competing company that would be inclined to take advantage of our markets upon a reasonable duty and import. The point I want to make is that they could still have paid a duty of 30 per cent and have 70 per cent above that before they would reach the American price. Therefore they could come in under the new law and cut down the price 70 per cent without reference to the duty.

Mr. BEVERIDGE. Mr. President, that argument could have been made very much more to the point this morning. It seems to have been demonstrated this morning and yesterday that agricultural implements of a certain kind can be manufactured abroad much cheaper than they can here.

The International Harvester Company gets more abroad than it does here for a certain class of machinery. If the Senator had applied that reasoning to agricultural implements, he would have raised the duty from 15 per cent to 30 per cent. Now, in voting on that we placed only 15 per cent on agricultural implements. Why should we not also place 15 per cent on another machine of which there has never been one imported into this country, in which there is one of the most complete monopolies of the country, and which exports machines made here and sells them in England at half the price they charge the American purchaser?

Mr. TILLMAN. Is the Senator from Indiana certain that they make cash registers in England?

Mr. BEVERIDGE. Oh, yes; they use them. They are sold there; they are made here. They are shipped to England. The price of the freight from where they are made to New York and from there by ship is added, the insurance is added, and they are taken to England and sold there for half they are here, according to their price lists.

Mr. BURTON. May I ask again the Senator from Indiana where he received that information?

Mr. BEVERIDGE. Merely from the price lists.

Mr. BURTON. Where is their agency for them in England and where are they used? Does the Senator from Indiana know anything about that?

Mr. BEVERIDGE. I assume that they are used in England in stores and shops, just as they are here.

Mr. BURTON. Does the Senator from Indiana know whether there is a manufactory for them in England?

Mr. BEVERIDGE. I understand not, but an assembling factory, where machines made here are taken over there and assembled.

Mr. BURTON. Who furnished the Senator from Indiana the prices?

Mr. BEVERIDGE. The same source the Senator knows. The Senator has asked that question several times. He is just as familiar with the source as I am myself. I ask the Senator to state whether or not the gentleman, whom he knows much better than I do, is not as honorable and reputable a man as he knows in the world?

Mr. BURTON. I do not wish to deny that he is a very honorable man. I think his course, however, in this matter has not been entirely within the limitations in which a lawyer should act.

Mr. BEVERIDGE. That is not a subject of discussion with me. I never knew until this moment of a lawyer being in the concern. The Senator knows much better than I do, and he knows perfectly well that a more reputable and honorable gentleman never lived.

Mr. TILLMAN. Before the Senator takes his seat I wish to ask him if he has ever been in Dayton, Ohio?

Mr. BEVERIDGE. Oh, yes.

Mr. TILLMAN. And has he been to the National cash register factory?

Mr. BEVERIDGE. I have not. I understand that it is one of the most perfectly and admirably managed concerns from the sociological point of view.

Mr. TILLMAN. Do I understand that it is one of those puling infants begging for protection?

Mr. BEVERIDGE. The Senator can see the situation. Here it is: It is almost a complete monopoly. It has had, under an unclassified schedule, a duty of 45 per cent. Not one machine is imported or has been. It makes its machines here. It ships them to New York. It ships them across the water. It pays the freight. It assembles them in England and then sells them at half of what is paid for them here. When I asked that the rate be reduced from 30 per cent to 15 per cent I was astounded to find that proposition opposed, although even the chairman of the Finance Committee was willing to accept it.

Mr. TILLMAN. I am astounded. I have visited the factory. I know that it is one of the most perfect factories in the world; and certainly it has a monopoly practically of the world's trade in cash registers.

Mr. DICK. Mr. President, this cash-register business is an Ohio industry, not an Indiana industry. The factories of the National Cash Register Company, at Dayton, Ohio, have an international reputation for their completeness and the company a reputation for the care with which they look after those employed by them. It goes even into the cottage system of living. It has become a very great manufacturing business in that State.

I know little of its methods, and care little about it. We are dealing with the question of industries, not the conduct of the corporations conducting them. The Senate of the United States is not a criminal court to punish corporations for what they may have done in the past or what they may be engaged in at present.

A few days ago when the Senator from Indiana offered his amendment he predicated it largely upon the fact that many years ago the junior Senator from New York [Mr. ROOT] had brought a prosecution under the federal laws against this company, and he also stated that arrangements were being made now to prosecute it further for a violation of certain federal laws.

Mr. BEVERIDGE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from Indiana?

Mr. DICK. Certainly.

Mr. BEVERIDGE. The Senator I know of all men does not want to misstate any Senator. What I said was not that arrangements were being made; I said I predicted it.

Mr. DICK. Well, I accept the Senator's qualification.

Mr. BEVERIDGE. It is no qualification—that is what is in the RECORD.

Mr. DICK. I still insist that it is not the business of the Senate to punish corporations in a tariff bill. The courts of justice are organized for that purpose; it is their business. If the Senator from Indiana has valid complaint to make, let him take his complaint to the courts.

That it is an important industry is already indicated by the debate so far indulged in, and the assurance of the Finance Committee a few days ago that the matter should not again be

considered in Committee of the Whole until the parties interested could be heard.

Upon that assurance, Mr. President, I shall insist on or request a debate sufficient to inform the Senate, so that a vote understandingly can be had. I think it but fair courtesy on the part of the Senator from Indiana not to insist upon the present consideration of his amendment, but to let it go over until such time as was suggested earlier in the debate, when a full hearing can be had.

Mr. GALLINGER. Mr. President, I wish to make an inquiry of the Senator from Ohio. I have had, indirectly, some knowledge of this company through a friend who has dealt with them. I am laboring under the impression that in many ways it is a model corporation. If I mistake not, it has gone to the extent of profit sharing with the employees, or at least has done something toward providing homes.

I do not know exactly what it has done, but I recall the fact that my friend, who frequently goes to Dayton, has told me more than once of the fact that this corporation is in that regard very different from the ordinary corporation. I should like to know precisely, if the Senator can state what course it pursues. Of course it has no direct bearing upon the question before the Senate, but that to my mind is worth considering.

Mr. DICK. What the Senator states has come to me also, yet I can not repeat with absolute authority that there is a profit-sharing feature to their business among those in their employ. It has been my pleasure to observe and to see the employees of this company in their cottages, which anywhere might be called fine homes, indeed, residences, in fact. Except as complaints come from competitors I have never heard any criticism of its business management; and I protest that in the settlement of this question we ought to have more than the ex parte testimony of its competitor.

Mr. BEVERIDGE. Mr. President, I submit that if a monopoly's methods of doing business in crushing out its competitors may not be mentioned in this body when we are seeking to reduce the duties, then neither should the excellence of its humanitarian efforts in its factory be mentioned for the purpose of keeping up the duties which it does not need.

It was about the last suggestion of the Senator from Ohio, and it was at his request the other day, that I did not then ask for a vote, but allowed it to go over as a matter of courtesy. That has given more than perhaps a week of time for this company, in case it desires to have the duty retained, to appear here and give the reasons why it should be retained, and if it had been wronged in any way to have informed the Senators from Ohio, so that they could have corrected it before the public.

But now that it has had that time and not a step has been taken by it, not even by communication to the Senators which those Senators can give to the Finance Committee, I submit that the reasons which before induced me to let the matter go over do not now exist. It has had its time. The Senator from Rhode Island himself asked that this amendment of mine should be accepted; that the committee would consider it very carefully, and if any wrong or injury had been done, they would grant the remedy later on. I think if anybody can be trusted to see that any injury caused by a reduction of duty would be remedied, it would be the Senator from Rhode Island.

Now, Mr. President——

Mr. DICK. I just want to interject long enough to say that the Senator from Indiana does not more highly regard the promise of the Senator from Rhode Island than I do.

Mr. BEVERIDGE. I think that is true.

Mr. DICK. But this I feel—that when a vote of this kind is taken, it removes just that much further from possibility an equitable adjustment of the question under consideration.

Mr. BEVERIDGE. The Senator seems to think——

Mr. DICK. I do not want to prejudice the right of these people in the consideration of this matter, and I will not agree to do so until they have had a chance to be heard respecting their interest in this bill.

Mr. BEVERIDGE. Mr. President, it has been about a week ago or more——

Mr. DICK. The Senator is mistaken about that.

Mr. BEVERIDGE. How long ago?

Mr. DICK. I should say not over three or four days.

Mr. BEVERIDGE. The Senator is entirely mistaken.

Mr. DICK. It has not been a week.

Mr. BEVERIDGE. Oh, yes; more than a week. The Senator has had all that time. Has the National Cash Register corporation protested to him against a reduction of this duty?

Mr. DICK. Mr. President, if I may interrupt again, if the demand for this reduction in rates had come from the purchasers of cash registers, if there were great numbers of petitions, letters, and resolutions, as has been the case in reference to many of the schedules of the bill, the Senator might feel the responsibility of insisting upon its immediate consideration; but confessedly no one has appeared here, except only the attorney representing some competitor of this company, whom he aims to injure by a reduction of the rates.

Mr. BEVERIDGE. Well, Mr. President, the answer to that at once comes that if this gentleman, who has been admitted by the junior Senator from Ohio [Mr. BURTON] to be as honorable and reputable a man as lives, and whom the senior Senator from Ohio [Mr. DICK] knows to be the same—if it be true that he was the attorney for a rival corporation, then certainly he was not going to be asking for a reduction of duty that would hurt his corporation more than it would hurt this. That is the answer to that.

Mr. DICK. Mr. President——

Mr. BEVERIDGE. Pardon me; I will yield in just a moment.

The Senator from Ohio says that there has been no demand for this legislation from any of the purchasers of these machines. Mr. President, if we waited until we got letters from the people who buy the various things covered by this bill before we ever reduced duties, we should never reduce them. In the first place, most of the purchasers do not know about the facts until they are made public. When they find them out there is a howl about them. In the second place, people go along and buy the things they consume from day to day. These consumers are not enormous interests—they are small consumers—who are interested in coming here and making their applications for increased or for reduced rates or for a free list when it benefits them. There are great interests that do come here and make their wishes known. The consumers are the 90,000,000 American people; and because each one of those 90,000,000 does not write the Senator from Ohio that he objects to a certain rate he is paying and that he wants the tariff reduced, then, according to the Senator, there is no demand for this on the part of the people.

Mr. DICK. May I interrupt the Senator from Indiana there?

Mr. BEVERIDGE. You may.

Mr. DICK. Mr. President, I have no communication from them, and, like my colleague, I do not know that the cash register company at Dayton are not entirely satisfied with a 15 per cent rate. I do not know that they care for any rate. It is possible that their patents sufficiently protect them; but what I insist upon is that action shall not be taken until they have had their day in court. That, I think, is only a fair request.

Mr. BEVERIDGE. Mr. President, the Senator's recollection, I find on inquiry, is just 100 per cent wrong as to how long a time they have already had. I presented this matter early Saturday morning a week ago. If they had been injured by this proposed reduction, or could be injured, they have had more than enough time to get several letters here; yet the senior Senator from Ohio [Mr. DICK] says he has not heard a thing from them. Well, their business reputation is such—I think both Senators from Ohio will agree with me—that when anything is going to hurt their pocketbook, such as a reduction of the tariff, if it did, the Senators would hear from them very quickly. That is the case, is it not?

Mr. BURTON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Ohio?

Mr. BEVERIDGE. Pardon me for a moment just to explain what I want. I hope the Senator from Ohio will permit me to answer, and then I will yield to him.

The other day when the matter was brought up and the case opened the statement that not one machine of this kind was imported, while, on the other hand, there are great exports and the machines are sold abroad cheaper than here, was sufficient—and that the provision was put in here as a matter of classification—to induce the chairman of the Committee on Finance himself to at once accept it. When the Senator from Ohio asked that it go over, so that he could find out whether they were going to be injured or not by this reduction in duty, I at once said, as the Senator will remember, "Certainly, as a matter of courtesy to the Senator, I will." They have had a week; and when the matter comes up again, as we are finishing the schedules, the Senator will himself see that he is not in a position to make the same suggestion with reference to letting them have a time for a hearing that he then was. I repeat, they have had a week, and the Senator says he has not heard a word from them. Now I will yield to the Senator from Ohio.

Mr. BURTON. Mr. President, I will say to the Senator from Indiana [Mr. BEVERIDGE] that I received a telegram early in the week from an officer of this company, stating that the accusations against their organization were altogether unjust, and

further stating that their senior first vice-president was absent in California and would not return until to-day, and desiring to have an opportunity until his return before they were compelled to answer. I must concede in all candor that I think they should have answered a little more promptly, though it is very natural under the circumstances that they should await the return of this superior officer of the company.

The Senator from Indiana has repeatedly challenged me here about this most intelligent and most honorable man. I do not want to bring in any name here; perhaps up to this episode I should have vouched for the attorney, whom he has mentioned in the very highest terms; but I most severely censured him last Saturday for his course in this transaction. I do not think it was fair to the company; I do not think it was fair to my colleague from Ohio or to myself. Why did he not in an open, frank way come to us? Did he think that the Senator from Indiana was less charitable and would have a more ready ear to listen to accusations? He certainly knew that neither of us had any ground for favor or partiality for the National Cash Register Company. I submit that, as an Ohio attorney, as a man somewhat associated in politics, he should have stated the case to us.

I submit also that it was not entirely becoming for a man who has not only a legal association, but a political association as well, to accept that kind of employment.

The question here is not really so much a question of the rate of duty before the Senate—whether it is 45 per cent or 30 per cent or 15 per cent—as it is a question whether the Senate will act upon information and a line of argument that would not be accepted in the court of a justice of the peace.

There has not been a single request filed before the House Ways and Means Committee for lowering these duties; not a single request before the Committee on Finance of the Senate; not a single Member of the House, so far as I know, or of the Senate, rose to suggest such a rate until the Senator from Indiana came here last Saturday and said we must cut the duty in two because it is a very bad company.

I have carefully refrained from defending this organization; but I want to say to the Senator from Indiana that in its relations with its employees, the care that it takes of them, and the skill that it displays, it is fit to be compared with any corporation, not only in the State of Indiana, but in any other State. If the managers of this company have gained unusual preeminence in the business, it has been because of their skill.

Their brain has been embodied in their patents—patents which are protected by the laws and the Constitution of the United States. There is just one thing in which they are not protected, and that is against random accusations which can be used as a ground for lowering their duties. Patents may be protected, but their character and standing can not be protected if a lawyer, engaged by another concern wishing to injure them, even though it may not build up itself, can come here with ex parte and prejudiced statements to hamper an important corporation. It may, as regards duties, probably be immaterial, but I submit the Senate should not listen to arguments of this kind.

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

Mr. BURTON. Certainly.

Mr. McLAURIN. I understood the Senator to say that the lawyer or the witness, whose name has not been mentioned, is a politician. May I ask if he is a Democrat or a Republican?

Mr. BURTON. I do not think the Senator had better ask that. We have a great many very fine Democrats as well as Republicans in Ohio. I presume, however, in view of this discussion it is quite likely that his name may be revealed in public in the future, but I do not want to take the responsibility of revealing it myself.

Mr. McLAURIN. I merely wanted to know whether it were a fact that even a Republican would want a reduction of the tariff, if it redounded to the benefit of a corporation for which he was the attorney.

Mr. BURTON. In their employment as attorneys for corporations the question of the tariff seems to disappear when questions of business are involved.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Indiana [Mr. BEVERIDGE].

Mr. BEVERIDGE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRIGGS (when his name was called). I am paired with the senior Senator from Maryland [Mr. RAYNER]. I transfer that pair to the senior Senator from Oregon [Mr. BOURNE] and vote. I vote "nay." I make this announcement for the balance of the day.

Mr. CLAY (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I do not know how he would vote on this question if present, and I therefore withhold my vote.

Mr. GUGGENHEIM (when his name was called). I have a pair with the senior Senator from Kentucky [Mr. PAYNTER]. I transfer that pair to the Senator from Delaware [Mr. DU PONT] and vote. I vote "nay."

Mr. JONES (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON] and vote. I vote "nay."

Mr. OWEN (when his name was called). I wish to announce that I am paired with the junior Senator from Montana [Mr. DIXON]. I transfer that pair to the junior Senator from Tennessee [Mr. TAYLOR] and vote. I vote "yea."

Mr. SIMMONS (when his name was called). I wish again to announce my pair for the day with the junior Senator from Illinois [Mr. LORIMER].

Mr. STONE (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. CLARK]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 31, nays 33, as follows:

YEAS—31.

Bacon	Culberson	Gamble	Money
Bankhead	Cullom	Gore	Overman
Beveridge	Cummins	Hughes	Owen
Bristow	Curtis	Johnson, N. Dak.	Shively
Brown	Davis	Johnston, Ala.	Smith, Md.
Burkett	Dolliver	La Follette	Smith, Mich.
Chamberlain	Fletcher	McCumber	Tillman
Clapp	Frazier	McLaurin	

NAYS—33.

Aldrich	Depew	Jones	Scott
Borah	Dick	Kean	Smoot
Brandegee	Dillingham	McEnery	Sutherland
Briggs	Elkins	Nixon	Warner
Burnham	Flint	Oliver	Warren
Burrows	Gallinger	Page	Wetmore
Burton	Guggenheim	Penrose	
Carter	Hale	Perkins	
Crane	Heyburn	Root	

NOT VOTING—28.

Bailey	Crawford	Lorimer	Richardson
Bourne	Daniel	Martin	Simmons
Bradley	Dixon	Nelson	Smith, S. C.
Bulkeley	du Pont	Newlands	Stephenson
Clark, Wyo.	Foster	Paynter	Stone
Clarke, Ark.	Frye	Piles	Taliaferro
Clay	Lodge	Rayner	Taylor

So Mr. BEVERIDGE's amendment was rejected.

Mr. BEVERIDGE subsequently said: Mr. President, I want to say that I shall renew my amendment in reference to cash registers when the bill reaches the Senate. I give that notice in advance. I have found since the vote was taken that several Senators did not understand the question that was voted upon.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

Mr. ALDRICH. I offer the amendment which I send to the desk as a new paragraph.

The VICE-PRESIDENT. Is there objection to returning to that portion of the bill? No objection is heard. The Secretary will state the amendment.

The SECRETARY. It is proposed to insert a new paragraph, to be known as paragraph 345½, as follows:

345½. All laces, embroideries, edgings, insertings, galloons, flouncings, nets, nettings, trimmings, and veils, composed of cotton, silk, artificial silk or other material (except wool), made on the lever or go through machine, multiple needle embroidery machine and Schiffli embroidery machine costing 5 cents or less per dozen yards, 2 cents per dozen yards; costing more than 5 cents per dozen yards, two-fifths of 1 cent for each cent in value, and in addition thereto on all of the foregoing, 30 per cent ad valorem: *Provided*, That no wearing apparel or articles of any description composed wholly or in chief value of any of the foregoing shall pay a less rate of duty than that imposed upon the articles or the materials of which the same are composed.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. What paragraph is that?

The VICE-PRESIDENT. A new paragraph to be known as "paragraph 345½."

Mr. BACON. Has that amendment been printed?

Mr. ALDRICH. It has been printed. It was offered by me for the committee several days ago and printed. It puts specific or compound duties upon certain classes of laces. It increases the duty about 10 per cent on the present rate. It will give us additional revenue; and I hope it will enable the American manufacturers of lace to compete with the foreign product.

Mr. BACON. What is the present rate?

Mr. ALDRICH. Sixty per cent. The average rate of the amendment is about 70 per cent.

Mr. BACON. Does it cover all classes of laces?

Mr. ALDRICH. No; it covers laces made by machinery. It does not cover handmade laces at all.

Mr. BACON. No cotton laces are made by hand, are they?

Mr. ALDRICH. No; the amendment covers all laces made by machines, or practically all of them. It covers about $20,000,000 in value of importations last year.

Mr. BACON. They are the character of laces that are made out of long-staple cotton, are they not?

Mr. ALDRICH. They are made out of all kinds of cotton.

Mr. BACON. But principally out of long staple?

Mr. ALDRICH. I should say that more were made out of long-staple cotton than out of any other kind.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. I offer an amendment to paragraph 131.

The VICE-PRESIDENT. Is there objection to recurring to paragraph 131? The Chair hears none. The amendment will be stated.

The SECRETARY. On page 39, line 8, in lieu of paragraph 131 stricken out of the House bill, it is proposed to insert the following:

131. Grit, shot, and sand made of iron or steel that can be used only as abrasives, 1 cent per pound.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I desire to amend paragraph 164, page 55. I send the amendments to the desk.

The VICE-PRESIDENT. Without objection, the Senate will take up paragraph 164, to which the Senator from Rhode Island offers an amendment, which will be stated.

The SECRETARY. On page 55, paragraph 164, line 5, strike out the words "or lithographed" at the end of the line.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BRISTOW. Where is that?

The VICE-PRESIDENT. On page 55, in line 5, to strike out the last two words in the line—"or lithographed." The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. It is also proposed, at the end of the paragraph, to strike out the period, add a semicolon, and insert the following:

Lithographic plates of stone or other material, engraved, drawn, or prepared, and wet transfer paper or paper prepared wholly with glycerin, or glycerin combined with other materials, containing the imprints taken from lithographic plates, 50 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I now ask that we take up paragraph 178, on page 59.

The VICE-PRESIDENT. Without objection, the Senate will now consider paragraph 178. The Senator from Rhode Island offers an amendment, which the Secretary will report.

The SECRETARY. On page 59, paragraph 178, "Hooks and eyes," in line 11, before the word "cents," strike out "four" and insert "five," so that it will read:

Hooks and eyes, metallic, whether loose, carded, or otherwise, including weight of cards, cartons, and immediate wrappings and labels, 5 cents per pound and 15 per cent ad valorem.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. BACON. I have not had the opportunity to refer to the documents. I will ask the Senator from Rhode Island how that compares with the present law?

Mr. ALDRICH. It is a reduction from the present law, but an increase of a cent over the House bill.

Mr. BACON. To what extent is it a reduction from the present law?

Mr. TILLMAN. Half a cent.

Mr. ALDRICH. One-half cent.

Mr. BACON. I trust the Senator has some reason for increasing the duty.

Mr. ALDRICH. The senior Senator from Connecticut [Mr. BULKELEY] does not seem to be now in his seat; but he has the data. The manufacturers of hooks and eyes, who are largely located in Connecticut, I think, almost entirely, if not entirely, have satisfied the committee that the old rate, or approximately the old rate, ought to be retained.

Mr. BACON. I do not wish to be understood as agreeing to that; but I do not know that I can do anything to prevent it.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I now ask that we take up paragraph 406.

The VICE-PRESIDENT. Without objection, the Senate will consider paragraph 406, to which the Senator from Rhode Island offers an amendment.

The SECRETARY. On page 159, in paragraph 406, line 8, at the end of the paragraph, add a colon and the following proviso:

Provided, That no article composed wholly or in chief value of one or more of the papers specified in this paragraph shall pay a less rate of duty than that imposed upon the component paper of chief value of which such article is made.

Mr. BACON. Will the Senator please state to us what the effect of that is?

Mr. ALDRICH. It has simply the effect that manufactures of surface-coated papers shall not be admitted at a less rate of duty than the papers of which they are made.

Mr. BACON. That is almost the exact language of the provision.

Mr. ALDRICH. Yes.

Mr. BACON. Of course the Senator will understand that these amendments are being sent to and read from the desk without the opportunity for us to look into the paragraphs.

Mr. ALDRICH. Paragraph 406, if the Senator will examine it, includes surface-coated papers and tissue papers. This is simply a proviso which prevents boxes and other articles manufactured from these papers being admitted at a less rate of duty than the papers themselves.

Mr. BACON. I did not catch that. It relates to boxes, does it?

Mr. ALDRICH. It relates to any articles made from the papers that are included in paragraph 406.

Mr. BACON. Does that have the effect of requiring a duty to be paid upon the boxes in which imports are made?

Mr. ALDRICH. Oh, no; it does not touch that question at all.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I offer an amendment to paragraph 650.

The VICE-PRESIDENT. Without objection, the Senate will consider paragraph 650, to which the Senator from Rhode Island offers an amendment, which the Secretary will report.

The SECRETARY. On page 214, paragraph 650, in line 2, after the word "scrap," at the end of the paragraph, insert a comma and the following:

And vases, retorts, and other apparatus, vessels, and parts thereof, composed of platinum, for chemical uses.

Mr. ALDRICH. That is on the free list.

Mr. KEAN. I will ask the Senator from Rhode Island if he will not put in after the word "wire," in that paragraph, the word "sponge?"

Mr. ALDRICH. Platinum sponge?

Mr. KEAN. Yes; platinum sponge.

Mr. ALDRICH. I have no objection to that.

Mr. KEAN. After the word "wire," then, I move to insert the word "sponge."

The SECRETARY. It is proposed, after the word "wire," on line 2, to insert the word "sponge."

The VICE-PRESIDENT. Without objection, the whole thing will be considered as one amendment. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I now ask to take up paragraph 637.

The VICE-PRESIDENT. Without objection, the Senate will consider paragraph 637, to which the Senator from Rhode Island offers an amendment, which the Secretary will report.

The SECRETARY. On page 212, paragraph 637, in line 7, after the word "cocoanut" and before the comma, insert the following in parentheses:

Not refined and deodorized.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. And in line 9 of the same paragraph, after the word "grease" at the end of the line, insert the following:

Liquid and solid primal flower essences not compounded.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. Mr. President, in lines 17 and 18 the committee ask to have the words "and the products thereof" stricken out.

In the same paragraph, page 212——

The VICE-PRESIDENT. Without objection, then, we will reconsider the agreement to the paragraph.

The SECRETARY. It is proposed, after the word "refined," to strike out the words "and the products thereof."

Mr. BACON. I understand the House put these products on the free list.

Mr. ALDRICH. It has.

Mr. BACON. And we have refused to put crude petroleum on the dutiable list. As I understand, the effect of this amendment, if adopted, will be to take the products of petroleum from off the free list and put them on the dutiable list.

Mr. ALDRICH. It would keep both crude and refined petroleum upon the free list, but would strike out the words "and the products thereof." The committee were unanimous in this regard. The words "the products thereof" cover hundreds of articles which are made from crude petroleum which are at the present time covered by a great variety of rates; and if we put all the products of crude petroleum upon the free list, it would be impossible to determine just what was put upon the free list.

The Senator is probably as well aware as I am that coal-tar products now cover almost every conceivable article; and I have no doubt that in the course of the scientific progress we are making there will in the future be discovered in crude petroleum all or certainly most of the elements that have been discovered in coal tar, as they are, in a sense, similar products.

As the Senator is well aware, there are a great variety of medicinal preparations, for instance, which are the product of crude petroleum. The committee have in their library two octavo volumes, each containing five or six hundred pages, enumerating some of the products of crude petroleum. I think there are five or six or seven hundred known products of crude petroleum. These include the greatest variety of articles—articles that are in common use for medicinal purposes, articles of domestic use, and a great variety of articles. And the committee were unanimously of the opinion that we certainly should not put a general description of this kind in the free list.

Mr. BACON. Mr. President, the Senate will remember that the House originally left off this provision; they did not include it in the free list, and they thought it of such importance that they recalled the bill from the Senate for the purpose of adding it. I am not familiar with the subject, and shall not try to take issue with what the Senator has said. But I should like to inquire of the Senator whether the committee has determined even approximately as to the distribution of these various products on the dutiable list, and the character of duties which should be imposed, or whether it is proposed to leave them to the basket clause?

Mr. ALDRICH. It is proposed to let them be put wherever they will go. If they are medicinal preparations, they will pay 25 per cent. They will go into the classes where they belong.

Mr. BACON. They would have to be specifically placed there, would they not?

Mr. ALDRICH. Oh, no.

Mr. BACON. They will not?

Mr. ALDRICH. Not at all. The only thing that is necessary to do is to strike out these words here.

Mr. BACON. Then, will they automatically take their places in the various schedules?

Mr. ALDRICH. Yes. The Senator can very readily see that as it stands it would be almost impossible to enforce this provision at the custom-house. Everybody who wanted an article brought in free would at once raise the point that it was a product of either coal tar or crude petroleum if it was anything that could be made in any way of them, or any portion of it. And whatever differences there were in the committee as to what disposition should be made of crude petroleum or refined petroleum, there was no difference whatever about the fact that these indefinite and indeterminate articles should not be admitted free.

Mr. BACON. The Senator will recognize the fact that this proposition has come on us rather unawares, and therefore we have not had an opportunity to look into it. I presume the proper course will be not to make any contention over it now; but I ask that the Senator will give us an opportunity, as of course I know he will do, to consider the matter in the Senate. And if in the meantime persons who are interested in the subject, either as consumers or producers of the various articles, will make known their wishes, we shall be in a better position to decide intelligently what to do.

Mr. ALDRICH. That course is entirely agreeable to me. I have been hoping we would get rid of these small amendments to-day, so that we can have an early adjournment.

Mr. SHIVELY. Will the Senator permit a question?

Mr. ALDRICH. Certainly.

Mr. SHIVELY. Can the Senator give any estimate of the proportion of refined petroleum used in the manufacture of these products of petroleum?

Mr. ALDRICH. Hardly any of them are made from refined petroleum. They are almost all made from crude petroleum.

Mr. SHIVELY. From crude petroleum?

Mr. ALDRICH. Oh, yes; I think all of them are. In fact, I do not know that there are any that are not.

Mr. SHIVELY. Then, can the Senator give an estimate as to what proportion of the total amount of our crude-petroleum production goes into this sort of product?

Mr. ALDRICH. No; that is impossible. As the Senator from Indiana can imagine, it is impossible for me to make such an estimate. But I will say to him that there is a very rapidly increasing amount of crude petroleum used in the manufacture of various articles from time to time. There is no question about that. New uses and new articles are being discovered almost every day in connection with this matter.

Mr. CRAWFORD. Mr. President——

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from South Dakota?

Mr. ALDRICH. Certainly.

Mr. CRAWFORD. What is the amount of importation of any such products?

Mr. ALDRICH. They are imported separately, as the Senator can understand, and are not now imported as products of petroleum.

Mr. CRAWFORD. In what way are they imported?

Mr. ALDRICH. They are imported, for instance, as medicinal preparations. There is a great variety, I think 50 or 60, of well-known varieties of medicinal preparations manufactured from petroleum. As the Senator from New Hampshire suggests to me, antikamnia and a great many of the newer discoveries in the way of medicinal preparations are imported, and they are imported separately. I will say to the Senator from South Dakota that there is no possible classification that can be made of these articles now. They are hundreds in number.

Mr. CRAWFORD. And have they been on the dutiable list heretofore?

Mr. ALDRICH. They have always been on the dutiable list.

Mr. CRAWFORD. By what specification and name?

Mr. ALDRICH. According to what they were. If they were medicinal preparations, they would pay 25 per cent. If they were articles made up from crude petroleum, they would pay whatever was the rate on the article.

Mr. CRAWFORD. Are they in this bill now under these various names?

Mr. ALDRICH. They are.

Mr. CRAWFORD. So that they are in here by specific names, bearing a duty, and the question is what effect this language—"products of petroleum"—would have upon them as they are now specifically named in other paragraphs.

Mr. ALDRICH. It would have no effect at all. They would come in, as I tried to explain to the Senator, depending upon what the articles were. The Senator is aware, of course, that coal-tar products, for instance, cover sugar and the greatest variety of articles. Almost every known element is contained in those crude deposits of petroleum and tar. I think they have discovered elements that are almost innumerable, valuable elements, in both of these products, and they will come in as they are now—as dyes, medicines, or whatever they are. The Senator can understand perfectly well if we were to put on the free list, for instance, coal tar and its products, we would not have the slightest idea of what we were covering. The same is true of the products of crude petroleum. We know it does cover five or six hundred different articles; and if the Senator desires, I can easily have put into the RECORD a list of several hundred of them, or if he will go to the library of the committee he can examine these two volumes of a recent publication, which refer to products of petroleum.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Rhode Island yield to the Senator from Iowa?

Mr. ALDRICH. Certainly.

Mr. CUMMINS. I rose to ask a question of the Senator from Rhode Island. I understand some of the difficulties of defining the products of petroleum. I should like to have the Senator's understanding of the term "refined petroleum." What does it include?

Mr. ALDRICH. I think the term "refined petroleum" as here used would cover all the direct products of refining petroleum. I think it would cover gasoline and illuminating oils and naphtha, and all the direct products of the process of refining petroleum. That is my understanding.

Mr. CUMMINS. I did not hear what was the arrangement which was made in the colloquy between the Senator from Rhode Island and the Senator from Georgia in regard to the disposition of this matter.

Mr. ALDRICH. The Senator from Georgia made the suggestion that we might agree to this, with the understanding that if it was desirable to have it taken up later it can be done.

Mr. CUMMINS. It seems to me that if some of the products of petroleum are to be dutiable—and I see very good reasons for that—it ought to be very clearly defined that those articles in common use, such as gasoline and benzine and naphtha, and other articles of that sort, are included within the term "refined petroleum."

Mr. ALDRICH. I should have no objection to having those named specifically, if the Senator from Iowa thinks it necessary. My own judgment is they would certainly be included in the description "refined oil." It is not the intention of the committee to try to place a duty upon any of these articles.

Mr. CUMMINS. It might very well be, then, it seems to me, that the language should be changed so as to include all oil which is the product of crude petroleum.

Mr. ALDRICH. There is none except the direct product, as I understand.

Mr. CUMMINS. I am not familiar with the very many products of petroleum.

Mr. ALDRICH. If the Senator will allow this amendment to be adopted, I think we can subsequently come to some agreement that the term "refined oil" as used here shall include all ordinary products of refined petroleum.

Mr. BRISTOW. As I understand the proposition, it is to cut out the products of crude petroleum.

Mr. ALDRICH. "And the products thereof," leaving crude and refined oil on the free list.

Mr. BRISTOW. Yes; and it will practically in the end put all the by-products coming from the refining of petroleum on the dutiable list and leave crude petroleum on the free list.

Mr. ALDRICH. The Senator is mistaken about that. The proposition is to have both crude and refined oil free, and that "refined oil" shall cover and include all ordinary products of the refining process—like benzine, naphtha, and gasoline.

Mr. BRISTOW. What about paraffin and axle grease and a hundred other products?

Mr. ALDRICH. Axle grease is now on the free list. All kinds of grease are on the free list.

Mr. BRISTOW. What specific items on the free list would be put on the dutiable list if this phraseology is changed?

Mr. ALDRICH. I have been trying—I suppose in vain—for the last ten minutes to state it, and have stated and restated the question a half dozen times. Perhaps the Senator did not hear what I said.

Mr. BRISTOW. It is almost impossible at this end of the room to hear all the time what the Senator says. Frequently we do not hear a single word out of a sentence.

Mr. ALDRICH. I repeat to the Senator what I have already stated to the Senator from Georgia, that if this amendment is adopted, I am quite willing to have it reopened if any Senator thinks there are any products of petroleum which ought to be free that would not be free under the clause as it would stand if this amendment is adopted.

Mr. BRISTOW. This is the way it came from the House, after a very animated discussion, and for one I am not in favor of putting upon the dutiable list products that come from the refining of petroleum—about 85 or 90 per cent of which is done by the Standard Oil Company—while we have voted to keep the crude petroleum, or raw material which the Standard Oil Company purchases, on the free list. That is the question here, it seems to me.

Mr. ALDRICH. It is my understanding that the Standard Oil Company does not manufacture any of these products to which I have alluded; that they are manufactured by a great variety of small concerns throughout the country, whose livelihood and whose industry depend upon protection against similar foreign products. They are not the products of the Standard Oil Company at all.

Mr. DOLLIVER. I suggest that a great many of the commercially important products of petroleum are specifically enumerated, such as asphaltum, which is a sort of by-product, I reckon, and medicinal products, such as vaseline. I suggest that the matter could be rather effectually covered by adding the words "not otherwise enumerated."

Mr. ALDRICH. Mr. President, I am afraid that would not cover the case. If any Senator would talk with the people who administer the law in any custom-house in the country they would tell him that it would be practically impossible to administer the law as it now stands with products like crude petroleum on the free list. Nobody could tell what was made from crude petroleum and what was not. Crude petroleum of course vanishes in the chemical processes by which these articles are made. It would be simply impossible to administer the law; and it is to the interest of good administration and the interest of the small producers of these various articles that the committee are earnestly in favor of this amendment.

Mr. GORE. I desire to ask the Senator from Rhode Island whether, if this amendment is not adopted, it would open up in conference the question of the duty on crude and refined oil?

Mr. ALDRICH. Certainly not; because that would be the close of the action of both Houses.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. DAVIS. Mr. President, we are now upon the free list proper, and I submit——

The PRESIDING OFFICER. What paragraph does the Senator want to amend?

Mr. DAVIS. I want to offer an additional paragraph to be numbered 472½.

The PRESIDING OFFICER. Without objection, the pending paragraph as amended will be agreed to.

Mr. DAVIS. I offer as an additional paragraph——

Mr. ALDRICH. The committee are not quite through with their amendments.

The PRESIDING OFFICER. The committee amendments are first in order.

Mr. GALLINGER. Let the amendment be read for information.

The PRESIDING OFFICER. It will be read.

The SECRETARY. It is proposed to insert the following as an additional paragraph:

472½. Sawed boards, planks, deals, and all other lumber of whitewood, sycamore, basswood, and all sawed lumber of every kind, whether dressed or undressed, finished or unfinished, shall be admitted free of duty.

Mr. DAVIS. Mr. President, I do not desire to discuss the additional paragraph which I have proposed, but I ask for a vote upon it by yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

Mr. ALDRICH. I think we voted on that amendment once, but I do not wish to detain the Senate.

Mr. DAVIS. I ask for the yeas and nays on agreeing to the amendment.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question.]

Mr. DAVIS. I demand a division on the question.

The PRESIDING OFFICER. The noes seem to have it.

Mr. DAVIS. I ask for a division on calling for the yeas and nays.

The PRESIDING OFFICER. That is not in order. The Senator from Arkansas asks for a division on agreeing to his amendment.

Mr. DAVIS. That is not what I ask for.

The PRESIDING OFFICER. The Chair understands that that is what he is allowed to give.

Mr. DAVIS. I want a division upon the question whether or not I am entitled to a roll call.

The PRESIDING OFFICER. The Chair can again put the question. Shall the yeas and nays be ordered?

Mr. GALLINGER. That is a matter which is always decided by the raising of hands. I have never known the Senate to decide on that question by a division.

The PRESIDING OFFICER. The Chair can again put the question.

Mr. DAVIS. I will be glad if the Senate will accord me that one privilege.

The PRESIDING OFFICER. Is there a second to the demand for the yeas and nays?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I again announce my pair with the senior Senator from Massachusetts [Mr. LODGE]. If he were present, he would vote "nay" and I would vote "yea."

Mr. FLETCHER (when his name was called). I am paired with the senior Senator from Kansas [Mr. CURTIS].

Mr. FLINT (when his name was called). I am paired with the senior Senator from Texas [Mr. CULBERSON]. If he were present, I would vote "nay."

Mr. GUGGENHEIM (when his name was called). I again announce my pair with the senior Senator from Kentucky [Mr. PAYNTER].

Mr. HUGHES (when his name was called). I am paired with the senior Senator from Montana [Mr. CARTER]. If he were here, I should vote "yea."

Mr. JONES (when his name was called). I am paired with the junior senator from South Carolina [Mr. SMITH]. I transfer that pair to the junior Senator from Wisconsin [Mr. STEPHENSON], and vote "nay."

Mr. McLAURIN (when his name was called). I am paired on this vote with the junior Senator from Michigan [Mr. SMITH].

Mr. OWEN (when his name was called). I transfer my pair with the junior Senator from Montana [Mr. DIXON] to the junior Senator from Tennessee [Mr. TAYLOR], and vote "yea."

Mr. SIMMONS (when his name was called). I again announce my pair with the junior Senator from Illinois [Mr. LORIMER]. If he were present, I should vote "nay."

Mr. TALIAFERRO (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. SCOTT]. In his absence, I withhold my vote.

The roll call was concluded.

Mr. PERKINS (after having voted in the negative). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. He is absent. I transfer my pair to the Senator from Wyoming [Mr. WARREN], and let my vote stand.

The result was announced—yeas 18, nays 37, as follows:

YEAS—18.

Beveridge	Crawford	Gore	Shively
Bristow	Cummins	Johnson, N. Dak.	Stone
Brown	Davis	La Follette	Tillman
Burkett	Frazier	Nelson	
Clapp	Gamble	Owen	

NAYS—37.

Aldrich	Cullom	Heyburn	Piles
Borah	Depew	Jones	Root
Brandegee	Dick	Kean	Smith, Md.
Briggs	Dillingham	McEnery	Smoot
Burnham	Dolliver	Money	Sutherland
Burrows	Flint	Nixon	Warner
Burton	Foster	Oliver	Wetmore
Chamberlain	Frye	Page	
Clark, Wyo.	Gallinger	Penrose	
Crane	Hale	Perkins	

NOT VOTING—37.

Bacon	Curtis	Lorimer	Simmons
Bailey	Daniel	McCumber	Smith, Mich.
Bankhead	Dixon	McLaurin	Smith, S. C.
Bourne	du Pont	Martin	Stephenson
Bradley	Elkins	Newlands	Taliaferro
Bulkeley	Fletcher	Overman	Taylor
Carter	Guggenheim	Paynter	Warren
Clarke, Ark.	Hughes	Rayner	
Clay	Johnston, Ala.	Richardson	
Culberson	Lodge	Scott	

So Mr. DAVIS's amendment was rejected.

Mr. ALDRICH. In paragraph 345, page 120, line 3, after the word "braids," I move to insert "featherstitch braids."

The amendment was agreed to.

Mr. ALDRICH. I ask for a vote on paragraph 347, Schedule J, which was passed over.

The SECRETARY. On page 121, paragraph 347——

The PRESIDING OFFICER. The Chair understands that the amendments to that paragraph have been agreed to.

Mr. ALDRICH. In line 24, I move to strike out the word "five-eighths" and to insert "one-half."

Mr. JONES. I have an amendment pending to the paragraph.

Mr. ALDRICH. I suggest to the Senator from Washington to let us perfect the paragraph, and then he can move to strike it out. I think that is what he wants to do.

Mr. JONES. I have an amendment pending to paragraphs 347 and 349. In case the amendment now proposed to paragraph 347 should be adopted, I do not know what the effect would be.

Mr. ALDRICH. It reduces the duty on plain woven fabrics of single jute yarns from five-eighths to one-half of 1 cent per pound. I think it is along the line of the Senator's wishes.

Mr. JONES. That is paragraph 347?

Mr. ALDRICH. Paragraph 347.

Mr. JONES. Has the Senator an amendment to paragraph 349?

Mr. ALDRICH. There is no amendment to paragraph 349. The amendment proposing to insert "except for purposes of identification" to paragraph 349 has been disagreed to.

The PRESIDING OFFICER. That is correct. The question is on agreeing to the amendment of the Senator from Rhode Island to paragraph 347.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I ask that paragraph 349 be agreed to.

The PRESIDING OFFICER. The question is on agreeing to paragraph 349.

Mr. JONES. I wish to reserve the right to recur to these two paragraphs, independent of any amendment, when I find out just what is the effect of the amendment which the chairman presented.

Mr. ALDRICH. I ask that the paragraph may be agreed to.

The PRESIDING OFFICER. Without objection, paragraph 349 is agreed to.

Mr. JONES. I want to present an amendment to paragraph 347.

Mr. ALDRICH. The Senator can do that now if he desires.

Mr. JONES. Or we can take it up Monday.

Mr. ALDRICH. No; I want to dispose of it now.

The PRESIDING OFFICER. The Chair will consider paragraph 347 open for that purpose. The amendment proposed by the Senator from Washington will be stated.

Mr. JONES. I want to offer the amendment to paragraph 349 instead of 347.

The PRESIDING OFFICER. Then paragraph 347 is agreed to, without objection. The amendment proposed to paragraph 349 will be stated.

The SECRETARY. On page 122, paragraph 349, at the close of the paragraph insert:

Except jute grain bags, known commercially as standard calcutta 22 inches by 32 inches grain bags, which shall be admitted free of duty.

Mr. JONES. Mr. President, I desire to state to the Senate that we have a peculiar condition in our State in reference to the transportation of wheat in these grain bags. Our wheat is transported and must be transported largely by vessel, and hence it must be placed in bags in order that it may be transported.

We can not ship it in bulk. Therefore the farmers have to purchase bags in which to place the wheat for transportation. These bags are imported almost entirely from Calcutta.

There are about four or five millions of bags made in the state penitentiaries of Washington and California, and possibly two or three million bags made on the Pacific coast in private concerns. The remainder of the bags, possibly from twenty-five to thirty million, are imported from Calcutta, with the tariff added, and here is where it seems to me we have a distinction that warrants the action proposed in this amendment. These bags are imported for the purpose of placing the wheat in and then carrying it out. The bags are not, in a sense, consumed in this country. They are simply the vehicle of exporting the wheat. Then, when the bags go out, they are reimported, if they get back, and the duty is paid here. So every year the farmers of our State who raise and sell their wheat have to purchase bags that are almost entirely imported into the country, and if the tariff is added, as it probably is in a case of this kind, where there is no home competition, they must every year pay the tariff on these bags.

They do not get anything for the bags as a part of the purchase of the wheat. They simply sell the wheat. The price of the wheat, of course, is fixed in the wheat market, and the price they pay for the bags necessary for the transportation of wheat is simply that much taken every year out of the price of the wheat.

Furthermore, these bags are purchased, as I said, almost exclusively on the Pacific coast. So it makes a tax in that particular section of the country, which the people pay. It is a tax upon a particular class of people. It makes practically, in effect, an export tax rather than an import tax. It seems to me that we should furnish relief in this case. There does not seem to be any possibility of our being able to build up a manufacturing industry in this country that will produce anywhere like the number of bags that are desired.

I should like to see all these bags manufactured in this country. I will say that there does not seem to be any possibility of doing that. The raw material we do not produce; it must be imported in order to be manufactured in this country. But in addition to that, the manufacturers in Calcutta have

such cheap labor, such improved machinery, and improved methods that it does not seem possible for our people with the labor we have to do it, in view of the large expense that they must go through here, even if we could get the raw material free of duty. It does not seem possible to build up the industry in this country. Even in the two penitentiaries, where they use convict labor, they do not seem to be able to compete with the Calcutta manufacturers of these bags. As I said, our people are very anxious that this tariff should be taken off the bags, and it seems to me that they have good ground for it.

I have here letters and resolutions—but I will not take the time to read them—from the various farmers' organizations in eastern Washington, and from the governor of the State, urging that this tariff should be taken off. I trust that the Senate will feel justified in giving this relief. It is true it will reduce the duty somewhat, and yet not to a very great extent. The reduction will be possibly four or five hundred thousand dollars if this duty should be cut off. This reduction should be made in the interest of the people of eastern Washington and eastern Oregon. I want to say that it bears almost exclusively upon the people of a particular part of our State and of Oregon, the eastern part, which is the only wheat-raising section there. Those people should be relieved from this burden of four or five hundred thousand dollars, which is in effect an export charge upon them rather than an import duty.

If the bags could be kept at home and used here, I would not complain of the duty; but they are not used here. They are sent out with the wheat, and if they come back again, the farmers must pay the duty on them.

That, in brief, without taking up further time of the Senate, is the situation. These are the reasons why it seems to me this relief can be consistently furnished from a protective standpoint, and from a revenue standpoint, as far as that is concerned.

Mr. ALDRICH. Putting these bags on the free list of course means putting burlaps on the free list, and the two together would make a loss of $10,000,000 to the revenues. Of course it is absolutely impossible, from my standpoint, that any protectionists should vote to put these articles upon the free list. When they are sent abroad and come back again, they come back free of duty now.

Mr. JONES. No; I do not understand that they do.

Mr. ALDRICH. They do. This very bill provides in terms that when they go from this country and come back, they shall come in without paying any duty.

Mr. JONES. That does not help the farmer, because he does not import them back. He buys them from the importer.

Mr. ALDRICH. I know we can not put these articles on the free list, from the protective standpoint or the revenue standpoint. It would seem to me to be an anomaly to have the material of which the bags are made at one rate and to put the finished product on the free list.

Mr. JONES. Bags are not the only thing made out of burlaps. This applies to a particular bag well known, and the designation here is a commercial designation of it. So it seems to me that the argument of the chairman of the committee is not valid.

Mr. PILES. I should like to call attention to the fact that the legislature of the State of Washington passed a memorial on this subject last January, and in that memorial they say:

> Whereas the expense of such bags is a very heavy item in the cost of growing, harvesting, and disposing of wheat and grain products, the farmers of Washington alone paying out annually almost $1,500,000 for such bags; and
>
> Whereas there is at the present time a duty imposed upon grain bags which adds materially to the cost of the same to the farmer, greatly increasing the burden upon him and upon the consumer over what it would be if grain bags were admitted free of duty; and
>
> Whereas there is in the United States about one factory engaged in the manufacture of jute bags for grain products, and that is a small concern which can not manufacture a tithe of the grain bags required for handling the crops of the State of Washington alone.

Mr. ALDRICH. There is more than one manufacturer. It is just as consistent for the Senator from Washington to have bags put on the free list as it is for the Senators upon the other side or upon this side to have lumber and all manufactures of lumber put on the free list. We have always voted consistently for the protection of everything that is grown and produced in the State of Washington, and I can see absolutely no consistency whatever in the proposition to put these manufactured articles on the free list.

Mr. TILLMAN. Will the Senator from Rhode Island answer me a question?

Mr. ALDRICH. I will try to.

Mr. TILLMAN. Lumber is produced in the United States. These bags are not.

Mr. ALDRICH. The Senator is mistaken about that; they are produced in the United States; they are made here.

Mr. TILLMAN. Burlaps are not a product of the United States.

Mr. ALDRICH. Burlaps are made here to some extent.

Mr. TILLMAN. In what way?

Mr. ALDRICH. We have a revenue duty which produces $5,700,000 from burlaps.

Mr. TILLMAN. Do we grow jute in this country?

Mr. ALDRICH. We do not grow jute.

Mr. TILLMAN. These are jute bags we are trying to get on the free list, and I want to call the Senator's attention to the fact that the farmers of the West are not the only ones interested in getting these materials in free. Our case is even worse than theirs, because we consume in the South somewhere around 4,000,000 tons of fertilizers. Those fertilizers are compelled to be sacked in order to reach the farmer. It takes 10 sacks to a ton, which would make 40,000,000 bags. Our sacks are absolutely lost, because the fertilizer rots the sack, and very often you can hardly get it to the field after you get it out of the car before the sack is gone by reason of the sulphuric acid in the fertilizer. The gentlemen in the West who are desiring to get free sacks in which to ship their wheat are in no worse condition than we are who are trying to get the bags in which to ship our fertilizers. Their grain sacks can be reimported. I asked the Senator the other day whether grain sacks could be reimported free. He said "yes." So while the farmer does not get the direct benefit, the merchant who exports the wheat and reimports the bags does get the benefit.

It does seem to me very singular that the Senator's heart always hardens toward that poor fellow who walks behind the plow handle, while it gets as soft and as generous in dealing with some manufacturers as if they were made of different clay from the man who farms. I can not understand, for the life of me, why he should be so stern and relentless in maintaining this grip for somebody, some combination of capital somewhere, when we ask him to give relief to our people who handle fertilizer; to give relief to the farmers who grow wheat and ship it to the Orient in sacks.

Mr. PERKINS. Mr. President, I desire to say, in answer to the Senator from Washington [Mr. JONES], that California uses from forty to fifty million sacks annually. We have several manufacturing establishments, but one especially at the state prison, where we turn out annually about four and a half million sacks, manufactured from jute, which is imported free of duty. Those grain sacks in California have been to the farmer a very great benefit, for the reason that heretofore the importers of grain bags and burlap sacks into California have pooled their issues and taken advantage of the farmer in that respect. The result has been that the prison manufacture of bags, amounting to four or five million annually, has regulated the price, and the farmers have had the benefit of it, because no farmer can purchase more than a certain number of sacks for the grain that he raises on his own ranch.

I think it would be very disastrous to the interests of California if grain bags should be permitted to come in free from Calcutta or from any other country. Therefore, I think from a revenue standpoint certainly we ought to continue the duty on them.

Mr. BACON. Mr. President, I simply desire to emphasize what the Senator from South Carolina [Mr. TILLMAN] has already said. It is a matter of very grave importance to those who are engaged in the production of cotton, and it so happens that it is of more importance to my State than to any other cotton-growing State. The State of Georgia consumes about one-fourth of the commercial fertilizers that go to all the cotton States. The farmers use about a million tons of fertilizer every year in the State of Georgia, and from the estimate of the Senator from South Carolina, of 10 bags to the ton, Georgia uses 10,000,000 bags.

It is true, as stated by him, and as everyone knows who is at all familiar with the circumstances, that fertilizer bags can be used but once. They are an utter loss; they fall to pieces literally and utterly, as described by the Senator from South Carolina.

It does seem to me that Senators will recognize the fact that so far, at least, as the direct benefits of a protective tariff go—not making any controversy as to indirect benefits—I suppose nineteen-twentieths of those benefits go to the manufacturer. Something ought to be done, it seems to me, to equalize, as far as possible, the burden that the farmers have to bear in paying the increased price because of the protective tariff, when they themselves get no increased price on account of it.

You have put wheat on the dutiable list, but everybody knows that it does not affect the price of wheat. We are large ex-

porters of wheat, and the tariff can not raise to any material extent the price of a thing where we have a surplus of it. The same thing is true of cotton.

Between two-thirds and three-fourths of our cotton is exported, and it performs a tremendous office in maintaining the prosperity of this country and in equalizing the balance of trade, but it can receive no benefit from the tariff. I can not understand why in these little matters—not simply one, but in every particular where it is possible to relieve them of the burden—an effort is not made in that direction. They certainly have a very strong claim upon those who impose the burden, and it is impossible for them to share any part of the benefit.

Mr. JONES. Mr. President, I believe in protection; I think I have voted pretty consistently that way during the pendency of this bill, but I can hardly go so far as to support a proposition in behalf of labor in the penitentiaries, at least until we can get some of the trust magnates there when our Democratic friends get into power and put some of them there. Then I might be willing to vote on the line of furnishing them a little bit more labor.

I can not agree with the chairman of the committee that this is a proposition to violate the principle of protection. I do not think that it is at all. I do not believe in a tariff upon coffee, for instance, simply because we do not produce it here. We do not produce these bags here to any extent compared with the amount we must have. We never will produce them here. In my judgment, we can not produce them here unless you make a tremendous differential between the raw material and the bags—a differential that this Congress and no other Congress will dare to give, so far as that is concerned. Therefore I do not consider that I am going contrary to the principle of protection when I urge that these bags, which can not be produced here, but which must be imported from a foreign country, shall be relieved of duty.

Importing these bags is not like importing lumber. Lumber, if it is imported here, is consumed here, kept here, used here. These bags are simply, as I said before, a conveyance to carry the wheat out of the country; and if they are reimported free—I did not know anything about that provision in this bill—but if they are allowed to be brought back here free, that is no benefit to the farmer, because he does not import them. It is simply the export merchant who may reimport them who gets the benefit, and he possibly makes the farmer pay, in addition to the price of the bags, the duty that he would otherwise have to pay; or if it were a new bag, possibly a profit on that duty as well.

So, upon the principles of the Republican party of protection and of revenue, I ask that these bags, which come from Calcutta and come only to the Pacific coast to a particular class of people simply for the purpose of carrying the products of this country out of the country, shall be placed on the free list.

Mr. HEYBURN. Mr. President, I would not participate in this matter, and shall not at any length, except that it is so important as a revenue item that I am compelled to waive any natural inclination that I might feel on behalf of any advantage that might be derived by the farmers. This is a very large revenue item. I should like to have seen the raw material come into the country free, because we can not produce it here, and, so far as we know, we can not produce it at all. Then it would have been manufactured into bags and cloth here by American labor and would have made a pay roll and employment.

I should like to put in the RECORD a letter from the superintendent or manager of the bag factory at Walla Walla. He shows that we import from Calcutta about 40,000,000 bags; that there are made at San Quentin prison, California, 3,000,000; that there are made at Walla Walla 1,500,000, and by the local bag factories on the Pacific coast, from imported material, 2,000,000, making in all 46,500,000. Those are grain sacks.

Of course, in addition to that, there is a vast amount of this cloth made; and if that cloth could be made in this country, I should like very much to have seen the law so adjusted that we could have had the material out of which to make it.

We use some millions of these bags in the State of Idaho, but the Congress, so far as it has acted, has been generous with the people of our State in giving them a protective duty on lumber and lead and their various industries, giving us the support of the principle of protection; and I do not feel that I can, under the circumstances, support the amendment, even though there might be a local sentiment in favor of free bags. I think they will have to learn that the man who receives must be ready to contribute. I will ask to put in the RECORD——

Mr. TILLMAN. Mr. President, will the Senator from Idaho yield to me?

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

Mr. HEYBURN. Certainly.

Mr. TILLMAN. Can the Senator see any relationship between the lead producers of Idaho and the farmers who grow wheat out there?

Mr. HEYBURN. The farmers get a very good market from the lead mines of Idaho and everywhere else. The men who mine lead eat.

Mr. TILLMAN. The Senator can settle that with his constituents.

Mr. HEYBURN. Yes; they buy the products from the farmers, and have the money to pay for them.

Mr. TILLMAN. I say the Senator can settle that with his constituents.

Mr. HEYBURN. Oh, I am perfectly willing to do that.

Mr. ALDRICH. I dislike to interrupt this colloquy——

Mr. TILLMAN. I merely want to say——

Mr. ALDRICH. But I desire to ask the Senator from South Carolina if he will not let us go on and dispose of the few remaining items of the bill? I hope to be able to adjourn soon.

Mr. TILLMAN. I have taken very little time in this debate, Mr. President.

Mr. ALDRICH. I understand that.

Mr. TILLMAN. I simply want to make one remark, and that is, as I understand, the guano sacks used in the South are made in the South. I do not think they are ever imported. The burlaps are brought there by the million yards, and are cut into the proper lengths and sewed up there on machines right at home.

Mr. FLINT. Mr. President——

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

Mr. HEYBURN. Let me get these papers in, and then I will yield. I ask unanimous consent to insert in the RECORD and have printed the communications which I send to the desk.

The PRESIDING OFFICER. In the absence of objection, permission is granted.

The communications referred to are as follows:

WASHINGTON, D. C., *May 17, 1909.*

Senator W. B. HEYBURN,
Washington, D. C.

DEAR SIR: The consumption of wheat bags in the States of Washington, Oregon, Idaho, and California amount to between 45,000,000 and 50,000,000 bags annually. These bags are supplied from the following sources:

Imported from Calcutta, India, about	40,000,000
Made at San Quentin prison, California	3,000,000
Made at Walla Walla prison, Washington	1,500,000
Made by local bag factories on Pacific coast from imported material	2,000,000
Total	46,500,000

These are the figures for the years 1907 and 1908, and can be verified by reference to importation statistics. The purchases in Calcutta for shipment to the Pacific coast during 1909 already amount to 45,000,000 bags.

With a slightly increased differential in the duty between the burlap and the bags, the local bag manufacturers would be placed in a position to manufacture a portion of the bags now imported from Calcutta, and the effect would be to prevent any combination on the part of the Calcutta mills to raise the price of bags, and would tend to break the practical monopoly which those mills now have.

We will not burden you at this time with a lengthy argument on this subject. The fact that 90 per cent of the wheat bags that are used on the Pacific coast are imported from Calcutta is proof sufficient that the local manufacturers can not compete for this business under the existing conditions. If any further argument or additional information is required, we will gladly furnish it.

Very truly, yours,

EVERTT AMES.

STATE PENITENTIARY,
Walla Walla, Wash., May 15, 1909.

Hon. W. L. JONES,
United States Senate, Washington, D. C.

DEAR SIR: Your wire of even date received, and in reply will state that we manufacture jute fabrics from the raw material, which we get from India at a cost of $103.50 per ton, laid down in Walla Walla. This is bought on contract yearly. We use from 2,500 to 3,000 bales per year, the bales averaging about 400 pounds each. The cost of bags varies considerably on account of the cost of material we use in the manufacture of same. I will give you the figures for the April product of our mill: We manufactured 172,600 grain bags, at 5½ cents. This includes all materials, salaries of guards, power, and repair costs. The jute in the bags cost 4 cents, the balance of 1½ cents being for other materials used in the manufacture of same. It takes 80 pounds of jute to make 100 bags, 5 pounds being allowed for waste. One bale of jute will manufacture 500 bags.

We are selling wheat bags at 6 cents f. o. b. any railroad station in the State of Washington. The Calcutta people are making this price in the immediate vicinity of this institution, but their price varies considerably in the outlying districts, ranging all the way from 7¼ to 6¾ cents. They have a great desire to put this institution out of business—that is, in the manufacture of jute fabrics—thereby having the entire market to themselves.

The farmers throughout the State are greatly pleased with our price on bags, and the Farmers' Union, at Garfield, recently passed a resolution adopting the penitentiary bags.

We make a far superior bag than the Calcutta sack, and I presume, if we would make the same quality of bag that the Calcutta people are making, we could produce our product at a great deal cheaper price. Our sacks are 12½ ounces in weight, while the Calcutta sacks are only 12 ounces. Our bags are 12 by 13 shot and theirs are 11 by 12, thereby making our sacks a great deal closer woven.

If we can hold the price of sacks at 6 cents, we will probably get all the business we can possibly do and be able to sell all the sacks we can possibly make at this institution. Our new jute mill, which is about completed, will double our capacity and will therefore give us a larger supply of sacks to dispose of to the farmers.

We sell our sacks exclusively to the farmers, they having to make affidavit that the sacks are for their own use, thereby eliminating all chances of speculation.

The following is a list of jute fabrics we manufacture, with price of same:

Grain bags, 12½ ounces, 22 by 36 inches	$0.06
Oat bags, 14 ounces, 24 by 40 inches	.07½
Ore bags, 12 ounces, 14 by 24 inches	.12½
Wool bags, 56 ounces, 40 by 86 inches	.31
Hop cloth, 24 ounces, 44 inches wide	.11
Burlap, 11¼ ounces, 45 inches wide	.07
Kiln cloth, 9 ounces, 45 inches wide	.06
Matting, 20 ounces, 18 inches wide	.25
Matting, 30 ounces, 27 inches wide	.30
Matting, 40 ounces, 36 inches wide	.35
Fleece twine, 120 strings to pound	.12
Hop warp, 240 strings to hank	.12

We also manufacture special bags whenever desired, providing the quantity is large enough to warrant the readjustment of the machinery.

Hoping the information herewith submitted is what you desire, I beg to remain,

Yours, very respectfully, C. S. REED, *Superintendent.*

Mr. TILLMAN obtained the floor.

Mr. FLINT. Mr. President, I want to state to the Senator——

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

Mr. TILLMAN. Certainly.

Mr. FLINT. I desire to state that there are 15 factories in the Southern States, 25 in the Northern and Middle States, and 5 on the Pacific coast that manufacture bags from burlap that is imported.

Mr. TILLMAN. Mr. President, I know that our fertilizers are largely sacked in bags made at home; and it is seen from the statement as to the quantities used on the Pacific coast that the South uses as much of the burlap to handle guanos as the western farmers use in handling grain. Our guano sacks are a dead loss, but the handling of grain does not hurt the sacks at all. They can be reimported and used three or four times before they begin to break down and wear out by age.

Of course I know perfectly well that our appeal will be to deaf ears; that whenever the chieftain of protection blows his horn—and he has already given notice to his followers that they must "rally 'round the flag, boys"—we will get nothing out of it; but I simply want to call attention to the way in which the farmers are treated by those in the West who love them so well, like the Senator from Idaho [Mr. HEYBURN]. I suppose we will just have to continue to bear our burdens as best we can.

Mr. HEYBURN. I only desire to say that there is no one in this body who has stood more consistently and firmly for the interest of the farmer in the administration of this protective-tariff policy than myself. I am not regardless of their rights, nor do I disregard them in taking the position that I have in this case.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. JONES].

Mr. JONES. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. TILLMAN. I hope the Senator from Rhode Island will himself hold up his hand and at least give us the poor comfort of seeing those who are going to kill us.

Mr. ALDRICH. I hope not. I want to get through with this bill.

Mr. TILLMAN. I give the Senator notice that we will not get away from here as soon as he thinks we will.

Mr. ALDRICH. That is all right.

Mr. TILLMAN. If you will not give us the yeas and nays so as to let us see how the vote goes, and let Senators put themselves on record, we may just as well have some little row over it as not.

Mr. BACON. Mr. President, I make the point that one-fifth of a quorum is sufficient to call the yeas and nays, unless it be demonstrated that there is more than a quorum present.

The PRESIDING OFFICER. The Chair understands the rule to be one-fifth of the Senators present.

Mr. BACON. I did not understand the Chair.

The PRESIDING OFFICER. The Chair understands the rule to require one-fifth of the Senators present.

Mr. BACON. I understand; but unless the Chair makes a count, or ascertains in some other way, that there are more than 46 Senators present when——

Mr. ALDRICH. One-fifth of the last vote is the usual rule.

Mr. BACON. One-fifth of a quorum is the presumption, or one-fifth of those present, so far as calling the yeas and nays is concerned. How does the Chair ascertain——

Mr. JONES. I ask the Chair to put the request again.

The PRESIDING OFFICER. The Chair will again put the request. Is there a second to the demand for the yeas and the nays on the amendment of the Senator from Washington?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE]. If he were present, he would vote "nay," and I should vote "yea."

Mr. FLINT (when his name was called). I transfer my pair with the senior Senator from Texas [Mr. CULBERSON] to the senior Senator from Delaware [Mr. DU PONT], and vote. I vote "nay."

Mr. GUGGENHEIM (when his name was called). I again announce my pair with the senior Senator from Kentucky [Mr. PAYNTER].

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH], and therefore withhold my vote.

Mr. OWEN (when his name was called). I am paired with the junior Senator from Montana [Mr. DIXON]. I transfer that pair to the junior Senator from Tennessee [Mr. TAYLOR], and vote. I vote "yea."

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Illinois [Mr. LORIMER], and therefore withhold my vote.

Mr. TALIAFERRO (when his name was called). I am paired with the junior Senator from West Virginia [Mr. SCOTT]. In his absence I withhold my vote.

Mr. TILLMAN (when his name was called). I am paired with the Senator from Vermont [Mr. DILLINGHAM]. I do not see him in the Chamber, and therefore withhold my vote.

Mr. WARREN (when his name was called). I am paired with the Senator from Mississippi [Mr. MONEY], and therefore withhold my vote.

The roll call was concluded.

Mr. FLETCHER. I am paired with the senior Senator from Kansas [Mr. CURTIS]. I transfer that pair to the Senator from Nevada [Mr. NEWLANDS], and vote. I vote "yea."

Mr. JONES. I am paired with the junior Senator from South Carolina [Mr. SMITH], but I understand that he would vote "yea" if present. Therefore I vote "yea."

Mr. TILLMAN. I transfer my pair with the Senator from Vermont [Mr. DILLINGHAM] to my colleague [Mr. SMITH], who, I know, would vote "yea," as his pair [Mr. JONES] has already voted "yea." I therefore feel at liberty to vote, and I vote "yea."

Mr. WARREN. By an arrangement of pairs, the Senator from Mississippi [Mr. MONEY] will stand paired with the Senator from Wisconsin [Mr. STEPHENSON], which will leave me at liberty to vote. I vote "nay."

The result was announced—yeas 25, nays 33, as follows:

YEAS—25.

Bacon	Cummins	Johnson, N. Dak.	Piles
Bankhead	Davis	Johnston, Ala.	Shively
Bristow	Fletcher	Jones	Stone
Brown	Foster	La Follette	Tillman
Chamberlain	Frazier	Nelson	
Clapp	Gore	Overman	
Crawford	Hughes	Owen	

NAYS—33.

Aldrich	Cullom	Heyburn	Smith, Mich.
Brandegee	Depew	Kean	Smoot
Briggs	Dick	McEnery	Sutherland
Burnham	Dolliver	Nixon	Warner
Burrows	Flint	Oliver	Warren
Burton	Frye	Page	Wetmore
Carter	Gallinger	Penrose	
Clark, Wyo.	Gamble	Perkins	
Crane	Hale	Root	

NOT VOTING—34.

Bailey	Culberson	Lorimer	Scott
Beveridge	Curtis	McCumber	Simmons
Borah	Daniel	McLaurin	Smith, Md.
Bourne	Dillingham	Martin	Smith, S. C.
Bradley	Dixon	Money	Stephenson
Bulkeley	du Pont	Newlands	Tallaferro
Burkett	Elkins	Paynter	Taylor
Clarke, Ark.	Guggenheim	Rayner	
Clay	Lodge	Richardson	

So the amendment of Mr. JONES was rejected.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. ALDRICH. On page 213, line 19, after the word "learning," I move to insert "public hospitals or municipal laboratories."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 647, page 213, line 19, after the words "seminary of learning," it is proposed to insert "public hospitals or municipal laboratories."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. I should like to ask whether in paragraph 319, on page 109, the words "all oilcloths (except silk oilcloths and oilcloths for floors)" were inserted?

The PRESIDING OFFICER. The Chair is informed that they have not been.

Mr. ALDRICH. I move that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In paragraph 319, on page 109, after the word "coated," it is proposed to insert "all oilcloths (except silk oilcloths and oilcloths for floors)."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. It is also proposed to insert, in line 23, at the end of the paragraph, a semicolon and the words "tracing cloth, 5 cents per square yard and 20 per cent ad valorem."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. On page 5, line 17, I move to strike out "one and one-fourth" and insert "two."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DOLLIVER. I did not hear what the amendment was.

Mr. BACON. What is that amendment?

Mr. ALDRICH. The amendment relates to borate materials. The committee are satisfied that they have not had this borate material properly classified. The duty on borax is 2 cents a pound; and, in the opinion of the committee, the duty on borate material should be at least 2 cents a pound. It is 4 cents under the present law, and this is a reduction of 50 per cent.

The PRESIDING OFFICER. The question is on agreeing to the amendment which the Secretary will report.

The SECRETARY. On page 5, line 17, strike out, in the committee amendment, the words "one and one-fourth," and in lieu thereof insert the word "two."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. PENROSE. I should like to ask the chairman of the committee whether or not he will agree, in paragraph 71, to have yellow prussiate of soda made dutiable at the specific rate of 2 cents, as in the case of the other soda? It now is 25 per cent ad valorem as a chemical compound. The rate is the same, but it ought to be specific.

Mr. ALDRICH. What page is that?

Mr. PENROSE. Page 17, paragraph 71, line 15, after the words "nitrite of soda," insert "and yellow prussiate of soda."

Mr. ALDRICH. I have no objection to that.

The PRESIDING OFFICER. The Secretary will report the amendment.

The SECRETARY. In the amendment inserted as a substitute for paragraph 71, on page 17, after the words "nitrite of soda, 2 cents per pound," insert "and yellow prussiate of soda."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended is agreed to.

Mr. ALDRICH. I now ask to take up paragraph 454, to which I offer the following amendment:

The SECRETARY. Paragraph 454, page 183, at the end of the paragraph, strike out the period and insert:

Woven fabrics, composed wholly or in chief value of asbestos, 40 per cent ad valorem.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. ALDRICH. I now ask to take up paragraph 88.

The SECRETARY. Paragraph 88, clays, asphaltum, bauxite, and so forth.

Mr. ALDRICH. Mr. President, I ask that that paragraph may be agreed to. The Senator from Ohio has some amendments, but I do not know exactly what they are.

Mr. BURTON. I wish to first amend that portion pertaining to fuller's earth by making it conform to the phraseology relating to crude asphalt. The paragraph as it now reads is:

Fuller's earth, unwrought and unmanufactured, $1.50 per ton.

I move to strike out "unwrought and unmanufactured" and make it read:

If not dried or otherwise advanced in any manner.

Then, in lines 11 and 12, strike out "wrought or manufactured" and insert:

If dried or otherwise advanced in any manner.

The PRESIDING OFFICER. The Senator from Ohio offers an amendment.

Mr. BURTON. There is a printed amendment which has been submitted on that point; and I move that the paragraph be so amended.

The PRESIDING OFFICER. The Secretary will report the amendment.

The SECRETARY. On page 21, lines 10 and 11, strike out the words "unwrought and unmanufactured" and insert in lieu thereof "if not dried or otherwise advanced in any manner."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BURTON. Also, in lines 11 and 12, I move to strike out the words "wrought or manufactured" and insert——

Mr. ALDRICH. Mr. President, in regard to these amendments, I will say that the committee has not had time to examine them. My own inclinations are entirely against them, but I have no objection to their being adopted; and I will say to the Senator from Ohio that the committee will carefully examine them, and if they are not correct, we shall ask the Senate afterwards to change them.

Mr. BURTON. Do I understand the chairman of the Finance Committee to say he does not object?

Mr. ALDRICH. I do not object to their being agreed to now.

Mr. CULLOM. Mr. President, I should like to know what we are agreeing to.

The PRESIDING OFFICER. The paragraph we have under consideration at the present time is paragraph 88, in regard to clay. It is proposed to strike out the words which the Secretary will state.

Mr. GUGGENHEIM. Mr. President, I should like to ask a question of the Senator from Ohio.

The PRESIDING OFFICER. The Chair will recognize the Senator from Colorado in a moment.

The SECRETARY. The first amendment is as follows: On page 21, line 10, after the words "fuller's earth" and the comma, strike out the words "unwrought and unmanufactured," and in lieu thereof insert "if not dried or otherwise advanced in any manner." Also, at the end of line 11, strike out the words "wrought or manufactured" and insert "if dried or otherwise advanced in any manner," so that it will read:

Fuller's earth, if not dried or otherwise advanced in any manner, one dollar and a half per ton; if dried or otherwise advanced in any manner, $3 per ton.

Mr. GUGGENHEIM. Mr. President——

The PRESIDING OFFICER. Will the Senator from Ohio yield to the Senator from Colorado?

Mr. BURTON. I do.

Mr. GUGGENHEIM. Mr. President, I should like to ask the Senator from Ohio if this new language will tend to lower the duty on fuller's earth?

Mr. BURTON. If anything, I think it will tend to increase it; but the object of it is a better classification.

Mr. ALDRICH. Mr. President, I will say to the Senator that I am very much afraid it increases the duty very largely, and I have very grave doubts as to whether it ought to be adopted. But I am willing, for the sake of saving time, to have it adopted at this time.

Mr. BURTON. The Treasury Department has reported that it can not draw the line closely between the unwrought and the wrought material.

The PRESIDING OFFICER. The question is on the amendments offered by the Senator from Ohio.

The amendments were agreed to.

The PRESIDING OFFICER. Without objection, the paragraph as amended will be agreed to.

Mr. BURTON. Mr. President, I wish to give notice that in the Senate I shall ask to have considered the amendment relating to asphalt and bitumen, crude.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Rhode Island to the fact that there is a committee amendment pending to this paragraph, proposing to strike out, in lines 13 and 14, "one dollar and a half" and to insert "three dollars."

Mr. ALDRICH. What is that?

The PRESIDING OFFICER. That is the paragraph under consideration.

Mr. CULLOM. What does that apply to?

Mr. ALDRICH. That has already been done, I think.

The PRESIDING OFFICER. No; it is pending.

Mr. ALDRICH. I accept that amendment.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to, and the paragraph as amended will be agreed to.

Mr. HEYBURN. I should like to inquire if the item on page 20, line 24, remains at $2.50 a ton?

The PRESIDING OFFICER. It does; the Chair so understands.

Mr. HEYBURN. I had an inquiry marked over it.

Mr. ALDRICH. I now ask that we take up paragraph 497.

Mr. CULLOM. If that last amendment, $3, applies to fluorspar, it is right.

Mr. ALDRICH. It does.

Mr. CULLOM. If it does not apply to that, I do not know what it means.

Mr. ALDRICH. I now ask that paragraph 497 be taken up.

The PRESIDING OFFICER. The Secretary will report the paragraph.

The SECRETARY. Page 198, binding twine. There is no amendment to the paragraph.

Mr. ALDRICH. Mr. President, I ask that the paragraph be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

Mr. BACON. I ask that it be passed over, but I do not now desire to press the amendment I have.

Mr. ALDRICH. Mr. President, we have but two or three items left of the dutiable and free lists, and I am extremely anxious to dispose of them this afternoon, with a view to an early adjournment.

Mr. BACON. I have several amendments to offer to the free list. I have been waiting on the Senator.

Mr. ALDRICH. The Senator can offer them now.

Mr. BACON. I ask that this paragraph may be passed by for the present, then.

Mr. ALDRICH. The Senator had an amendment to this paragraph, I understand.

Mr. BACON. I did; yes; but I do not desire to offer it now, because there are other amendments of a similar character to be offered by other Senators.

Mr. ALDRICH. I ask that paragraph 217 be now taken up.

The PRESIDING OFFICER. The Chair did not hear the Senator.

Mr. BACON. I have some other amendments to offer.

Mr. ALDRICH. I ask that paragraph 217 be now taken up, and that the committee amendment be agreed to.

The SECRETARY. Paragraph 217, on page 74, Schedule F, "Tobacco and manufactures of."

Mr. ALDRICH. I ask that the committee amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. ALDRICH. I understand that the committee amendment has been agreed to.

The PRESIDING OFFICER. It has not. There was a motion to reconsider.

Mr. ALDRICH. I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment, which the Secretary will report.

The SECRETARY. The amendment strikes out the proviso.

The amendment was agreed to.

Mr. BACON. Let us understand what amendment that is.

The PRESIDING OFFICER. And the paragraph as amended is agreed to.

Mr. BACON. What paragraph is that?

The PRESIDING OFFICER. That is paragraph 217, in regard to wrapper tobacco. The amendment strikes out the proviso.

Mr. BACON. Paragraph 217?

The PRESIDING OFFICER. Paragraph 217, on page 74.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Pennsylvania?

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The PRESIDING OFFICER. It has been agreed to.

Mr. ALDRICH. Now, Mr. President, I ask that paragraph 5 be taken up.

Mr. SIMMONS. Mr. President, I have an amendment to that paragraph.

The SECRETARY. Paragraph 5, on page 4.

Mr. ALDRICH. This paragraph the committee are going to permit to go on the free list.

Mr. SIMMONS. That is the amendment I proposed to offer.

Mr. ALDRICH. But the committee do this very reluctantly; and I am not at all certain that the action is correct. But, for the present, we are willing that the paragraph shall go on the free list. It relates to sulphate of ammonia.

Mr. SIMMONS. I think that the Senator may be assured that the action is eminently correct.

Mr. PENROSE. I should like to call the attention of the chairman of the committee to an inequality in the chemical schedule, paragraph 70.

Mr. ALDRICH. We are not yet through with this paragraph.

Mr. PENROSE. Oh, I beg pardon.

Mr. BURROWS. I desire to say a word in relation to the matter the chairman has just called up—sulphate of ammonia. It is understood that that matter will be open for future consideration?

Mr. ALDRICH. That, of course, is what I meant when I said I was not at all certain that the action of the committee was as it should be.

Mr. BURROWS. Yes; I wanted it understood.

Mr. ALDRICH. What we are accomplishing is to put sulphate of ammonia on the free list. We strike it out of the dutiable list in paragraph 5, lines 13 and 14, where we strike out the words "sulphate of ammonia, two-tenths of 1 cent per pound," and restore paragraph 480 of the free list.

Mr. BEVERIDGE. I am not informed about these matters, but I know that several Senators, some of whom I do not see here, are. I want to know just exactly what this means. It goes on the free list, to be open hereafter?

Mr. ALDRICH. I beg the Senator's pardon. What I said was that the committee are not, at least I am not, fully satisfied that this action is correct. I think the Senator from Michigan probably disagrees with me as to whether or not it ought to go on the free list; but my point is that at any time before the bill passes from the consideration of the Senate the committee may ask for a reconsideration.

Mr. BEVERIDGE. I merely call attention to this: Would not that, in substance at least, amount to a practical breaking of the unanimous-consent agreement? In other words, does that mean that this is disposed of by putting it on the free list before we take up the income tax and the corporation tax matter——

Mr. ALDRICH. Not at all.

Mr. BEVERIDGE. If that is true——

Mr. ALDRICH. Not at all. It is open in the Senate.

Mr. BEVERIDGE. If that is true, schedules might be disposed of in that way at the present time and then be taken up again——

Mr. ALDRICH. That is not my desire, and it is not my suggestion, I will say to the Senator.

Mr. BEVERIDGE. If it would have that effect, however—I am sure that is not the Senator's intention——

Mr. ALDRICH. Not at all.

Mr. BEVERIDGE. If that were the effect of it, however, it would be substantially a violation of the unanimous-consent agreement, which was that we should complete the schedules in Committee of the Whole before we took up the corporation and income tax matter. I am not informed——

Mr. ALDRICH. I am not making any reservation about it.

Mr. BEVERIDGE. If this or any other schedule should be disposed of in that way, with the understanding that it might be taken up afterwards, after the income tax and the corporation matter were disposed of——

Mr. ALDRICH. I am not asking any understanding at all. I am only saying——

Mr. BEVERIDGE. It would be a violation of the unanimous-consent agreement.

Mr. ALDRICH. The committee certainly will not violate the unanimous-consent agreement——

Mr. BEVERIDGE. It does not intend to, but it may result in it.

Mr. ALDRICH. Either in letter or spirit.

Mr. TILLMAN. Mr. President——

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

Mr. ALDRICH. Certainly.

Mr. TILLMAN. I want to make an inquiry as to what is the exact status. I heard something about paragraph 5 and then about 480.

The PRESIDING OFFICER. Will the Senator from South Carolina allow the Secretary to state the amendment?

Mr. TILLMAN. Certainly.

The SECRETARY. On page 4, in paragraph 5, it is proposed to strike out the following words in the committee amendment:

Sulphate of ammonia, two-tenths of 1 cent per pound.

And it is proposed to disagree to the amendment on page 194, striking out paragraph 480, "ammonia, sulphate of," leaving it upon the free list.

Mr. TILLMAN. That is exactly what we want. I want to say that the southern farmers who use sulphate of ammonia, and for whose benefit we on this side have been contending, do not care a straw about these other ammoniacal preparations. You can put any old duty you want on them, but we want the fertilizer to be free.

Several SENATORS. You have it.

Mr. TILLMAN. We get it; but I did not know what we were getting.

Mr. LA FOLLETTE. Is that the committee amendment?

Mr. ALDRICH. It is taken from the dutiable list and put on the free list.

The PRESIDING OFFICER. Without objection, the committee amendment proposed by the Senator from Rhode Island is agreed to, and paragraph 5, as amended, is agreed to. Without objection, the committee amendment on page 194 is disagreed to.

Mr. ALDRICH. Mr. President——

Mr. CRAWFORD. I want to make an inquiry.

Mr. ALDRICH. I was about to say that this disposes of all the paragraphs to which the committee have any suggested amendments.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. The Chair will recognize the Senator from South Dakota in a moment.

Mr. CRAWFORD. I only want to make an inquiry.

Mr. GALLINGER. I desire to submit an amendment.

The PRESIDING OFFICER. The Chair will recognize the Senator from New Hampshire in a moment.

Mr. ALDRICH. There are some amendments in regard to——

Mr. BACON. We can not hear the Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. ALDRICH. I had an understanding with the Senator from Iowa [Mr. CUMMINS] that we would take up the paragraph in regard to structural iron and steel and dispose of it, but I assume we will hardly be able to do that to-night, especially in view of the notice of the Senator from Georgia that he has several amendments to the free list which he desires to have disposed of.

Mr. STONE. I have an amendment I wish to offer.

Mr. ALDRICH. Then I think perhaps the Senate might as well adjourn.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from New Hampshire?

Mr. ALDRICH. Certainly.

Mr. GALLINGER. I want to submit an amendment for the purpose of sending it to conference. It is a trifling matter. In the committee amendment on page 54, lines 13 and 14, I move to strike out the word "twenty-five" where it appears the second time and insert in lieu thereof "thirty-five."

The amendment was agreed to.

Mr. PENROSE. I desire to call the attention of the chairman of the committee to an inequality in the chemical schedule which I think ought to be corrected. I refer to paragraph 70, page 17, line 12. If he wants to make the bill symmetrical and perfected, chlorate of soda ought to be 2 cents instead of 1½ cents, so as to make it the same as chlorate of potash. Both are quoted as chlorates. Both are the same proposition in the markets of the world. Both are made electrolytically, and my attention has been called to it as an absence of symmetry in the bill and a lack of equality. I move that chlorate of soda be 2 cents instead of 1½ cents.

The PRESIDING OFFICER. The Senator from Pennsylvania offers an amendment, which will be stated.

Mr. ALDRICH. I think we had better take that up later.

Mr. PENROSE. Very well.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

Mr. CLAY. Will the Senator withhold that motion for one minute?

Mr. ALDRICH. Certainly.

Mr. CLAY. I do not think I caught the Senator correctly. I understood him to say that all of the paragraphs in this bill had now been disposed of.

Mr. ALDRICH. Oh, no; I said there were two or three exceptions.

Mr. CLAY. Ah, I did not understand that. Paragraph 350 has not been disposed of?

Mr. ALDRICH. Cotton bagging; it has not been disposed of.

Mr. CLAY. That is all right.

Mr. ALDRICH. And cotton ties and binding twine have not been disposed of.

Mr. TILLMAN. And tea has not been disposed of.

Mr. ALDRICH. That amendment has not been offered.

Mr. TILLMAN. I am going to speak several hours when we get on that subject.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After four minutes spent in executive session the doors were reopened, and (at 5 o'clock and 14 minutes p. m.) the Senate adjourned until Monday, June 28, 1909, at 10 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 26, 1909.

PROMOTIONS IN THE NAVY.

Capt. Albert G. Berry to be a rear-admiral.

Commander William S. Hogg to be a captain.

Lieut. (Junior Grade) Joseph D. Little to be a lieutenant.

Second Lieut. Edward A. Ostermann to be a first lieutenant in the Marine Corps.

Lester S. Wass to be a second lieutenant in the Marine Corps.

POSTMASTERS.

DELAWARE.

Charles C. Tomlinson, at Delmar, Del.

LOUISIANA.

Lou S. Flournoy, at Ruston, La.

James C. Weaks, at Monroe, La.

MICHIGAN.

Alonzo B. Hyatt, at Linden, Mich.

MISSOURI.

Edgar A. Remley, at Columbia, Mo.

NEW YORK.

John L. McKinney, at Pine Bush, N. Y.

Josiah S. Remington, at Fort Ann, N. Y.

NORTH DAKOTA.

Jesse M. Pierson, at Granville, N. Dak.

J. M. Stewart, at Mayville, N. Dak.

OKLAHOMA.

Charles N. Martin, at Haileyville, Okla.

Albert R. Phillips, at Waynoka, Okla.

SENATE.

MONDAY, *June 28, 1909.*

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

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

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

LAWS OF ARIZONA.

The VICE-PRESIDENT laid before the Senate a communication from the secretary of the Territory of Arizona, transmitting pursuant to law, a copy of the session laws of the Twenty-fifth legislative assembly of the Territory of Arizona, which, with the accompanying document, was referred to the Committee on Territories.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1033) to provide for the Thirteenth and subsequent decennial censuses.