

SENATE.

TUESDAY, February 20, 1912.

The Senate met at 2 o'clock p. m.

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

The Journal of yesterday's proceedings was read and approved.

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION COMMISSION (S. DOC. NO. 338).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Senate and House of Representatives:

I have the honor to transmit herewith the report of the Employers' Liability and Workmen's Compensation Commission, authorized by joint resolution No. 41, approved June 25, 1910, "To make a thorough investigation of the subject of employers' liability and workmen's compensation, and to submit a report through the President to the Congress of the United States."

The commission recommends a carefully drawn bill, entitled "A bill to provide an exclusive remedy and compensation for accidental injuries resulting in disability or death to employees of common carriers by railroads engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes." This bill works out in detail a compensation for accidental injuries to employees of common carriers in interstate railroad business, on the theory of insuring each employee against the results of injury received in the course of the employment, without reference to his contributory negligence, and without any of the rules obtaining in the common law limiting the liability of the employer in such cases. The only case in which no compensation is to be allowed by the act is where the injury or death of the employee is occasioned by his willful intention to bring about the injury or death of himself or of another or when the injury results from his intoxication while on duty.

It is unnecessary to go into the details of the bill. They are, however, most admirably worked out. They provide for a medical and hospital service for the injured man, for a notice of the injury to the employer, where such notice is not obviously given by the accident itself; for the fixing of the recovery by agreement; if not by agreement, by an official adjuster, to be confirmed by the court, and, if a jury is demanded, to be passed on by a jury. The amount of recovery is regulated in proportion to the wages received and the more or less serious character of the injury where death does not ensue, specific provision being made for particular injuries in so far as they can be specified. The compensation is to be made in the form of annual payments for a number of years or for life. The fees to be paid to attorneys are specifically limited by the act. The remedies offered are exclusive of any other remedies. The statistical investigation seems to show that under this act the cost to the railroads would be, perhaps, 25 per cent more than the total cost which they now incur.

The report of the commission has been very able and satisfactory, the investigations have been most thorough, and the discussion of the constitutional questions which have arisen in respect to the validity of the bill is of the highest merit.

Three objections to the validity of the bill of course occur:

In the first place, the question arises whether under the provisions of the commerce clause the bill could be considered to be a regulation of interstate and foreign commerce. That seems to be already settled by the decision of the Supreme Court in the employers' liability case.

The second question is whether the making of these remedies exclusive and the compelling of the railroad companies to meet obligations arising from injuries, for which the railroad would not be liable under the common law, is a denial of the due process of law which is enjoined upon Congress by the fifth amendment to the Constitution in dealing with the property rights. This question the report takes up, and in an exhaustive review of the authorities makes clear, as it seems to me, the validity of the act. This is the question which in the Court of Appeals of the State of New York was decided adversely to the validity of the compensation act adopted by the legislature of that State. How far that act and the one here proposed differ it is unnecessary to state. It is sufficient to say that the argument of the commission is most convincing to show that the police power of the Government exercised in the regulation of interstate commerce is quite sufficient to justify the imposition upon the interstate railroad companies of the liability for the injuries to its employees on an insurance basis.

The third objection is that the right of trial by jury, guaranteed by the seventh amendment, is denied. As a matter of fact,

the right is preserved in this act by permitting a jury to pass on the issue when duly demanded, in accordance with the limitation of the act.

I sincerely hope that this act will pass. I deem it one of the great steps of progress toward a satisfactory solution of an important phase of the controversies between employer and employee that has been proposed within the last two or three decades. The old rules of liability under the common law were adapted to a different age and condition and were evidently drawn by men imbued with the importance of preserving the employers from burdensome or unjust liability. It was treated as a personal matter of each employee, and the employer and the employee were put on a level of dealing, which, however it may have been in the past, certainly creates injustice to the employee under the present conditions.

One of the great objections to the old common-law method of settling questions of this character was the lack of uniformity in the recoveries made by injured employees and by the representatives of those who suffered death. Frequently meritorious cases that appealed strongly to every sense of human justice were shut out by arbitrary rules limiting the liability of the employer. On the other hand, often by perjured evidence and the undue emotional generosity of the jury, recoveries were given far in excess of the real injury, and sometimes on facts that hardly justified recovery at all. Now, under this system the tendency will be to create as nearly a uniform system as can be devised; there will be recoveries in every case, and they will be limited by the terms of the law so as to be reasonable.

The great injustice of the present system, by which recoveries of verdicts of any size do not result in actual benefit to the injured person because of the heavy expense of the litigation and the fees charged by the counsel for the plaintiff, will disappear under this new law, by which the fees of the counsel are limited to a very reasonable amount. The cases will be disposed of most expeditiously under this system, and the money will be distributed for the support of the injured person over a number of years, so as to make its benefit greater and more secure.

Of course the great object of this act is to secure justice to the weaker party under existing modern conditions, but a result hardly less important will follow from this act that I can not fail to mention.

The administration of justice to-day is clogged in every court by the great number of suits for damages for personal injury. The settlement of such cases by this system will serve to reduce the burden of our courts one-half by taking the cases out of court and disposing of them by this short cut. The remainder of the business in the courts will thus have greater attention from the judges, and will be disposed of with much greater dispatch. In every way, therefore, the act demands your earnest consideration, and I sincerely hope that it may be passed before the adjournment of this session of Congress.

There accompanies the letter of transmittal of Senator SUTHERLAND not only the report of the commission, but also the hearings of witnesses by the commission, all of which is herewith submitted.

WM. H. TAFT.

THE WHITE HOUSE, February 20, 1912.

CLAIMS FOR INJURIES IN FOREST FIRES (S. DOC. NO. 339).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the 5th instant, certain information regarding the payments to the persons injured fighting fires in the national forests in the summer and fall of 1910, etc., which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the secretary of the National Board of Trade, transmitting resolutions passed by that body at its annual meeting held in Washington, D. C., January 16, 17, and 18, 1912, covering subjects relating to the American merchant marine, the calendar reform, commercial education, the conservation of natural resources, corporations, currency, and banking, and so forth. The communication and accompanying resolutions will be referred to the various committees having charge of the several subjects.

The VICE PRESIDENT presented resolutions adopted at a meeting of the Mine Owners' Association of Washington, convened at Chewelah, Wash., February 13, 1912, remonstrating against the passage of the so-called Underwood tariff bill, which were referred to the Committee on Finance.

Mr. CULLOM presented memorials of sundry citizens of Pennsylvania and Massachusetts, remonstrating against the

ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New Jersey, the White House Chapter of the American Woman's League, the National Association for Promotion of Arbitration, and of the Woman's National Press Association, praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Nokomis, Burnt Prairie, Murphysboro, Gardner, and Dixon, all in the State of Illinois, remonstrating against the extension of the so-called parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of the Woman's Christian Temperance Union of Naperville and Aurora, in the State of Illinois, remonstrating against the repeal of the anticanteen law, which were referred to the Committee on Military Affairs.

He also presented a petition of the Labor and Trades Assembly of Belleville, Ill., praying for the passage of the so-called anti-injunction bill, which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 118, Cigar Makers' International Union of America, of Peoria, Ill., and a petition of the Trades and Labor Assembly of Belleville, Ill., praying for the passage of the so-called dollar-a-day pension bill, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Barrington, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented a petition of the Central Labor Union of Rockford, Ill., praying for the enactment of legislation to provide for the restoration to civil-service employees their inherent rights as citizens, which was referred to the Committee on Civil Service and Retrenchment.

Mr. LODGE presented a resolution adopted by the City Council of Lawrence, Mass., favoring the enactment of legislation providing for the coinage of 3-cent pieces, which was referred to the Committee on Finance.

He also presented sundry papers to accompany the bill (S. 4260) granting an increase of pension to John S. Hughes, which were referred to the Committee on Pensions.

Mr. BURTON presented a petition of the congregation of the Baptist Church of Norwalk, Ohio, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Ashtabula Harbor, North Dover, and Vanatta, and of Local Grange No. 1426, Patrons of Husbandry, of Emerson, all in the State of Ohio, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Board of Trade of Tampa, Fla., praying for the adoption of a 1-cent letter postage, which was referred to the Committee on Post Offices and Post Roads.

Mr. BOURNE presented petitions of sundry citizens of Forest Grove, Roseburg, Lents, Aumsville, Dundee, Perrydale, Philomath, and Falls City, all in the State of Oregon, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented petitions of the congregations of the Methodist Episcopal Church of Tangent; the Methodist Episcopal Church and the United Presbyterian Church of Shedd; the Methodist Episcopal Church of Roseburg; the Baptist Church and the United Evangelical Church of Lafayette; of the Woman's Christian Temperance Unions of Dundee, Ione, Lafayette, and Chehalis Center; and of sundry citizens of Ione, Scio, Vernonia, West Stayton, and Portland, all in the State of Oregon, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of La Grande, Oreg., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. WILLIAMS presented petitions of the congregations of the Methodist Episcopal Church, the Baptist Church, and the Presbyterian Church; of the Woman's Christian Temperance Union; and of sundry citizens, all of Pontotoc, in the State of Mississippi, praying for the enactment of an interstate

liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. O'GORMAN. I present a concurrent resolution passed by the Legislature of New York, favoring the passage of the militia pay bill. I ask that the resolution be printed in the Record and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the Record, as follows:

In assembly, Monday, January 15, 1912.

Mr. Cuvillier offered for the consideration of the house a resolution in the words following:

Whereas there is pending in the Congress of the United States a bill entitled pay for the organized State militia of the various States, whereby the State militia of the States will receive compensation from the Federal Government, including officers and enlisted men; and

Whereas the last House of Representatives passed said act, but the same failed to receive the approval of the Senate; and

Whereas this measure has the approval of the governors and adjutant generals of the majority of the States; also that of the Secretary of War:

Resolved (if the senate concur), That it is the sense of the Legislature of the State of New York that the Organized Militia, including the officers and enlisted men, should receive compensation from the Federal Government as the organized State militia, by an act of Congress and the State legislatures, as a part of the United States Army Reserve; and that Congress should pass the bill now pending for the payment of the organized State militia; and the Representatives in Congress from the State of New York are respectfully requested to use their best offices in this direction: Be it further

Resolved, That a copy of this resolution be sent to each Representative in Congress from the State of New York.

In assembly, Monday, February 12, 1912.

By unanimous consent, Mr. Cuvillier called up his resolution in regard to Federal pay for State militia, introduced January 15.

Debate was had thereon.

Mr. Speaker put the question whether the house would agree to said resolution, and it was determined in the affirmative.

Ordered that the clerk deliver said resolution to the senate and request their concurrence therein.

In assembly, Tuesday, February 13, 1912.

The senate returned the concurrent resolution in relation to Federal pay for State militia with a message that they have concurred in the passage of the same without amendment.

STATE OF NEW YORK, COUNTY OF ALBANY.

Office of the Clerk of the Assembly, ss:

I, Fred W. Hammond, clerk of the assembly, do hereby certify that I have compared the foregoing resolution with the original thereof as contained in the original copy of the official journal of the proceedings of the Assembly of the State of New York, of January 15, February 12 and 13, 1912, now on file in my office; that the foregoing is a true and correct transcript of said original resolution and the proceedings had thereon.

In witness whereof, I have hereunto set my hand and affixed my official seal this 15th day of February, 1912.

[SEAL.]

FRED W. HAMMOND,
Clerk of the Assembly.

Mr. O'GORMAN presented petitions of the congregation of the Union Church of Parishville, of the Tabernacle and Boulevard Methodist Episcopal Brotherhood, and of the Central Woman's Christian Temperance Union, of Binghamton, all in the State of New York, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented memorials of sundry citizens of Edna, Newton, Oakhill, Wichita, Chetopa, Oswego, and Independence, all in the State of Kansas, remonstrating against the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Ellinwood, Kans., praying for the enactment of legislation to reduce postal rates, to improve the postal service, and to increase postal revenues, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Highland, Jamestown, Altoona, and Newton, all in the State of Kansas, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Lucas, Parsons, Iola, Wichita, and Iona, all in the State of Kansas, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a petition of Printing Pressmen's Union No. 49, of Topeka, Kans., praying for the enactment of legislation to provide for an increase in the pay of pressmen in the Government Printing Office, which was referred to the Committee on Printing.

He also presented a petition of the Industrial Club of Garden City, Kans., praying for the retention of the duty on raw sugar, which was referred to the Committee on Finance.

He also presented a petition of members of Blue Post, No. 250, Department of Kansas, Grand Army of the Republic, of

Topeka, Kans., praying for the passage of the so-called dollar-a-day pension bill, which was ordered to lie on the table.

He also presented a petition of Camp Alfred C. Alford, No. 15, Department of Kansas, United Spanish War Veterans, of Iola, Kans., praying for the enactment of legislation granting pensions to the widow and minor children of any officer or enlisted man who served in the War with Spain or in the Philippine insurrection, which was referred to the Committee on Pensions.

Mr. CURTIS presented a petition of the congregation of the Friends Church of Haviland, Kans., and a petition of sundry citizens of Alton, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented a memorial of General Strong Post, No. 82, Department of Kansas, Grand Army of the Republic, of Jetmore, Kans., remonstrating against the incorporation of the Grand Army of the Republic, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry members of Post No. 388, Department of Kansas, Grand Army of the Republic, of Meade, Kans., and a petition of sundry Union veterans, residents of Oswego, Kans., praying for the passage of the so-called dollar-a-day pension bill, which were ordered to lie on the table.

He also presented a memorial of Local Branch, United Commercial Travelers of America, of Wichita, Kans., remonstrating against the extension of the so-called parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Concordia, Selden, and Erie, all in the State of Kansas, praying for the extension of the so-called parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

Mr. MARTIN of Virginia presented a memorial of sundry citizens of Vienna, Va., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. NIXON presented petitions of sundry citizens of Contact and Beowawe, in the State of Nevada, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. RAYNER presented a petition of the congregation of the Evangelical Lutheran Church and a petition of the Gospel Mission Sunday School of Frederick, Md., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented petitions of the congregations of the Baptist, Congregational, Episcopal, and Methodist churches of Clinton; of the Young People's Society of Christian Endeavor of Guilford; of the Woman's Christian Temperance Union of Groton; and of sundry citizens of Willington, all in the State of Connecticut, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a petition of Brass and Aluminum Molders' Local Union, No. 453, of Hartford, Conn., praying for the passage of the so-called eight-hour bill, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Norwich District Ministerial Association, in convention at Danielson, Conn., remonstrating against the repeal of the antieateen law, which was referred to the Committee on Military Affairs.

Mr. SHIVELY presented a memorial of sundry citizens of Indianapolis, Southport, and Greenwood, all in the State of Indiana, remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented a memorial of the Lee B. Nusbaum Co., of Richmond, Ind., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. OVERMAN presented petitions of sundry citizens of Winston Salem and Wilson, in the State of North Carolina, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Clinton, N. C., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Sylva, N. C., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

Mr. PAGE presented a petition of the Central Labor Union of St. Johnsbury, Vt., praying for the adoption of certain amendments to the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. BRADLEY presented petitions of the congregations of the Christian Church, the Methodist Episcopal Church, the Baptist Church, and the Methodist Episcopal Church South, and of the Woman's Christian Temperance Union, all of London, in the State of Kentucky, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. McLEAN presented a petition of the Woman's Christian Temperance Union of Bridgeport, Conn., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented memorials of the Woman's Christian Temperance Unions of Shelton and Goshen, of the Norwich District Ministerial Association of Episcopal Ministers, and of sundry citizens of Shelton, all in the State of Connecticut, remonstrating against the repeal of the antieateen law, which were referred to the Committee on Military Affairs.

Mr. PENROSE presented a petition of sundry citizens of Port Trevorton, Pa., praying that an appropriation be made for the erection of a bridge over the Susquehanna River, in that State, which was referred to the Committee on Commerce.

He also presented a petition of the Philadelphia Brigade Association, of Pennsylvania, praying for the enactment of legislation to provide for the proper observance of the fiftieth anniversary of the death of Abraham Lincoln, which was referred to the Committee on the Library.

Mr. ROOT presented a concurrent resolution adopted by the Legislature of New York, favoring the passage of the militia pay bill, which was referred to the Committee on Military Affairs.

He also presented a petition of 60 citizens of Syracuse, N. Y., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Taleville, N. Y., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Jamestown, Poughkeepsie, Lansing, Newfield, Seneca Falls, Binghamton, Endicott, and Warsaw, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WATSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 4222) to increase the limit of cost of the public building at Moundsville, W. Va., reported it with an amendment.

Mr. MARTINE of New Jersey, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 2698) increasing the cost of erecting a post-office building at Plainfield, N. J., reported it without amendment and submitted a report (No. 376) thereon.

Mr. CHAMBERLAIN, from the Committee on Public Lands, to which was referred the bill (S. 2014) for the relief of George Owens, John J. Bradley, William M. Godfrey, Rudolph G. Ebert, Herschel Tupes, William H. Sage, Charles L. Tostevin, Alta B. Spaulding, and Grace E. Lewis, reported it with amendments and submitted a report (No. 377) thereon.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill (S. 4753) to amend an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906 (34 Stats. L., p. 137), reported it without amendment, and submitted a report (No. 378) thereon.

Mr. SUTHERLAND, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each with an amendment and submitted a report thereon:

S. 1752. A bill to provide for the erection of a public building at Eureka, Utah (Rept. No. 379); and

S. 4585. A bill to provide for the erection of a public building on a site already acquired at South Bethlehem, Pa. (Rept. No. 380).

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4245. A bill to increase the limit of cost of the additions to the public building at Salt Lake City, Utah (Rept. No. 381); and

S. 3716. A bill for the erection of a public building at St. George, Utah (Rept. No. 382).

He also, from the same committee, to which was referred the bill (S. 4619) to provide for the purchase of a site and the erection of a public building thereon in the city of Franklin, State of Pennsylvania, reported it with amendments and submitted a report (No. 383) thereon.

Mr. McCUMBER, from the Committee on Pensions, to which were referred sundry bills, granting pensions and increase of pensions, submitted a report (No. 384) accompanied by a bill (S. 5415) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following pension bills heretofore referred to that committee:

S. 5. Samuel C. Whitwam.
S. 6. Leander O. Tucker.
S. 39. Wesley A. Maze.
S. 166. Samuel J. Powers.
S. 202. Thomas Clay.
S. 203. Asahel N. Wells.
S. 205. Thomas Taylor.
S. 206. Joseph Sumpter.
S. 303. Peter Foster.
S. 370. Wellsley Crane.
S. 376. William Roatch.
S. 387. Alfred Phillips.
S. 463. Darius Wells.
S. 484. Benjamin F. Havens.
S. 495. Zachariah Kramer.
S. 498. Andrew Dienst.
S. 500. Davis J. Howard.
S. 525. James W. Thompson.
S. 533. Frank Snurpus.
S. 541. William H. Doty.
S. 543. Henry C. Jones.
S. 574. Howard Brooks.
S. 580. David W. Fox.
S. 581. James R. McKee.
S. 649. Ellen C. Welch.
S. 673. Leander Chase.
S. 681. Daniel Clark.
S. 705. Gordon Kimball.
S. 801. Charles E. Chadock.
S. 832. Adelbert E. Bliss.
S. 868. Joel Ames.
S. 872. Lemmons W. Brattain.
S. 887. George K. Smith.
S. 908. Alburtus H. Walker.
S. 916. Jerome A. Shirley.
S. 1110. Lafayette M. Bratton.
S. 1121. William Tinder.
S. 1166. John W. Doane.
S. 1199. John Burritt.
S. 1540. Osborn Dillard.
S. 1552. Oliver W. Sweet (alias Oliver W. Frazee).
S. 1554. Andrew V. Mitchell.
S. 1622. Marquis D. Usher.
S. 1714. Reuben F. King.
S. 1959. Samuel Curtis.
S. 1966. Ephriam M. Hill.
S. 1968. Franklin D. Joy.
S. 1974. Nathan T. Kimball.
S. 2096. Ebenezer H. Barker.
S. 2099. George W. Eaton.
S. 2231. Adison Long.
S. 2232. John W. Farmer.
S. 2494. Charles E. Clark.
S. 2657. William J. Braswell.
S. 2691. Henry A. Fernald.
S. 2780. David P. Sheibley.
S. 2859. William Wyatt.
S. 2867. Nancy J. Tracy.
S. 2952. John H. Doeg.
S. 2993. Lizzie A. Shepard.
S. 3038. David L. Gaines.
S. 3039. Thomas J. Fields.
S. 3076. Thomas Finch.
S. 3163. Henry McMahon.
S. 3193. Myron H. Isbell.
S. 3371. Peter J. J. Shoemaker.
S. 3449. Charles S. Tyler.

S. 3454. Samuel E. Brillhart.
S. 3476. William H. Cross.
S. 3478. John B. C. Kerr.
S. 3480. Russel B. Tulleys.
S. 3488. Michael Hade.
S. 3499. Luman C. Wheelock.
S. 3500. Willard E. Martin.
S. 3536. Elizabeth Clappitt.
S. 3592. James A. Todd.
S. 3678. John G. Smith.
S. 3691. Ambrose A. Stiles.
S. 3747. Robert W. Cook.
S. 3817. William Ryan.
S. 3819. Erie S. Gunnison.
S. 3828. Joseph A. Olewine.
S. 3881. George M. Jones.
S. 3914. Charles Schafer.
S. 3916. William Bordwell.
S. 4158. Eli Kendall.
S. 4176. Nathaniel S. North.
S. 4190. William B. Goodwin.
S. 4211. Hubert O. Moore.
S. 4296. William A. Johnson.
S. 4347. John McLaughlin.
S. 4348. Miles J. Williams.
S. 4428. Harvey Burns.
S. 4558. Anson Crocker.
S. 4594. Isaac N. Smith.
S. 4697. Christopher H. Alexander.
S. 4698. Albert Greene.
S. 4701. Reason R. Henderson.
S. 4779. Henry C. Paynter.
S. 4788. Susan M. Barnard.
S. 4815. Daniel Monroe.
S. 4828. Gilson M. Henton.
S. 4831. George H. Ring.
S. 4869. David R. Mullikin.
S. 4934. Russell D. Woodroff.
S. 5055. John H. Mattison.

Mr. OLIVER, from the Committee on Claims, to which was referred the bill (S. 5287) for the relief of Kate Ferrell, reported it without amendment and submitted a report (No. 385) thereon.

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (S. 4520) for the relief of Catherine Grimm, reported it without amendment and submitted a report (No. 386) thereon.

He also, from the same committee, to which were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were postponed indefinitely:

S. 16. A bill for the relief of George Q. Allen (Rept. No. 387);
S. 1487. A bill for the relief of David W. Stockstill (Rept. No. 388); and
S. 5065. A bill for the relief of the heirs of Lewis D. Brown (Rept. No. 389).

Mr. BURTON, from the Committee on Foreign Relations, to which was referred the amendment submitted by himself on the 6th instant, proposing to appropriate \$5,000 for participation in the International Conference on Maritime Law at Brussels, Belgium, in September, 1912, intended to be proposed to the diplomatic and consular appropriation bill, reported favorably thereon and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

Mr. GAMBLE, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

S. 408. A bill to provide for the purchase of a site and the erection of a public building thereon at Canton, in the State of South Dakota (Rept. No. 390);

S. 410. A bill to provide for the acquisition of a site on which to erect a public building at Milbank, S. Dak. (Rept. No. 391); and

S. 876. A bill to provide for the purchase of a site and the erection of a public building thereon at Bellefourche, in the State of South Dakota (Rept. No. 392).

Mr. OVERMAN, from the Committee on Claims, to which was referred the bill (S. 100) to carry into effect the findings of the military board of officers in the case of George Ivers, administrator, reported it with amendments and submitted a report (No. 393) thereon.

He also, from the same committee, to which was referred the bill (S. 2414) for the relief of Rittenhouse Moore, reported it without amendment and submitted a report (No. 394) thereon.

Mr. WARREN, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 317) to provide for

the purchase of a site and the erection of a public building thereon at Sundance, in the State of Wyoming, reported it without amendment and submitted a report (No. 395) thereon.

ESTATE OF EPENETUS HEATH, DECEASED.

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (S. 4646) for the relief of the estate of Epenetus Heath, deceased, reported the following resolution (S. Res. 225), and it was considered by unanimous consent and agreed to:

Resolved, That the bill (S. 4646) entitled "A bill for the relief of the estate of Epenetus Heath, deceased," now pending in the Senate, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

PUBLIC BUILDING AT NEW MARTINSVILLE, W. VA.

Mr. WATSON. From the Committee on Public Buildings and Grounds I report back favorably, with amendments, the bill (S. 4197) for the purchase of a site and the erection thereon of a post office and public building at New Martinsville, Wetzel County, W. Va. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments were, in line 7, after the words "West Virginia," to strike out the words "and the sum of" and insert the words "at a cost not to exceed"; and at the end of the bill, after the word "dollars," in line 8, to strike out the words "is hereby appropriated for that purpose out of any funds in the Treasury of the United States not otherwise appropriated," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to secure a site, by purchase, condemnation, or otherwise, for the purpose of erecting a post office and public building thereon, in the city of New Martinsville, Wetzel County, W. Va., at a cost not to exceed \$15,000.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the purchase of a site for the erection of a post office and public building at New Martinsville, Wetzel County, W. Va."

FIFTH NATIONAL CORN EXPOSITION, COLUMBIA, S. C.

Mr. SMITH of South Carolina. From the Committee on Agriculture and Forestry I report back favorably without amendment the joint resolution (S. J. Res. 74) for an exhibit at the Fifth National Corn Exposition, at Columbia, S. C. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. The Secretary will read the joint resolution for the information of the Senate.

The Secretary read the joint resolution; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It empowers the Secretary of Agriculture to prepare from the several divisions of the Department of Agriculture an exhibit to be displayed at the Fifth National Corn Exposition, to be held in Columbia, S. C., from January 27 to February 9, 1913, the exhibit to be of such nature as the Secretary of Agriculture deems appropriate; but the Secretary of Agriculture shall make such arrangements with the proper officers of the exposition that the Department of Agriculture shall be at no expense for transportation of the exhibit to and from the exposition; and he shall also make such arrangements with the proper authorities of the exposition that there shall be no expense to the department for any breakage or damage that may occur to the exhibit, nor for the living expenses of such appointees as he may see fit to send to the exposition to demonstrate the exhibit sent.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

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

By Mr. FLETCHER:

A bill (S. 5377) releasing the claim of the United States Government to lot No. 306, in the old city of Pensacola; and

A bill (S. 5378) releasing the claim of the United States Government to that portion of land being a fractional block

bounded on the north and east by Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola; to the Committee on Public Lands.

By Mr. JONES:

A bill (S. 5379) granting certain lands of the diminished Colville Indian Reservation, in the State of Washington, to the Washington Historical Society; to the Committee on Indian Affairs.

By Mr. CULLOM:

A bill (S. 5380) to grant an honorable discharge to Arthur Wood; to the Committee on Military Affairs.

By Mr. DIXON:

A bill (S. 5381) granting an increase of pension to Robert M. Carlton; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 5383) to establish a bureau for the study of the criminal, pauper, and defective classes; to the Committee on the Judiciary.

By Mr. WORKS:

A bill (S. 5384) for the relief of James Belger and others; to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 5385) granting a pension to Nancey Wilson; to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 5386) amending an act entitled "An act amending the act of August 15, 1894, entitled 'An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895,' and for other purposes"; to the Committee on Indian Affairs.

By Mr. GARDNER:

A bill (S. 5387) to construct and place a lightship near Monhegan Island, entrance to Penobscot Bay, Me.; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 5388) granting an increase of pension to William H. Sterling; and

A bill (S. 5389) granting an increase of pension to John K. Myers; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 5390) for the repair, improvement, and construction of a road to Mount Rainier National Park, Wash., within the boundaries of the Rainier National Forest; and

A bill (S. 5391) for a survey of the most practicable route for a wagon road from the town of Glacier to Mount Baker, in the Washington National Forest Reserve, and toward the construction of said road; to the Committee on Agriculture and Forestry.

By Mr. ROOT:

A bill (S. 5392) granting an increase of pension to Charles D. Wilson (with accompanying papers); and

A bill (S. 5393) granting an increase of pension to Anna E. R. Webb (with accompanying papers); to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 5394) granting a pension to Mary A. Smith (with accompanying paper); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 5395) for the relief of Pedro Salazar y Garcia;

A bill (S. 5396) for the relief of Francisco Giron, heir of Nicolas Giron, deceased;

A bill (S. 5397) for the relief of Roman Moya, administrator of the estate of Pablo Moya, deceased;

A bill (S. 5398) for the relief of Jose Antonio Barreras;

A bill (S. 5399) for the relief of Biento Fresquez; and

A bill (S. 5400) for the relief of Fernando Baca; to the Committee on Claims.

A bill (S. 5401) granting an honorable discharge to John H. Smith; to the Committee on Military Affairs.

A bill (S. 5402) granting a pension to Lottie A. Dunn;

A bill (S. 5403) granting a pension to Charles H. Davis;

A bill (S. 5404) granting an increase of pension to Benjamin J. Schlosser; and

A bill (S. 5405) granting a pension to Harriet Stape; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5406) granting a pension to Emma Hacker (with accompanying paper);

A bill (S. 5407) granting an increase of pension to Mattie B. Wintrode (with accompanying paper);

A bill (S. 5408) granting an increase of pension to Jesse Sheets (with accompanying papers);

A bill (S. 5409) granting an increase of pension to Mark Clark (with accompanying papers);

A bill (S. 5410) granting an increase of pension to James L. Stroup (with accompanying papers);

A bill (S. 5411) granting an increase of pension to Augustus C. D. Wilson (with accompanying paper);

A bill (S. 5412) granting an increase of pension to Judson Bayne; and

A bill (S. 5413) granting a pension to William C. Cashell; to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 5414) granting an increase of pension to Henry M. Adams; to the Committee on Pensions.

EMPLOYERS' LIABILITY.

Mr. SUTHERLAND. I introduce a bill to carry out the recommendations made by the Employers' Liability and Workmen's Compensation Commission. The report of that commission, transmitted to-day to Congress by the President of the United States, has been laid before the Senate and read. The bill will affect something like 1,700,000 railroad employees, and I am advised that there will be a very large demand for copies. I ask that the bill be referred to the Committee on the Judiciary and that 25,000 additional copies be printed for the use of that committee.

The bill (S. 5382) to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death, to employees of common carriers by railroad engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes, was read twice by its title.

The VICE PRESIDENT. The bill will be referred to the Committee on the Judiciary, and, without objection, the order for the printing of 25,000 extra copies will be entered.

Mr. GALLINGER. I observe the Senator from Utah has asked that the extra copies shall be for the use of the committee. I trust the Senator will let them go to the Senate document room, where we can get them on call.

Mr. SUTHERLAND. I have no objection, Mr. President, to some of them going to the document room, but I think the larger portion of them ought to go to the Committee on the Judiciary.

Mr. GALLINGER. Say, 10,000 for the use of the document room.

Mr. SUTHERLAND. Let the order be made in that way, then—that 10,000 shall be for the use of the document room and 15,000 for the use of the Committee on the Judiciary.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That there be printed 10,000 additional copies of the bill (S. 5382) to provide an exclusive remedy and compensation for accidental injuries resulting in disability or death to employees of common carriers by railroad engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes, for the use of the document room of the Senate, and that there be printed 15,000 copies of said bill for the use of the Committee on the Judiciary.

INTERNATIONAL DRY LAND CONGRESS.

Mr. SMOOT submitted an amendment proposing to appropriate \$10,000 to enable the Secretary of Agriculture to make an exhibit at the next annual meeting of the International Dry Land Congress, to be held at Lethbridge, Alberta, Canada, October 21 to 26, 1912, etc., intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PRESERVATION OF FUR SEALS.

Mr. POINDEXTER submitted an amendment intended to be proposed by him to the bill (H. R. 16571) to give effect to the convention between the Governments of the United States, Great Britain, Japan, and Russia for the preservation and protection of the fur seals and sea otter which frequent the waters of the North Pacific Ocean, concluded at Washington July 7, 1911, which was referred to the Committee on Foreign Relations and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and Tucker Acts, which was referred to the Committee on Claims and ordered to be printed.

GENERAL ARBITRATION TREATIES.

Mr. LODGE. I desire to give notice that on Thursday, the 29th of February, with the permission of the Senate, I will address the Senate upon the question of the general arbitration treaties with Great Britain and France.

HOMESTEAD ENTRIES.

Mr. POINDEXTER. By unanimous consent I ask leave to have considered an amendment to correct a typographical or clerical error in Senate bill 2194, which is on the calendar.

The VICE PRESIDENT. The Senator from Washington asks unanimous consent for the present consideration of the bill named by him.

Mr. POINDEXTER. I move to amend the bill, in line 6, on page 1, by striking out the word "law" and inserting the words "at large, page," so that it will read "Statutes at Large, page 991."

The VICE PRESIDENT. The bill is not yet before the Senate. Does the Senator ask to amend a report?

Mr. POINDEXTER. To amend a bill reported by the Committee on Public Lands. The bill is on the calendar.

The VICE PRESIDENT. The bill would have to be under consideration, of course, to have the amendment acted upon.

Mr. POINDEXTER. I understood that it could be acted upon by unanimous consent. It is to correct a mere clerical error.

The VICE PRESIDENT. Is there objection to the present consideration of the bill? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

Mr. BURTON. What is the bill?

The VICE PRESIDENT. The Secretary will state the title of the bill.

The SECRETARY. A bill (S. 2194) to amend section 2288 of the Revised Statutes of the United States relating to homestead entries.

The VICE PRESIDENT. The request is simply to permit the Senator from Washington at the present time to offer an amendment and not that the bill be definitely disposed of. The Senator from Washington offers an amendment, which will be stated.

The SECRETARY. On page 1, line 6, after the word "Statutes," it is proposed to strike out the word "law" and to insert the words "at Large, page," so as to read:

That section 2288 of the Revised Statutes, as amended by act of March 3, 1905, chapter 1424, Thirty-third Statutes at Large, page 991, be amended so as to read as follows:

The VICE PRESIDENT. Without objection, the amendment is agreed to.

SENATOR FROM WISCONSIN.

Mr. HEYBURN. Mr. President, I ask the Senate to proceed to the consideration of Senate resolution 136, which is a question of the highest privilege before the Senate.

The VICE PRESIDENT. The Secretary will state the resolution.

The SECRETARY. Senate resolution 136, directing the Committee on Privileges and Elections to investigate certain charges relative to the election of ISAAC STEPHENSON.

Mr. LODGE. Is the resolution now before the Senate?

The VICE PRESIDENT. It has been called up as a privileged matter and is now before the Senate.

Mr. LODGE. Mr. President, I now renew my request made on yesterday, that the remainder of the report may be read. By that I mean the views of the Senator from Idaho [Mr. HEYBURN], the views of the Senator from Ohio [Mr. POMERENE], and of the Senator from Utah [Mr. SUTHERLAND], and also the views submitted by the Senator from Washington [Mr. JONES], which were, I understand, filed yesterday. I want the whole report read.

The VICE PRESIDENT. Without objection, the Secretary will read the report.

Mr. BRISTOW. Mr. President, before that is proceeded with, I should like to inquire if the views of the Senator from Washington and his associates on the committee have yet been printed?

The VICE PRESIDENT. They have been printed and are now in the hands of the Secretary.

Mr. BRISTOW. They have not yet been distributed. I understood from the discussion yesterday that those views were to be incorporated in the first volume of the testimony. Now, where are they to be found?

Mr. HEYBURN. They were not incorporated in the first volume. They were printed as other minority views are printed.

Mr. BRISTOW. Why should not those views have been printed the same as the views of the Senator from Utah and those of the Senator from Ohio?

Mr. HEYBURN. They were not in existence when the order was made for printing the record. The order was made seven days before they were in existence, and they could not very well be printed.

Mr. BRISTOW. But this volume was not printed until yesterday, if I understand correctly.

Mr. HEYBURN. That was because of the disobedience of the printing clerk to the order of the Senate.

Mr. BRISTOW. Why should not the minority views have been incorporated in this volume, then, if it could have been done, the report not having been printed at the time?

Mr. HEYBURN. Because it was not deemed either necessary or advisable to permit the order of the Senate to be violated in a roundabout way by deferring for a week compliance with the order of the Senate—I will not use the word "surreptitiously," but it is close to it, and it would be difficult to find another word to fit it—withholding compliance with the order of the Senate for a week in order that some individual might accomplish a purpose that was not in harmony with that of the Senate when it ordered the record printed.

Mr. BRISTOW. The result is—

Mr. POINDEXTER. Will the Senator allow me to interrupt him a moment?

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

Mr. HEYBURN. Yes.

Mr. POINDEXTER. I do not understand the Senator's reference to this "purpose." What was the "purpose" which the Senator says the printing clerk had in view in delaying the printing and which was not in accordance with the sentiment of the committee?

Mr. HEYBURN. The period of oracles having passed, I am unable to answer that question.

Mr. POINDEXTER. I do not understand, Mr. President, that it would require an oracle for the Senator to answer the question when he has stated to the Senate that there was such a purpose. Now, I understand the Senator to say that, notwithstanding his previous assertion, he does not know of any such purpose.

Mr. HEYBURN. I think the Senator had better defer that assertion until he reads the record of what I said. I said "what the record will show; not what the Senator says I said."

Mr. POINDEXTER. Does the Senator deny that he just made the statement that the clerk was withholding the printing of this volume to accomplish a purpose that was not in accord with the sentiments of the committee?

Mr. HEYBURN. The Senator from Idaho is not on trial, nor is he triable at the hands of any Member of this body.

Mr. POINDEXTER. That is very true, Mr. President. I have no desire to undertake to put the Senator on trial. I simply asked the question for information. It appears to me very evident that there was some purpose or motive back of the Senator's insistence, which he made on yesterday before the Senate, that this volume should have been published immediately; and undoubtedly the Senator stated that there was a purpose or motive in the refusal to print it in accordance with the orders of the committee. I think the Senate is entitled to know what the purpose or motive is, and it has not been disclosed.

Mr. HEYBURN. The Senator will know, if I have an opportunity to state it.

Mr. POINDEXTER. I am asking the Senator to state it now.

Mr. HEYBURN. Still the Senator is asking for it. I shall not need to be asked again.

I insisted on it because it was the order of the Senate. I need charge no one with any motive in insisting that the order of the Senate should be complied with. That order was that the record be printed. The specific terms of the order required nothing to be printed that was not in existence.

The Senator is mistaken when he undertakes to state what he says I said in regard to the motive of those who were responsible for its not being done. I disclaimed knowing. The Senator asked me. I told him I had no oracle to appeal to. That was equivalent to saying that I had no means of information. Nor do I care anything whatever as to what actuated them, and I am not going to stand here to attack them or to defend them.

Mr. POINDEXTER. Will the Senator yield for a further question?

Mr. HEYBURN. Yes.

Mr. POINDEXTER. Is it the Senator's idea that the purpose in delaying the printing of this volume was to incorporate in it the views of the minority of the committee? And was the Senator's objection to further delay in order to prevent the views of the minority of the committee being printed in the volume?

Mr. HEYBURN. Those are two questions. The Senator asks me for my views on the subject. If he will submit his inquiry in writing, I will answer it in writing. He asks me two

questions at once, and while my memory is reasonably good I do not care to take chances on being confused.

Mr. POINDEXTER. It is very evident, Mr. President—

Mr. HEYBURN. Why, this is as dry a haul as was ever experienced in debate. There is nothing in it.

Mr. POINDEXTER. In what?

Mr. HEYBURN. There is nothing to be gained by this inquiry. The testimony in the record is printed this morning, and it is before the Senate, and the Senate has proceeded to its consideration. What is the object of this, except simply to stir up discussion? I am not going to spend a minute on it.

Mr. POINDEXTER. I should not like to stir up the Senator to a discussion. I want to avoid that. I do not desire to engage in discussion at this time. I confess that it is a dry haul. I have not gotten any information out of it.

Mr. HEYBURN. We might now safely proceed with the order—or the request, which is an order—that the report of the committee and the views of Senators in support of or against it may be read.

The VICE PRESIDENT. The request of the Senator from Massachusetts [Mr. LODGE], as the Chair understands, was to begin the reading of the report with the views of the Senator from Idaho [Mr. HEYBURN].

Mr. LODGE. And to read all the views of all the Senators.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

VIEWS OF MR. HEYBURN IN SUPPORT OF THE REPORT OF THE COMMITTEE.

The subcommittee having reported to the whole committee in favor of ISAAC STEPHENSON, I desire to submit herewith the reasons which actuated me in arriving at that conclusion.

JURISDICTION.

On August 15, 1911, the United States Senate adopted the following resolution:

"Resolved, That the Senate Committee on Privileges and Elections or any subcommittee thereof be authorized and directed to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and report to the Senate whether in the election of said ISAAC STEPHENSON, as a Senator of the United States from the said State of Wisconsin there were used or employed corrupt methods or practices; that said committee or subcommittee be authorized to sit during the recess of the Senate, to hold its sessions at such place or places as it shall deem most convenient for the purposes of the investigation, to employ stenographers, to send for persons and papers, and to administer oaths; and that the expenses of the inquiry shall be paid from the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee or chairman of the subcommittee."

Pursuant to the authority given by said resolution the Committee on Privileges and Elections appointed a subcommittee consisting of Senators HEYBURN, SUTHERLAND, BRADLEY, PAYNTER, and POMERENE, with full powers "to investigate said charges preferred by the Legislature of Wisconsin relating to the election of ISAAC STEPHENSON, a Senator from the State of Wisconsin."

MEETING OF SUBCOMMITTEE.

In performance of said duty the subcommittee met at Milwaukee, Wis., on October 2, 1911, in the Federal Building, a quorum of said subcommittee being present.

The chairman announced that the subcommittee would recognize a duly authorized representative of the State of Wisconsin, in view of the fact that the State had submitted, through its governor, to the Senate of the United States the charges to be investigated. No one appearing, the chairman then instructed the secretary of the subcommittee to communicate with the governor and attorney general of the State and advise them that the committee was in session in Milwaukee for the purpose of investigating the charges aforesaid, and to inquire whether or not the State desired to be represented at the hearing, and, pursuant to such instruction, the secretary sent the following communication to the governor:

MILWAUKEE, WIS., October 2, 1911.

Hon. FRANCIS E. MCGOVERN,
Governor of Wisconsin, Madison, Wis.:

A subcommittee of the Committee on Privileges and Elections of the United States Senate, duly appointed, with instructions to investigate the election of ISAAC STEPHENSON as a Senator of the United States from the State of Wisconsin, as recommended by the Legislature of Wisconsin as provided in joint resolution 58 of said legislature, has entered upon the investigation in the Federal Building, in the city of Milwaukee. As the State appears to be unrepresented by counsel, you are requested to advise the committee whether or not it is the desire of the State to be represented by counsel before this committee; and if so, designate in writing such person to represent the State.

W. B. HEYBURN, Chairman.

To which communication the governor replied, as follows:

EXECUTIVE CHAMBER,
Madison, Wis., October 3, 1911.

Hon. W. B. HEYBURN,
Chairman Subcommittee of the United States Senate
Committee on Privileges and Elections, Milwaukee, Wis.

MY DEAR SIR: In reply to your telegram of yesterday, in which you request me to advise your committee "whether or not it is the desire of the State to be represented by counsel" before your subcommittee, permit me to say that I find there is very serious doubt that I have any power to act in the matter. Joint resolution 58, to which you refer, confers no such authority. It simply requests the United States Senate "to investigate the manner, means, and methods by and through which ISAAC STEPHENSON secured his election to the United States Senate," recommends to the district attorney of Dane County that prosecutions be commenced against all persons shown to have committed perjury in

the senatorial inquiry in this city, and suggests that prosecutions be commenced in other counties of the State for such violations of the corrupt-practices or bribery statutes as the evidence may justify.

In the absence of any specific authority conferred by this joint resolution the only other possible source is chapter 268 of the laws of Wisconsin for the year 1911. Careful consideration of this statute leaves me in doubt as to whether it confers power upon me to employ at the expense of the State counsel to attend the investigation your subcommittee is now conducting. Nor can I see that much good is likely to come from such employment. Your invitation comes so late as practically to preclude the possibility of anyone whom I might select rendering any real service to your committee or materially assisting in the investigation now in progress. That investigation has already begun. The transactions to be inquired into are numerous and involved, as appears from the fact that the testimony already taken occupied many months of the time of committees of the State legislature and now fills a number of large volumes of printed reports. To be of service counsel for the State should have been employed months ago. I say this with no feeling of personal responsibility in the matter for the reason that until your telegram came yesterday there was no ground for anticipating that the appearance of an attorney for the State at this hearing would be acceptable to your committee. Indeed, more than a week ago, under date of September 25, the Associated Press quoted you as having expressed yourself as chairman of the subcommittee as follows: "The State of Wisconsin will not have an attorney in the investigation of the election of ISAAC STEPHENSON by the United States Senate committee. This hearing is under the jurisdiction of the United States Senate, which does not recognize the State as a party to the investigation. This is an investigation, not a trial."

An additional reason why I should not avail myself of your invitation at this time is furnished by the practice of other committees charged with duties similar to yours. So far as I know no State has been represented by counsel at any of these investigations. The work has been done either by the members of the committee alone or by counsel of their own choosing. At any rate, the responsibility for a thorough, searching inquiry is upon your subcommittee acting as the agent of the United States Senate in determining a question relative to the "election, returns, and qualifications" of one of its own Members. Neither the State of Wisconsin nor its legislature desires to assume the rôle of prosecutor or to sustain any other relation to this investigation than that of petitioner for a thorough, fearless, and impartial inquiry.

For the present, therefore, I shall take no action concerning the matter mentioned in your telegram. Assuring you, however, of my appreciation of your consideration in extending the invitation, I am,

Very truly, yours,

FRANCIS E. MCGOVERN.

The chairman inquired whether or not counsel were present to represent Mr. STEPHENSON. Whereupon Hon. Charles E. Littlefield, Mr. W. E. Black, and Mr. H. A. J. Upham appeared on his behalf and were recognized by the committee.

The joint resolution and specific charges certified to the United States Senate by the governor of Wisconsin were then read. (Transcript, pp. 4 and 5.)

Before entering upon the examination of witnesses by the committee Hon. Charles E. Littlefield, of counsel for Mr. STEPHENSON, requested leave to make a statement, which leave was granted. (Transcript, pp. 6-23.)

The subcommittee then proceeded to the examination of witnesses and documents, which examination occupied 25 days, during which time 116 witnesses were sworn and examined, 36 affidavits received, and upward of 2,100 pages of printed testimony taken, which testimony, affidavits, and exhibits are herewith offered as a part of the report of the subcommittee.

The subcommittee was directed to investigate certain charges preferred by the Legislature of Wisconsin against Mr. STEPHENSON. These charges were set forth in the communication of the governor of Wisconsin, and the papers accompanying the same, certified to the United States Senate, among which was the joint resolution adopted by the Legislature of Wisconsin on June 26, 1911, which is found on page 2 of the transcript.

The charges referred to in the resolution under which the subcommittee acted are as follows:

SPECIFIC CHARGES.

1. That ISAAC STEPHENSON, of Marinette, Wis., now United States Senator and a candidate for reelection, did, as such candidate for reelection, give to one E. A. Edmonds, of the city of Appleton, Wis., an elector of the State of Wisconsin and said city of Appleton, a valuable thing, to wit, a sum of money in excess of \$100,000, and approximating the sum of \$250,000, as a consideration for some act to be done by said E. A. Edmonds, in relation to the primary election held on the 1st day of September, 1908, which consideration was paid prior to said primary election, and that said ISAAC STEPHENSON was at the time of such payment a candidate for the Republican nomination for United States Senator at such primary, and did by such acts as above set forth violate section 4543b of the statutes.

2. That said ISAAC STEPHENSON did, prior to said primary, pay to said Edmonds above-mentioned sums with the design that said Edmonds should pay to other electors of this State, out of said sums above mentioned and other sums of money received by said Edmonds from said ISAAC STEPHENSON, prior to said primary, sums ranging from \$5 per day to \$1,000 in bulk, as a consideration for some act to be done in relation to said primary by said electors for said ISAAC STEPHENSON as such candidate, in violation of said section.

3. That with full knowledge and with instructions from said ISAAC STEPHENSON, as to how and for what purposes said sums were to be expended, said sums were so paid as above stated to said Edmonds by said ISAAC STEPHENSON and that said sums were paid as above stated for the purposes above stated and also for the purpose of bribing and corrupting a sufficient number of the electors of the State of Wisconsin to encompass the nomination of said ISAAC STEPHENSON at said primary for the office of United States Senator.

4. That in pursuance of the purposes and design above stated said ISAAC STEPHENSON did, by and through his agents, prior to said primary, pay to one U. C. Keller, of Sauk County, an elector of this State, the sum of \$300 as a consideration for some act to be done by said Keller for said STEPHENSON preliminary to said primary, corruptly and unlawfully.

5. That in further pursuance of such purposes and design said ISAAC STEPHENSON, by and through his agents, prior to said primary, paid to one Hambright, of Racine, Wis., large sums of money as a consideration for some act to be done by said Hambright for said STEPHENSON

preliminary to said primary, said Hambright being then an elector of this State, corruptly and unlawfully.

6. That in further pursuance of the purposes and design above stated said ISAAC STEPHENSON did, by and through his agents, prior to said primary, pay to one Roy Morse, of Fond du Lac, Wis., then an elector of this State, the sum of \$1,000 as a consideration for some act to be done by said Morse for said ISAAC STEPHENSON preliminary to said primary, and corruptly and unlawfully.

7. That in further pursuance of such purposes and design said ISAAC STEPHENSON, by and through his agents, prior to said primary, paid to divers persons, then electors of the county of Grant, Wis., ranging from \$5 per day and upward, as a consideration for some act to be done by said several electors for said ISAAC STEPHENSON preliminary to said primary, corruptly and unlawfully.

8. That in further pursuance of such purposes and design, said ISAAC STEPHENSON, by and through his agents, prior to said primary, did pay to divers persons who were at such time electors in this State a consideration for some act to be done for said ISAAC STEPHENSON by such electors preliminary to such primary, corruptly and unlawfully.

9. That in further pursuance of such purposes and designs said ISAAC STEPHENSON, by and through his agents, prior to said primary, did pay to electors of this State, who were of a different political opinion and who held to other political principles than those of the Republican Party, more particularly Democrats, sums of money as a consideration for some act to be done by such electors for said ISAAC STEPHENSON preliminary to said primary, corruptly and unlawfully.

10. That in further pursuance of such purposes and design said ISAAC STEPHENSON, by and through his agents, prior to such primary, did offer to pay to Edward Pollock, of Lancaster, Wis., certain sums of money, as editor of the Teller, a newspaper published in said city of Lancaster, Wis., and to other editors of newspapers who were at such time electors of this State, and for the purpose of purchasing the editorial support of such editors and as a consideration of something to be done relating to such primary, corruptly and unlawfully.

11. That said ISAAC STEPHENSON did, prior to such primary, by and through his agents, promise and agree to pay to one Lester Tilton, a then resident and elector of this State, and residing at the city of Neillsville, Wis., a sum in excess of \$500 to procure or aid in procuring the nomination of said Lester Tilton to the assembly of this State from Clark County, and did offer to give to said Lester Tilton a sum in excess of \$500 if said Lester Tilton would become a candidate for the assembly from said Clark County if said Lester Tilton would support said ISAAC STEPHENSON for the office of United States Senator, all of which is in violation of sections 4542b and 4543b of the statutes.

12. That said ISAAC STEPHENSON did, by and through his agents, give and promise and pay or agree to pay to other electors of this State sums of money to procure or aid in procuring the nomination of such electors to the senate and assembly of this State other than those electors residing in the district where said ISAAC STEPHENSON resides.

13. That E. M. Heyzer and Max Sells, prior to said primary, being at such time employees of the Chicago & North Western Railway Co., a corporation doing business in this State, did contribute and agree to contribute free services as such employees for the purpose to defeat the candidacy of former Assemblyman E. F. Nelson, from the district embracing Florence, Forest, and Langlade Counties, for the nomination for assemblyman from said district, all of which was done with the knowledge and consent and under the direction of said ISAAC STEPHENSON, his agents, and employees, contrary to chapter 492, laws of 1905.

14. That in further pursuance of the purposes and design above set forth said ISAAC STEPHENSON, by and through his agents, did, in addition to paying certain sums as above set forth, offer and agree to pay to electors of this State, prior to said primary, a premium or bonus to those who in his employ carried their respective precincts in such primary for said ISAAC STEPHENSON as such candidate.

15. That said ISAAC STEPHENSON, if claiming an election by virtue of receiving a plurality of votes at such primary, then said ISAAC STEPHENSON has violated chapter 502 of the laws of 1905 by failing and neglecting to file his expense account as provided by said chapter.

16. Charging generally the primary nomination or election of said ISAAC STEPHENSON was obtained by the use of large sums of money corruptly and illegally, by the violation of sections 4542b, 4543b, and 4478b of the statutes relating to illegal voting, bribery, and corruption, and other laws above set forth relating to elections and primary elections.

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

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

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

Bacon	Cullom	Kenyon	Pomerene
Bailey	Cummins	Kern	Richardson
Bourne	Curtis	Lea	Root
Bradley	Dillingham	Lodge	Simmons
Briggs	Dixon	Martin, Va.	Smith, Ga.
Bristow	du Pont	Martine, N. J.	Smith, S. C.
Brown	Fletcher	Nelson	Smoot
Bryan	Gallinger	Nixon	Stephenson
Burnham	Gamble	O'Gorman	Sutherland
Burton	Gardner	Oliver	Thornton
Chamberlain	Gronna	Overman	Tillman
Chilton	Guggenheim	Page	Townsend
Clark, Wyo.	Heyburn	Paynter	Warren
Crane	Hitchcock	Penrose	Watson
Crawford	Johnston, Ala.	Perkins	Wetmore
Culberson	Jones	Pointexter	Williams

The PRESIDING OFFICER. On the roll call 64 Senators have answered to their names. A quorum being present, the Secretary will proceed with the reading of the report.

The Secretary resumed and concluded the reading of the views of Mr. HEYBURN in support of the report of the committee, as follows:

John J. Blaine, a State senator, who made the said 16 specific charges, which constituted the basis of the legislative investigation, was examined in detail as to each of such charges and failed to sustain any of them, either by his own testimony or by reference to the tes-

timony of others. The charges were made on information and belief according to his own testimony. He seemed upon examination to have no information upon which any belief as to their truth could be based.

An inspection of his testimony (transcript, p. 592, etc.) will fully justify the conclusion of the subcommittee that such charges were not sustained.

These charges were investigated by two legislative committees; first, by a joint committee, which submitted a report which was not finally acted upon; second, by a committee of three members of the State senate, only one member of which was a member of the legislature when the report of that committee was made.

The time within which the joint legislative committee might take testimony and report was limited by the legislature to expire on the 13th day of April, 1909, and on that day the said committee met and adopted a resolution that each member make an outline of his proposed report and submit it at a later date for discussion before the committee.

Said committee then adjourned subject to the call of the chairman of the senate or assembly committee.

This ended the work of the joint investigating committee.

The State senate, acting independently of the assembly and in view of the expiration of the time within which the joint committee might finish its work, adopted a resolution on March 25, 1909, authorizing the president of the senate to appoint a committee consisting of three members to complete the investigation that had been carried on by the joint committee and to "further fully, fairly, and thoroughly investigate the campaign and election of ISAAC STEPHENSON as a United States Senator, and the campaign and election of members of the legislature so far as their election in any way pertains to or affects the election of ISAAC STEPHENSON as a United States Senator."

SPECIFIC QUESTIONS PRESENTED FOR CONSIDERATION.

In the order of their importance the duties of the subcommittee may be classified as follows:

First. To investigate the proceedings by the legislature, including the actions of Senator STEPHENSON and those representing him, during the session of the legislature.

Second. To investigate the campaign and election of members of the legislature so far as their election in any way pertains to or affects the election of ISAAC STEPHENSON as a United States Senator.

Third. The primary election and the campaign.

ELECTION OF A SENATOR BY THE LEGISLATURE.

The law providing for the election of Senators by the legislature is as follows, being chapter 1, title 2, of the Revised Statutes of the United States:

"Sec. 14. The legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organizing thereof, proceed to elect a Senator in Congress.

"Sec. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who receives a majority of the whole number of votes cast in each house shall be entered on the journal of that house by the clerk or secretary thereof; or if either house fails to give such majority to any person on that day, the fact shall be entered on the journal. At 12 o'clock meridian of the day following that on which proceedings are required to take place as aforesaid the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at 12 o'clock meridian of each succeeding day during the session of the legislature and shall take at least one vote until a Senator is elected.

"Sec. 16. (Relates to filling vacancies.)

"Sec. 17. (Also relates to the filling of vacancies.)

"Sec. 18. It shall be the duty of the executive of the State from which a Senator has been chosen to certify his election, under the seal of the State, to the President of the Senate of the United States.

"Sec. 19. The certificate mentioned in the preceding section shall be countersigned by the secretary of state of the State."

PROCEEDINGS IN THE LEGISLATURE.

The Forty-ninth Legislature of Wisconsin consisted of 33 senators and 100 assemblymen, and convened at the capitol at Madison on January 13, 1909, at 12 o'clock m.

On Thursday, January 14, 1909, the organizing of both houses was complete, and the assembly adjourned until Tuesday, January 19, at 10 o'clock.

The senate organized on January 13, 1909, and on January 14 Senator Husting introduced joint resolution 3, providing for the investigation of the primary election, which was laid over until the next session, and the senate adjourned until Tuesday, January 19, at 10 o'clock a. m.

On Tuesday, January 26, the senate considered joint resolution 3, and a substitute was introduced by Senator Blaine. (Senate Journal, pp. 72-77.) This substitute contains the specific charges.

On January 26, 1909, a vote was taken on the election of United States Senator, each house voting separately.

In the senate the total number of votes cast was 17. Mr. STEPHENSON received 12 votes, Brown 4, Rummel 1. (Senate Journal, pp. 78-79.)

On the same day, January 26, upon the call of the roll in the assembly, the total number of votes cast for Senator was 84. Mr. STEPHENSON received 60, Neal Brown 16, Jacob Rummel 3, S. A. Cook 2, H. A. Cooper 1, J. H. Stout 1, and John J. Esch 1, which result was announced by the speaker. (Assembly Journal, pp. 74-75.)

On Wednesday, January 27, resolutions were introduced in the senate, among others joint resolution 8, being an arraignment of the United States Senate and a demand for its abolition, introduced by Senator Gaylord. (Senate Journal, p. 86.) It was referred to the committee on Federal relations. This is mentioned in passing only to show the temper of the legislature on the day of the first joint ballot for United States Senator.

At 12 o'clock noon of January 27, 1909, the two houses met in joint convention. The lieutenant governor, presiding, stated:

"Gentlemen of the joint convention, you are assembled here for the purpose of expressing your choice for United States Senator. In order to comply with the Federal law the clerk of the senate and the clerk of the assembly will read from the journal of each house, respectively, the proceedings of the preceding day with reference to the election of a United States Senator."

The Senate Journal (p. 94) and the Assembly Journal (p. 80) records as follows:

"The chief clerk of the senate read the journal of the senate of January 26, 1909, and the chief clerk of the assembly read the journal of the assembly of January 26, 1909.

"The president then said: 'The clerk will call the roll. As your names are called you will arise from your seats and announce the candidate of your choice.'

Senator Hudnall said:

"I rise to protest against any other proceedings being taken in the joint assembly at this time except the announcement of the presiding officer that Hon. ISAAC STEPHENSON is elected to the United States Senate for the term commencing March 4, 1909. I do that for the reason that it appears from the journal of the senate that the total number of votes cast for persons were 17, of which ISAAC STEPHENSON received 12, Neal Brown 4, Jacob Rummel 1, and the journal of the assembly shows that of the members who voted for persons there were 60 for STEPHENSON, 16 for Brown, and 3 for Jacob Rummel; and it further appears from both journals of senate and assembly that ISAAC STEPHENSON received a majority of all the votes cast in each house.

"It devolves, then, upon the president of this joint assembly to declare ISAAC STEPHENSON duly elected to the United States Senate, and then the duty devolves upon the president of the senate and speaker of the assembly to certify his election to the governor and to the secretary of state, and they to certify his election to the United States Senate. Any other proceeding is out of order and nugatory."

Senator Hudnall stated that he made this statement as a protest and as a point of order. The president held the point of order not well taken and held that Senator Hudnall was out of order in his protest.

The presiding officer then directed the nomination of candidates, and the joint assembly proceeded to vote for a United States Senator. There were 131 votes cast, of which ISAAC STEPHENSON received 65, and the presiding officer announced that "it appears from the records of the convention that no person has received a majority of the votes cast for United States Senator." Whereupon the joint convention dissolved.

On no other day until the 4th of March, 1909, did anyone receive a majority of the votes cast in joint assembly. On that day (the 4th of March) upon the twenty-fourth ballot of the joint assembly there were 123 votes cast, of which ISAAC STEPHENSON received 63. Whereupon the chairman of the joint assembly announced the election of ISAAC STEPHENSON, and the joint assembly adjourned sine die.

At each session of the joint assembly the question as to whether any vote in the joint assembly was necessary was raised by protest against such proceedings upon the grounds that, Mr. STEPHENSON having received a majority of the votes cast in each house voting separately, no other or further duty remained for the joint assembly than that of reading the journals of the two houses of the proceedings in each relative to the election of a United States Senator on the day previous. These journals were read and the fact disclosed that in each house Mr. STEPHENSON had received a majority of all the votes cast. It remained only that "he shall be declared duly elected Senator." The statute does not prescribe who shall declare the person receiving a majority of the votes in each house elected Senator, nor in what form such declaration shall be made.

From the reading of the law it would seem that when the two houses voting separately each gave Mr. STEPHENSON a clear majority and having met in joint session on the day following the vote in the separate houses, the journal of the proceedings of the two houses voting separately being read in joint convention and the result announced, the election was completed; the mere failure to declare him elected could not in any way defeat the will of the two houses as expressed in their separate votes.

The failure to make a specific declaration of his election was not vital. The action of the governor and secretary of state in deferring the certificate of his election or in misstating the time of his election could not affect that election.

If we are correct in assuming that the election of ISAAC STEPHENSON was accomplished when the record of the two houses was read and announced in the joint assembly, then the failure or delay of the executive officers to perform their duty could in no way defeat his election as of the date of the meeting of the first joint assembly.

ACTS OF BRIBERY CHARGED.

Charges of bribery in the interest of Mr. STEPHENSON's election had been freely made both before the subcommittee and before the legislative investigating committee. Not one of these charges has been sustained by the testimony.

The word "bribery" has been applied to many acts that do not constitute bribery.

The procurement of advertising space or editorial comment in the newspapers upon the payment of money by or on behalf of a candidate for office can not under any construction of law be held to be bribery.

The procurement of the services of men to speak either publicly or personally on behalf of any candidate, or to canvass the electorate on his behalf, is not bribery under any reasonable construction of the law.

If the testimony were true that money was offered to Assemblyman Leuch to go upon the floor and vote for the purpose of effecting a quorum, it would not constitute bribery. It was the duty of such member to go upon the floor and vote.

The charge of an attempt to bribe H. R. Pestalozzi utterly failed of proof before your committee.

The charge of unlawful dealings with the Milwaukee Free Press utterly failed of proof. It was conceded that Mr. STEPHENSON owned a controlling interest in that paper and he was certainly entitled to have its support and to sustain his interest in it.

BRIBERY.

The law of Wisconsin relative (reference is to "Election Laws of Wisconsin," published by J. A. Frear, secretary of state, 1908) to bribery is as follows:

"Sec. 39. Bribery of signers to petitions, etc.: 1. Any person who shall offer, or with knowledge of the same permit any person to offer for his benefit, any bribe to a voter to induce him to sign any nomination paper, * * * and any person who shall accept any such bribe or promise of gain of any kind in the nature of a bribe as consideration for signing the same, whether such bribe or promise

of gain in the nature of a bribe be offered or accepted before or after such signing, or any candidate who shall knowingly cause a nomination paper, or papers, to be signed in his behalf by more than the maximum number of qualified electors provided for his district by subdivision 5 of section 11-5 of this act, shall be guilty of a misdemeanor, and upon trial and conviction thereof be punished by fine of not less than \$25 nor more than \$500, or by imprisonment in the county jail of not less than 10 days or more than 6 months, or by both such fine and imprisonment.

"Penalties: Caucus and general election laws applicable: 2. Any act declared an offense by the general laws of this State concerning caucuses and elections shall also, in like case, be an offense in primaries and shall be punished in the same form and manner as therein provided, and all the penalties and provisions of the law as to such caucuses and elections, except as herein otherwise provided, shall apply in such case with equal force and to the same extent as though fully set forth in this act.

"Sec. 40. General election laws applicable (secs. 11-25): The provisions of the statutes now in force in relation to the holding of elections, the solicitation of voters at the polls, the challenging of voters, the manner of conducting elections, of counting the ballots and making return thereof, and all other kindred subjects, shall apply to all primaries in so far as they are consistent with this act, the intent of this act being to place the primary under the regulation and protection of the laws now in force as to elections.

"Sec. 263. Bribery at elections (sec. 4478): The following persons shall be deemed guilty of bribery at elections:

"1. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give, or lend, or offer, promise or promise to procure or endeavor to procure any money or valuable consideration, to or for any voter, to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or do any such act as aforesaid, corruptly, on account of such voter having voted or refrained from voting at any election.

"2. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise, or endeavor to procure any office, place of employment, public or private, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or do any such act as aforesaid, corruptly, on account of any voter having voted or refrained from voting at any election.

"3. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavor to procure the election of any person to a public office, or the vote of any voter at any election.

"4. Every person who shall, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procure, or engage, promise or endeavor to procure the election of any person to a public office or the vote of any voter at any election.

"5. Every person who shall advance or pay or cause to be paid any money to or for the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money wholly or in part expended in bribery at any election.

"Penalty: And any person so offending shall be punished by imprisonment in the State prison for a term of not less than six months nor more than two years: *Provided*, That the foregoing shall not be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses authorized by law and bona fide incurred at or concerning any election.

"Sec. 264 (sec. 4478a). The following persons shall also be deemed guilty of bribery at elections:

"1. Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receive, agree, or contract for any money, gift, loan, or valuable consideration, office, place of employment, public or private, for himself or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any election.

"2. Every person who shall, after any election, directly or indirectly, by himself or by any other person in his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any election; and any voter or other person so offending shall be punished by imprisonment in the county jail not less than one month nor more than one year.

"Sec. 266. Office obtained by bribery, vacant (sec. 4881): Any person who shall obtain any office or shall have been elected to any office at any election, at which election he shall have induced or procured any elector to vote for him for such office by bribery, shall be disqualified from holding said office, and he shall be ousted therefrom, and said office shall be deemed and held vacant, to be filled by election or appointment as other vacancies, according to law.

"Sec. 294. Bribery at caucus or convention (sec. 4479): Any person being, or seeking to be, a candidate for any office at any election authorized by law who shall give, or promise to give, to any elector or other person any money or thing of value or any pecuniary advantage or benefit for the purpose of inducing or influencing such elector or other person to vote for him in any convention or meeting of the people held for the purpose of nominating any person or persons to be voted for at any such election to make him the nominee of any such convention or meeting and the candidate to be voted for for any office at such election, or who shall so give or promise any such thing to any such person for the purpose of inducing or influencing any person to sign any nomination paper which seeks to have him nominated as a candidate for any office to be so voted for; and any such elector or other person who shall ask, solicit, or receive any money or thing of value or any pecuniary advantage or benefit from such candidate as a consideration or inducement for his vote at any such convention or meeting of the people, or his signature to any such paper, shall be punished by imprisonment in the county jail not more than one year or by fine not exceeding \$500.

"Sec. 296. Bribery in connection with caucus (sec. 4542b): Every person who, by bribery or corrupt or unlawful means, prevents or attempts to prevent any voter from attending or voting at any preliminary meeting or caucus mentioned in sections 11a to 11i, or who shall give or offer to give any valuable thing or bribe to any officer, inspector, or delegate whose office is therein created, or who shall give or offer to give any valuable thing or bribe to an elector as a consideration for some act to be done in relation to such preliminary meeting, caucus, or convention, or who shall interfere with or in any manner disturb any

preliminary meeting, caucus, or convention held under said provisions shall be punished as provided in section 4542a.

"Sec. 298. Bribery of voter; disturbance at caucus or convention: Every person who, by bribery or corrupt or unlawful means, prevents or attempts to prevent any voter from attending or voting at any caucus mentioned in this act, or who shall give or offer to give any valuable thing or bribe to any officer, inspector, or delegate whose office is created by this act, or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in relation to such caucus or convention, or who shall interfere with or in any manner disturb any caucus or convention held under the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished in the manner hereinafter provided." (Ch. 341, 1899.)

CHARGES OF CORRUPTION IN THE LEGISLATURE.

On page 2271 of the Report of the State Senate Investigating Committee an attempt is made to summarize the corruption alleged to exist in connection with the election by the legislature, and the first objection is that Mr. STEPHENSON was elected by the legislature by a majority of three votes while the charges of corruption against him were being investigated by the legislature. This charge seems hardly worthy of serious consideration. It was admitted that he was elected by the legislature, and there is no law or rule that would invalidate the election because of the pendency of these charges. That was a matter for the members of the legislature to consider in determining whether or not they would vote for him.

ABSENT MEMBERS ON MARCH 4.

The next charge is that the election of Mr. STEPHENSON was made possible by three members, who, it is claimed, at the instigation of Mr. STEPHENSON's managers and agents, absented themselves from the joint assembly when it became known that their presence would prevent the election of Mr. STEPHENSON, and it was charged that the absence of these three members had been procured by fraudulent or wrongful means by or on behalf of Mr. Stephenson. It was the only charge of corruption in connection with the election of Mr. STEPHENSON by the legislature worthy of consideration.

The result of the vote on March 4 consequent upon the absence of these three members is made plain in the testimony of Richard J. White (p. 1324) and by an examination of the journal of the joint assembly on March 4. On that day the total number of votes cast was 123, of which ISAAC STEPHENSON received 63.

The members of the legislature whose absence from the chamber on March 4 was questioned were Messrs. Farrell, Ramsey, and Towne.

On March 3 Farrell voted for Neal Brown, Ramsey voted for George W. Peck, and Towne did not vote at all.

On March 2 Farrell and Ramsey voted for Neal Brown, and Towne voted for Lucknow.

On March 1 neither Farrell, Ramsey, nor Towne voted at all.

On February 27 Ramsey voted for Wall, Farrell voted for Neal Brown, and Towne did not vote at all.

On February 26 Towne voted for Thomas A. Stewart; neither Farrell nor Ramsey seem to have voted.

These instances are cited to show that on the face of the transaction there was nothing unusual in the absence of either of the three absentees on March 4, and nothing in their absence to raise the presumption of corruption therein.

It is true that had these three members been present and voted the total vote would have been 126, and the 63 votes received by Mr. STEPHENSON would not have elected, but the evidence clearly establishes the fact that Mr. Ramsey, one of the three absentees, was paired with Mr. Fenelon and that such pairs had been universally recognized, so that Mr. Ramsey can not be said to have been absent for any corrupt purpose, nor would his absence from the joint assembly affect the result of the vote. Being paired, he could not have voted. In that event, had Farrell and Towne been present the total vote would have been 125, of which Mr. STEPHENSON received 63. Sixty-three would have been a majority and would have elected Mr. STEPHENSON, so that the absence of Farrell and Towne did not affect the result of the election, and it can not therefore be said that the election was brought about through corrupt practices, so far as the absence of Farrell and Towne was concerned.

It is not charged that any other member who voted for Mr. STEPHENSON did so either from corrupt motives or actions on his own part or that he was procured to do so by any corrupt action on the part of any person in the interest of Mr. STEPHENSON.

The votes cast for Mr. STEPHENSON were those that had been consistently supporting him throughout the contest. There was no change in his favor upon which any presumption of corruption could be based.

Does the evidence show or tend to show that there were corrupt measures or unlawful methods adopted to secure the absence of either Farrell or Towne?

There has been much sensational testimony introduced before the subcommittee, which was heard largely because such testimony had been received by the legislative investigating committee for the purpose of showing bribery or corrupt methods in connection with the absence of Ramsey, Farrell, and Towne. It was not shown that any money had been traced to either of these men from any source in connection with the matter; but it was claimed that a fund had been raised to be used for corrupt purposes, and that, on the assumption that such fund had been raised, it must at least in part have been used to bring about the absence of these three members of the legislature.

It was claimed that Senator STEPHENSON had entered into an arrangement with Edward Hines and R. J. Shields for using money for corrupt purposes to be furnished by Mr. STEPHENSON, and much hearsay testimony was introduced for the purpose of establishing such fact. There can be no question but what the effort to establish any such charge utterly failed. There was no evidence upon which any reasonable conclusion that such corruption fund had been either raised or used could be based.

The charge as to a meeting between the three absentees or some of them and Mr. Regan and Mr. Puelicher at the Plankinton House in Milwaukee centered about the testimony taken before the legislative investigating committee of a witness, Frank T. Wagner, who was utterly discredited both at the legislative investigation and by testimony introduced before the subcommittee. It was shown that he is now under sentence in the penitentiary for perjury for having testified to seeing these men in the Plankinton Hotel and hearing a conversation upon which the charge that they had entered into a corrupt bargain at that time rested. All the testimony in regard to such a transaction fell to the ground, and was so manifestly without foundation as to call for no consideration except its dismissal.

CHARGE OF BRIBERY OF OTHER MEMBERS.

There seems to have been some remark on the part of Mr. Damochowski and Mr. Lyons as to the tender of money being made them in connection with this election, but on the witness stand they both stated that whatever statements they made in that regard were made in jest and that there was no foundation in truth for them.

Some sensational testimony was introduced in regard to statements made by Mr. R. J. Shields as to having received money or handled money in the interest of Mr. STEPHENSON in a corrupt manner in dealing with members of the legislature, and members of the senate legislative investigating committee had gone to the office of a certain attorney in Chicago and there met Mr. Wirt Cook of Duluth, Minn., who recited to them some hearsay statements as to conversations and acts which were fully investigated by the subcommittee and found to be entirely without foundation.

We may therefore safely dismiss the charges of corruption in connection with the action of the legislature in electing Mr. STEPHENSON, whether such election is held to have been on January 26 or on March 4, 1909.

It appears that Mr. STEPHENSON contributed \$2,000 to the Republican State central committee. Against this contribution no legitimate objection can be urged. It was not in violation of any law nor for other than general election purposes.

It was also shown by testimony that Mr. STEPHENSON before the primary gave money to C. C. Wellensgard, Levi H. Bancroft, and Thomas Reynolds, who were candidates for the legislature. These men testified that they used the money in the interest of Mr. STEPHENSON at the direct primaries. If we eliminate Mr. STEPHENSON from the direct primaries the contributions which he made to these candidates for nomination and election to the legislature would be in violation of no law. It appears from the testimony that they were at the time voluntary and ardent supporters of Mr. STEPHENSON regardless of any money which they may have received or which may have been placed in their hands by him for any purpose.

There is not sufficient evidence upon which to base a charge of bribery or any other charge that would affect the validity of the election of Mr. STEPHENSON in either of these cases.

DIRECT PRIMARY.

The subcommittee, in determining the scope of the investigation, was confronted with the question as to how far, if at all, the charges affecting the candidacy of ISAAC STEPHENSON before the direct primary should be considered.

The State legislative committee had directed its attention principally to the direct primary and the conduct of the candidates therein.

It was doubtless competent for the legislature to provide for direct primaries for the nomination of candidates for the legislature and to place legal restrictions about them to secure the integrity of their elections, but, as herein elsewhere more fully stated, it is not competent for the legislature to provide for the nomination of candidates for the United States Senate at direct primaries.

The status of Mr. STEPHENSON at such primaries is not comparable to that of candidates for the legislature or for any State office.

The language of the resolution under which the subcommittee acted directs it to report whether "in the election of ISAAC STEPHENSON there were used or employed corrupt methods or practices," and the language of the last paragraph of section 1 of the resolution, bringing the matter to the attention of the United States Senate, strictly construed, refers only to the election.

When we speak of the election of a United States Senator under existing constitutional and legislative provisions we contemplate only the election by the legislature of the State. There is as yet no recognition to be given extra-legislative proceedings in the nature of what is termed "direct primaries," no such method of selection being recognized by any law of the United States.

The subcommittee has, however, brought to the attention of the Senate in the record of its proceedings all the facts obtainable relating to the conduct of the primary. Should it be the judgment of the Senate that such facts are irrelevant, then the consideration would be limited to matters concerning the election of members of the legislature, and the acts and conduct of members of the legislature and candidates in relation to the election of a Senator by the legislature.

The direct primary, legally speaking, is no part of an election of a United States Senator. The duty of an election of a Senator does not rest under any law rest with the electorate, but is vested by the Constitution solely in the legislature. The legislature electing had no existence until after the general election. The nomination of such members at the primary vested in the nominees not even an inchoate status. A State may give force and effect to a direct-primary law providing for the nomination of candidates for State or minor offices to be elected under the laws of the State, but the legislature has no power to regulate in any manner or to any extent the election of a United States Senator, and there is no such proceeding known under any law of the United States as the nomination of a candidate for the United States Senate.

The question arises, Can any act in contravention of a law that is absolutely void work a forfeiture of any right to an office vested through the compliance with the Constitution and laws of the United States? Did the proceedings preceding and at the direct primary relative to a choice for United States Senator amount to more than a "straw vote"?

The mere fact that the Legislature of Wisconsin had undertaken to include a senatorial selection within the provisions of its direct-primary law, in the absence of power to so legislate, could not affect the validity of an election by the legislature made pursuant to national law; this must be obvious from the fact that the legislature was not in duty bound to elect anyone or consider anyone a candidate for election because of the action of the direct primary. It might have ignored such action altogether, and its having done so would not in any way affect the validity of its action.

There is no law of the United States recognizing such a thing as "candidacy" for the United States Senate, and no legal status is given to the frame of mind constituting an intention on the part of a man or his friends that he become a candidate before the legislature.

The question also arises as to the period when a man can be charged with responsibility for his acts so as to affect the validity of his subsequent election by the legislature.

It frequently occurs that none of the men who are avowed candidates are chosen. The matter rests solely with the legislature, and under existing laws one legislature can not dictate the rule governing a subsequent legislature in the manner of its procedure relative to matters resting entirely within its discretion.

It would be entirely within the power of a legislature charged with the responsibility of electing a United States Senator, before proceeding

to elect a Senator, to repeal any legislation enacted by a previous legislature which placed a limit upon or directed its action.

It seems from this consideration of the question we must conclude that the direct-primary proceedings can not be held to affect the validity of an election by the legislature.

FAILURE TO FILE PROPER EXPENSE ACCOUNT.

The fifteenth specific charge is based upon the failure or neglect of ISAAC STEPHENSON to make and file an expense account under the laws of Wisconsin. This requirement is under section 270 of the election laws, which provides that every person who shall be a candidate before any convention or at any primary or election to fill an office for which a nomination paper or certificate of nomination may be filed, shall, within 30 days after the election held to fill such office, make out and file with the officer empowered by law to issue the certificate of election to such office or place, a statement in writing, etc., and that any person failing to comply with this section shall be punished by fine of not less than \$25 or more than \$500. This being a penal statute, the validity of an election could not be affected by the failure to comply with it.

GENERAL COMMENT.

The rule adopted by the several candidates for said office seems to have been unanimous in regard to filing expense accounts. Senator STEPHENSON's expense account was \$107,793.05.

S. A. Cook's expense account was \$42,293.29.

William H. Hatton's expense account was \$26,413.

Francis E. McGovern's expenditure was \$11,063.88.

Neal Brown's expense account was \$1,075.87.

The total expenditures of all candidates for the office of United States Senator before the primary election was about \$225,000.

Less than one-half of the voters at the general election voted at the primary. The total vote cast in the Republican primaries for the nomination of United States Senator was 182,915, being 81 per cent of the total primary vote cast by all political parties for Senator.

The total vote cast in the Democratic Party for United States Senator was 37,479, or about 17 per cent of the total primary vote of all parties cast for Senator, and about 23 per cent of the total Democratic vote cast for governor at the general election.

Mr. STEPHENSON, a Republican candidate, received 56,909 votes.

Mr. Cook, a Republican candidate, received 47,825 votes.

Mr. McGovern, a Republican candidate, received 42,631 votes.

Mr. Hatton, a Republican candidate, received 35,552 votes.

Mr. Brown, a Democratic candidate, received 24,937 votes.

Mr. Hoyt, a Democratic candidate, received 12,227 votes.

Mr. Rummel, Social Democratic candidate, received 4,047 votes.

On the basis of the total vote received by each senatorial candidate and the total cost of each candidate's campaign:

Mr. STEPHENSON spent \$1.89 for every vote cast for him.

Mr. Cook spent \$0.88 for every vote cast for him.

Mr. Hatton spent \$0.85 for every vote cast for him.

Mr. McGovern spent \$0.26 for every vote cast for him.

Mr. Brown spent \$0.42 for every vote cast for him.

Mr. Hoyt spent \$0.16 for every vote cast for him.

And there was spent in behalf of Mr. Rummel, the Socialist Democratic candidate, about \$1 per vote.

Were it possible to hold that Mr. STEPHENSON was subject to the same restrictions under the laws of Wisconsin as a candidate for a State office, we would feel compelled to enter more fully upon the nature and character of the expenditures made by him and on his behalf during the primary campaign.

The amount of money expended by Mr. STEPHENSON, Mr. Cook, Mr. Hatton, and Mr. McGovern in the primary campaign was so extravagant and the expenditures made by and on behalf of these gentlemen were made with such reckless disregard of propriety as to justify the sharpest criticism. Such expenditures were in violation of the fundamental principles underlying our system of government, which contemplated the selection of candidates by the electors and not the selection of the electors by the candidate.

Regardless of any statute requiring that strict accounts be kept of money expended by and on behalf of candidates, a candidate and every man representing him should know that public opinion would expect the parties to place and maintain themselves in a position so that if any of their acts were questioned they could justify such acts to the extent of giving every detail in regard thereto.

While I do not believe that the law of Wisconsin could constitute any man a candidate or place him in the position of and under the responsibilities of a candidate for an office over which the State had no control and which was not to be filled under any law of the State, yet I feel impelled to criticize the acts of those in charge of the expenditure of the money of men who are called candidates for the Senate, and especially of Mr. STEPHENSON, in the irresponsible and reckless manner in which they disbursed the money furnished them by Mr. STEPHENSON during the period of the primary campaign.

The failure to keep detailed accounts, the destruction of memoranda, the shifting of records and papers concerning the campaign from one place to another, the adoption of mysterious methods and roundabout ways in regard to matters that might just as well have been performed in open daylight in the presence of the people, would go far toward creating the impression that there was some occasion for Mr. STEPHENSON's representatives to avoid candor and to obscure conditions.

The subcommittee has gone carefully through all of the letters and correspondence which had been in the hands of Mr. STEPHENSON and his managers and which had been shifted from Milwaukee to Marinette and from Marinette to points in Michigan, and back again, under most unusual and mysterious circumstances. These letters are not out of the ordinary political correspondence of campaign managers and citizens whose votes, influence, or services are solicited in behalf of a candidate.

The letters transmitting and acknowledging the receipt of money have been considered separately from those giving information in regard to political conditions and instructions in regard to how political work shall be done. There is nothing in the letters transmitting or acknowledging the receipt of money that would seem to add anything to the information given by witnesses in explaining these expenditures so far as they could explain them. The subcommittee has not thought it necessary to print this correspondence, which is in evidence and might be held to constitute a part of the record of the investigation. In our judgment, it would add nothing in the way of assistance to the committee in ascertaining the facts necessary and proper to be considered in connection with the investigation.

Were a candidate for a State office in Wisconsin to conduct a campaign in the manner in which the campaign of Mr. STEPHENSON, and of

other men who sought election to the United States Senate, were conducted, it would be very difficult to justify such conduct under the laws of the State.

The joint senatorial primary investigating committee in its report (submitted Mar. 18, 1910, but never acted upon), after reviewing the testimony, says:

"Your committee believes that the Republican senatorial candidates and their managers did not deliberately plan to violate the law, but in their desire to win these candidates, particularly STEPHENSON, Cook, and Hatton, conducted their campaigns with the idea of getting results, and men were hired and money spent, and State officials and employees and members of the legislature were used without much regard to propriety. All of the Republican candidates probably spent all they could afford, and the amount spent by the different candidates was probably limited more by their ability to spend than their appreciation of the moral effect of the expenditure of such large sums of money to secure the nomination."

This committee evidently looked upon the result of the direct primary, as shown by the vote cast therein for each of the men who sought election to the United States, as constituting a legal nomination. I entertain a different view of that matter and look upon the primary nomination as a mere expression of a choice without legal effect, and do not recognize such expression as binding upon the legislature.

CONCLUSION.

The testimony clearly shows that the candidates felt compelled to spend more money than they wanted to spend. The pressure upon them from those who were undertaking to manage their campaigns seems to have been very great and persistent, but I can find nothing in the testimony nor in the circumstances or conditions surrounding the senatorial contest which resulted in the election of Mr. STEPHENSON that in my judgment would justify the committee in recommending that the seat be vacated, or that he be declared not legally elected to the United States Senate; and therefore I recommend that the Senate find that the charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, are not true, and that ISAAC STEPHENSON be acquitted of such charges.

W. B. HEYBURN.

PUBLIC-UTILITIES COMMISSION.

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3812) to regulate public utilities in the District of Columbia and to confer upon the Commissioners of the District of Columbia the duties and powers of a public-utilities commission.

Mr. LODGE. As the Senator from New Hampshire [Mr. GALLINGER], in charge of the bill, is absent on business of the Senate, I ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. LODGE. 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 five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 21, 1912, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate February 20, 1912.

SURVEYOR OF CUSTOMS.

Conrad B. Scherr, of Iowa, to be surveyor of customs for the port of Dubuque, in the State of Iowa, in place of John M. Lenihan, whose term of office will expire March 31, 1912.

APPRAISER OF MERCHANDISE.

Joseph M. Weiss, of Michigan, to be appraiser of merchandise in the district of Detroit, in the State of Michigan, in place of Luther S. Trowbridge, deceased.

POSTMASTERS.

INDIANA.

Timothy De Brular to be postmaster at Garrett, Ind., in place of Timothy De Brular. Incumbent's commission expired January 20, 1912.

OHIO.

Elva A. Jackson to be postmaster at Troy, Ohio, in place of Elva A. Jackson. Incumbent's commission expired January 27, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 20, 1912.

COLLECTOR OF CUSTOMS.

Walter F. Osborne to be collector of customs for the district of Gloucester, Mass.

UNITED STATES DISTRICT JUDGE.

William H. Pope to be United States district judge, district of New Mexico.

UNITED STATES ATTORNEY.

Stephen B. Davis, jr., to be United States attorney, district of New Mexico.

POSTMASTERS.

CALIFORNIA.

Oran A. King, Benicia.

COLORADO.

Charles D. Pickett, Wray.

HAWAII.

John H. Travis, Waipahu.

IDAHO.

Frank S. Stevens, New Plymouth.

ILLINOIS.

Hilery J. Campbell, Roberts.

Charles E. Healey, Loda.

INDIANA.

Charles J. Daugherty, Crown Point.

IOWA.

Howard L. Rann, Manchester.

S. W. Shutes, Woodward.

KANSAS.

Thomas R. Jones, Girard.

Clyde B. Scott, Greenleaf.

Joseph A. Whitehair, Chapman.

MAINE.

Walter H. Downs, South Berwick.

Harry P. Jameson, Cornish.

MARYLAND.

William T. Kelley, Preston.

MASSACHUSETTS.

Oliver P. Kendrick, West Brookfield.

Frank E. Nichols, Warren.

MICHIGAN.

Ada E. Campbell, Beaverton.

Ernest J. Chart, Plainwell.

James H. Clark, New Lothrop.

Archibald K. Dougherty, Elk Rapids.

Samuel Falls, Spring Lake.

Hiram E. Hardy, Big Rapids.

Margaret C. Harry, Hubbell.

John N. McCall, Ithaca.

Edwin P. Radford, Hermansville.

Albert Schell, North Branch.

MINNESOTA.

Ole C. Enge, Elmore.

Phillip E. Schoeneman, Buffalo Lake.

NEBRASKA.

Joseph G. Alden, Aurora.

Daniel N. Wonder, Blue Springs.

NEW HAMPSHIRE.

Joseph P. Conner, Portsmouth.

NEW YORK.

Robert G. Anderson, Freeport.

William Mattson, Croghan.

William J. Steele, Baldwin.

NORTH DAKOTA.

Harry Leighton, Cavalier.

OHIO.

Mary S. Hill, Berlin Heights.

Robert V. Jones, Sidney.

RHODE ISLAND.

John A. Allen, Peace Dale.

SOUTH CAROLINA.

Landrum Padgett, Pelzer.

Edgar E. Poag, Rockhill.

Amra E. Ramseur, Central.

WISCONSIN.

Ralph E. Arnold, Fairchild.

Anna M. Merrill, Merrillan.

Bernard Roemer, Tigerton.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 20, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, quicken, we beseech Thee, every noble impulse, every high ideal, every holy aspiration within us that with patriotic zeal and religious fervor "we may render unto Caesar the things that are Caesar's and unto God the things that are God's," in whatsoever our hands findeth to do this day. For Thine is the kingdom and the power and the glory forever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE CHEMICAL SCHEDULE.

Mr. UNDERWOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20182.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20182, the chemical schedule, with Mr. RUSSELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20182, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 20182) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909.

The CHAIRMAN. The Chair will state that before adjournment yesterday evening the agreement was that general debate should continue for one hour this morning, one-half of the time to be controlled by the gentleman from Alabama and one-half to be controlled by the gentleman from Pennsylvania [Mr. DALZELL].

Mr. UNDERWOOD. Mr. Chairman, I ask the gentleman from Pennsylvania to consume his time.

Mr. DALZELL. Mr. Chairman, I agreed to yield all my time this morning to the gentleman from Oklahoma [Mr. MORGAN], but I do not see him here.

Mr. UNDERWOOD. Mr. Chairman, I can occupy five minutes' time and I will yield five minutes to the gentleman from New York [Mr. AKIN].

Mr. AKIN of New York. Mr. Chairman, I wish to introduce to the members of the committee here an object lesson on the full dinner pail that they may have the same for their inspection— [Placing large illustration on Clerk's desk.]

The CHAIRMAN. To whom did the gentleman from Alabama yield?

Mr. UNDERWOOD. To the gentleman from New York [Mr. AKIN].

The CHAIRMAN. How much time?

Mr. UNDERWOOD. Five minutes.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. AKIN of New York. Mr. Chairman, that is a speech without words. [Laughter and applause.] I yield back the balance of my time.

Mr. BUTLER. I can see the force of that, Mr. Chairman.

Mr. UNDERWOOD. I will ask the gentleman from Pennsylvania [Mr. DALZELL] to consume his time.

Mr. DALZELL. Mr. Chairman, I yield 30 minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, the extent to which the Government should go in the regulation and control of our great industrial corporations is one of the most important questions of the hour.

If further control shall be deemed advisable, then we can not exercise too much care or wisdom in adopting plans, in selecting means, and in choosing administrative machinery to accomplish the purpose we have in view.

Since the passage of the so-called Sherman Antitrust Act, July 2, 1890—22 years ago—we have not added a single line to our laws that materially increases, extends, or enlarges the actual control of the National Government over industrial corporations.

In the meantime, there has been a revolution in this country—an industrial, business, and commercial revolution that is felt in every section of our country and in every home in the land. We have passed through a period of industrial concentration. The size of our corporations have grown until they

have attained proportions beyond the grasp and comprehension of the human mind.

There is evidence that some of these corporations have the power—if they wish to exercise it—to arbitrarily control the prices of articles in common use among the people.

If any one corporation, or any number of corporations have this power, then we should proceed with unflinching firmness and determination to enact such laws as will wrest this power from them.

This is a most dangerous power, utterly subversive of the rights and liberties of the people, and under no circumstances should it be allowed to exist.

When our forefathers ordained our Constitution, every precaution was taken to guard the political and property rights of the people. These rights were regarded not only as sacred to every freeman, but absolutely essential to the welfare of the people, and the perpetuity of the Republic; for no free people would maintain a government that did not safeguard and protect both political and property rights.

The Constitution does not protect property rights if, under it, corporations may arbitrarily dictate what the people shall pay for articles in common use.

When we have reasonable evidence that corporations have attained such domination in the production and sale of articles in common use that they have eliminated free and effective competition—repealed, as it were, the great economical law of supply and demand—and are able at their pleasure to put prices up or put them down, then we should proceed to eradicate this evil, and if necessary to accomplish our object we should bring into requisition every power of the National Government.

The people have a right to know, not only that they are not being robbed, but that it is not within the power of any of our great corporations to rob them.

We are expending \$215,000,000 annually to maintain our military establishment. We are constantly expending millions of dollars annually in strengthening our naval equipment. But we are not engaged in war; we do not expect war.

This vast expenditure is largely a precautionary measure. May we not, with even greater propriety, as a precautionary measure, expend a few hundred thousand dollars annually to protect our people from the possibility of being compelled to pay unjust tribute to our overgrown corporations?

I do not regard House bill 18711 as radical legislation. I would not magnify existing evils. It is not my purpose to unduly alarm the people over either real or imaginary dangers. I have no desire to create prejudice against the great business institutions of this country. In so far as they are legitimate and lawful, I take just pride in their splendid achievements. I honor the men who direct our great industrial concerns in the contest for supremacy in the markets of the world. I would offer them every encouragement, and by national legislation aid them in their contest for world supremacy. But it matters not how legitimate and lawful a corporation may be, we must still place around it all the restrictions, limitations, restraint, and control that are necessary to guard the State and protect society.

For only in such restrictions, limitations, restraint, and control can we give our industries permanent prosperity and our people proper protection.

PROVISIONS OF H. R. 18711.

I wish to call the attention of the House to the important provisions of H. R. 18711, which I introduced January 25, 1912. By permission of the House I desire to print this bill in full as a part of my remarks. (See Appendix "A.") The purpose of this bill is to provide a practical and effective method by which the National Government may exercise proper and effective control over our great industrial corporations.

Important provisions of H. R. 18711 may be summarized as follows:

First. The bill creates "the interstate corporation commission," composed of seven members. The commission is given jurisdiction over industrial corporations similar to the jurisdiction the Interstate Commerce Commission has over railway corporations. Only corporations whose annual receipts exceed \$5,000,000 are subject to the provisions of the bill.

Second. It declares that the price or prices at which any corporation subject to the provisions of the act shall sell or dispose of any article of merchandise or any product whatsoever shall be just, fair, and reasonable.

Third. It provides—that every practice, method, means, system, policy, device, scheme, or contrivance used by any corporation subject to the provisions of the act in conducting its business, or in the management, control, regulation, promotion, or extension thereof, shall be just, fair, and reasonable, and not contrary to public policy or dangerous to the public welfare.

Fourth. It provides that every corporation subject to the provisions of the act shall deal justly and fairly with competitors

and the public, and that it shall be unlawful for any such corporation—

to grant to any person or persons any special privilege or advantage which shall be unjust and unfair to others or unjustly and unreasonably discriminatory against others, or to enter into any special contract, agreement, or arrangement with any person or persons which shall be unjustly and unreasonably discriminatory against others, or which shall give to such person or persons an unfair and unjust advantage over others, or that shall give to the people of any locality or section of the country any unfair, unjust, or unreasonable advantage over the people of any other locality or section of the country, or that shall be contrary to public policy or dangerous to the public welfare.

Fifth. It gives the commission the authority on complaint, or on its own initiative without complaint—

to determine and prescribe what shall be a just, fair, and reasonable price to be charged for such article of merchandise or product, to be thereafter observed in such case as the maximum to be charged until further order of the commission, and to determine and prescribe what practice, method, means, or system, policy, device, scheme, or contrivance is just, fair, and reasonable, and not contrary to public policy or dangerous to the public welfare, to be thereafter followed, and to make an order that such corporation shall cease and desist from such violation to the extent to which the commission finds the same to exist, and such corporation shall not thereafter charge or collect or accept for such article of merchandise or product a price in excess of the maximum price so prescribed, and shall adopt, conform to, and observe the practice, method, means, policy, and system so prescribed, and cease to use any device, scheme, or contrivance that is contrary to any of the provisions of this act.

Sixth. It authorizes and empowers the commission to make rules and regulations not in conflict with the Constitution and laws of the United States, to aid in the administration and enforcement of the act, and by such rules and regulations to prohibit any particular or specific act or acts, practice, method, system, policy, device, scheme, or contrivance that is contrary to any provisions of the act.

Seventh. It provides practice and procedure for the enforcement of rights before the commission and the courts, gives the commission ample authority to enforce its orders and exercise strict supervision and control over corporations subject to the provisions of the act.

THE BILL IN A SENTENCE.

In a sentence, this bill creates the interstate corporation commission; places industrial corporations with gross annual receipts in excess of \$5,000,000 under its supervision and control; and by law creates what might be termed a new code of business ethics, which requires corporations subject to the provisions of the act to dispose of their products at just and reasonable prices; to give like privileges and advantages to all, and, in conducting their business, not to engage in any practice or method that is unfair, unjust, or unreasonable, or that shall be against public policy or dangerous to the public welfare.

AUTHORITY TO MAKE RULES AND REGULATIONS.

One of the important provisions of the bill is the authority given the commission to make rules and regulations for the enforcement of the provisions of the act and by such rules and regulations to prohibit any act or acts, practice, method, system, policy, device, scheme, or contrivance that is contrary to any of the provisions of the act.

The bill does not prohibit specific practices or business methods which are generally regarded as illegitimate, but promulgates general rules of conduct comprehensive enough to exclude every illegitimate act or method.

Under the authority given it, the commission may by rule or order prohibit any specific act or practice that is not in harmony with the general rules of conduct promulgated by the act of Congress.

The advantages in this arrangement are apparent. Congress might pass an act to-day which prohibits all the known iniquitous and dangerous devices and schemes to which corporation managers have heretofore resorted. Unscrupulous corporations may cease to use such practices so condemned by act of Congress, but they may invent new schemes which may be worse than those made unlawful by Congress. Congress acts with much deliberation. While waiting for congressional action, the corporations continue to engage in methods which enable them to destroy competition and inflict untold injury upon the public. The commission could act quickly. When any new scheme, device, or method was invented by the corporations which was in conflict with the principles of business ethics enunciated by Congress, the commission could promptly make an order prohibiting such practice or method.

CONTROLLING PRICES.

I am aware that there will be strenuous objection to the provisions of this bill which give the commission any power to regulate the prices of products, even of corporations possessing monopolistic power. The country may not have reached the point when it is ready to take this step. In my judgment this step is necessary, and we will never attain best results until the National Government does assume some authority over prices.

I do not believe that it would be practical for the Government to control or fix prices generally. Such a thing, if practical, is not contemplated by the provisions of this act. I desire distinctly to express myself as opposed to such a proposition. I do not think the National Government should go into the business generally of fixing prices of products. Free, open, honest competition must continue to be the great factor in controlling and regulating prices. We must do our utmost to promote and preserve competition.

The provisions of this bill are intended to affect only corporations which have attained enormous size—a size which justifies a belief that they possess monopolistic power. In my judgment there is nothing impractical, nothing revolutionary, nothing dangerous to society, to the State, or to the people for the National Government to exercise such control over such corporations as will require them to dispose of their products at reasonable prices.

Mr. MURDOCK. Will the gentleman yield?

Mr. MORGAN. With pleasure, I yield to the distinguished gentleman from Kansas.

Mr. MURDOCK. Is the gentleman aware of the fact that during the French Revolution repeated attempts were made by law to regulate the price of cereals and that it absolutely failed?

Mr. MORGAN. I do not know that I am familiar with that fact, but even if that were true I do not think it would demonstrate that under twentieth-century conditions we could not now exercise certain control over prices of large corporations that have a practical monopoly.

Mr. MURDOCK. If the gentleman will yield further, does he believe that the Government can regulate prices?

Mr. MORGAN. I do to a certain extent.

Mr. MURDOCK. By a commission?

Mr. MORGAN. Yes, sir.

Mr. MURDOCK. Does the gentleman, in the comprehensive proposition which he has planned, make provision for individual complaint and challenge of prices to the commission, or does he expect the commission automatically to regulate the prices?

Mr. MORGAN. As I shall show further, Mr. Chairman, in my remarks, my view of it generally is that the Federal Government, the State, or a municipality should have the power to file the complaint against monopolistic prices, but the provisions of my bill give the commission the authority on its own initiative to investigate prices and determine whether or not they are just and reasonable.

Mr. HAMILTON of Michigan. I simply want to suggest, while we are commenting upon the inquiry of my friend from Kansas, that during the time of the French Revolution the effort was not to regulate the price of cereals, but the price of bread.

Mr. MURDOCK. I want to say the cereals were the material out of which bread was made, by the way. And the gentleman will remember that the attempt absolutely failed?

Mr. HAMILTON of Michigan. Oh, certainly. They hanged a few bankers to lamp posts on account of the price of bread.

Mr. MORGAN. Mr. Chairman, I hope the day will never come under the flag of this country when anyone will be hanged to lamp posts on account of high price or the cost of bread, and it is because I believe the people have some ground for complaint, on account of monopolistic control of prices, that I am advocating that the Government should extend its strong arm around the people to protect them and make them secure from monopolistic prices.

AID TO SHERMAN ANTITRUST LAW.

The provisions of this bill do not conflict with the provisions of the so-called Sherman antitrust law. Its purpose is to strengthen this act and aid in its enforcement. But the scope of the bill is broader than the Sherman Antitrust Act. That act seeks to prevent and destroy monopoly. This bill seeks to prevent, destroy, and control monopoly. The Government should do its utmost to destroy every private monopoly, trade and commerce should be kept absolutely free from monopolistic control, and competition should be preserved. But if we can not prevent, if we can not destroy, then we should control. This bill assumes that under existing conditions and under modern methods we may do our best and still monopolies may exist, and that if monopoly does exist it is the duty of the Government to control it.

In matters of health we seek to prevent disease; but when disease exists, and we can not promptly destroy it, we strive to keep it under control. We do not allow the malady to go on indefinitely, slowly but surely sapping the life and vitality of the patient.

In like manner we should treat our industrial system, now infected with a malignant monopolistic fever. In spite of our efforts to prevent and destroy, the malady has grown more viru-

lent. We have not been able to cure or destroy this fever. Let us act the part of a wise physician—continue our efforts to destroy the disease, but in the meantime apply some remedy that will keep it under control.

IN LINE WITH EXISTING POLICY.

The bill is in line with the existing policy of the Government. We have already entered upon the policy of national control. Twenty-five years ago we passed the "Act to regulate commerce." Twenty-two years ago we passed what is known as the Sherman antitrust law. Nine years ago we created the Bureau of Corporations and armed it with the weapon of publicity. Through these laws we are now exercising important control over both transportation companies and industrial corporations. Under the Sherman antitrust law we dissolve corporations. We dictate the terms and conditions on which they may do business. Under the same law, individuals have been indicted, prosecuted, fined, and imprisoned.

I am not asking for a new policy. I am asking for an advance movement.

The face of the National Government has been looking in the right direction, but its progress in the line of regulation and control has not kept pace with the growth of monopolistic power in our industrial system. I am not asking the Government to change front, but I am asking that its speed be accelerated and its momentum be intensified. [Applause.]

IN HARMONY WITH POLITICAL PLATFORMS.

The provisions of the bill are in harmony with the repeated platform declarations of both of the great political parties.

Beginning with 1884, and on down to 1908, every four years, both the great political parties have placed in their platforms declarations in favor of regulating and controlling the great industrial corporations engaged in interstate commerce.

The Republican platform of 1900, on which William McKinley was elected President, condemned all conspiracies and combinations intended to restrict business, to create monopolies, to limit production, or to control prices, and specifically declared for—such legislation as will effectively restrain and prevent all such abuses, protect and promote competition, and secure the rights of producers, laborers, and all engaged in industry and commerce.

The Republican platform of 1908 declared that the act of July 2, 1890, should be strengthened by such amendment as will—give the Federal Government greater supervision and control over, and greater publicity in, the management of that class of corporations engaged in interstate commerce having power and opportunity to effect monopolies.

The Democratic platform of 1908, declared for "such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States" and, among remedies, declared for a Federal license system and for a law compelling licensed corporations "to sell to all purchasers in all parts of the country on the same terms, after making allowance for the cost of transportation."

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Kansas?

Mr. MORGAN. Yes.

Mr. MURDOCK. Does the gentleman recollect that the same Democratic national platform that he refers to tried to define a monopoly by stating that any corporation or concern which controlled over 50 per cent of a given product should be called a monopoly?

Mr. MORGAN. I do.

Mr. MURDOCK. Now, I want to ask the gentleman, who has gone into this matter thoroughly and who is giving voice here in this speech to a modern doctrine—that is, the control of corporations by a governmental commission—if he has attempted to give a definition of monopoly? What does he call a monopoly?

Mr. MORGAN. Well, Mr. Chairman, I am not an expert in definitions. I could not offhand give a definition that would be satisfactory to the gentleman or myself.

Mr. MURDOCK. What does the gentleman regard as a monopoly? A predominant control of any given article?

Mr. MORGAN. Well, Mr. Chairman, I think this—that if a corporation has such domination and control over a certain line of business that it has power to arbitrarily control prices, then I regard that as such a monopoly as should come under the control of the National Government.

Mr. MURDOCK. Whether it would control 50 per cent of the product or not?

Mr. MORGAN. Yes. Now, my Democratic friends, here is a declaration of the Democratic Party in its national convention in 1908 which absolutely declared in favor of controlling prices, because if you go so far as to control prices by saying in effect that products shall be sold everywhere at the same price, then you have adopted the principle of control of prices.

It is not my business to advise the Democrats of this House what to do. You are in the majority. You control the legislation that passes this House. The people will hold you responsible for your acts. If you go back to the people with your promises and pledges unfulfilled you will be condemned at the polls and the scepter of power in this House will be returned to the Republicans. [Applause on the Republican side.]

For one I would like to see Republican platform pledges imprinted upon the pages of our national statutes. I would like to see Republican convention promises embodied in the laws of the Republic. [Applause on the Republican side.] I would like to see Republican political declarations transformed into rules of action that are binding alike upon our captains of industry and the people. I would like to see a brighter age come to our Nation and all its citizens, and I believe that legislation along the lines indicated in our Republican platforms will hasten a better and brighter day for all.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Kansas?

Mr. MORGAN. Yes; I yield to the gentleman.

Mr. JACKSON. I would like to ask the gentleman if his plan of control of prices extends only to the products of monopolies, or does he intend that it shall extend to all commodities in the country?

Mr. MORGAN. Only to the products of monopolies.

Mr. JACKSON. Then what plan does the gentleman propose for determining what shall be a monopoly?

Mr. MORGAN. This bill provides that its provisions shall apply to corporations whose gross annual receipts are in excess of \$5,000,000. That might be increased to \$10,000,000, as the House, on its investigation, might determine. Again, it might be increased to \$20,000,000 or it might be reduced to \$1,000,000.

Mr. JACKSON. Does not the gentleman fear a constitutional trouble there, that the proposed plan of controlling prices might be considered to be the taking of property without due process of law, unless it was left to some court to determine what constitutes a monopoly and what does not?

Mr. MORGAN. I think this commission would be a quasi-court to pass on that question, and then the corporations would have the right of appeal to the courts.

Mr. JACKSON. I have read the gentleman's bill, I will say, and I find much in it to approve. But does not the gentleman apprehend that he would find some difficulty in putting upon one body both judicial and legislative power?

Mr. MORGAN. Does not the Interstate Commerce Commission have both judicial and legislative power? It may now fix the rates of the railways.

Mr. JACKSON. I think not. I think the powers of the Interstate Commerce Commission are wholly legislative.

Mr. MORGAN. I think not. They can render judgments. They have the right now to render a judgment declaring that a certain charge or rate is unreasonable, and fixing the rate that the corporation shall charge.

Mr. MURDOCK. And there might be an appeal from the commission to the court?

Mr. MORGAN. Yes; there would be an appeal.

Mr. JACKSON. I think if the gentleman will consult the Atlantic Seaboard case he will find that the power of the commission in fixing a rate to apply in the future must be legislative, and that the powers of the Interstate Commerce Commission are exercised always subject to the power of the courts to declare that any rate fixed by them is in the nature of taking property without due process of law.

Mr. MORGAN. I think under this bill corporation would have the same power of appeal to the courts as they have under any decision or order made by the Interstate Commerce Commission.

Mr. JACKSON. What I am coming to is this: That any scheme of control which fails to recognize the fact that the business control must first be passed upon and determined by some court would be unconstitutional, would be termed a taking of property without due process of law. Now, if the gentleman will permit me just a second further, to refer to something that has been alluded to here as having occurred in the French Revolution, I want to say that the Board of Trade of London exercises practically this power to control prices at the present day, and in at least one case in this country has the control of the price of bread been sustained by the courts in the State of Florida.

VIEWPOINT OF THE PEOPLE.

Mr. MORGAN. About three-fourths of my constituents are farmers; about one-fourth reside in the towns and cities.

The farmers are not fully satisfied with existing conditions. Some way they feel that the prices they receive for farm products and the prices they pay for merchandise they buy are in

a measure, controlled by the arbitrary manipulation of great corporations.

The people of the towns and cities—the mechanics and laboring men of all kinds, the bankers, merchants, clerks, and professional men—are complaining of the high cost of living, but do not fully understand who, if anybody, is responsible or how relief may be secured. The people in the cities do not complain of the prices the farmers receive for their products, but they believe the middlemen in some way reap too great profit.

But the people everywhere are reasonable and fair. They seek, they ask, they demand, they want nothing but what is reasonable and just. They feel that they have a right to know that corporations are not imposing upon them by exacting unjust profits. If there be unrest, it is because the people feel insecure. In my opinion, the only way to quiet this unrest, to allay this feeling of insecurity, is to throw around the people an impregnable fortress of national laws that will guarantee to them safety, security, and protection.

A great, nonpartisan interstate corporation commission, equipped with proper machinery, armed with modern legal weapons, backed by all the power of this great Government, will do much to satisfy the people, subdue discontent, quiet the unrest, and relieve the feeling of insecurity which now exists among the good people of the United States.

IN HARMONY WITH PUBLIC SENTIMENT.

This measure responds to existing public sentiment throughout the country, and meets the demands of the people. The people of the United States, regardless of party affiliation, demand that there shall be some legislation along this line.

There is a prevalent belief that competition is no longer the controlling factor in fixing prices of many products. This belief is supported by substantial evidence. Competition does not prevail as it did in former years. Many believe that under the Sherman antitrust law the Government will never be able to restore competition to such an extent that consumers will be fully protected. As years go by our wealth will grow, our population will increase, our business and commerce will expand, and with all this our corporations will naturally grow in size and financial strength.

I do not believe competition as a factor in controlling prices should be or ever will be eliminated. We will continue to have competition, both potential and actual. Under no circumstances should we surrender this mighty agency as a factor in our industrial system.

We must, however, meet conditions as they exist. Where competition has been eliminated we must provide a substitute; where competition is inadequate or ineffective we must supplement its power with governmental control. Control is the only substitute for competition. Control must begin where competition ceases.

Let us keep the fire of competition burning brightly and brilliantly in every industry and in every section of our country; but should the flame of competition in any industry grow dim, or should it, under stress of monopolistic power, become extinct, let us not leave the people in darkness and despair. Let us have a great commission and place in its hand the blazing torch of authority to reinforce competition, to perpetuate its life, and preserve its power and potency in our industrial system.

WITHIN CONSTITUTIONAL POWER.

The provisions of this bill are, in my judgment, within the constitutional power of Congress.

The Supreme Court has upheld the act of Congress regulating and controlling the railway corporations engaged in interstate commerce. It has upheld the provisions of the so-called Sherman Antitrust Act. If Congress may declare that the rates and charges of railways, express, telegraph, and telephone companies shall be reasonable and just, under the same authority Congress may declare that industrial corporations engaged in interstate business shall dispose of their products at reasonable and just prices. If Congress may control railway corporations in their practices it may also control the practices of great industrial corporations.

I know that railway corporations are regarded as natural monopolies. I know that in the eye of the law railway companies are quasi-public corporations. But may not Congress by legislative enactment declare certain industrial corporations quasi-public corporations? Why can not Congress, within its constitutional power, declare that a corporation having so much capital or controlling a certain per cent of the products in a given line of business or doing annually a certain amount of business shall thereby become a public agency and a quasi-public corporation?

But we need not rely solely on the clause in the Constitution which gives Congress the authority "to regulate commerce among the several States and foreign countries." There is

another provision that gives Congress the authority "to provide for the general welfare."

Under modern business methods and under twentieth-century conditions industrial corporations have attained such size and financial strength that they become a menace to the public welfare if they are left unbridled, uncontrolled, and unrestrained.

As Representatives in Congress, under the Constitution we are the guardians of the public welfare. We should use to the very limit our constitutional power to protect the fundamental rights of the people and safeguard the public welfare.

Finally, if it shall be determined that Congress has not the constitutional power to fully and completely protect the people, then, at the earliest date possible, our Constitution should be amended so as to give our National Legislature ample power to afford to all the people all proper protection against all monopolistic corporations.

CONTEST WITH THE RAILROADS.

Twenty-five years ago a great controversy was in progress in this country. The parties engaged in the contest were the people and the railroads. The time had come when it must be decided who was supreme, the people or the railroads. Congress, reflecting the sentiment of the people, created the Interstate Commerce Commission. In the act creating the commission Congress also promulgated three fundamental rules of conduct which the railroads were required to obey. These cardinal rules required of the railroads, first, that they should give to the public reasonable and just rates; second, that they should give to individuals and localities equality of rates; and, third, they should give to all impartial privileges and facilities.

Congress in enunciating these rules pointed the managers of our railways to a more excellent way, gave them a chart for their guidance, and set up for their observance a higher standard of business morality.

In this "act to regulate commerce" Congress created the Interstate Commerce Commission as an instrument of warfare, as a weapon in battle, as a great fighting machine in the mighty struggle in progress between the people and the great railway corporations.

The railway companies defied the law and denied the authority of the commission. They resisted to the last every effort of the Government to control their rates or restrict their management.

But the Government gained ground. The commission was given additional power. Greater restrictions were thrown around the railroads. The corporations fortified position after position, but at every stand were compelled to yield. A general retreat was ordered, and soon followed the final surrender. Today, 25 years after this great controversy began in earnest, the great railway corporations acknowledge the supremacy of the law and submit to the authority of the National Government.

The act of February 4, 1887, entitled "An act to regulate commerce," is one of the most important measures ever passed by the Congress of the United States.

Before its enactment the great transportation companies of this country had it in their power to levy annually upon the people of the United States millions of dollars of unjust tribute. They could, with perfect impunity, give special rates, rebates, drawbacks, and other preferences which would enrich one man and impoverish another. There was not a syllable of law that regulated the rates or controlled the practices or restrained the acts of our great railways in their interstate business. The railway managers were absolute in their power, supreme in their authority.

All this has been changed. The people are now supreme. They are free from railway domination. They are masters of the railways, not their subjects.

So much has been accomplished through the "act to regulate commerce" in emancipating the people from the rule and domination of railway corporations, in freeing them from the payment of unjust tribute levied by these great transportation companies, that we may fitly denominate this great statute as the second Declaration of Independence.

A SECOND GREAT STRUGGLE.

The people of the United States are now in a second great struggle. Their antagonist at this time is our great industrial corporations. These gigantic organizations are strongly entrenched. They have untold wealth. They have unlimited resources. They have able leadership. They have the confidence which comes from many victories already won. They are equipped in every way to make a long, stubborn, and effective fight. These great corporations will not recede, they will not retreat, they will not willingly surrender a single advantage they enjoy. The interests of 90,000,000 people are at stake. In this great crisis the country turns to the National Legislative

Assembly. Let us not disappoint the people in their expectations. Let us give them the same instrument of warfare, the same weapon in battle, the same fighting machine, that they used so successfully and effectively in their contest with the great railway corporations. Let us create a great interstate corporation commission, clothe it with ample power and jurisdiction, and direct it to proceed forthwith to bring our gigantic industrial corporations into subjection. To guide these great business institutions in conducting their business let us proclaim by legislative enactment that their prices must be reasonable and just; that all must be given like privileges and advantages; and that the National Government will not tolerate practices or methods in business that are unfair, unjust, or unreasonable, or that are against public policy or dangerous to the public welfare.

By so doing we will have promulgated a higher law for the guidance of our gigantic industrial corporations engaged in interstate commerce; we will have set in motion the governmental machinery that will be able to cope with these great corporations; and we will have put the people and the corporations upon a highway that will lead them to reconciliation and unite them in an effort to bring to our country a reign of industrial peace, which is essential to our industrial prosperity. [Applause.]

APPENDIX.

A bill (H. R. 18711) to regulate the commerce of certain corporations, and for other purposes.

Be it enacted, etc., That every corporation engaged in commerce among the several States, or with foreign nations, not subject to the provisions of the act approved February 4, 1887, entitled "An act to regulate commerce," and acts supplementary and amendatory thereof, and whose gross annual receipts or the total annual gross receipts of whose subsidiary companies for the calendar year 1911 were, or for any calendar year thereafter shall be, in excess of \$5,000,000 shall be subject to the provisions of this act.

SEC. 2. That every corporation subject to the provisions of this act, or that may hereafter become subject to the provisions of this act, is hereby declared to be a quasi public agency.

SEC. 3. That the price or prices at which any corporation subject to the provisions of this act shall sell or dispose of any article of merchandise, or any product whatsoever, shall be just, fair, and reasonable, and it shall be unlawful for any such corporation to sell or dispose of any article of merchandise, or any product whatsoever, at a price or at prices that are unjust, unfair, or unreasonable, and every corporation subject to the provisions of this act is hereby prohibited from so doing.

SEC. 4. That every practice, method, means, system, policy, device, scheme, or contrivance used by any corporation subject to the provisions of this act in conducting its business, or in the management, control, regulation, promotion, or extension thereof, shall be just, fair, and reasonable and not contrary to public policy or dangerous to the public welfare, and every corporation subject to the provisions of this act in the conduct of its business is hereby prohibited from engaging in any practice, or from using any means, method, or system, or from pursuing any policy, or from resorting to any device, scheme, or contrivance whatsoever that is unjust, unfair, or unreasonable, or that is contrary to public policy or dangerous to the public welfare, and every act or thing in this section prohibited is hereby declared to be unlawful.

SEC. 5. That every corporation subject to the provisions of this act shall deal justly and fairly with competitors and the public, and it shall be unlawful for any such corporation to grant to any person or persons any special privilege or advantage which shall be unjust and unfair to others, or unjustly and unreasonably discriminatory against others, or to enter into any special contract, agreement, or arrangement with any person or persons which shall be unjustly and unreasonably discriminatory against others, or which shall give to such person or persons an unfair and unjust advantage over others, or that shall give to the people of any locality or section of the country any unfair, unjust, or unreasonable advantage over the people of any other locality or section of the country, or that shall be contrary to public policy or dangerous to the public welfare, and any and all the acts or things in this section declared to be unlawful are hereby prohibited.

SEC. 6. That whenever, after full hearing upon a complaint made to the commission hereinafter created, or after full hearing under an order for investigation and hearing made by the said commission on its own initiative, the commission shall be of opinion that any price or prices whatsoever demanded, charged, or collected by any corporation subject to the provisions of this act for any article of merchandise or product, or that any practice, method, means, system, policy, device, scheme, or contrivance used by any such corporation in conducting its business, or in the management, control, regulation, promotion, or extension thereof, is unjust or unreasonable or unjustly discriminatory, or unduly preferential or prejudicial or contrary to public policy or dangerous to the public welfare, or otherwise in violation of any of the provisions of this act, the commission is hereby authorized and empowered to determine and prescribe what shall be a just, fair, and reasonable price to be charged for such article of merchandise or product, to be thereafter observed in such case as the maximum to be charged until further order of the commission, and to determine and prescribe what practice, method, means, or system, policy, device, scheme, or contrivance is just, fair, and reasonable, and not contrary to public policy or dangerous to the public welfare, to be thereafter followed, and to make an order that such corporation shall cease and desist from such violation to the extent to which the commission finds the same to exist, and such corporation shall not thereafter charge or collect or accept for such article of merchandise or product a price in excess of the maximum price so prescribed, and shall adopt, conform to, and observe the practice, method, means, policy, and system so prescribed, and cease to use any device, scheme, or contrivance prohibited by the order of the commission.

All orders of the said commission, except orders for the payment of money, shall take effect within such reasonable time, not less than 30 days, and shall continue in force for such period of time, not exceeding two years, as shall be prescribed in the order of the commission, unless the same shall be suspended or modified or set aside by the commission, or be suspended or set aside by a court of competent jurisdiction.

SEC. 7. That a commission is hereby created and established, to be known as the interstate corporation commission, which shall be composed of seven commissioners, and the said interstate corporation commission is referred to hereinafter as "the commission."

SEC. 8. That on the taking effect of this act the Bureau of Corporations shall cease to exist and shall be merged into and become a part of the commission, and the person who at that time shall be the Commissioner of Corporations shall become a member of the commission and continue as such for a period of two years, and said person shall also for a period of one year be the chairman of the commission, at the expiration of which time, and annually thereafter, the commission shall elect a chairman; and the Deputy Commissioner of Corporations shall become one of said commission, and shall hold his office for a period of one year. The commission shall appoint a secretary of the commission, who shall hold his office at the pleasure of the commission, and all the clerks and employees in the Bureau of Corporations shall become clerks and employees of the commission, and all the duties and powers of the Bureau of Corporations are hereby transferred to, granted, and bestowed upon the commission, and any funds belonging to said Bureau of Corporations which by law are authorized to be expended by said bureau are hereby transferred to the commission, which is hereby authorized and empowered to expend the same.

SEC. 9. That the commission shall consist of seven members, not more than four of whom shall be of the same political party. Except as hereinafter provided, the members of the commission shall be appointed by the President, by and with the advice and consent of the Senate, and the first appointees shall hold their positions for periods of three, four, five, six, and seven years, respectively; and in making such appointments the President shall designate the length of terms of such appointees, and thereafter the members of said commission shall be appointed for a term of seven years. The members of the commission shall each receive a salary of \$7,500 per annum, and the secretary of the commission shall receive a salary of \$5,000 per annum. In case of vacancy the appointment shall be for the unexpired term of the member whose retirement from the commission caused the vacancy.

Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. No person in the employ of or holding any official relation to any corporation subject to the provisions of this act, or owning stocks or bonds thereof, or who is in any manner pecuniarily interested therein, shall enter upon the duties of or hold such office. Said commissioner shall not engage in any other business, vocation, or employment.

No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission.

The commission is hereby authorized and empowered to make and establish rules and regulations, not in conflict with the Constitution and laws of the United States, to aid in the administration and enforcement of the provisions of this act, and may, by such rules and regulations, prohibit any particular or specific act or acts, practice, method, system, policy, device, scheme, or contrivance that is contrary to any of the provisions of this act.

That the decisions of the commission shall be final as to the facts, and in all cases of appeal from any decision of the commission the court shall have jurisdiction to pass only upon questions of law and to determine whether or not the commission acted within the scope of its authority, or whether or not the decision in effect confiscates property or takes the same without due process of law.

SEC. 10. That in case any corporation subject to the provisions of this act shall do, cause to be done, or permit to be done, any act, matter, or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this act required to be done, such corporation shall be liable to the person or persons injured thereby for double the amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee should be taxed and collected as a part of the costs in the case.

SEC. 11. That any person or persons claiming to be damaged by any corporation subject to the provisions of this act may either make complaint to the commission, as provided in this act, or may bring suit in his or their own behalf for the recovery of the damages for which such corporation shall be liable under the provisions of this act in the Commerce Court; but such person or persons shall not have the right to pursue both of said remedies and must in each case elect which one of the two methods of procedure herein provided for he or they will adopt.

In any such action brought for the recovery of damages the court before which the same shall be pending may compel any director, officer, receiver, trustee, or agent of such corporation defendant in such suit to attend, appear, and testify in such case, and may compel the production of the books and papers of such corporation. The claim that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

SEC. 12. That any corporation subject to the provisions of this act, or any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by such corporation, who, alone or with any other corporation, company, person, or party, shall willfully do or cause to be done, or shall willingly suffer or permit to be done, any act, matter, or thing in this act prohibited or declared to be unlawful, or shall aid or abet therein, or shall willfully omit or fail to do any act, matter, or thing in this act required to be done, or shall cause or willingly suffer or permit any act, matter, or thing so directed or required by this act to be done not to be so done, or shall aid or abet therein, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any court of the United States, be subject to a fine not to exceed \$5,000 for each offense, and, in the discretion of the court, may be imprisoned in the penitentiary for a term not exceeding two years.

SEC. 13. That the commission hereby created shall have authority to inquire into the management of any corporation subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted and shall have the right to obtain from such corporation full and complete information necessary to enable the commission to perform the duties and carry out the object for which it was created; and the commission is hereby authorized and required to execute and enforce the provisions of this act.

And upon the request of the commission, it shall be the duty of any district attorney of the United States to whom the commission may apply to institute in the proper court and prosecute under the direction of the Attorney General of the United States all necessary proceedings for the enforcement of the provisions of this act, and for the punishment of all violations thereof, and the costs and expenses of such

prosecutions shall be paid out of the appropriation for the expenses of the courts of the United States.

SEC. 14. That any person, firm, corporation, company, or association, or any mercantile, agricultural, or manufacturing society or other organization, or any body politic or municipal corporation, complaining of any act done or omitted to be done by any corporation subject to the provisions of this act, in contravention of the provisions of this act, may apply to the commission by petition, which shall briefly state the facts; whereupon a statement of the complaint thus made shall be forwarded by the commission to such corporation, who shall be called upon to satisfy the complaint, or to answer the same in writing, within a reasonable time, to be specified by the commission. If such corporation, within the time specified, shall make reparation for the injury alleged to have been done, it shall be relieved of liability to the complainant only for the particular violation of the law thus complained of. If such corporation shall not satisfy the complaint within the time specified, or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the commission to investigate the matter complained of in such a manner and by such means as it shall deem proper.

The commission shall have full authority and power at any time to institute an inquiry on its own motion, in any case and as to any matter or thing concerning which a complaint is authorized to be made, to or before said commission by any provision of this act, or concerning which any question may arise under any of the provisions of this act or relating to the enforcement of any of the provisions of this act. And the said commission shall have the same power and authority to proceed with any inquiry instituted on its own motion as though it had been appealed to by complaint or petition under any of the provisions of this act, including the power to make and enforce any order or orders in the case, or relating to the matter or thing concerning which the inquiry is had, excepting orders for the payment of money. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

SEC. 15. That the commission is hereby given authority on its own initiative to institute and conduct an investigation to determine whether or not any corporation subject to the provisions of this act was organized in violation of the provisions of the act approved July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," or is doing business in violation of the provisions of said act, and if, after investigation, the commission shall conclude that any such corporation was organized in violation of the provisions of said act, or is doing business in violation of the provisions of said act, the commission may issue an order citing such corporation to appear and answer to the charge in such matter; and if on final hearing the commission shall find that such corporation was organized in violation of the provisions of said act, it shall make an order providing for the dissolution of such corporation; and if the commission shall find that any such corporation is doing business in violation of any of the provisions of said act, it shall make such order or orders as will prevent the further violation of said act on the part of such corporation; and thereafter such corporation so found to have been organized in violation of the provisions of said act, or so found to be doing business in violation of said act, shall cease to engage in interstate commerce except upon such terms and conditions as shall be prescribed by the commission.

SEC. 16. That the following sections and provisions hereinafter mentioned, in so far as they are applicable and are not in conflict with the provisions of this act, are hereby extended to and put in force in all matters relating to or pertaining to the commission herein created and to every corporation subject to the provisions of this act, and the power, authority, and duties conferred by the sections and provisions hereinafter mentioned upon the Interstate Commerce Commission, so far as the same are applicable, are hereby conferred upon the commission created by this act, and the duties, liabilities, and rights conferred upon common carriers by such sections and provisions are hereby conferred upon every corporation subject to the provisions of this act, and the rights, privileges, and liabilities conferred upon any person or persons, firm, corporation, association, or locality by such sections and provisions are hereby conferred upon any such person or persons, firm, corporation, association, or locality, namely, sections 12, 13, 16, 17, 18, 19, 20, and 21 of the act approved February 4, 1887, entitled "An act to regulate commerce," as amended, and sections 1, 2, 3, 4, 5, and 6 of the act approved June 18, 1910, entitled "An act to create a Commerce Court, and to amend the act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes."

SEC. 17. That this act shall take effect and be in force 60 days after its passage.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On February 16, 1912:

H. J. Res. 194. Joint resolution granting the temporary use of certain lands in the Presidio of San Francisco and Fort Mason (Cal.) Military Reservations to the Panama-Pacific International Exposition Co.

On February 17, 1912:

H. R. 14484. An act to amend an act approved February 24, 1911, authorizing J. W. Vance and others to construct and maintain a dam and tunnel on the Big Bend of the James River, in Stone County, Mo., to create electric power;

H. R. 16675. An act to authorize the city of Chicago to construct a bascule bridge across the Calumet River at Ninety-second Street, in said city;

H. R. 16676. An act to authorize the Lake Shore & Michigan Southern Railway Co. to construct a bascule bridge across the Calumet River at South Chicago, Ill.;

H. R. 16677. An act to authorize Butler and Stoddard Counties of Missouri to construct a bridge across the St. Francis River at Hodges Ferry, Mo.;

H. R. 16693. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.; and

H. R. 17232. An act to authorize Taney County, Mo., to construct a bridge across the White River at Branson, Mo.

On February 19, 1912:

H. R. 14055. An act to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes.

REPORT OF THE EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION COMMISSION (S. DOC. NO. 338).

The SPEAKER laid before the House of Representatives a message from the President of the United States, which was ordered to be printed and referred to the Committee on the Judiciary.

[For message see Senate proceedings of to-day.]

THE CHEMICAL SCHEDULE.

The committee resumed its session.

Mr. UNDERWOOD. Mr. Speaker, I do not care to consume the balance of the time on this side of the House, and I desire to have the Clerk read the bill for amendment under the five-minute rule.

The CHAIRMAN. The Clerk will proceed to read the bill.

The Clerk read as follows:

Be it enacted, etc., That on and after the day following the passage of this act there shall be levied, collected, and paid the rates of duty which are prescribed in the paragraphs of this act upon the articles hereinafter enumerated, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands and the islands of Guam and Tutuila), and the said paragraphs and sections shall constitute and be a substitute for paragraphs 1 to 83, inclusive, of section 1 and of section 25 of section 2982 of the Revised Statutes of the United States as amended by section 21 of an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909.

Mr. UNDERWOOD. Mr. Chairman, I offer an amendment to cure a technical error in the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the following words, after the word "five," in line 12, page 1:

"Of section 2982 of the Revised Statutes of the United States as amended by section 21."

Mr. UNDERWOOD. Mr. Chairman, in referring to the section that is amended a mistake was made in the reference.

The section amended in this bill is section 25 of the Payne Act, and this amendment properly recites the section that is amended.

Mr. MANN. Mr. Chairman, I hope the amendment will be agreed to. In fact, if the gentleman from Alabama would offer some other amendments, such as I have suggested, they would make the bill very much better than it was originally drafted. I am glad to know that he has met the first suggestion I made in regard to the imperfections of the bill by offering an amendment to cure one imperfection.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama [Mr. UNDERWOOD].

The amendment was agreed to.

The Clerk read as follows:

DUTIABLE LIST.

1. Acids: Benzoic acid, 5 cents per pound; boracic acid, three-fourths of 1 cent per pound; citric acid, 3 cents per pound; formic acid, 1½ cents per pound; gallic acid, 4 cents per pound; lactic acid, 1½ cents per pound; oxalic acid, 1½ cents per pound; phosphoric acid, 2 cents per pound; phthalic acid, 5 cents per pound; pyrogallol acid, 6 cents per pound; salicylic acid, 2½ cents per pound; tannic acid and tannin, 4 cents per pound; tartaric acid, 3 cents per pound; all other acids not specially provided for in this act or in the first section of the act cited for amendment, 15 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 7, by striking out the following words "Benzoic acid, 5 cents per pound."

Mr. MANN. Mr. Chairman, benzoic acid is now on the free list. This bill proposes to put it on the dutiable list at 5 cents a pound. Salicylic acid is now on the dutiable list at 5 cents a pound, and this bill proposes to reduce the duty on salicylic acid to 2½ cents a pound. In a way these two acids are competing articles. The bill reverses the present policy, which is for the interest of the industries, and proposes to put an exorbitant duty on benzoic acid and to reduce the duty on salicylic acid.

Mr. HARRISON of New York. Mr. Chairman, the gentleman from Illinois is entirely mistaken in believing that benzoic acid and salicylic acid are competing products. Benzoic acid is a

coal-tar derivative which we have put upon the tax list, and it is used for the most part for the purpose of making benzoate of soda, which has fallen into great disfavor in the administration of the pure-food law. Three-quarters of the benzoic acid is probably used for that purpose. The other quarter is used chiefly for the purpose of making saccharin, a product which has likewise fallen into public disfavor, and of which it is intended in the future entirely to prohibit the use.

Salicylic acid, on the other hand, is a very widely used article in the manufacture of many beneficial medicines, and we have cut in two the rate on salicylic acid, both as a revenue measure and having in mind the purposes for which salicylic acid is used. It is used not only for medicine, but also in the manufacture of certain coal-tar dyes and colors, and we believe that by putting benzoic acid on the tax list and cutting in two the tax on salicylic acid we have brought about a more equitable rate of taxation. The use of salicylic acid for a preservative has been forbidden, so that benzoate of soda and salicylic acid can not be said to compete with one another in any sense.

Mr. MANN. They are both preservatives and used as such.

Mr. HARRISON of New York. The use of both of them has been forbidden by the pure-food law, and those are only subsidiary uses.

Mr. MANN. Their use has not been forbidden by the pure-food law. That matter is an open question, and they are both in use now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

Mr. MANN. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amend page 2, line 13, by striking out the words "phthalic acid, 5 cents per pound."

Mr. BARTHOLOTT. Mr. Chairman, I do not know what the effect of this bill will be in other sections of the country, but it certainly seems as if Missouri had been singled out for special punishment by the Democratic majority in this House; and the shots of the tariff tinkers are not popgun shots but broadsides, annihilating whole industries in which the people of Missouri excel and from which they draw a great part of their sustenance.

In the first bill containing the metal schedules the lead and zinc industries of Missouri were stricken down, and this bill proposes to strike down the barytes industry of southeast Missouri and the great chemical-manufacturing industries of St. Louis.

Though Missouri at the last three elections returned majorities in favor of the party of protection, there are only 3 of us on this floor out of 16, owing to an artful gerrymander, ready to defend the interests and industries of Missouri against these Democratic assaults. [Applause on the Republican side.] But I wonder if my 13 Democratic colleagues will allow the ruthless destruction of the industries in their own State as contemplated in this bill. The people of my State have hardly had time to examine the schedules or to be heard from regarding them, but I hold in my hand a letter from the head of a chemical company which will give the Members of the House an idea of what the verdict of the people will be with respect to this bill. The writer is a Democrat, as far as I know, and has struggled hard, even under the present rates, to build up the business—against foreign competition—of which he is the head. In doing so he and his associates have gone so far as to deny to themselves the salaries to which they were justly entitled. I ask the Clerk to read this letter, which relates, among other things, to the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

ST. LOUIS, February 17, 1912.

HON. RICHARD BARTHOLOTT,
House of Representatives, Washington, D. C.

MY DEAR MR. BARTHOLOTT: I am in receipt of a copy of the bill which proposes to reduce duties on chemical products. This bill, if enacted into law, means nothing more nor less than disaster to the greater part of the chemical industry of this country, and as for us, it would put us completely out of business.

We have an investment here of about \$250,000; our sales last year were in excess of \$400,000, and to produce the goods which made up this amount we paid for wages and salaries close to \$100,000.

Every industry must be prepared more or less for possible changes in the tariff, but it is hard to believe that any Congressman sent to Washington for the express purpose of safeguarding the interests of his constituents can be so absolutely devoid of knowledge of the industrial conditions, or so fanatic in his belief in theoretical principles, as to intentionally wipe off the map of the United States industries which have been established against great odds, and which promise to make the people of this country more and more independent of foreign supplies.

The direct result of the passing of such a bill as now proposed will mean the cutting off of the means of subsistence of thousands of wage earners, both of the laboring and of the professional class, throwing them on the streets with no prospects in sight for new employment.

As I have told you before, the chemical manufacturing industry, and more particularly the organic line, is in its infancy in this country and needs governmental support in order to grow. Look at Germany and its tremendous growth in chemical manufacture, and more particularly within the last 10 to 20 years. Why? Because of the constant and practical encouragement and protection received at the hands of the German Government.

To show you how this bill will work on us if enacted into law, I desire to call your attention to a few of the numerous instances of unexplainable conditions.

In paragraph 1 the duty proposed on phthalic acid is 5 cents per pound, equal to about 20 per cent of its value, and in paragraph 5 it is proposed to reduce the duty on the medicinal product in which it is used to 15 per cent, thus making the duty 20 per cent on the raw material and 15 per cent on the finished product.

Where is the logic in such legislation? Are we to support and foster foreign industry?

The note at the bottom of page 2 states that phthalic acid is used in the manufacture of coal-tar dyes. This is not correct, especially not when applied to this country where a great bulk of this raw material is used in the manufacture of medicinal products.

In the same paragraph a duty of 2 cents per pound is proposed on phosphoric acid, equal to about 25 per cent of the value when applied to the quality we use, i. e., 45° Baumé, and with conditions as to the finished medicinal product similar to that above stated.

Paragraph 15 proposes to assess a duty of 75 cents per pound on caffeine with the statement that the equivalent ad valorem (per cent) is 41.25, while, as a matter of fact, it is 23.80, the correct value of caffeine being both here and abroad \$3.15 per pound, and not \$1.82 per pound, the average unit chosen as basis. As against this, a duty of 1 cent per pound is proposed on the raw material—tea waste, tea siftings, etc.—which is equivalent to 40 per cent of the actual value. Therefore we have a duty of 23.8, or about 25 per cent, on the finished goods with a duty of 40 per cent on the raw material.

Paragraph 18. Chemical and medicinal compounds and preparations containing alcohol, if enacted into law, would stop the manufacture of a number of medicinal products in the United States, particularly chloral hydrate, which product is now manufactured here against great odds on account of the favorable position German manufacturers occupy both as to chlorine and alcohol, the chief raw materials for its production.

Paragraph 41 proposes to assess a duty on cloves of 2 cents per pound, equal to about 20 per cent of their value, while the duty on vanilla, which is made from cloves, suffers a reduction of from 20 cents per ounce to 10 cents per ounce, or 50 per cent reduction.

In paragraph 23 it proposes to assess a duty of 5 per cent, and in paragraph 24 10 per cent, on coal-tar products, such as benzol, toluol, etc., which heretofore have been on the free list, and which products are essential raw materials for all chemical manufactures.

You can readily see from the foregoing how impossible it would be for chemical manufacture to exist under such conditions, and for the life of me I can not see what is to be gained by such a bill, excepting the intentional destruction of chemical manufacture in the United States.

I will be pleased to have a line from you in reply to the foregoing, with such suggestions as you can offer as to how this bill should be combated.

With the assurance of my high esteem, I beg to remain

Yours, very truly,

JOHN F. QUEENEY, President.

(During the reading of the letter the time of the gentleman from Missouri expired, and by unanimous consent it was extended sufficiently to finish reading the letter.)

Mr. MANN. Mr. Chairman, I have offered an amendment to strike out from the dutiable list phthalic acid at 5 cents per pound. Phthalic acid, as I understand it, is used in the manufacture of certain chemical compounds. These chemical compounds are put on the dutiable list at the rate of 15 per cent ad valorem. Phthalic acid at a specific duty of 5 cents a pound, as proposed by the bill, would amount to an ad valorem duty of about 20 per cent ad valorem, so it is proposed to change from the free list to the dutiable list a basic article at the rate of 20 per cent to be used in the manufacture of a protected article that is to bear 15 per cent. There is no excuse for transferring this item from the free list to the dutiable list, and much less excuse for making an ad valorem rate on what is, in a sense, a raw material, higher than the rate on the finished product.

Mr. HARRISON of New York. Mr. Chairman, the gentleman from Illinois has been misled by some of the inaccurate statements of the letter which the gentleman from Missouri had read at the desk. Phthalic acid, which we take from the free list and tax at 5 cents a pound, is not used for medicinal preparations, but exclusively used in the manufacture of very high-priced, high-grade coal dyes and colors.

In the general rearrangement of the coal-tar color schedule it was found advisable to take this one of the ingredients of high-priced products and put it on the taxable list at 5 cents a pound.

As to the statement of the gentleman from Illinois about our having taxed a basic material at a higher ad valorem rate than the product into the manufacture of which it enters, he is mistaken, because it does not enter into the manufacture of the articles carried in paragraph 5, which is the basket clause of this bill covering medicinal compounds, which we have reduced from 25 per cent ad valorem to 15 per cent ad valorem.

But even suppose it did enter into these manufactures, phthalic acid at 5 cents a pound bears an ad valorem equivalent of 18.75, and suppose it was used in the manufacture of medicinal compounds now in the basket clause, the ad valorem rate on the highly finished product would soon overtake and outstrip the ad valorem of the basic material and allow a handsome manufacturer's margin.

I make this explanation simply to show that the conclusions of the gentleman from Illinois, admitting his premises, are incorrect; but as a matter of fact his premises are incorrect, because phthalic acid is not used in making medicinal compounds.

Mr. MANN. Mr. Chairman, I presume that neither the gentleman from New York [Mr. HARRISON] nor myself can personally state what phthalic acid is used for. He gets his information from one source. I get my information from a manufacturing chemist who uses the article. I prefer to believe the statement of the people who make use of the article in manufacturing a compound rather than the statement of any theorist, whoever he may be. The situation, however, illustrates the need of having a tariff board to give us accurate information in reference to these matters before we endeavor to enact tariff legislation. [Applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I ask unanimous consent that I may be permitted to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, this question of putting free raw materials on the dutiable list was fully considered by the committee three years ago. The bill under consideration is a direct departure from former practice. I call attention to page 8 of the report, where I find the following:

In effecting the changes the committee has had in mind only the necessity for raising the revenue required from this schedule, holding in view the interests of the consumer.

On page 17 of the same report it states frankly that the question of the ultimate consumer has not been considered, but the interest of what they call the manufacturer. Mr. Chairman, I distrust the Greeks when they come bearing gifts. I paraphrase that by saying, "Keep your eye on a free trader when he talks protection to you"; I do not believe in it. This same question came before us three years ago, and the great chemists of the country said in the public hearings which seem to be objectionable now:

If you will give us an advance of 5 per cent on the finished products of coal tar we will develop that industry in this country, provided you leave the first derivatives or raw materials for our products on the free list.

We decided to do that and raised the duty from 30 per cent to 35 per cent. The bill went over to the Senate, and the Senate put the duty back to 30 per cent, but left the raw materials on the free list.

This bill not only cuts the 30 per cent duty down to 25 per cent, but it makes the raw materials dutiable. What does that do? It absolutely surrenders the chemical industry of this country to German combinations and trusts. The gentleman from New York smiles. He must stand by his own witness, and I bring to him now the testimony of his own witness, sitting by his side on the floor of the House, to prove absolutely what I say. If the gentleman will kindly turn to pages 5 and 6 of the report, he will find the following:

As shown elsewhere 4,068 patents were issued in the United States between 1900 and 1910, relating to chemicals and allied industries; at least 3,500 are applicable exclusively to chemicals as such. Of these, a large number relate to inventions in organic chemistry, among which carbon dyes and carbon compounds constitute a considerable percentage. While about 38 per cent of the 4,068 patents were granted to Americans, about 2,500, or 62 per cent, were granted to foreign inventors.

A patent is essentially a monopoly, and the fact that the United States does not specify compulsory working of patents but allows the production of the article wherever desired, permitting importation subject only to the tariff, means that, under present conditions, practical control of a considerable portion of our market for chemicals is accorded to foreign inventors and producers entirely independent of costs of production.

I now ask gentlemen present who have it to turn to pages 361 and 362 of the summary furnished by the Tariff Board:

Of the 1,754 patents issued for German inventions, 1,247, or a little over 71 per cent, related to carbon dyes and compounds and bleaching and dyeing processes, in all only 5 subdivisions out of more than 40 accounted for in the table. The number of the assigned inventions was 1,111 out of 1,247, or practically 90 per cent—

And I want every Member, and you gentlemen who denounce the trusts, you people who are instituting investigations of the trusts, to understand precisely now what you are voting for, that you are voting not only to cripple an American industry, but absolutely to turn it over to a German combination, authorized by the German Government; and here is your own testimony—

and of these, as is shown by the table below, 844 inventions, or 68 per cent, were assigned to only four companies, who in connection with one other company by an interchange of stock and division of

profits under an agreement to last 50 years from 1904, work on a "community of interest" plan, as revealed by their own reports.

Here are the names of the concerns:

Aktiengesellschaft für Farben, Berlin.
Badische Anilin Fabrik.
Bayer & Co.
Farbenfabrik Elberfeld.
Meister Lucius & Bruening.

When I say to you that one of these concerns employs 7,700 people and 217 research chemists, and that they control 90 per cent of all of these patents, and that you are absolutely turning this industry over to these four companies, you will understand what I am trying to prove to you. The witness on the other side says this:

A patent is essentially a monopoly, maintained with the consent and enforced with the help of the Government. Its prime object and recognized social value consists in promoting the material development of industry in the country of issue. Viewed from this point it seems that the development of the chemical industry in the United States has not kept pace with the number of patents issued. Our patent laws are stringent as to novelty and lenient to the inventor or his assignees. They practically certify the first and give far-reaching protection to the latter, much more protection than in any other country, because the American law recognizes the patentability of the product as such, so that no other process or improvement thereof can touch it during the life of the patent in the United States except with the consent of the original inventor or his assignees.

In the chemical industry, however, the product is of paramount importance. Contrary also to the requirements of the patent laws of most other industrial countries, the United States does not specify compulsory working of the patent issued, but permits the patentee and him only to import his products into the United States from whatever place he chooses, giving him a monopoly of the market without imposing upon him any obligation or demanding of him any equivalent except the minimum fee paid originally to the Patent Office. In the case of the American inventor, such importation will develop only under exceptional circumstances; with the foreigner, however, it is for obvious reasons the rule, in the chemical industry especially. The American market is the most valuable in the world, and the foreign inventor or his foreign assignees naturally take all the advantage that the law gives them to exploit this market as profitably as they can. This very largely accounts for the tardiness with which the chemical industry develops in the United States, especially in those branches which depend preponderantly upon inventions and therefore can not be gauged by any tariff legislation under the theory of cost equalization or under any other theory.

In 1907 England found herself in an utterly intolerable situation in regard to this. Here is what your witness said:

Up to 1907 the English patent laws did not require compulsory working in England of patents issued there, but the situation became so unbearable that the law was changed and the compulsory working feature established, with the result that, according to a report in the London Times, up to 1911, 50 foreign firms had begun or were about to begin manufacturing in England, involving an investment of about \$4,000,000 and the employment of nearly 7,000 wage earners, with a weekly pay roll of \$40,000.

So that whatever else may be the result of this legislation, it is an absolutely sure fact, found by experience, that you are deliberately turning over to the great consolidated German chemical industry, maintained and recognized as a trust by the Government, with a 50-year agreement, 46 years yet to run, the control of this industry in the United States. Now, why do you do it? Three years ago you were opposed to it, and the gentleman from Alabama [Mr. UNDERWOOD] said this in the hearings on this very subject:

Mr. UNDERWOOD. You would increase the cost of the raw material by putting a duty on the coal-tar products, would you not?

Mr. PENNOCK. Naturally.

Mr. UNDERWOOD. And to that extent it would retard their manufacture and the ability of the American manufacturers to compete with foreign manufacturers of chemical products.

It was simply a question of whether we should leave the raw material free or not, and my friend from Alabama sided with us on that proposition and said that the effect of putting these on the dutiable list would be to embarrass the American manufacturers: Let me tell you again what he said.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HILL. I would like five minutes more, if agreeable; if not I will not trespass upon the committee.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL. Mr. UNDERWOOD said to the witness:

If we put a duty on your by-product, would not that to that extent retard the chemical manufacturers of this country by increasing the cost of their material?

That was his view then.

I call your attention now to pages 379 and 380 of the glossary of the Tariff Board. Let me read you some more, and I am reading the history of the German chemical industry as published by the Tariff Board:

Practically all the important manufactures of the chemical industries and many products of lesser importance are under some form of syndicate control, more or less strict, and more or less extensive as to production, prices, supply of raw materials or division of territory. Chemical manufacturers lend themselves more readily to consolidation than any other because within a given line the products from one source are not visibly different from those of other sources and, on the same basis

of purity, do not differ at all. The products therefore carry little if any individuality, which is the principal basis of competition. Quite a number of these organizations are bound by agreements of some kind to international "cartels," the object of which is to control the international markets.

We made an honest attempt, gentlemen, three years ago to relieve the United States from the conditions in which both England and the United States found themselves. England did it by changing her patent laws. She did not think she could change her tariff laws in order to do it. We did it by changing our tariff laws, giving 5 per cent more protection on the finished product and leaving the raw material on the free list. Now the Democratic Party proposes to cut down the duties on the finished product, put a duty on the raw material, and in five years—yes, in three years—the chemical industry will find itself here in the same position that the English industry found itself when England said that it was unbearable and intolerable. The only possible remedy for us is to hold the present schedule of the tariff law and make it compulsory upon German manufacturers to come here in the country of sale, and produce in this market, with American labor at American wages, as Mr. Pennock said in the hearing three years ago that he could if we left the rates as they were then. It is a perfectly unparalleled proposition that the Democratic Party should take \$42,000,000 of importations, free under the list of last year, and transfer them all by one single act to the dutiable list. What will the result be? Now, Mr. Chairman, I am going to show you. A statement appeared in the papers the other day that this bill was a reduction in the rate of duty of 31½ per cent ad valorem. Will you kindly oblige me by turning to the summary at the end of the dutiable list?

It is on page 158 of the caucus print of the bill, for that is the real legislation which we are now getting. It shows that Congress has abdicated legislative power so far as the action of the House and Senate is concerned. We are told it is absolutely useless to offer an amendment on this floor unless it comes from the committee. But the statement was made, and I have no doubt made in good faith, that there was a total schedule reduction of 31½ per cent ad valorem by this bill. If you will turn to page 158 you will find two sets of imports.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON of New York. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. HILL] have 10 minutes more in which to finish his remarks. [Applause.]

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL. Thank you. When I received the courtesy of an advance copy of the bill, the day before it was introduced, from the clerk of the Ways and Means Committee, I began to study the summary. That gave me the whole story in a nutshell. I found that the imports under Schedule A last year were \$48,000,000. I found the estimates for the next year were \$96,000,000, and I wondered how the importations could increase more than double from one year to another. Then I read on and found that \$42,000,000 of free products had been transferred to the dutiable list. But how did the committee get a rate of 25.72, the ad valorem of the Payne bill, which was compared by the gentleman from Alabama [Mr. UNDERWOOD] with 16.64, the ad valorem under the proposed estimate? In my ignorance and inability to comprehend that situation I made inquiries and learned this fact: That the upper row of figures on page 158 covers the same items all the way through that are shown in \$96,742,850 under the estimate. And then I wondered, if that was true, why they had not figured out the ad valorem for those years as well as the ad valorem for 1912—estimated. I went to work and figured it out, and what do you suppose I found? I found that where they estimated an ad valorem of 16.64 for the coming year under their bill on identically the same items under the Payne bill the ad valorem was 14 per cent, 2.64 less than their own; in 1910 it was 13.65 and theirs was 16.64 on the same items. Now, was it fair to compare an estimated ad valorem for 1912 with a half of the same things under the Payne law in 1911? Was it fair to leave out the ad valorems and leave the page blank when they did figure on the same items? Instead of being a reduction of 31½ per cent it is an increase of 20 per cent over the Payne law, as any man can see who figures it. How was that increase arrived at? By taking free raw materials off the free list under the Payne bill and making them dutiable, lowering the average of the whole schedule, and then saying that this was less than the rate of the Payne bill, because they had given the Payne bill no credit whatever for the free raw material coming in last year under that law to the amount of \$42,000,000.

There is another thing on that page which shows a rather startling situation. If you will take the lower row of imports, you will see that the ad valorem under the Dingley law was

28.52, and yet Democratic testimony shows right alongside of it that the Payne bill was reduced to 26.41 the first year following and to 25.72 the second year. So they not only prove that they have raised this 20 per cent, but they have proved that the Payne bill lowered the Dingley law very materially. And they have proved more than that. They have proved that they have absolutely put back the average rate under their estimates of this bill to 16.64, which is precisely the rate of 1905, according to their own showing, under the Dingley law. [Applause on the Republican side.]

So as it stands to-day, the estimated ad valorem here is the exact equivalent of the Dingley law in the year which they cite themselves—16.64.

That is not all. What have you gained, gentlemen, by all this legislation? You have given us a chemical schedule, a metal schedule, a wool schedule, and a cotton schedule. Under your own figures, the correctness of which I dispute, because they ought to be larger, you estimated \$10,500,000 loss of revenue on the free-list bill when you would have had \$50,000,000 loss of revenue under it. You estimated no increase of importation when you would have had an enormous increase. But, taking your own figures and convicting you out of your own mouths, this is the total of the estimates up to this present time. How are you going to get the increase under the chemical schedule? Are your figures right? Absolutely not. I came in just a moment ago, and I inquired of the gentleman from Ohio [Mr. LONGWORTH] how you had amended the first section of your bill, and he told me.

You have got to-day things on the free list that you dream you are going to get revenue out of. [Laughter and applause on the Republican side.] You offered an amendment to correct this, and your amendment has been absolutely of no benefit whatever to you, and those things will still remain on the free list under the Payne law. Under the amendments which you offered yourselves in committee you attempted to remove a lot of oils from your original free-list text and put them under the general basket clause in the dutiable-oil paragraph. They do not go there. That basket clause covers only things that are not otherwise specified, and every one of those oils is specified in the free list in the Payne law. When you get your legislation through, if you ever do [laughter and applause on the Republican side], you will find you are in a hole on your estimates of revenue, even on your own estimates.

What are your total estimates to date on the bills presented? You increase importations of the value of \$3,899,151 on the chemical schedule. You increase on the metal schedule \$24,815,801. On the wool schedule you increase \$63,831,000. These are your own figures. On the cotton schedule you increase importations \$10,746,358. In other words, if your legislation should be successful you would have displaced thus far \$103,000,000 of American products and turned them over to the factories of Europe.

Now, what have you gained by it? Have you gained revenue? Absolutely no. On the contrary, you have lost, according to your own estimates, on the metal schedule, \$823,597; on the wool schedule, \$1,348,349; on the cotton schedule, \$3,074,801; and you have possibly gained on the chemical schedule \$3,095,549. The net loss in revenue, in order to turn over the making of more than one hundred millions of American products to foreign factories, has been \$12,180,187, according to your own estimates. [Applause on the Republican side.]

Why do you do it? Along on the 20th day of last December this message came to Congress. There is no reason why you should not act intelligently. I do not mean by that any personal reflection on any member of the committee. I mean that there is no reason why you should not act with full knowledge before you. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. All right.

The CHAIRMAN. Does the gentleman from Connecticut desire to withdraw his pro forma amendment?

Mr. HILL. Yes; I will withdraw that now. I will make another one directly.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

4. Albumen, blood, 2 cents per pound; egg albumen, 6 cents per pound.

Mr. MANN. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend, page 2, lines 21 and 22, by striking out the words "egg albumen, 6 cents per pound," and inserting in lieu thereof the words "egg albumen, 3 cents per pound."

Mr. MANN. Mr. Chairman, that is to strike out the increase proposed in the bill of the tariff on egg albumen, which is now 3 cents a pound. This restores it to the rate fixed in the existing law. The bill proposes to increase the rate of duty 100 per cent. It is unjustifiable, in my opinion.

Mr. HARRISON of New York. Mr. Chairman, paragraph 4 of the Underwood bill is taken from the agricultural schedule of the Payne law and a reduction from 3 cents a pound to 2 cents a pound is made in blood albumen, which is used in dyeing and in printing textiles, and an increase from 3 cents a pound to 6 cents a pound is made in egg albumen, which is used about half in making photographic films and half in making baking powder. The raise was made as a revenue proposition, the increase in revenue under the raised rate showing from \$27,000 to \$46,000.

Now, as to the use of egg albumen in making baking powder, about 4 ounces of this material are used in making 100 pounds of baking powder. It is believed that the Baking Powder Trust can stand this additional taxation upon their material of manufacture. But I will call the attention of the committee at the same time to the fact that, as I said yesterday, we have reduced the rate on alum, which enters into the making of most baking powders, from 37 per cent to 15 per cent; and on bicarbonate of soda, which comprises about a quarter of the bulk of baking powder, we have reduced the tariff taxation from three-quarters of a cent a pound to one-quarter of a cent a pound; and on cream of tartar we have cut the duty from 3 cents a pound to 2½ cents a pound, which I think leaves the trade in a favorable condition and materially increases the revenue. I hope the amendment of the gentleman from Illinois will not prevail.

The CHAIRMAN. The question is on the amendment.

The amendment was rejected.

The Clerk read as follows:

5. Alkalies, alkaloids, and all chemical and medicinal compounds, preparations, mixtures and salts, and combinations thereof not specially provided for in this act or in the first section of the act cited for amendment, 15 per cent ad valorem.

Mr. HILL. Mr. Chairman, it seems to me entirely unnecessary to consider this bill at this time, and in confirmation I will read to our Democratic friends a recommendation which is a little old, but which is good. I am going to read from the message of the President on the 20th of December, 1911, transmitting to Congress the findings of the Tariff Board on the wool schedule. There is no necessity for taking up this bill. The Tariff Board have made no report upon it. I say that advisedly. They have made no report upon it. Any assistance that has been given has been given by individuals, and nobody will claim anything to the contrary. No authorized assistance by the Tariff Board, upon which they are willing to stand; not a word or a line of it outside of the glossary has been given up to this moment, and no investigation of this schedule has been made, and none of the metal or wool schedules had been made at the time they were brought in; but an authorized report on the wool schedule has come in since, and this is what the President said when he sent it in:

In my message of August 17, 1911, accompanying the veto of the wool bill, I said that, in my judgment, Schedule K should be revised and the rates reduced. My veto was based on the ground that, since the Tariff Board would make, in December, a detailed report on wool and wool manufactures, with special reference to the relation of the existing rates of duties to relative costs here and abroad, public policy and a fair regard to the interests of the producers and the manufacturers on the one hand and of the consumers on the other demanded that legislation should not be hastily enacted in the absence of such information; that I was not myself possessed at that time of adequate knowledge of the facts to determine whether or not the proposed act was in accord with my pledge to support a fair and reasonable protective policy; that such legislation might prove only temporary and inflict upon a great industry the evils of continued uncertainty.

I now herewith submit a report of the Tariff Board on Schedule K. The board is unanimous in its findings. On the basis of these findings I now recommend that the Congress proceed to a consideration of this schedule with a view to its revision and a general reduction of its rates.

The findings of fact by the board show ample reason for the revision downward of Schedule K in accord with the protective principle, and present the data as to relative costs and prices from which may be determined what rates will fairly equalize the difference in production costs. I recommend that such revision be proceeded with at once.

Two months have gone by since that recommendation was made. Are you honest in your desire to have a revision downward of any portion of the Payne bill? The President invites you to it. The Republican Party invites you to it. You are playing politics, and you are now sending to him, with the same ideas that characterized your action in the last session, of "putting him in a hole," schedules which have not been reported on by the Tariff Board. For two months you have had that report before you. In 10 days you will have a report on the cotton schedule. Why do you not bring in a woolen bill based on that report? If you want to find the difference in

cost of production and then put your revenue tariff below it, we will offer you a substitute based on the Tariff Board report. Then let both bills lie before the House for a week, in order that the Members of this body need not go into a caucus and be called upon to pass a binding vote on a bill which they have never seen—187 pages of it—which they have never read. It was under those circumstances that the chemical bill was passed through the caucus last week without amendment, almost without discussion—a bill which never had even been read by the Members who voted upon it. We will meet you with a wool bill based on the report of the Tariff Board. Let both bills lie on the table for a week and then take them up for intelligent consideration and let every Representative here vote his honest convictions. Will you do it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. May I have five minutes more?

Mr. UNDERWOOD. Reserving the right to object, I just want to say this—

Mr. HILL. I will not ask any further extension at this time.

Mr. UNDERWOOD. I am perfectly willing that the other side of the House should have full opportunity to discuss this bill and offer amendments to it, but I do insist that the discussion shall be confined to the bill and the paragraphs before the House.

Now, I do not like to object, and I would not if the gentleman is willing to discuss the bill. I would like to answer the gentleman's argument. Within 60 days we will report a wool bill in this House and pass it, and the gentleman from Connecticut will vote against it. [Laughter.] I do not want to inject that question into this discussion. If the gentleman is willing to discuss the bill I will not object to extending the time.

Mr. HILL. The gentleman from Alabama can not separate the method of passing a bill from the policy in it. It is not a question of rates here now; it is a question of policy—will the United States have a revenue tariff or will it have a protective tariff? That is all there is to it.

Mr. UNDERWOOD. I will say to the gentleman, in all fairness, that the time for discussing the policy was when the bill was up for general debate. Mr. Chairman, I will give notice that all other speeches on the bill must be confined to five minutes.

Mr. HILL. The gentleman is not the one to decide whether remarks are on a particular paragraph of the bill or not.

Mr. UNDERWOOD. I will say that all other remarks on the amendments must be confined to five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I am one of those on this side of the House who thoroughly agree with the gentleman from Alabama [Mr. UNDERWOOD] that the discussion on this bill should be short, sharp, and decisive. There is no other way. This matter ought to be settled at once and the country ought to be relieved of the agony as soon as possible. Men who are engaged in the chemical business, paint manufacturers, manufacturers of aniline dyes, and other chemicals that enter into the manufacture of clothing and other commodities, and the people who use these articles ought to know just as soon as possible what the majority in this House proposes to do to them.

I am one of those who have been hearing from home, from men engaged in large industries, who have been writing and wiring about this bill. They had no opportunity to be heard by the committee which framed the bill. They desired to be heard because their business interests were at stake. Now, Mr. Chairman, they come appealing at this last moment to their Representatives on this side of the House to explain the situation to the country. They desire the consumers of these products to understand what it means for a Democratic majority to impose the tariff duties on raw materials, thus changing the entire policy of the party. It is their belief that the consumer—the farmer of the land—may pay more for paint and varnish than he has been paying heretofore. If gentlemen on the other side want to enact this bill and impose this penalty on the men who till the soil, upon those who buy the paints and live in the frame farmhouses where paints are most used and needed, let us have it known as quickly as possible. [Applause on the Republican side.]

Mr. Chairman, this is about all I want to say at this time. I speak for a large and interested constituency, and, in view of the brief allowance of time, ask permission to extend my remarks in the Record, to include certain telegrams, letters, and so forth.

The CHAIRMAN. The gentleman from Pennsylvania asks leave to extend his remarks in the Record. Is there objection? There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I withdraw my pro forma amendment.

The Clerk read as follows:

6. Alizarin, natural or artificial, and dyes derived from alizarin or from anthracene, 10 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend page 3 by striking out lines 3 and 4, which read as follows:

"6. Alizarin, natural or artificial, and dyes derived from alizarin or from anthracene, 10 per cent ad valorem."

Mr. MANN. Mr. Chairman, this article is now on the free list. It is necessary in the preparation of dyes. It is proposed to put it on the dutiable list at 10 per cent ad valorem. It is not a competitive article, and it ought to remain on the free list, in my opinion.

Mr. HARRISON of New York. Mr. Chairman, I hope the amendment offered by the gentleman from Illinois will not prevail. He has stated the fact correctly that this article has been removed from the free list and put on the dutiable list at 10 per cent ad valorem. It is purely a revenue proposition. We expect to get \$65,000 in duties by placing a tax on alizarin. At the same time, it is only fair to say that eventually it is probable that both alizarin and indigoes in which the synthetic manufactures have already displaced the natural product will themselves be replaced by other coal-tar derivatives. So as a revenue proposition it is probable that it will operate to our advantage only for a few years. At the same time, it would be utterly inconsistent for us in rearranging the coal-tar color schedule to leave the highly finished product on the free list and tax the raw material. As we have the matter arranged, coal tar is on the free list, and the derivatives, creosote and anthracene oil, are on the dutiable list at 5 per cent.

The next highest products which I am unable personally to pronounce are taxed at 10 per cent, the next at 15, and the next at 25 per cent, which is a reduction in the rates of 30 per cent, as stated by the gentleman from Connecticut [Mr. HILL]. In this connection I will say to the gentleman from Connecticut that I do not suffer from the charge of inconsistency which he made, because three years ago I moved to place back upon the tax list these same unpronounceable subjects upon the statement which was correct then and is correct now, that they are not raw materials, but are intermediate products; in other words, they are halfway finished products, and should bear their just proportion of taxation.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of New York. Certainly.

Mr. HILL. Why does the gentleman change his mind now and put them on the dutiable list, when three years ago he was in favor of putting them on the free list?

Mr. HARRISON of New York. The gentleman misunderstands me. Three years ago I was in favor of taking them off the free list and putting them on the dutiable list, and I made some remarks upon the subject in the House at that time.

Mr. HILL. Oh, I understood the gentleman to state just the other way.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of New York. Yes.

Mr. LONGWORTH. Mr. Chairman, in line with the remarks of the gentleman from Alabama [Mr. UNDERWOOD] a moment ago, and in order to save time, I would suggest to the gentleman from New York [Mr. HARRISON] in hereafter prefacing his remarks in opposition to amendments offered on this side of the House that he omit the words "I hope that the amendment will not be agreed to," because the gentleman knows that it can not pass. He knows that no amendment offered by anyone except a member of the committee can pass, because the Democratic caucus has so decreed. Therefore, in the interest of saving time, I suggest that he omit those words. [Laughter.]

Mr. HARRISON of New York. Mr. Chairman, I am glad that the gentleman from Ohio has admitted that he is without hope. He is gradually realizing that he is in the minority.

Mr. HUGHES of New Jersey. That is what makes him wild.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 48, noes 53.

So the amendment was rejected.

Mr. RUCKER of Colorado. Mr. Chairman, I move to strike out the last word. I would not thrust myself into this debate but for the fact that I am able to do so with less trepidation than I have heretofore experienced when other bills emanating from the Committee on Ways and Means were before this House, and because also of the fact that what I do not know about this bill would fill several volumes. I have less trepidation in addressing myself to this paragraph for another reason, namely, that I have had time to hear from Colorado, where the women vote, and therefore necessarily have commensurately more knowledge about things in general than have women who come

from States where equal suffrage is not allowed. Mr. Chairman, I have heard no complaint from home that the tax on peroxide has been reduced only 10 per cent in this bill. Of course, in Colorado, where the women are so beautiful, they do not need to use it, and they are so intelligent they condemn the use of it anywhere as it was formerly another argument in favor of women who enjoy equal suffrage. [Applause.] But I want to say that there is another use to which peroxide is put—of course, unknown to the committee. Being honored by a membership in the National Stock Growers' Association, I want to say that this committee has favored us stock growers in this bill, because peroxide is used in beautifying our horses by bleaching their tails and manes, thus adding 25 per cent to the value of a chestnut horse just as soon as the peroxide is applied. [Laughter.] Therefore, Mr. Chairman, I congratulate the Committee on Ways and Means on account of this reduction as well as rebuke them for not putting peroxide upon the free list, because I tremble for my Democratic friends from other States when it filters through the brains of their women folks that they have been so neglectful of their duty as to put any tax whatever upon that necessary chemical. [Applause and laughter.]

I withdraw the pro forma amendment.

The Clerk read as follows:

7. Alumina, hydrate of, or refined bauxite; alum, alum cake, patent alum, sulphate of alumina, and aluminous cake, and all other manufactured compounds of alumina, not specially provided for in this act or in the first section of the act cited for amendment, 15 per cent ad valorem.

Mr. CATLIN. Mr. Chairman, I move to strike out the last word. As the effect of the tariff decrease in this section will be to bring about a cessation of the manufacture of a great many of the articles now produced by the chemical companies of this country, I send to the Clerk's desk a letter I have received from the head of one of the largest chemical works of this country, and situated in the district which I have the honor to represent. This letter explains some of the effects the bill will have upon the chemical productions of the country, and I ask that the Clerk read it, omitting the extraneous passages which I have erased.

The Clerk read as follows:

MALLINCKRODT CHEMICAL WORKS,
St. Louis, February 17, 1912.

HON. THERON CATLIN,
United States House of Representatives, Washington, D. C.

DEAR THERON: We are manufacturing a large line (some 500 items) of medicinal, photographic, and other fine chemicals, and the present duty on the products, with a few exceptions, is covered by the 25 per cent ad valorem schedule. If you will compare this rate of duty with the rate imposed on the products of textile, iron, and other industries you will find that the rate is comparatively small. Considering that in the other larger industries production is mostly through machinery, while our products are the result of handwork by skilled laborers and chemists, the unjust discrimination against us will become apparent, and it is a fact that the importation of German chemicals has been steadily increasing for a number of years and that American manufacturers find it difficult, even with a 25 per cent ad valorem duty, to compete. The higher cost of not only labor but of most materials, and all things that enter into the making up of a manufacturing plant more than offsets the 25 per cent ad valorem. Every article of machinery, porcelain, stoneware, etc., which we import pays a duty of 50 to 75 per cent, and these articles are left unchanged in the present Underwood bill. If the ad valorem duty of 25 per cent on chemicals is reduced to 15 per cent, as contemplated under section 7 of the Underwood bill, we shall have to discontinue the manufacture of a large number of articles and become importers.

Section 8 reduces the duty on ammonium carbonate from 1½ cents to 2 cents per pound and anhydrous ammonia from 5 cents per pound to 2½ cents per pound. The present duty on ammonium carbonate is barely sufficient protection, and large quantities of the English article are imported. A duty of only 2½ cents per pound on anhydrous ammonia will give the foreign manufacturers an opportunity to compete successfully in this country with American manufacturers.

Section 16 reduces the ad valorem duty on calomel and other mercurials, from 35 per cent to 15 per cent ad valorem. As the duty on mercury, from which these preparations are made, is 7 cents per pound, the change would result in turning the market over to the foreign manufacturers.

Strychnine and salts now pay a duty of 15 cents per ounce and are placed on the free list. This action would certainly give the foreign manufacturers the advantage over Americans. Why this article, which is so difficult to manufacture, should be singled out for such unwarranted treatment I am unable to understand. The duty on strychnine, in my recollection, has been successively reduced under the different tariff revisions from \$1 per ounce to 15 cents under the Payne-Aldrich bill and the latter protection is certainly disproportionate to the protection afforded other and much more important articles.

I shall be obliged to you for any efforts you may make in our behalf, and with best regards, remain

Very sincerely, yours,

EDWARD MALLINCKRODT.

The CHAIRMAN. Without objection the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

9. Argols or crude tartar or wine lees crude or partly refined, containing not more than 90 per cent of potassium bitartrate, 10 per cent ad valorem; containing more than 90 per cent of potassium bitartrate, cream of tartar, and Rochelle salts or tartrate of soda and potassa, 2½ cents per pound.

Mr. MANN. Mr. Chairman, I offer an amendment.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amend, page 3, lines 14, 15, and 16, by striking out the words "argols or crude tartar or wine lees crude or partly refined, containing not more than 90 per cent of potassium bitartrate, 10 per cent ad valorem," and insert in lieu thereof the following: "Argols or crude tartar or wine lees crude, 5 per cent ad valorem; partly refined, containing not more than 90 per cent of potassium bitartrate, 10 per cent ad valorem."

Mr. MANN. Mr. Chairman, argols being sediment which collects in wine casks is not a manufactured article, and, of course, does not come in competition to any extent with any product of the United States. The present tariff is 5 per cent ad valorem. It is proposed by this bill to raise the tariff to 10 per cent ad valorem. It is used in the manufacture of cream of tartar for baking-powder purposes. It is proposed by the bill to reduce the tariff on cream of tartar from 5 cents a pound to 2½ cents a pound, cutting both ways. We imported last year nearly 30,000,000 pounds of these argols or crude tartar. Under the provisions of this bill, I think, it is unquestionable that instead of importing the crude tartar from southern Europe they will import the finished product, cream of tartar, and to that extent deprive our industries of the business of refining the tartar into cream of tartar.

Mr. MARTIN of South Dakota. I will suggest to the gentleman whether that is not applicable to a great deal of this bill.

Mr. MANN. That same condition runs through many parts of this bill.

Mr. MARTIN of South Dakota. In other words, it is a revision of American industries downward.

Mr. MANN. Well, it is a striking of American industries downward. Now, the gentleman from New York asserted yesterday that the labor was very little in transferring the crude tartar into cream of tartar. It often happens that the particular labor of transferring a particular article into the finished product is not great, but you have to take into consideration all the labor in connection with the industry, which goes way beyond the mere labor of transferring the crude article into the finished product, because the labor of the country is also engaged in maintaining, in preparing, and in repairing the manufacturing establishments themselves where this work is performed, and that goes to make up the real labor employed in the work which the gentleman from New York has not included in his statement at all. The tariff on crude tartar under the Dingley law was 1 cent a pound, equivalent to about 10 per cent ad valorem, and on the finished product it was 6 cents a pound. In the Payne law we reduced the tariff on the raw article from 10 per cent to 5 per cent and reduced the tariff on the finished product. These gentlemen now propose to increase the tariff on the raw material and also decrease the tariff on the finished product, which means a practical abandonment of the industry in this country.

Mr. UNDERWOOD. Mr. Chairman, I will only take up the time of the committee for a few minutes, and this paragraph illustrates clearly as any in this bill the dividing line between a Republican tariff bill written in the interest of certain manufacturers and a Democratic tariff bill written in the interest of the Government and the consumer. Now, the gentleman is right when he says that we have raised the tax on the raw product and we have lowered the tax on the finished product.

The raw product will be paid for by the manufacturer. The tax on the finished product will be paid by the people; but in the way we have written this bill we will lower the tax to the consumer and we will raise more revenue for the Government.

I do not believe that this change is sufficient to destroy any industry in this country, but it does make certain industries in this country pay a tax themselves that is now being borne by the consumer. The Republican Party has always believed in the doctrine, as far as it was carried out, of untaxing the manufacturer absolutely and putting the entire burden of taxation on competitive articles that the consumer had to pay.

In this bill the imports of argols, out of which cream of tartar is made, amounted to nearly 30,000,000 pounds last year under the Payne bill. The imports of cream of tartar amounted to only 23,000 pounds. The manufacturer brought in thirty millions of raw materials untaxed out of which to make a profit. He had so prohibitive a tariff that there is practically no competition, and the Government opened the door for his raw material, and then under the Payne bill gave him a prohibitive tariff and allowed him, behind that wall, to tax the American people.

Mr. BUTLER. Mr. Chairman, will the gentleman enlighten me? Like all the rest of us benighted Republicans, I am in the dark. Suppose the result of this schedule is this, that the

manufactured article should be imported, will we not lose the revenue?

Mr. UNDERWOOD. Why, I expect to have more of the manufactured article imported. I am free to say that I do not believe the American manufacturer is entitled to the undisputed right to the American market. If you do that you can not collect revenue at the customhouse. You must allow some importations or the Government can not raise revenue.

Mr. BUTLER. But the gentleman and his committee have imposed the duty upon the raw material, I understand.

Mr. UNDERWOOD. Certainly.

Mr. BUTLER. And we will not get the duty if we do not import the raw material?

Mr. UNDERWOOD. Why, certainly—

Mr. BUTLER. It may be cheaper to import, as I see it.

Mr. UNDERWOOD. Of course, we expect some amount of raw material to come in as before, because it is needed, but the manufacturer out of his profit will pay that tax to the Government. Now, does not the gentleman believe that the great manufacturing interests of this country, who have the benefit of a protective tariff, either incidentally or direct, are entitled to pay all the tax to the United States Government?

Mr. BUTLER. We all should pay some of the taxes.

Mr. UNDERWOOD. That is what we are proposing in this paragraph to do, namely, to make them pay some of the Government taxes.

Mr. BUTLER. The gentleman and his committee have made what I understand is a revenue measure—

The CHAIRMAN. The time of the gentleman from Alabama [Mr. UNDERWOOD] has expired.

Mr. BUTLER. Does the gentleman want more time? I have occupied some of it.

Mr. UNDERWOOD. I do not wish any more time, because I expect to object to anybody else taking more than five minutes.

Mr. MONDELL. Mr. Chairman, I am glad we have reached a time when the leader of the Democratic Party has admitted that there are tariff duties which the ultimate consumer does not pay. That is my interpretation of the statement he has just made. There are many duties which the ultimate consumer does not pay. The trouble with the gentleman's logic in this case is that it is faulty, as it is in all other matters connected with the tariff, for the duty which he now suggests that the ultimate consumer does not pay is just the duty that he must pay in the nature of things. The gentleman talks about making a manufacturer pay duty and bear the burden of a duty on a noncompetitive article, as though you could load on a manufacturer and retain on the shoulders of a manufacturer the duty on a noncompetitive article used by him in his manufacturing processes. If there is any duty on earth that must in the end be paid by the ultimate consumer, that is the duty. And what the Democratic majority does in this bill is to place directly on American consumers an added burden by increasing the duty on noncompetitive articles of manufacture now on the free list. The increased cost passes from the manufacturer to the consumer with accretions—and I thank my friend from Iowa [Mr. Goob] for the suggestion—and generally with very considerable accretions, whereas the duties we believe in are duties on competitive articles. The history of our industries has proven beyond a question that in the majority of instances the duties paid on competitive articles are borne by the foreign importer, that the competition here by the American producer of like articles compels the foreign importer to pay a large portion of that duty in order to have the benefit of that market.

All through this bill are increases in the burdens that must fall beyond a question on the ultimate consumer, for they are added burdens upon noncompetitive articles, upon articles the like of which we do not produce, articles which we must have in order to manufacture other articles which the people use; and therefore every additional burden made in this bill, all of the tariff taxes made on the \$43,000,000 worth of articles taken from the free list—every penny of it—must be borne directly by the American consumer, and we are ready to go to the country on that proposition. [Applause on the Republican side.]

Mr. HARDY. Mr. Chairman, I wish to make just a few remarks in connection with the pending proposition. The gentleman from Alabama [Mr. UNDERWOOD] has stated that there are some duties that the consumer does not pay under certain circumstances. Some gentlemen on the other side seem to think that that would be contrary to Democratic teaching. It has always been the contention of the Democratic Party that the duty paid by the consumer was the duty on the product as it went to him—the duty on the finished product. It has always been understood that any duty on the raw material must be paid by the manufacturer, but that the manufacturer is compensated

by the duty on the finished product. If you reduce the duty on the raw material and do not reduce the duty on the finished product, you do not benefit the consumer—you benefit the manufacturer.

Mr. Chairman, all who want to know and understand do know and understand that when the Committee on Ways and Means reduced the tax on cream of tartar, the finished product, they reduced the price to the consumer; and that if they had let the tax remain the same on the finished product, the cream of tartar, it would not have affected the consumer, whether the duty on the raw material was raised or lowered. The fact that they do put a tax on the raw material does not affect the consumer, unless they on that account increase the tax on the finished product.

The Committee on Ways and Means found this condition: 30,000,000 pounds of argol was imported into this country and used in the manufacture of cream of tartar, upon which little revenue was collected. A high prohibitive tax was then put on cream of tartar, but only 23,000 pounds of cream of tartar, or less than one thousandth part of the amount manufactured, was imported under that duty fixed by the Payne bill. That amount of this great commodity of common use was practically nothing. So that while cream of tartar was by this high tax increased greatly in price to the consumer there was no revenue to the Government. Now, when they increase the duty on the argol, if anything like the same amount is imported, there will be a revenue—and a good revenue—derived from that source to the Government, and if perchance by reason of the reduction of the duty on cream of tartar, the finished product, an appreciable amount of the finished product is imported into this country, instead of 23,000 pounds, a negligible quantity, there will be some revenue coming from that; so that the result of this legislation will be to give additional revenue to the Government, to give a decreased price to the consumer, and yet to afford an ample protection—not a robber's protection, but an ample protection—to the manufacturer. [Applause on the Democratic side.]

Mr. AUSTIN. Mr. Chairman, in reply to the statement made by the gentleman from Texas, I wish to call attention to the fact that this same Committee on Ways and Means took a so-called raw material—iron ore—off the dutiable list and placed it on the free list. They took that revenue of about \$280,000 away from the Treasury of the United States and made a present of it to certain iron makers in the East.

Now, why is it that you are transferring here from the free list to the dutiable list a raw material under this paragraph, when in a previous bill, covering the metal schedule, you took a raw material off the dutiable list, bringing a revenue to the Treasury Department, and put that on the free list? Why does not the rule work both ways?

Mr. MONDELL and Mr. HARDY rose.

Mr. HARDY. Does the gentleman wish an answer?

Mr. AUSTIN. Certainly.

Mr. MONDELL. Will the gentleman yield to me for a question right there?

The CHAIRMAN. To which gentleman does the gentleman from Tennessee yield?

Mr. AUSTIN. I will yield first to the gentleman from Texas.

Mr. HARDY. My understanding is that the condition was entirely different. It was understood that this iron ore in this country was controlled by a trust and that its price was dictated and dominated by the Steel Trust.

Mr. AUSTIN. Mr. Chairman, it may have been understood by the gentleman from Texas that a trust controlled the entire output of iron ore in this country, but the testimony taken before committees of this House does not bear out that understanding or statement.

The gentleman's State of Texas is certainly rich in iron ore, and I ask him whether the great fields of iron ore in that State are controlled by the Steel Trust? I am sure they are not so controlled in the State I represent and in many other Southern States that are represented on the floor of this House.

Mr. HARDY. If the gentleman will permit me, I will say that the question of how much control the Steel Trust and allied interests have over the iron-ore supply of this country may be a subject of controversy, but my understanding is that the evidence was that they owned something over 60 per cent and that they absolutely dominated the situation.

Mr. AUSTIN. The testimony showed that they owned about 32 per cent.

Mr. HARDY. That is the gentleman's understanding of the testimony.

Mr. AUSTIN. That is the testimony.

Mr. HARDY. My understanding is the other way. It is a question of a difference of understanding.

Mr. AUSTIN. But you transferred iron ore to the free list, and took from the Treasury this income of \$280,000 for the benefit of three trusts, the Pennsylvania Steel Trust, the Bethlehem Steel Trust, and the Maryland Steel Trust. They have no monopoly upon the iron ore of this country, but they have an absolute monopoly of the iron ore from the ore fields of Cuba, where they mine it with cheaper labor than we do in this country.

Mr. BUTLER. They own no iron ore in this country.

Mr. HARDY. I wish to say that instead of it being for the benefit of the trusts, it would operate for the benefit of the independent man who might use some lower-priced iron ore in competition with the trusts. If the trusts paid a tax on the iron ore, they would get it handed back on their exportation of iron products under our draw-back law, while the independent man would have to pay the duty.

Mr. AUSTIN. Then, the so-called independent concerns whom you are seeking to relieve by your legislation are the Pennsylvania Steel Trust, the Bethlehem Steel Trust, and the Maryland Steel Trust?

Mr. HARDY. That is the gentleman's statement; he is absolutely wrong.

Mr. AUSTIN. They are just as much monopolies or trusts as the United States Steel Corporation.

Mr. HARDY. That is the gentleman's statement of it; they may be and doubtless are trusts, and in alliance with the Steel Trust. We did not put iron ore on the free list for the benefit of the Bethlehem Steel Trust and Maryland Steel Trust, but for the benefit of the small manufacturer not in alliance with the Steel Trust.

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that debate on this paragraph be now closed.

Mr. MANN. I should like five minutes.

Mr. UNDERWOOD. Then I will ask unanimous consent that debate on this paragraph close in five minutes, that time to be controlled by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on this paragraph close in five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, the gentleman from Alabama [Mr. UNDERWOOD], in his remarks, assumes that you can increase the cost of the raw material to the manufacturer and decrease the price of the finished product, without in any way affecting the industry. I do not propose to argue that question, because to a mind so constituted that it is not a self-evident proposition argument would probably be of no avail. [Applause on the Republican side.] But we have an illustration of the situation in this very item itself. On cream of tartar it is now proposed to increase the cost of the raw material and to decrease the tariff on the finished product. Cream of tartar itself has a history in tariff legislation, which history is instructive. Under the Dingley tariff law the duty on cream of tartar was 6 cents a pound, and there was imported in 1909—I take the figures given in the report of the committee—a total of 399 pounds. That was under a tariff of 6 cents a pound, practically a prohibitive tariff. The Payne law reduced the duty from 6 cents a pound to 5 cents a pound, and in one year the importations jumped from 399 pounds to 116,278 pounds. Reducing the tariff 20 per cent, from 6 cents a pound to 5 cents a pound, brought us in competition with cream of tartar made abroad and greatly increased the importations. While this was done we decreased the tariff on raw material. We reduced the tariff on crude tartar at the same time that we reduced the tariff on the finished product, cream of tartar.

And yet, in spite of that, the reduction of the tariff of 1 cent a pound on cream of tartar resulted in a large importation into the country. It is now proposed in one paragraph to increase the tariff on the raw material 100 per cent and to reduce the tariff on the finished product from 5 cents a pound to 2½ cents a pound.

Mr. HARRISON of New York. Will the gentleman yield for a question?

Mr. MANN. In a moment I will. Now, no one can tell how much importations will be increased. It is true that the importations in 1910 of 116,000 pounds was on the basis of 8½ cents a pound. The price of cream of tartar abroad went up, and the importations of 1911 were 23,000 pounds, on a basis of 14½ cents a pound, while the average cost in the United States at the same time was 18½ cents a pound, 4 cents a pound more than the imported article cost, even after the price had gone up abroad. That means ruination of the industry of the United States.

Now I will yield to the gentleman from New York.

Mr. HARRISON of New York. Is the gentleman from Illinois aware of the fact that the process of refining argols consists of dissolving them in hot water, filtering them, and putting crude and refined on the same ad valorem basis will still leave the manufacturer a margin of good profit?

Mr. MANN. I am aware that that is not all there is in the process from the crude tartar to the cream of tartar. There are several processes in between. There are several provided for in this very paragraph between the crude tartar and the cream of tartar. The gentleman from New York assumes without information on the subject that crude tartar is instantly transferred into cream of tartar. This means ruination; that is your policy, and we protest against it. [Applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was lost.

The Clerk read as follows:

10. Balsams: Copaiba, fir or Canada, Peru, tolu, and all other balsams, which are natural and uncompounded and not suitable for the manufacture of perfumery and cosmetics, if in a crude state, not advanced in value or condition by any process or treatment whatever beyond that essential to the proper packing of the balsams and the prevention of decay or deterioration pending manufacture, 10 per cent ad valorem; if advanced in value or condition by any process or treatment whatever beyond that essential to the proper packing of the balsams and the prevention of decay or deterioration pending manufacture, 15 per cent ad valorem; all the foregoing not specially provided for in this act or in the first section of the act cited for amendment: *Provided*, That no article containing alcohol shall be classified for duty under this paragraph.

Mr. MANN. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Amend, by striking out of page 3, lines 22 to 25, inclusive, and on page 4 down to and including the semicolon, line 2, reading as follows: "10. Balsams: Copaiba, fir or Canada, Peru, tolu, and all other balsams, which are natural and uncompounded and not suitable for the manufacture of perfumery and cosmetics, if in a crude state, not advanced in value or condition by any process or treatment whatever beyond that essential to the proper packing of the balsams and the prevention of decay or deterioration pending manufacture, 10 per cent ad valorem; if advanced in value or condition by any process or."

And inserting in lieu thereof the following:

"Balsams: Copaiba, fir or Canada, tolu, and all other balsams."

Mr. MANN. Mr. Chairman, my amendment proposes to retain on the free list balsams in their crude state. They are now on the free list. It may be well to say that in this amendment I have offered, and others which I shall offer, to strike out of the dutiable list articles now on the free list, if they would be agreed to, would result in leaving them on the free list under the free-list provisions of the Payne law.

This bill undertakes to substitute these provisions for the provisions of Schedule A of the Payne law. That schedule does not include a free list. Striking an item out of this bill on the dutiable list which is now on the free list of the Payne law will leave that item on the free list under the free-list provision.

This is a medicinal article to a large extent, noncompetitive, a crude material. Yet it is proposed to transfer it from the free list to the dutiable list in the interest of the people. How absolutely absurd gentlemen can get when they talk about "the interests of the people"!

Mr. HARRISON of New York. Mr. Chairman, the bill proposes to place upon the taxable list these balsams which were heretofore free, and we expect to derive a revenue of \$11,700 by so doing. These balsams are chiefly used in the manufacture of perfumes, cosmetics, and patent medicines; they used to be prescribed by physicians pretty generally—

Mr. BUTLER. And used for making cough medicines.

Mr. HARRISON of New York. And for cough medicines. Nowadays physicians prescribe medical compounds, and these articles go into the preparation of patent medicines. The flavoring extracts which are sold as patent medicines are very high priced, and it is not believed that imposing a 10 per cent ad valorem duty on the materials of manufacture will materially increase the price to the consumer, but in any event it is purely a revenue measure and will produce nearly \$12,000 in revenue.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of New York. Yes. Mr. Chairman, I ought to state that I erred in saying these balsams were used in the preparation of perfumes, because those are taxed in another paragraph of the bill. These balsams are used in manufacturing patent medicines.

Mr. BUTLER. Principally cough medicines.

Mr. LONGWORTH. Mr. Chairman, I want to ask the gentleman, Who has made the estimate of the value of imports under this bill?

Mr. HARRISON of New York. I will say to the gentleman that they were prepared by a clerk of the Committee on Ways

and Means in collaboration with an expert from the Treasury Department.

Mr. LONGWORTH. From the Tariff Board?

Mr. HARRISON of New York. No; from the Treasury Department.

Mr. LONGWORTH. I want to ask the gentleman this question. Referring to this specific item, I observe that as to the first three of these balsams it is estimated that the imports will be less under a duty of 10 per cent than heretofore, but as to the last two items it is estimated that the imports will be larger under a duty of 10 per cent than heretofore. I would ask the gentleman why?

Mr. HARRISON of New York. If the gentleman will look not at the year 1911 alone, which was not a normal year, but will examine the average of preceding years, he will correct his statement. It is natural to suppose that the imposition of a tax will slightly restrict importations.

Mr. LONGWORTH. But I find in the estimates of the committee that, for instance, the value of the imports in 1911 of tolu was three thousand and odd dollars, and under this bill, under a 10 per cent duty, it is estimated they will be \$5,000. Does the gentleman mean that they have gone back over a number of years and estimated the values under those years?

Mr. HARRISON of New York. Yes.

Mr. MANN. Mr. Chairman, the gentleman from New York [Mr. HARRISON] who prepared this bill, is very likely the best-informed man in the House on the subject of the chemical schedule and the chemical items of which it consists. Yet it is a queer illustration of the methods of legislation when the gentleman from New York, who drafted the bill, who passed the bill through the caucus and through the Committee on Ways and Means, and who is its defender upon the floor, in answer to the amendment which I offered concerning these balsams, states that they were used principally for the preparation of cosmetics and perfumery, and did not know differently from his own information upon the subject, and did not state differently until an outsider, who I am glad to see upon the floor of the House though in contravention of the rules of the House, gave him the information.

Mr. HARRISON of New York. Oh, Mr. Chairman, I think the gentleman from Illinois is mistaken in saying that the presence upon the floor of this gentleman is in contravention of the rules, because he appears here as a clerk of the Committee on Ways and Means.

Mr. MANN. He is an employee of the Government and can not be both.

Mr. DALZELL. Mr. Chairman, I beg the gentleman's pardon. The Committee on Ways and Means has never elected the gentleman a clerk. No member of the Committee on Ways and Means can select any clerk for that committee.

Mr. MANN. Mr. Chairman, I have no objection to the gentleman being on the floor.

Mr. DALZELL. Nor have I, but I object to the gentleman from New York making the statement he has made.

Mr. MANN. He could not occupy both places under the law. However, I am glad that the gentleman was here to correct the gentleman from New York, because I would hate to have it go out to the country that the gentleman from New York, the only man on the Democratic side of the House who pretended to know anything about the chemical schedule, did not know that these balsams were not used for perfumery or cosmetics, but were used only for medical purposes. It is no wonder that we have bills of this kind presented to the House when gentlemen who draw them know neither what is in them nor about the subjects which they contain. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

23. Coal-tar products known as dead and creosote oil, soluble and sulfonated dead and creosote oil, anthracene and anthracene oil, benzol, naphthol, resorcin, toluol, xylol; all the foregoing not medicinal and not colors or dyes, 5 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 6, lines 15 to 19, by striking out the following:

"23. Coal-tar products known as dead and creosote oil, soluble and sulfonated dead and creosote oil, anthracene and anthracene oil, benzol, naphthol, resorcin, toluol, xylol; all the foregoing not medicinal and not colors or dyes, 5 per cent ad valorem."

Mr. MANN. Mr. Chairman, these coal-tar products are now on the free list. The Agricultural Department of this Government for years has been making investigations and publishing the results of those investigations, urging that the results be followed in the preserving of railroad ties and other woods

which are in common use for fence posts, telegraph and telephone poles, and a great many other ways in which wood is used, to dip the wood in various ways in this dead creosote oil.

We have been trying to educate the users of this timber in the country, rapidly disappearing, to prolong its life by preserving it through the use of these materials. The extensive use of this dead creosote oil has only recently come into practice. We are trying on the one hand to get people to make use of it. It was put on the free list so that it might be presented as cheaply as possible. We consume enormous quantities of our forest products in the mere matter of railway ties. Various railroads are now trying, on the urging of the Agricultural Department, to preserve the railroad ties by the use of this dead creosote oil, and now it is proposed to transfer this item from the free list to the dutiable list and require every ounce of it that comes into the country to pay a duty on the theory that the Government needs it for revenue. We spend twice as much every year in the Agricultural Department trying to encourage people to make use of it as the revenue derived from it will amount to. There is no excuse for putting a tariff upon this product, a by-product not in competition with other products, thereby discouraging its use by increasing its price.

Mr. HARRISON of New York. I ask unanimous consent that the amendment may be again reported.

The amendment was again reported.

Mr. HARRISON of New York. Mr. Chairman, under the Payne law creosote oil was on the tax list at 20 per cent ad valorem. By a decision of an official of the Treasury Department creosote oil was reclassified and placed upon the free list. The subject has been one of much political discussion, and I do not propose to entertain the committee now with a further rehearsing of the matter; but creosote oil at a 5 per cent ad valorem rate, it is calculated, will produce \$115,000 worth of revenue, and more revenue, in addition, will be derived from naphthol, and perhaps from some of the other subjects mentioned in paragraph 23 of our bill. I have already several times stated the basis or methods upon which we have rearranged the taxes on coal-tar products. Creosote oil and anthracene oil are among the primary coal-tar products, and we have put them at the lowest rate of tax that we have imposed upon any of the coal-tar products.

Mr. MANN. Mr. Chairman, the gentleman says that creosote oil was on the dutiable list under the Payne law. Paragraph 536 of the Payne tariff law, giving the items in the free list not on the dutiable list, includes coal tar, crude, pitch of coal tar, and products of coal tar known as dead or creosote oil, and a long list of other articles which have been now transferred under the various paragraphs of this bill from the free list to the dutiable list. What is the use of the gentleman saying that it was on the dutiable list under the Payne law?

The CHAIRMAN. The question is upon agreeing to the amendment.

The question was taken; and the Chair announced the ayes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 45, noes 62.

So the amendment was rejected.

The Clerk read as follows:

24. Coal-tar products known as anilin oil and salts, toluidin, xylidin, cumidin, binitrotoluol, binitrobenzol, benzidin, tolidin, dianisidin, naphthylamin, diphenylamin, benzaldehyde, benzyl chloride, nitro-benzol and nitrotoluol, naphthylaminsulfoacids and their sodium or potassium salts, naphtholsulfoacids and their sodium or potassium salts, amidonaphtholsulfoacids and their sodium or potassium salts, amidosalicylic acid, binitrochlorbenzol, diamidostilbendisulfoacid, metanilic acid, paranitranilin, dimethylanilin; all the foregoing not medicinal and not colors or dyes, 10 per cent ad valorem.

Mr. AUSTIN. Mr. Chairman, I demand an explanation of this paragraph which has just been read.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out of lines 20 to 25, page 6, and lines 1 to 5, inclusive, page 7, the following:—

"24. Coal-tar products known as anilin oil and salts, toluidin, xylidin, cumidin, binitrotoluol, binitrobenzol, benzidin, tolidin, dianisidin, naphthylamin, diphenylamin, benzaldehyde, benzyl chloride, nitro-benzol and nitrotoluol, naphthylaminsulfoacids and their sodium or potassium salts, naphtholsulfoacids and their sodium or potassium salts, amidonaphtholsulfoacids and their sodium or potassium salts, amidosalicylic acid, binitrochlorbenzol, diamidostilbendisulfoacid, metanilic acid, paranitranilin, dimethylanilin; all the foregoing not medicinal and not colors or dyes, 10 per cent ad valorem."

Mr. MANN. Mr. Chairman, these very important articles, important especially judging from their names, are now upon the free list, and it seems to me that they ought to remain upon the free list. The effect of my amendment is to strike them out of the dutiable list and they will then remain on the free list under the provisions of existing law. It is true that the gentleman from New York has frequently explained that it is

the purpose of his side of the House to place coal-tar products upon the dutiable list. These coal-tar products are, in the main, by-products and basic products for the manufacture of other important articles. You do not encourage industry in our country by putting a tariff duty upon these basic or crude products. You do encourage industry in our country by admitting them free of duty so that they can be used for the manufacture of other articles in our country, and, as the gentleman from New York has frequently stated that it has been their policy to place a duty upon these coal-tar products, basic articles, I say it is our policy to endeavor to build up the industries of our own country rather than the industries of countries foreign to our shores. [Applause on the Republican side.]

Mr. HARRISON of New York. Mr. Chairman, the latter half of these unpronounceable products were formerly taxed at 20 per cent, and the Payne law put them on the free list. They are not free raw materials. They are intermediate products, partly finished products, and it is a fair surmise that they were put on the free list in the Payne law simply for the benefit of one manufacturer in my State, who, with very little labor, assembles these products and has been selling them under a protective duty of 30 per cent ad valorem on his finished products. It seems to me, and it seemed to me three years ago, that these are very proper subjects for taxation, and the low rate of 10 per cent which we have placed upon them, it is expected, will produce a revenue of \$167,500. I hope the amendment will not prevail.

Mr. MANN. Mr. Chairman, it is true that a portion of these products are articles which were upon the dutiable list under the Dingley law. In the revision of that law by the Payne law they were placed upon the free list. The gentlemen on that side of the aisle have kept the air throughout the country in continual commotion telling how we failed to reduce the tariff in the Payne law as we had promised to do, and yet we find them attempting to take articles which we had taken off the dutiable list and placed on the free list under the Payne law and putting them on the dutiable list on their claim that they have the country behind them, because we did not sufficiently reduce the tariff downward in the Payne law. That is real logic for you.

Mr. HILL. Mr. Chairman, I would like to ask the gentleman from New York if any of these articles are manufactured in the United States, practically?

Mr. HARRISON of New York. I believe very few, if any, of them are.

Mr. HILL. The effort made three years ago to develop the further industry beyond these first derivatives was an honest one. I will tell the gentleman from his own report why they are not manufactured in the United States. If the gentleman will look on page 4, he will find the rate of wages and salaries paid by the American chemical industry to all its employees, and if he turns to page 370, which is a part of the glossary prepared by the Tariff Board, he will find that in the competitive industry in Germany, taking the salaries of all the insured employees, which included salaries as high as \$1,400, the actual wages paid in Germany in the manufacture of all these chemicals average \$291.55 per year per employee, as against \$738 per annum paid in the United States in making the same articles. It seems to me that that is a pretty fair reason for their not being made in the United States and for their being made in Germany. It is impossible under existing conditions, and in all probability will be for the next 20 or 25 years, to make these articles in the United States. So you are simply putting a burden upon the people of the United States during that time by taxing these raw materials.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Cobalt, oxide of, 10 cents per pound.

Mr. GILLET. Mr. Chairman, I move to strike out the last word. This bill, like all other important measures, is brought into this House as the product of a secret Democratic caucus, which bound all Democrats to vote for the bill and against all amendments. So, while the gentleman from Alabama [Mr. UNDERWOOD], with his bland and benevolent manner, pretends to give us liberal opportunity for debate and amendment, he knows and we know that both are absolutely useless and ineffective here, for the most convincing arguments and the most necessary and attractive amendments will go down to defeat before the solid, deaf vote which is pledged in advance against them.

Both debate and amendments are a farce, and your side of the House, which has declaimed so much in recent years about the need of personal independence here and the dangers of arbitrary power, is crushing out all individual influence and eff-

ciency in a manner unexampled in my experience. The country, I think, was persuaded by you that the power of the Speaker had grown so great that it was impairing the individual responsibility of Members; but I think the country will be even more strongly and indignantly convinced that responsibility for all important legislation should not be shifted to a party caucus, but that the proper place for effective debate and discussion and amendment is the open House and not the secret caucus of one side of the House. But history is only repeating itself, and I trust the results also will be repeated.

Mr. SHACKLEFORD. I would like to ask the gentleman what is his opinion on that subject?

Mr. GILLET. I will tell you before I get through.

Mr. SHACKLEFORD. You would not be willing to give me a categorical answer now as to what your opinion is on that subject?

Mr. GILLET. My opinion is against the present conduct of the House. But I am going to give some authority that will go much farther, both with the gentleman and with the committee, than anything I can say. As I said, history is simply repeating itself, and the conduct of the Democratic Party to-day is simply following the precedent set by the Democratic Party 30 years ago. I chanced to be reading recently the works of one of the greatest statesmen and debaters and leaders who ever adorned this House—James A. Garfield—and I ran across this description of the conduct of the Democratic Party then. His words will not, I suppose, either please or influence that side of the House any more than they did when uttered, but they will carry weight to impartial and thoughtful minds, and public opinion will respond to them as it did before. He said:

I have been 16 years a Member of the House of Representatives, and in all that period I have never once known * * * the members of the Republican Party to bind themselves in a caucus to support any bill before Congress. I have seen it tried once or twice, but I have always seen dozens of Republicans spring to their feet and say, "We are free men and we will vote according to the interests of our constituents and the dictates of our conscience, and no caucus shall bind us." But the moment the Democratic Party got back into power again that moment they organized the caucus—the secret caucus, the oath-bound caucus; for in the recent extra session they actually took oaths not to divulge what occurred in caucus and to be bound by whatever the caucus decreed. And I have known man after man, who had before sworn by all the wicked gods at once that he would not be bound to vote for a certain measure, walk out of the caucus like a sheep led to the slaughter and vote for the bill that he had cursed. They brought forward bills at the extra session so full of manifest errors that when we pointed them out they would admit in private that they were errors which ought to be corrected, but they would say, "We have agreed to vote for it and without amendment, and we will." We pointed out wretchedly bad grammar in bills, and they would not even correct this grammar, because the caucus had adopted it. Now, therefore, gentlemen, the Congress of the United States is ruled by a caucus. It has ceased to be a deliberative body. It is ruled by secret caucus.

The conduct of the Democratic Party, which Garfield reproached, then, is exactly the conduct which the same Bourbon Democracy is repeating to-day, and I believe that the same conditions will produce the same results and that the voters of the country will repudiate and defeat those tactics now as they did before. [Applause on the Republican side.] The words of Daniel Webster are just as pertinent to-day as they were 90 years ago: "It is time to put an end to caucuses." [Applause on the Republican side.]

Mr. HEFLIN. I—

The CHAIRMAN. The gentleman from Alabama.

Mr. HEFLIN. I wish to speak to the pending amendment. Mr. Chairman, I have listened with amusement to the gentleman from Illinois [Mr. MANN] offering amendments to this chemical schedule that he does not understand—

Mr. MANN. How do you know? [Laughter on the Republican side.]

Mr. HEFLIN (continuing). Amendments containing names that he can not himself pronounce, and some amendments which, I think, should they be adopted, he would vote against the bill on the final passage. You have so little to talk about now that you harp on amendments that you do not believe in, and abuse the Democratic caucus. The Republican side of this House has been reduced to such a small minority that you have not enough to have a real caucus. [Laughter on the Democratic side.]

We have a real, live Democratic caucus, and it is bringing into this House measures that look to the greatest good to the greatest number. There are gentlemen on that side who recall the last, or Sixty-first, Congress, presided over by a Republican nominated in a Republican caucus, denounced by honest insurgents in this House, who charged that Members had to go with their hats in their hands to this Republican Speaker to get him to let them, in the name of their people, call up a bill for consideration by this House. When I look upon that side and see how, on account of your broken promises and faithlessness to the people, you have been repudiated, and that Speaker taken out of that chair and a Democratic Speaker placed in his stead,

and a majority on this side legislating in the interest of the people, I say again, Long live the Democratic caucus! [Applause on the Democratic side.]

About all you can say now is, "Confound the Democratic caucus." [Applause on the Democratic side.] The Democratic caucus has given you a great deal of trouble and will give you a great deal more. It has given us weapons with which to cut the dirt from under the feet of some of you who are offering amendments—gentlemen whose record on tariff reduction is such that the places that know you now will soon know you no more forever. [Applause and laughter on the Democratic side.]

The CHAIRMAN. The question is on the amendment.

The question being taken, the amendment was rejected.

The Clerk read as follows:

28. Drugs, such as barks, beans, berries, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, stems, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncompounded drugs and not edible and not specially provided for in this act or in the first section of the act cited for amendment, but which are advanced in value or condition by peeling, shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, 10 per cent ad valorem: *Provided*, That no article containing alcohol shall be classified for duty under this paragraph.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out lines 22 to 25, page 7, and lines 1 to 11, page 8, as follows:

"28. Drugs, such as barks, beans, berries, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums, herbs, leaves, lichens, mosses, nuts, nutgalls, roots, stems, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncompounded drugs and not edible, and not specially provided for in this act or in the first section of the act cited for amendment, but which are advanced in value or condition by peeling, shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture, 10 per cent ad valorem: *Provided*, That no article containing alcohol shall be classified for duty under this paragraph."

Mr. MANN. Mr. Chairman, these articles, crude drugs, are now on the free list under the existing Payne tariff law. It is proposed by this bill to take them from the free list and place them upon the dutiable list. If my amendment to strike them out of the dutiable list prevails, they will remain on the free list under the existing provisions of law.

I do not think it necessary to make an argument in favor of having crude drugs, wholly noncompetitive in character, upon the free list.

I do not wonder that my genial friend from Alabama [Mr. HEFLIN] chafes under the necessity of voting against amendments to leave these articles upon the free list. Not long since in the House the gentleman [Mr. HEFLIN] derided this side of the House because, he said, we had opposed placing agricultural implements on the free list. Within a few minutes after he made that speech I offered an amendment on the floor of the House to place these agricultural implements on the free list, and the gentleman from Alabama [Mr. HEFLIN] voted against it. [Laughter on the Republican side.] One moment he declaimed in favor of a proposition, and when called by an amendment backed water, reversing his position and voting against a proposition which, if he and others on that side of the House had voted for it, would now be in the metal-schedule bill.

I think it is going too far, Mr. Chairman, to place crude drugs upon the dutiable list, to lay a tax upon all the sick people of the country, and especially upon the gentlemen on that side of the House, who after the next election will be the sickest crowd you ever saw. [Laughter and applause on the Republican side.]

Mr. HARRISON of New York. Mr. Chairman, I listened yesterday to the entertaining argument of the gentleman from Illinois [Mr. MANN] practically to the same effect as the remarkable statement he has just made; but I think he is laboring under a real misapprehension as to the effect of paragraph 28 of our bill, which he now proposes by this amendment to strike out.

Paragraph 28 of our bill is substantially the same as the corresponding paragraph 20 of the Payne-Aldrich law, excepting that it reduces the tax upon these drugs when they are advanced in value or condition from a quarter of a cent a pound and 10 per cent ad valorem to a flat 10 per cent ad valorem rate; and it mentions the same drugs in paragraph 88, on page 22, of our bill as being on the free list, as they are now, when they are not advanced in value or condition.

The further difference in our paragraph from paragraph 20 of the Payne law is simply that we have defined what "ad-

vanced in value or condition" means, and we have made this further definition upon the suggestion of the officials of the New York customhouse, who represented to us that under the guise of coming in not advanced in value or condition, these drugs, barks, berries, and so forth, were being advanced in value or condition in foreign countries and sent in here free.

The gentleman from Illinois [Mr. MANN], in a very specious argument, yesterday said, "How could bark come in unless it is peeled?" It is not the bark that is peeled; it is the tree that is peeled. The bark is not peeled to advance it further in value. An example of the peeling meant by this bill is found, for instance, in the roots of the plant out of which they make Pond's Extract. If they send the roots of that plant here peeled, they are advanced in value or condition, especially so under our new definition of advancing in value, and it is for that purpose, and that purpose only, that we have made this definition. Crude drugs are still on the free list, the way they were before, while drugs advanced in value are defined as to what constitutes advancing in value, and the rates of taxation on them are reduced.

Mr. HEFLIN. Mr. Chairman—

Mr. MANN. Mr. Chairman—

The CHAIRMAN. The gentleman from Illinois.

Mr. MANN. I yield to the gentleman from Alabama.

Mr. HEFLIN. Mr. Chairman, I did not hear all that the gentleman from Illinois [Mr. MANN] had to say about an amendment that he offered some time ago to the steel schedule putting agricultural implements on the free list. We have occasionally in this House a piece of grim humor. That amendment regarding agricultural implements was a piece of grim humor on the part of the gentleman from Illinois.

Mr. MANN. It was.

Mr. HEFLIN. The Republican Party in this House has had 16 years in which to put agricultural implements on the free list, and during that time the men who toiled to make the stuff with which to feed the world have had to pay enormous taxes to the Implement Trust—taxes imposed by your party [applause on the Democratic side]; and when my party came in power in this House and gave you gentlemen on that side an opportunity to vote to put agricultural implements on the free list you opposed it. Now, when we bring in a tariff measure, revising the tariff schedule by schedule in our own way, we do not propose to allow you to embarrass us or endanger the passage of the bill by sticking in amendments that you yourselves do not believe in and would not vote for if they were adopted in Committee of the Whole. [Applause on the Democratic side.]

I am reminded of what occurred here once with the gentleman from Michigan [Mr. FORDNEY], who had the frankness to admit that when he offered an amendment to one of our tariff bills that he did so for the purpose of loading the bill down and then voting against it. [Laughter.]

Mr. MANN. Mr. Chairman, I should not have voted for the amendment I offered placing agricultural implements on the free list, but is that any reason why you should not vote for it, you who are in favor of it? [Applause on the Republican side.]

Mr. HEFLIN. Certainly, for that was not the time for it. We knew that you were not in earnest about it. [Laughter on the Democratic side.]

Mr. MANN. It was offered to the metal schedule and was held in order. That was the time to put agricultural implements on the free list if you meant it. You did not mean it; it was pure buncombe. When you passed the bill at the special session of Congress you had no intention of its becoming a law, and when you were offered a chance on the floor to put that into the metal schedule where it might become effective, you promptly voted it down by a unanimous vote on the Democratic side, including the gentleman from Alabama, who had just made a speech in favor of it. [Laughter and applause on the Republican side.]

Mr. HEFLIN. I am on record as voting for and speaking for the placing of agricultural implements on the free list. The gentleman from Illinois is now frank enough to admit that he would not have voted for his own amendment putting agricultural implements on the free list. [Laughter.]

Mr. MANN. I did not; I offered it for the purpose of playing a practical joke and testing the sincerity of the gentleman from Alabama, who had just made one of those so-called high-fallutin speeches [laughter on the Republican side] about what he would do if he had a chance. I gave him the chance and he fell down. [Laughter.]

Now, Mr. Chairman, the gentleman from New York says that the bark is not peeled, the tree is peeled. You peel the bark off the tree, which is peeled? [Laughter.] You do not peel the tree

off the bark, you peel the bark off the tree. The gentleman from New York, the father of this bill, does not even know what peeling a tree means. [Laughter.] He proposes that crude drugs shall not come in free if any of them have been peeled, shredded, ground, chipped, or cut; practically all of them come in that shape. It is true that the Treasury Department has been unsuccessful in its efforts to hold that the drugs have been advanced and therefore dutiable; it is the duty of the Treasury Department to collect duty when it can. The courts have held that these articles were on the free list, and the gentleman from New York has said to the House that, finding drugs are now on the free list, he proposes to put them on the dutiable list at the expense of the people of the country who are ill and suffering from sickness.

Mr. HILL. Mr. Chairman, I want to ask the gentleman from Alabama and the gentleman from New York if they will not propose an amendment striking out the word "peeling." I ask it as a business proposition. I know it is perfectly useless for me to offer such an amendment, but I will read from a letter which I have received on this subject:

Quebracho wood, logwood, fustic wood, Brazil wood, and numerous other woods that are used for making extracts for dyeing or tanning, are imported into this country without having on the bark, or in other words, they are peeled. The reason for this is that the bark is of no value, and therefore it would only make extra weight in shipping, and in fact, after the tree is cut and the wood is allowed to lie for a while and cure, the bark—a good deal of it—will come off of itself, and so they simply take an axe and chop off the bark and ship the wood; therefore if peeling is to be considered a process of advancement in valuation, then all the raw material that is used by the tanning and dyewood extract people would have to pay 10 per cent ad valorem, when up to the present time they have always been free.

Mr. Chairman, I can not see any earthly benefit that is to come to anybody by compelling these people to ship the useless bark which remaining upon the log tends to destroy the value of the wood which they are shipping, causing it to rot and decay. Enormous quantities of this material, logwood, quebracho, and dyewoods of various kinds are shipped here. It is heavy when it is first cut and it is allowed to lie on the ground until it is dried out, and the bark partially rots off. They then take an ax and clean off the rest of the bark, and you may as well compel them to bring the stumps of the trees that are left in Honduras and the Argentine Republic as to compel them to bring this bark in. Recognizing that no amendment is to be accepted upon this bill, I appeal to the generosity of gentlemen upon the other side and ask them if they will not themselves propose the elimination of the words "by peeling," only. I do not care anything about the "shipping, crushing, shredding," and so forth. That is an advancement which requires labor, but if the bark rots off in the processes of nature, surely they ought not be compelled to bring it into this country.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

29. Ergot, 10 cents per pound.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 8, by striking out of line 12 the following:
"29. Ergot, 10 cents per pound."

Mr. MANN. Mr. Chairman, ergot, a necessary medicine, is now upon the free list. This bill places it upon the dutiable list, and if my amendment prevails it will remain on the free list under existing conditions.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

30. Ethers: Sulphuric, 4 cents per pound; amyl nitrite, 20 per cent ad valorem but not less than 10 cents per pound; amyl acetate and ethyl acetate or acetic ether, 5 cents per pound; ethyl chloride, 20 per cent ad valorem; ethers of all kinds not specially provided for in this act or in the first section of the act cited for amendment, 25 per cent ad valorem but not less than 25 cents per pound: *Provided*, That no article containing alcohol shall be classified for duty under this paragraph.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word. I will ask the gentleman from New York if sulphuric ether is used in the manufacture of smokeless powder?

Mr. HARRISON of New York. Yes; it is.

Mr. MURDOCK. Is it a principal ingredient?

Mr. HARRISON of New York. No; it is not a principal ingredient. Sulphuric ether is the ether with which we are familiar in operations.

Mr. MURDOCK. Is the duty on sulphuric ether reduced by this bill?

Mr. HARRISON of New York. It is reduced from 8 cents a pound to 4 cents per pound.

Mr. MURDOCK. In view of the statement of the gentleman from New York, made on another item farther back, in regard to baking powder, why was this reduced, when sulphuric ether is used largely by a trust in the manufacture of smokeless powder?

Mr. HARRISON of New York. I will say to the gentleman from Kansas that that is not the chief use of sulphuric ether. The chief use of sulphuric ether is medicinal. Its familiar form is used in operations, and it was largely with that in view that it was thought wise to reduce the tax upon it.

Mr. MURDOCK. And not in view of the other circumstance?

Mr. HARRISON of New York. No, sir.

Mr. MURDOCK. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

31. Extracts of nutgalls and of Persian berries, 1 cent per pound; extracts of quebracho, of hemlock bark, of sumac, and extracts and decoctions of logwood and other dyewoods, extracts of barks and of woods other than dyewoods, such as are commonly used for dyeing or tanning, and all extracts of vegetable origin suitable for dyeing, coloring, staining, or tanning, all the foregoing not containing alcohol, not medicinal, and not specially provided for in this act or in the first section of the act cited for amendment, three-eighths of 1 cent per pound.

Mr. ANDERSON of Minnesota. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 8, line 24, after the word "quebracho" insert the words "one-quarter of 1 cent per pound."

Mr. ANDERSON of Minnesota. Mr. Chairman, there is not the slightest justification for any duty whatever on quebracho, except the necessity of revenue, and out of sympathy for the new-born regard of the gentlemen on the other side for the revenue, I have offered this amendment to reduce the tariff on quebracho from three-eighths of a cent a pound to one-quarter of a cent a pound instead of to place it on the free list, as I should otherwise have done. Quebracho is a tree native to South America, the bark of which contains large quantities of red tannin, used in tanning leather. It is not produced in this country, and if it is to bear any duty at all the duty ought not to exceed a quarter of a cent a pound.

But, Mr. Chairman, I arose chiefly to answer the claim that this bill represented a reduction in the duties on articles contained in Schedule A. I was astonished yesterday when the gentleman from New York [Mr. HARRISON], in response to a question which I asked him, stated that the bill was a substantial reduction in the duties of Schedule A of the present law. It is not so. The bill purports to increase the revenue from this schedule from \$13,006,046 in 1911 to \$16,101,595, an approximate increase of \$3,000,000. I am willing to admit that it would be theoretically possible to lower the duties in this bill and still by increased importations to increase the revenue from it; but that is not what is done by this bill. Three million eight hundred thousand dollars of the revenue which we are informed by the Ways and Means Committee will be raised by this bill is to be raised by taking articles which are now on the free list and placing them on the dutiable list. In this way \$38,000,000 in value of importations, which under the present law come in free, are now to be taxed at an average rate approximating 12 per cent.

The articles thus taken from the free list include such items as creosote oil, used for the preservation from decay of fence posts, telephone poles, and railroad ties. Crude camphor, used every day in every home in the land and imported to an extent of a million dollars annually, is taken from the free list and taxed at 10 per cent. Shellac, imported to the extent of \$3,000,000 annually, is to be taken from the free list and taxed at a cent a pound. This article is used in great quantities as a filler in floors and in the manufacture of varnish. Then there is cinnamon, cloves, ginger, mace, nutmeg, and pepper, all household necessities, imported to the extent of \$2,400,000, which you propose to take from the free list and tax at an average rate of 15 per cent. This class includes vanilla beans, imported in the sum of \$1,950,000. This is the raw product out of which extract of vanilla, found in every pantry in every household in the country, is made. Vanilla beans are taken from the free list and taxed at 50 cents a pound.

These are but illustrations of the things which this bill does. Obviously, as these articles are not produced in this country, the duty will in every instance be added to the foreign price and incidentally several times compounded by the time the article reaches the ultimate consumer.

But in addition to the \$38,000,000 of imports which you take from the free list and add to the dutiable list, you increase the duty over those in the present law on an additional \$8,000,000 of importations. This increase is at an average rate of 19.8 per cent. This class includes argols, a by-product of wine manufac-

ture, imported to the extent of \$3,000,000 annually and used in the manufacture of cream of tartar, which in turn is used in making the higher grades of baking powder. The duty upon argols is increased from 5 to 10 per cent. It includes chicle, used in the manufacture of chewing gum and imported to the extent of \$2,500,000, according to the estimate, upon which you double the duty, increasing it from 10 to 20 per cent. This class includes the various forms of opium, upon which the already high duty is doubled. This increase would probably not be subject to criticism if it could accomplish any other result than the increase of the smuggling of the drug.

But there is yet another class of articles upon which the duty is neither increased nor decreased. The estimated importations under the paragraphs in this class amount to \$11,500,000. It includes crude glycerin, imported annually to the extent of \$4,500,000, and many other articles of common use and consumption. So that in the aggregate this bill increases the duty or leaves it where it is in the present law on more than \$58,000,000 of importations, while the total amount of importations which in 1910 were taxable under the present law amounted to a trifle over \$42,000,000. On \$46,000,000 of these estimated importations the average increase of duty is 14.5 per cent.

But there is yet another class of importations which are taxed under this bill, amounting to \$38,000,000, but upon this class the duty is decreased. Twenty-five million dollars of these importations will come in under seven items of the bill. These items include quebracho, alkalies, alkaloids, and so forth, medicinal preparations not containing alcohol, linseed oil, olive oils, and coal-tar dyes, upon which an average reduction is made of only 9.75 per cent. The average decrease in duty upon the entire \$38,000,000 of importations upon which the duty is decreased is 15.17 per cent. And yet, in the face of the fact that the duty is increased an average of 14.5 per cent on \$46,000,000 of importations and left unchanged on \$11,000,000 additional, as against \$38,000,000 upon which it is decreased 15.17 per cent, we are asked to believe that the present bill makes a reduction in the duties of this schedule. It ought not to have been necessary to go beyond the mere statement of the fact that under the present law in 1910 we taxed \$42,021,558 of importations 26.41 per cent, while this bill proposes to tax \$96,742,850 in importations at an average rate of 16.64 per cent, to demonstrate that this bill in the aggregate is not a reduction of the duties of this schedule. There are some reductions in the bill for which I should be glad to vote if it were possible to vote upon them separately. These include the item of quebracho, upon which I offer an amendment to still further reduce the tariff, and paints and varnishes. But I should not be justified in voting increased taxes on a much greater amount in value of noncompetitive importations in order to obtain this small relief from the duties on these competitive articles. This bill is not in the aggregate a downward revision of the schedule; it in no particular recognizes the principles of protection. Its sole object is to raise revenue and this largely by increased duties. For these reasons I shall vote against it.

Mr. HARRISON of New York. Mr. Chairman, the amendment proposed by the gentleman from Minnesota is to reduce the duty on quebracho extract as carried in the bill from three-eighths of 1 cent a pound to one-quarter of 1 cent a pound. The effective rate on quebracho in the present law is three-fourths of 1 cent a pound, which we have cut in two in the bill reported and tax it at three-eighths of a cent a pound—just the same rate we have applied to all, or substantially all, of the other tanning extracts carried in paragraph 31 of the bill. My objection still further to the amendment of the gentleman from Minnesota is that, according to my theory, noncompetitive products are the proper subject of taxation, and the proposed reduction from three-eighths of a cent a pound to one-quarter of a cent a pound would deprive us of \$112,000 of revenue. I therefore hope that the amendment will be voted down.

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

33. Formaldehyde solution containing not more than 40 per cent of formaldehyde, or formaline, 1 cent per pound.

Mr. FOWLER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I desire to ask the gentleman who is chairman of the subcommittee if formaldehyde is placed at a less rate in this bill than it was in the last bill?

Mr. HARRISON of New York. Yes; in the last bill it was carried in the basket clause at 25 per cent, and our rate of taxation is 4 per cent ad valorem.

Mr. FOWLER. It is used in treating a number of things to destroy fungus, I believe.

Mr. HARRISON of New York. Yes; and as a disinfectant. The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

36. Glycerin, crude, not purified, 1 cent per pound; refined, 2 cents per pound.

Mr. HAUGEN. Mr. Chairman, I move to strike out the section. Mr. Chairman, in offering this amendment I do not rise particularly to discuss the amendment, but to discuss another subject germane to the amendment, and that is the subject of oleomargarine. As glycerin is one of the ingredients used in the production of oleomargarine, I take it that my remarks will be germane to the amendment. Mr. Chairman, in view of the most persistent and determined effort now being made to repeal the present oleo law, the urgent appeal that has been made through the press, the thousands of letters that are being sent out from Washington, the resolutions and letters coming to Washington urging its repeal, and now that the subcommittee has reported a bill back to the Committee on Agriculture and that this question is likely to come up and that Congress is likely to repeal or modify the present law in a way, I believe, that will open the doors wide open to fraud, deception, and counterfeiting, and in view of these letters which have been sent out I rose more for the purpose of having printed in the Record what purports to be a copy of a letter sent out by a gentleman, a Member of this House, and which I wish to read to the committee:

HOUSE OF REPRESENTATIVES,
Washington, December 1, 1910.

DEAR MADAM: I am inclosing herewith extracts from the testimony of labor leaders, Government scientists, and other experts, at hearings before the Committee on Agriculture, United States House of Representatives, last spring showing the need of an immediate and thorough investigation of the spread of tuberculosis and other diseases through dairy products, making disclosures which demand that the United States Government take action to eradicate these diseases in our dairy animals, and showing that the 10-cent tax on colored oleomargarine is a tax upon a wholesome, nutritious article of food, which keeps it out of legitimate competition with butter and accounts for the present high prices for butter throughout the country.

May I ask your organization to pass a resolution at its next meeting demanding an investigation by Congress of the spread of disease to human beings from dairy products, and a second resolution demanding the repeal of the 10-cent tax upon oleomargarine? Copies of these resolutions should be sent to your Congressman, United States Senators, chairman of the House Committee on Agriculture, all Washington, D. C., and I would appreciate it if you would send me a copy.

Yours, sincerely,

A. S. BURLINSON, M. C.

Now, Mr. Chairman, I have no criticism to offer for his sending this letter, but I want to say to my friends that I regret exceedingly that this question should be injected into this controversy, because it was understood from the beginning that the question of wholesomeness should not enter into it, but that the consumer and the people might determine that for themselves; but now that this has been injected into this controversy I deem it just to all concerned that there should also be printed in the Record extracts from the testimony given before the committee against its wholesomeness, in order that the House and the people may know both sides of the question and that it shall not be decided on ex parte evidence.

Mr. Chairman, I do not care to detain the House, but will ask permission to extend my remarks by having printed in the Record extracts from the testimony given before the Committee on Agriculture.

Mr. LEVER. Reserving the right to object, Mr. Chairman, I would like to have the gentleman from Iowa indicate somewhat the nature of the testimony he intends to print in the Record and when that testimony was offered.

Mr. MANN. Mr. Chairman, reserving the right to object, I will say to the gentleman from Iowa that I should not object to having what he wishes inserted in the Record, but I shall object to having it inserted in the middle of this tariff discussion, where I am trying to make some record in regard to the tariff proposition. I do not wish to have some 10, 20, or 30 pages, or something like that, inserted in the Record if I can help it.

Mr. HAUGEN. What I wish to insert in the Record is page 190, page 192, page 198, and a few extracts from a few pages of the recent hearing in the Sixty-first Congress, and also a few extracts from the hearings of 1900, and I will state that I have—

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to incorporate in the Record the articles which he mentions.

Mr. MANN. Mr. Chairman, reserving the right to object, I will say to the gentleman that I am not willing to have the matter, entirely foreign to this bill, inserted in the Record at this place.

Mr. HAUGEN. I expect this will not take up more than two pages of the CONGRESSIONAL RECORD. I wish to print a letter

from Mr. Thomas, who claims to represent the Iowa Retail Merchants' Association—

Mr. MANN. Why does not the gentleman make his request to the House when it can go in the proper place in the Record?

Mr. HAUGEN. The subject would not have been germane at that time, but it is germane at the present time.

Mr. MURDOCK. If the gentleman will print it as a separate speech?

Mr. MANN. I have no objection, if it is not inserted here.

Mr. HAUGEN. I will print it as a separate speech.

Mr. LEVER. Mr. Chairman, further reserving the right to object, I will say to my friend from Iowa [Mr. HAUGEN] that I am perfectly willing that he should have the right to extend his remarks in the Record by printing any testimony offered before committees in this House in the consideration of bills recently before the House and before the committee; but I do not believe that we ought to fill up the Record with extracts of testimony taken before the various committees of the House back yonder in 1900, because it was agreed in the Committee on Agriculture that the question of wholesomeness did not enter into this proposition, and I do not think it is quite fair that the gentleman should burden the Record with a lot of things that have passed out of the public mind in regard to the wholesomeness of the article. Everybody concedes that now.

The CHAIRMAN. Does the gentleman from South Carolina [Mr. LEVER] object?

Mr. HAUGEN. I wish to say in reply to the distinguished gentleman from South Carolina [Mr. LEVER] that I have not injected this into the controversy. The letters have been sent out by Members of Congress, and that is why the matter is here. I do not propose to print a single word, with the exception of what is in the hearing, except two letters, one resolution, which refers to the Retail Merchants' Association, and also the statement prepared and presented to the subcommittee of the Committee on Agriculture.

Mr. UNDERWOOD. Mr. Chairman, I make the point that the gentleman has evidently spoken over five minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] asks unanimous consent to extend his remarks in the Record.

Mr. LEVER. Mr. Chairman, I have no objection to the gentleman extending his remarks in the manner provided, but I do not believe the gentleman ought to put in the Record testimony taken in 1900. To that part of his request I make objection.

Mr. HAUGEN. Then I will leave that out.

The CHAIRMAN. Does the gentleman from South Carolina [Mr. LEVER] object to the gentleman from Iowa incorporating certain matter in the Record?

Mr. SHACKLEFORD. Mr. Chairman, I wish to object to the insertion of the documents.

Mr. LEVER. I wish it understood, then, that I do not make the objection. [Cries of "Regular order!"]

Mr. HARRISON of New York. Mr. Chairman, a parliamentary inquiry. Is there an amendment pending?

The CHAIRMAN. There was a motion made to strike out the paragraph. The question is on agreeing to the amendment. The question was taken, and the amendment was rejected.

The Clerk read as follows:

37. Gums: Amber, and amberoid unmanufactured, or crude gum, \$1 per pound; arabic, one-half of 1 cent per pound; camphor, crude, natural, 3 cents per pound; camphor, refined and synthetic, 5 cents per pound; chicle, 20 cents per pound; gum copal, one-half of 1 cent per pound; gum resin, 10 per cent ad valorem; dextrine, burnt starch or British gum, dextrine substitutes, and soluble or chemically treated starch, three-fourths of 1 cent per pound; gum Kauri and damar, and lac, crude, seed, button, and stick, 1 cent per pound; lac dye, and shell, 1½ cents per pound.

Mr. BROWNING. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New Jersey [Mr. BROWNING].

The Clerk read as follows:

Amend, page 10, by striking out of paragraph 37, with the heading "Gums," from lines 5 to 7, the following:

"Amber, and amberoid unmanufactured, or crude gum, \$1 per pound; arabic, one-half of 1 cent per pound; camphor, crude, natural, 3 cents per pound."

And by striking out from lines 9 and 10 the following: "gum copal, one-half of 1 cent per pound; gum resin, 10 per cent ad valorem."

And by striking out, from lines 13, 14, and 15, the words "gum Kauri and damar, and lac, crude, seed, button, and stick, 1 cent per pound; lac dye, and shell, 1½ cents per pound."

Mr. BROWNING. Mr. Chairman, these articles are now all on the free list. In my opinion they should remain there. Most of them are raw materials and many of them are used in the manufacture of varnish and linoleum. They are not produced in this country, and the imposition of a duty upon them would simply increase the cost of manufactured products, such as floor oilcloth, cork carpets, and linoleum.

It does seem to me, Mr. Chairman, that the consuming public might not take kindly to a revision upward on an article so

universally used in the homes of the laboring people as oilcloth floor covering, which could hardly be listed among the luxuries. The only beneficiary of such upward revision would be the United States Treasury. [Applause on the Republican side.]

Mr. MANN. Mr. Chairman, these gums are imported in very large quantities and are absolutely essential in the manufacture and preparation of varnishes and some of the paints. They are all now on the free list. If the amendment offered by the gentleman from New Jersey [Mr. BROWNING] should prevail, they would remain on the free list under existing law.

The pending bill proposes to put them upon the dutiable list. It is an exemplification of the principles of the Democratic Party that it proposes to put a tariff upon crude materials, non-competitive in character, necessary for the maintenance of our own industries, while at the same time it proposes to reduce the tariff on the manufactured and refined articles themselves. We import to the extent, probably, of \$10,000,000 worth under this paragraph of articles now on the free list; \$10,000,000 worth.

The gentleman from New York [Mr. HARRISON] proposes to put them all on the dutiable list, every one of them an article which comes into contact with every citizen every day of the year; to take them off the free list and put them on the dutiable list under the claim that the country had placed his party in power in order to make a downward revision of the tariff. [Applause on the Republican side.]

It is an upward revision of the tariff on this schedule, prepared by the distinguished gentleman from New York. More than \$40,000,000 worth of articles now on the free list this bill proposes to place upon the dutiable list; articles which come to us all the time, from varnishes to drugs, all through the bill; essential things in the maintenance of our industries and our own comfort. These gentlemen take these things off the free list, where we placed them, and put them on the dutiable list, under the pretense that they are revising the tariff downward. [Applause on the Republican side.]

Mr. AUSTIN. Tell us what is to become of the ultimate consumer under this arrangement, if you please.

Mr. MANN. Well, the ultimate consumer has been lost since Mr. Boutell went to Switzerland. [Laughter on the Republican side.]

Mr. HARRISON of New York. Mr. Chairman, it was another distinguished gentleman from Chicago who invented the phrase, "ultimate consumer"; but even at that, Chicago does not seem to be entirely clear as to what the ultimate consumers use. I should gather from the remarks of the gentleman from Illinois [Mr. MANN] that his constituents are in the habit of consuming gum kauri and damar and amberoid. [Laughter on the Democratic side.] As a matter of fact, these gums are the constituent materials in the making of varnish, and what the consuming public uses is the varnish from which they are made.

Now, we have very carefully reduced the rates of taxation upon varnish, so that the manufacturer shall not unload upon the public the tax that we are laying on the manufacturer. The time has come to put an end to this school of economics whereby people are taught to look upon a tariff as a benefit. Taxation is not a benefit, but a burden, and now we are going to place upon the manufacturers their share of the burden. [Applause on the Democratic side.]

Mr. MANN. We rest our case on that statement.

The CHAIRMAN. The question is on the amendment of the gentleman from New Jersey [Mr. BROWNING].

The question being taken, the amendment was rejected.

The Clerk read as follows:

38. Indigo, indigo extracts or pastes, and indigo carmined, 10 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 10, line 16, by striking out the word "indigo" where it first appears.

Mr. AUSTIN. Mr. Chairman, in view of the amount of indigo that will be needed on the Democratic side in November next I suggest that it be put on the free list.

Mr. MANN. Mr. Chairman, indigo is now on the free list. If my amendment prevails, it will be left on the free list. The Democrats propose to place it on the dutiable list in the interest of the washerwomen of the country, who use it in every household.

Mr. HARRISON of New York. Mr. Chairman, this is the first time I have really been led to believe that the charge leveled by the gentleman from Alabama at the gentleman from Illinois [Mr. MANN] is correct, namely, that he is talking about what he does not understand. Indigo which is carried here is not the material that the washerwomen use. If the gentleman from Illinois would consult his better half, she would tell him that

her washerwomen have not reached the state of high education which would enable them to make use of this very highly finished and highly developed coal-tar product. What the washerwomen do use is a bluing made from ultramarine blue, or wash blue, containing ultramarine, upon which we have reduced the rate of taxation from 3 cents a pound, which equals 28 per cent ad valorem, to 20 per cent ad valorem. [Applause on the Democratic side.] They also make use somewhat of aniline blues, which we have reduced from 30 per cent to 25 per cent. They also make use of soluble blues from Prussian blues, the duty on which we have reduced from 30 per cent to 20 per cent ad valorem.

Mr. MANN. It is easy to make such a statement as the gentleman from New York has just made, but indigo is used in the manufacture of bluing which the washerwomen use and which is used for washing, the gentleman to the contrary notwithstanding. He has the same information on this subject that he had about section 25 of paragraph 4982 of the Revised Statutes.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. MANN].

The question being taken, the amendment was rejected.

The Clerk read as follows:

40. Iodine: Crude, 10 cents per pound; resublimed, 15 cents per pound; potassium iodide, 20 cents per pound; iodoform, 25 cents per pound.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 10, line 19, by striking out of line 19, after the heading "Iodine," the following: "Crude, 10 cents per pound."

Mr. MANN. Mr. Chairman, crude iodine is now on the free list, and will remain on the free list if this amendment is adopted. Gentlemen on that side of the aisle propose to place it on the dutiable list. That is not in the interest of anybody. It ought to remain on the free list, as it is the basis of much of the antiseptic surgery which we have in these modern days.

Mr. HARRISON of New York. Mr. Chairman, in answer to the gentleman from Illinois [Mr. MANN] I will call his attention to the fact that upon iodine, resublimed, potassium iodide, and iodoform, which are the articles used by the consuming public, we have reduced the rates of duty, but we have placed a small revenue tax upon the crude material.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The question being taken, the amendment was rejected.

The Clerk read as follows:

41. Leaves, roots, and spices: Buchu leaves, 10 cents per pound; coca leaves, 10 cents per pound; gentian, one-fourth of 1 cent per pound; licorice root, unground, fifteen one-hundredths of 1 cent per pound; sarsaparilla root, 1 cent per pound; all the foregoing in a crude state, and not advanced in value or condition by refining, grinding, or other process; cassia buds, cassia, and cassia vera; cinnamon and cinnamon chips; ginger root, unground and not preserved or candied; nutmegs; pepper, black or white; capsicum or red pepper, or cayenne pepper; and clove stems, 1 cent per pound; cloves, 2 cents per pound; pimento, three-fourths of 1 cent per pound; sage, one-half of 1 cent per pound; mace, 8 cents per pound; mustard, ground or prepared, in bottles or otherwise, 6 cents per pound; all other spices not specially provided for in this act or in the first section of the act cited for amendment, 20 per cent ad valorem.

Mr. GREGG of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out of paragraph 41, pages 10 and 11, the following:

"Licorice root, unground, fifteen one-hundredths of 1 cent per pound; sarsaparilla root, 1 cent per pound; all the foregoing in a crude state, and not advanced in value or condition by refining, grinding, or other process; cinnamon and cinnamon chips; ginger root, unground and not preserved or candied; nutmegs; pepper, black or white; capsicum or red pepper, or cayenne pepper; and clove stems, 1 cent per pound; cloves, 2 cents per pound; pimento, three-fourths of 1 cent per pound; mace, 8 cents per pound."

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. Is it allowable under the Democratic caucus rule for any Member except a Member on the Democratic side to offer an amendment? [Laughter.]

The CHAIRMAN. That is hardly a parliamentary inquiry.

Mr. MANN. Mr. Chairman, I offer an amendment to the original paragraph, that portion of the paragraph which the gentleman from Pennsylvania proposes to strike out.

The CHAIRMAN. The gentleman from Pennsylvania has offered an amendment and is entitled to the floor.

Mr. MANN. I am entitled to have my amendment read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amend, page 11, by striking out in lines 3 to 7 the words:

"Cassia buds, cassia, and cassia vera; cinnamon and cinnamon chips"; and "nutmegs; pepper, black or white; capsicum or red pepper, or cayenne pepper; and clove stems, 1 cent per pound; cloves, 2 cents per pound."

And inserting in lieu thereof the following:

"Cassia buds, cassia, and cassia vera; cinnamon and cinnamon chips"; and "nutmegs; pepper, black or white; capsicum or red pepper, or cayenne pepper; clove stems and cloves, all the foregoing, when ground, 2 cents per pound."

Mr. GREGG of Pennsylvania. Mr. Chairman, the articles mentioned in the amendment I have offered here, under the Payne-Aldrich bill, are on the free list. These articles are used almost exclusively in the preparation of foodstuffs. They are used almost exclusively in the preparation of those things which may be included in the necessities of life. If that is the case, it seems that it becomes the duty of those gentlemen who were elected, like myself, on this side of the House, and who said to the people that they were in favor of the reduction of any duties which affected the necessities of life, that we were opposed to placing the necessities of life on the dutiable list, to vote for this amendment.

The Democratic platform of 1908 specifically said that "reductions should be made in the tariff upon the necessities of life." For one I went to the people of my district upon that proposition, and I know that there are a good many on this side of the House who did likewise. I believe that the people took us at our word and elected us because we said that and because they trusted us.

Further than that, from a Democratic standpoint, it seems to me that the placing of these particular articles upon the dutiable list is going to be one of the most dangerous things that can confront the Democratic Party in this coming campaign, because from every store, from every merchant at the crossroads, from every merchant in every village, town, borough, and city all over this land, there will go up a cry that the duty has been placed on these articles of common use by the Democratic Party, and that the Democratic Party, in placing these household necessities on the dutiable list, was not sincere in its pledges, and these merchants consequently will say to the consumer that they are compelled to raise the price. [Applause on the Republican side.] From hundreds of households all over the country that cry will ascend, and the Democratic Party will suffer.

I submit that the gentleman on the other side of this House, the distinguished gentleman from Ohio, did not understand my position, but the Democratic Party has always been governed by rules, and the Democratic Party consistently stands and abides by those rules. At the Democratic caucus, I want to say to the gentleman from Ohio, I made a statement similar to the one I have made here, and in addition I said that I had pledged the people of my district to oppose anything that would increase the cost of the necessities of life, and the other members of the caucus, under the rules of the caucus, absolved me from supporting this paragraph in the bill. I am performing what I consider to be a conscientious duty and at the same time fulfilling my pledge to the people of my district. [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, cassia, cinnamon, nutmegs, black and white pepper, clove stems are now free of duty when unground. The amendment I have offered proposes to leave the unground spices on the free list instead of putting them on the dutiable list. It can not be claimed that putting a duty on these will not affect the price to the consumer. Everyone knows better than that. It is taxing not only the breakfast table, but the dinner table and the supper table, without any excuse whatever.

Mr. KAHN. Mr. Chairman, according to the report of the committee, there were 23,193,416 pounds of black or white pepper imported in the year 1911, and if this duty should go into effect about \$171,230 in revenue will be collected on this household commodity as the result. It is but a single instance of placing upon the dutiable list under this bill the commodities that are consumed in the households of this country that are now on the free list. The inconsistencies of this bill were ably discussed in an editorial that appeared in the Washington Post of last Sunday, February 18, and I ask that it be read in my time.

The Clerk read as follows:

FLAWS IN THE CHEMICAL BILL.

The chemical schedule is seen to be punctuated with "jokers" the closer it is subjected to scrutiny. It is doubtful if a bill ever before emerged from committee and caucus so utterly unlike what its sponsors claimed for it. The statement that the Ways and Means Committee had been supplied by the Tariff Board with data to work on is denied, the fact being that the Tariff Board has not taken up the chemical schedule, and consequently could not have had anything to give the committee.

So far from reducing the average rates of the Payne law 31½ per cent, as asserted in the report, the bill actually increases the present rates to the extent of 20 per cent. This was made possible by the committee choosing to ignore the duty imposed on the many articles taken off the free list and made dutiable. The articles thus switched from free trade to high protection aggregate \$40,000,000 in imported value. It was from this source the committee has derived the idea that the revenues will be increased by upward of \$3,000,000, but dealers and manufacturers who find fault say that the new rates will shut out the bulk of such imports, and that the Government's gain will be much less than the amount claimed.

The critics are convulsed with laughter over the discovery that New York and Pennsylvania interests will be hard hit by reductions in protected articles, but that New England, which the tinkers say is over-protected now, will benefit largely. As being another stroke of genius in juggling with the schedules, it is noted that while low duties are imposed on raw materials the duty is cut on manufactured chemicals, whereby the manufacturer is hit both ways.

A tariff bill that provokes protests from consumers, dealers, and manufacturers alike must be prolific of "jokers" in a rare degree, and fairly deserves the verdict of the paint trade, that it is the crudest attempt to get at so-called evils that any legislature has ever made.

Finally, it is observed that the House committee estimates that imports of chemicals now made subject to duty will be larger than they are when admitted free of duty, but why cavil at a little thing like that? What have facts to do with tariff revision, anyway?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. UNDERWOOD. Mr. Chairman, the gentleman from Pennsylvania [Mr. Gregg] states that the Democratic Party is pledged to reduce taxes on the necessities of life. The Democratic Party is pledged to write a tariff for revenue only and to make the burdens of taxation fall as lightly as possible upon the necessities of life and more heavily upon the luxuries and matters of that kind. In writing this bill we have largely reduced the taxes on oils, paints, medicines, and many of the real necessities of life. We can not run this Government without levying taxes, and the Democratic Party has never claimed that it could; but we contend that the taxes that are levied should be levied for the benefit of the Government and not unduly for the benefit of special interests. [Applause on the Democratic side.] We have reduced the taxes on the necessities of life. To accomplish that result, and not make the Government revenues suffer, we have had to levy taxes somewhere else. In every instance where we have levied a tax where a tax was not levied before, we have levied it solely for the purpose of revenue, and in no respect for the purpose of protection, because those taxes have been levied entirely upon noncompetitive articles, articles where there can not be any protection, no matter what tax we put upon them, and the Government gets the benefit of the tax levied.

As to the particular articles in this paragraph, the Republican Party levies a tax of 2½ cents a pound upon red pepper, but puts black pepper on the free list, and why? Because red pepper is produced in this country, is a competitive article, and the Republican Party puts what was clearly a prohibitive tax upon it. We have reduced the tax on red pepper from 2½ cents a pound to 1 cent a pound, and to make that reduction we have classed black pepper with red pepper.

For the purpose of protection the policy of the Republican Party has always been to put on the free list noncompetitive articles so that you might put a higher rate of taxation on competitive articles and force the American people to pay a double tax—one at the customhouse and one at the office of special interests. [Applause on the Democratic side.] In this bill we have reduced the tax on mustard. To make up for it we have put a small tax on other articles. The gentleman complains about the tax put on cinnamon and spices. Those are entirely noncompetitive articles, and it is a tax levied solely for the purpose of revenue, and no man can challenge that statement.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. Mr. Chairman, I have only five minutes and I do not want to ask for an extension of time. I will ask the gentleman not to interrupt me. In the case of cinnamon, the import price, as shown by the customhouse report, is 9 cents a pound. The retail price is 25 cents a pound. There is ample room to pay 10 per cent of 9 cents a pound, less than 1 cent a pound, and yet not hand it down to the ultimate consumer. [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. I understood that the amendment which I offered was an amendment to perfect language which the gentleman from Pennsylvania proposes to strike out of the bill.

The CHAIRMAN. The amendment of the gentleman from Pennsylvania strikes out a part of that paragraph, the same as does the amendment offered by the gentleman from Illinois.

Mr. MANN. I beg the Chair's pardon. The gentleman from Pennsylvania moves to strike out a considerable portion of the

paragraph. My amendment was to strike out a portion of the language which is proposed to be stricken out by the amendment of the gentleman from Pennsylvania.

The CHAIRMAN. Does the gentleman offer his amendment as an amendment to the amendment of the gentleman from Pennsylvania?

Mr. MANN. No; I offer mine as an amendment to perfect language in the paragraph which the gentleman from Pennsylvania proposes to strike out. I understood that the gentleman from Pennsylvania proposed to strike out all of the paragraph beginning with the word "licorice," in line 24, page 10, down to lines 9 or 10, on page 11. I am not particular when the amendment is voted upon, except that if the amendment of the gentleman from Pennsylvania is voted upon first, and is voted down, I do not want then to be cut out from a vote upon my amendment and told that it is too late.

The CHAIRMAN. Not at all. The Chair thinks the gentleman's amendment has precedence.

The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 49, noes 63.

Mr. MANN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed the gentleman from Illinois, Mr. MANN, and the gentleman from New York, Mr. HARRISON, to act as tellers.

The committee again divided; and the tellers reported—ayes 53, noes 70.

So the amendment offered by the gentleman from Illinois was rejected.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 10, by striking out of paragraph 41 the following: "Buchu leaves, 10 cents per pound"; "gentian, one-fourth of 1 cent per pound; licorice root, unground, fifteen one-hundredths of 1 cent per pound; sarsaparilla root, 1 cent per pound."

Mr. MANN. Mr. Chairman, these articles are now all on the free list. They are all crude materials. The bill proposes to place them upon the dutiable list. My amendment, if it prevails, will leave them upon the free list, where they belong.

Mr. HARRISON of New York. Mr. Chairman, in the debate of yesterday I stated at length the committee's reasons for putting a tax upon these materials. Buchu and gentian are largely materials of the manufacture of patent medicines of very doubtful value. Licorice root goes into the manufacture of licorice which is used chiefly in connection with chewing tobacco. It is believed that these articles are a proper subject of taxation.

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

42. Lemon juice, lime juice, and sour orange juice, all the foregoing containing not more than 2 per cent of alcohol, 10 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 11, lines 13, 14, and 15, by striking out the following: "42. Lemon juice, lime juice, and sour orange juice, all the foregoing containing not more than 2 per cent of alcohol, 10 per cent ad valorem."

Mr. MANN. Mr. Chairman, these juices are now all on the free list. If my amendment prevails they will remain on the free list. The bill proposes to place them upon the dutiable list. Under the pretense of a downward revision of the tariff they take articles from the free list and place them on the dutiable list in order to revise the tariff downward. When they are on the free list they are as far downward as they can get.

Mr. HARRISON of New York. Mr. Chairman, we are enabled to revise the tariff downward upon many of the necessities of life contained in this bill. In order to do that we have had to distribute the tax elsewhere and we have placed a tax upon articles covered by this paragraph because they are chiefly used in the making of drinks for soda-water fountains and are therefore a proper subject for taxation. [Applause on the Democratic side.]

The question was taken, and the amendment was rejected.

The Clerk read as follows:

44. Lime, citrate of, 1 cent per pound.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 11, line 19, by striking out the following:

"44. Lime, citrate of, 1 cent per pound."

Mr. MANN. Mr. Chairman, the gentleman from New York [Mr. HARRISON] a moment ago stated that the juices in paragraph 42 which I moved to strike out were mainly used at the soda-water fountains and ought to pay a tax. The fact is that these juices are mainly used for harmless drinks, instead of encouraging people to drink alcoholic liquors. The gentleman proposes to increase the tax on the harmless drinks, under the pretense that you can afford to tax these harmless drinks, but it is not proposed, and I presume will not be proposed, to increase the tax on any beverages that contain alcohol. When the gentleman endeavors to strike down the soda-water fountains or the other harmless drinks of the country the gentleman does not understand that a great majority of the young people of the country will have some kind of drink beside merely water, and it may be a question whether, when the gentleman increases the cost of the soda-water fountain and other drinks of that character, he does not compel many a young man to an indulgence in alcoholic beverages. Now, I move to strike out citrate of lime, placing it on the dutiable list, and restore it where it belongs, to the free list, where it is now. They propose to put a high tax on these innocent drinks; we are in favor of maintaining them on the free list.

Mr. HARRISON of New York. Mr. Chairman, the tax of 1 cent per pound on citrate of lime, it is calculated, is equal to 7 per cent ad valorem, which is what the gentleman from Illinois calls a very high tax. At this rate, it is estimated, we will receive \$44,000 a year. Citrate of lime is used solely in the making of citric acid.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

45. Magnesia: Calcined, 3½ cents per pound; carbonate of, precipitated, 1½ cents per pound; sulphate of, or Epsom salts, one-tenth of 1 cent per pound; magnesite, calcined, not purified, \$1 per ton.

Mr. MANN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 11, lines 23 and 24, by striking out the following: "Magnesite, calcined, not purified, \$1 per ton."

Mr. MANN. Mr. Chairman, this magnesite is now on the free list. My amendment, if it prevails, will leave it there. The bill places it upon the dutiable list.

Mr. HARRISON of New York. Mr. Chairman, the rate of \$1 per ton was placed on calcined magnesite for the sole purpose of raising revenue. This is an ad valorem equivalent of less than 9 per cent, and it is calculated it will produce \$89,000 revenue. It is used solely in the making of certain pigments and paints, upon the finished products of which we have reduced the duty so that this tax can not be unloaded upon the consumer. All the other articles under the head of magnesia, such as carbonate of magnesia, sulphate of magnesia, and Epsom salts, have been reduced from about 50 per cent to 25 per cent.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

46. Menthol, 50 cents per pound.

Mr. HELM. Mr. Chairman, I move to strike out the last word. I desire to call the attention of the committee, and more especially the Ways and Means Committee, to a matter that is not immediately pertinent to the bill under consideration, but which is a tariff proposition.

Mr. MANN. Mr. Chairman, I shall be compelled to make a point of order against any discussion not in order if it is the intention to finish this bill to-night. Otherwise I have no objection.

Mr. HELM. I am not going to talk about anything other than a tariff matter. It is not, however, pertinent to this bill.

The CHAIRMAN. The Chair can not determine yet as to whether the remarks of the gentleman are in order or not.

Mr. MANN. The gentleman has already stated. It is not necessary for the determination. In other words, I do not wish to be cut off from consideration of matters in the bill, when the gentleman from Alabama [Mr. UNDERWOOD] has already announced that he would not consent to it.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] objects to anything not connected with the bill under consideration.

Mr. HELM. I am very sorry the gentleman objects to my using only five minutes of the time. It is a matter, I believe, that will be of very considerable interest.

Mr. MANN. In raising any question about it I am only following the example of the gentleman from Alabama, who stated a while ago that he would object to anything of that kind.

Mr. CULLOP. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky [Mr. HELM] be allowed to proceed for five minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Kentucky be permitted to speak for five minutes, regardless of the discussion of the matter before the House. Is there objection? [After a pause.] The Chair hears none.

Mr. HELM. I wish to thank the gentleman from Indiana [Mr. CULLOP] for his kindness.

Mr. Chairman, I preface my statement by saying that it is well known that a portion of our Army and Navy is quartered and stationed in the Philippine Islands. It is there to guarantee to the Filipinos a stable government. They are an insurance policy for the island. Except for our Army being there there would not be a stable government. Under existing laws we are compelled to pay tariff duties on supplies that are taken into the Philippine Islands for the support and maintenance of the Army. We are affording them, precisely stating it, an insurance, and we are compelled to pay the premium on that insurance. Q. M. Gen. Aleshire in the hearings before the Committee on Expenditures in the War Department stated that this Government had been compelled to pay \$25,000 duty on some boats needed for the use of the Army, and that we have paid in eight months of 1910, \$48,568 on subsistence that was carried to the Philippine Islands for the purpose of maintaining the portion of our Army there.

Now, I submit that this is a double tax on our Treasury. The Philippine Islands are a burden; they are a menace to our Government. They are the greatest element of danger to our Government, and it is a fact that we have to maintain a portion of our Army and a portion of our Navy there, and then have to pay a tariff duty to the Philippine Government on the supplies that we are compelled to take there in order to maintain them. I submit to the Committee of the Whole, and especially to the Committee on Ways and Means, that it is eminently proper that some speedy act should be taken to relieve our Treasury from this unjust burden. If we are going to furnish the Filipinos a stable governmental insurance, they should at least pay a portion of the premium on that insurance.

I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

50. Oils, expressed: Alizarin assistant, sulphoricinoleic acid, and ricinoleic acid, and soaps containing castor oil, any of the foregoing in whatever form, and all other alizarin assistants and all soluble greases used in the processes of softening, dyeing, or finishing, not specially provided for in this act or in the first section of the act cited for amendment, 15 per cent ad valorem; castor oil, 20 cents per gallon; coconut oil, palm oil, palm-kernel oil, and soya-bean oil, one-fourth of 1 cent per pound; olive oil rendered unfit for use as food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him, three-eighths of 1 cent per pound; flaxseed and linseed oil, raw, boiled, or oxidized, 13 cents per gallon; poppy-seed oil, raw, boiled, or oxidized, rapeseed oil, and peanut oil, 10 cents per gallon; hempseed oil and Chinese-nut oil, 5 cents per gallon; almond oil, sweet, 5 cents per pound; mace oil, 8 cents per pound; sesame or sesamum seed or bean oil, 1½ cents per pound; olive oil, not specially provided for in this act or in the first section of the act cited for amendment, 20 per cent ad valorem; olive oil, in bottles, jars, kegs, or other packages containing less than 5 gallons each, 30 cents per gallon; all other expressed oils and all combinations of the same, not specially provided for in this act or in the first section of the act cited for amendment, 15 per cent ad valorem.

Mr. MANN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend, page 12, line 25, and page 13, line 1, by striking out the following: "Coconut oil, palm oil, palm-kernel oil, and soya-bean oil, one-fourth of 1 cent per pound"; and insert in lieu thereof the following: "refined, deodorized coconut oil, one-fourth of 1 cent per pound."

Mr. MANN. Mr. Chairman, crude coconut oil—that is, coconut oil not refined or deodorized—is now on the free list. Palm oil, palm-kernel oil, and soya-bean oil are also now on the free list. We import very large quantities of these oils, which are largely used in the manufacture of soap.

My amendment, if it prevails, will leave these articles on the free list. The bill proposes to transfer all of them to the dutiable list and add a considerable expense to the people on these noncompetitive articles used in the manufacture of soap and other articles that are absolutely essential to Republican homes. [Laughter and applause on the Republican side.]

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. LONGWORTH. When the gentleman uses the word "soap" does he mean a very expensive, highly perfumed soap, or does he mean just an ordinary soap?

Mr. MANN. I mean the plain soap. Much of it would be a plain toilet soap, which, under the provisions of this bill, has a high tariff placed upon it, possibly a protective measure. Maybe that is compensatory. We have heard a great deal about compensatory tariffs. At any rate it will increase the cost to the consumer. I know very well that it is not a matter of great interest on that side of the House. They consider all soap an unnecessary luxury. [Laughter on the Republican side.] But with us it is a necessity, and we protest. [Applause on the Republican side.] We protest against putting a tariff on the raw material of which soap is made, on the one hand, and against increasing the tariff on plain toilet soap, on the other hand. We pay the bills. We ought to be consulted, although we have not been. [Laughter and applause on the Republican side.]

Mr. HARRISON of New York. Mr. Chairman, I agree with the gentleman from Illinois that some Republican households need a very great deal of soap. [Applause and laughter on the Democratic side.]

Mr. MANN. We use a great deal, too. [Applause on the Republican side.]

Mr. HARRISON of New York. The proposition on this bill to tax the noncompetitive products which are known as coconut oil, palm oil, and palm-nut oil, the purest form of revenue taxation, at the low rate of 3 to 4 per cent, is an endeavor to make the very wealthy soap manufacturers of the United States bear their share of the tariff burdens. At the same time we have reduced, not increased, the duties upon soap itself, the statement of the gentleman from Illinois to the contrary notwithstanding.

He has fallen into a misapprehension about the rates of taxation upon soap, due to the fact that we have reclassified the soap paragraph at the express wish of the New York customhouse authorities, and we have compressed the term "fancy or perfumed soaps" into the term "toilet soaps." The error of the gentleman from Illinois consists in not know the fact that there are no toilet soaps to-day into the manufacture of which perfumes do not enter, for the simple reason that perfumes are essential to offset the disagreeable odors of the constituent oils. We have placed a small tax upon some of the materials of manufacture of these high-grade toilet soaps and at the same time cut down the rates of duty on the finished products, so that the manufacturers will not be able to unload their tax upon the public in the form of higher prices.

At the same time it is only fair to say that this bill contains tariff cuts which more than offset to the soap manufacturers the duty of 3 or 4 per cent which is placed on oils. The second most important ingredient in the manufacture of soap is caustic soda, which is cut from one-half of a cent a pound to one-quarter of a cent; and the next is silicate of soda, which is cut from three-eighths of a cent a pound to one-eighth of a cent; and likewise similar reductions on many other materials that enter into the manufacture of soap have been made in like proportions, as I explained in my remarks yesterday.

Mr. MANN. The gentleman from New York is very free with his assertions, but erroneous in his logic and in his facts. I read from the existing tariff law: "Fancy or perfumed toilet soap" on the dutiable list. "Fancy or perfume toilet soap." The gentleman says that he has condensed the expression "fancy and perfumed soaps" into "toilet soaps." But that is not so. The gentleman is mistaken. The reading of the existing law is "fancy and perfumed toilet soap," the word "toilet" still being in the expression. Now, if the New York Customhouse have asked the gentleman to strike out "fancy and perfumed" it is because they have had trouble in determining between a toilet soap which was not fancy and perfumed and those which were fancy and perfumed. If there had been no difficulty in distinguishing between the two classes of soaps, there would be no question in the New York Customhouse.

Mr. HARRISON of New York. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. HARRISON of New York. The difficulty is that all toilet soaps are perfumed, and that the term "fancy or perfumed" toilet soap was so indefinite that no other grade of soap could get in cheaper. It is in the interest of cheaper soap that the change was made.

Mr. MANN. Oh, pshaw! If all toilet soaps were fancy or perfumed, this expression would have let in all soap. There is another provision of the law, governing soaps that are not fancy or perfumed. Now they propose to combine the two in this provision, and to increase what is now 20 per cent to 40 per cent ad valorem.

Mr. COOPER. In reply to the gentleman from New York [Mr. HARRISON] that toilet soaps are always perfumed, I recall distinctly one very famous brand of soap, two varieties of imported soap made by the same manufacturer which are exactly

alike, except that one is perfumed and the other is not, and it is marked "Pears soap unscented."

Mr. MANN. Mr. Chairman, it is quite the truth that we can not expect to get information relating to soaps from the Democratic side of the House. What do they know about soap? Nothing. [Laughter on the Republican side.]

Mr. CULLOP. Mr. Chairman, I have no doubt the gentleman from New York [Mr. HARRISON] could have allayed a great deal of the opposition of the gentleman from Illinois [Mr. MANN] to this paragraph if he had assured him that the duty here levied did not impose any duty on "soft soap," in which the gentleman from Illinois [Mr. MANN] has been trying to deal very extensively. [Laughter and applause on the Democratic side.] I have no doubt that the gentleman from Illinois is very much opposed to levying a duty on "soft soap." The policy of his party has been against the increase of the number of articles on the free list. He has introduced amendment after amendment here, saying that if it was incorporated in the bill he would not vote for the bill after such amendment had been adopted, clearly showing his efforts have only been "soft-soaping" methods, for the purpose of deceiving the people.

What does the gentleman mean by undertaking to increase the free list, when it is against the policy of his party, if it is not an attempt to soft soap the people as to his real position and that of his party, and when he intends, as he has said, to vote against it? As its leader, does he mean to convey the idea that his party has changed its policy and now opposes the policy of protection?

Mr. Chairman, this is a bill to reduce the taxation of the American people. The Republican Party three years ago passed a bill that levied a duty of 46.76 per cent on every dollar's worth of the over 4,000 dutiable articles in common use by the consumers of this country. Think of it! People may groan under local taxation which levies 2 or 3 cents on the dollar, but here is a Federal taxation enacted by the Republican Party that levies a duty of 46½ per cent on every dollar's worth of the dutiable articles purchased by the American people for consumption. [Applause.] Such was the burden it imposed on the American people for the benefit of the special interests. The Republican Party then had an opportunity to increase the free list, but it refused to do it. It could have put the necessities of life on the free list, but it refused to do it. They broke their platform pledge to the people to revise the tariff downward by revising it upward. The people repudiated them at the first opportunity when they got to the ballot box by turning out the Republican majority in this House and putting in a very large Democratic majority. [Applause on the Democratic side.]

"Soft soap" has been and is a commodity largely in use by the Republican Party on this subject, as its course has shown. It has been "soft soaping" the American people for many years on the tariff, and by so doing it has extorted the fruits of their toil and exacted from the ultimate consumers unreasonable prices to swell the unearned profits of the beneficiaries of the protective system.

It tried the "soft-soaping" process to reconcile the people to the passage of the Payne bill, by which the taxes of the American people were raised in violation of party promises; but the process failed. It had lost its palliating effect, and the result was it was turned out of power in this House and now is threatened to be driven from power in the other branches of the Government. The Republicans now desire that "soft soap" be free of all duty, in order to make it as cheap as possible; because, in order to avoid defeat at the coming election, it will need larger quantities than usual to "soft soap" the voters if that party can secure the suffrages of the outraged consumers who have suffered so much by its high protective policies.

Mr. Chairman, for years it has been "soft soaping" the voters of this country on this question, but they now wisely refuse to be "soft soaped" longer; and the gentleman from Illinois [Mr. MANN] can disabuse his mind if he thinks he can longer "soft soap" the people as he is now and has been trying to do throughout the course of this tariff legislation. The people are too wise to be longer "soft soaped" on this question. They have felt its effect and know its burden to them and its benefit to the beneficiary and its imposition upon the bone and sinew of the land.

The people want substance and not "soft soap." They want bread and not a stone. They want duties reduced and equalized, in order that the real earners of wealth may have the benefit of their toil as a reward for their industry.

Now the Republican Party wants soft soap on the free list—to go back and undertake to soft soap the people, in order that they may return a majority to this House at the coming election. It will require more than soft soap for them to succeed. [Applause on the Democratic side.]

Mr. BARTHOLDT. Mr. Chairman, I move to strike out the last word. A voice from the people has just reached me in the shape of a message from St. Louis, Mo., which reads as follows:

ST. LOUIS, Mo., February 20, 1912.

Hon. R. BARTHOLDT,
Washington, D. C.:

I earnestly request your prompt cooperation in opposing new tariff schedule in regard to paints, oils, and chemicals, which seriously threatens the general agricultural, mining, and manufacturing interests of this State, as well as the whole country, and earnestly protest the passage without full and complete investigation and hearing.

NORRIS B. GREGG.

The answer to this message is, Mr. Chairman, that the reunited Republican Party will unanimously oppose this bill and protest against its passage. [Applause on the Republican side.]

Mr. FOWLER. Mr. Chairman, I move to strike out the second last word.

The CHAIRMAN. There is an amendment pending.

Mr. FOWLER. Then I will speak against the amendment. Mr. Chairman, this paragraph deals with the tariff on linseed oil. I desire to congratulate the Ways and Means Committee, especially that part of the committee who had charge of drafting this bill, upon their wisdom in making a reduction from 15 cents a gallon to 13 cents a gallon. But, Mr. Chairman, in view of the fact that it is well known that there is a trust to-day controlling the manufacture and sale of linseed oil in America, I would be very glad to see a further reduction, making the rate 10 instead of 13 cents a gallon.

Mr. Chairman, about 100,000,000 bushels of flaxseed are produced annually in the world, selling, perhaps, at an average of \$1 per bushel. A capital of \$100,000,000 would be sufficient to buy up all the flaxseed in the world indefinitely and form a trust upon that article, thereby controlling the manufacture, output, and sale of linseed oil. If aided by a high protective duty it would be a very easy proposition, and for this reason, Mr. Chairman, there ought to be safeguards thrown around the people of this country to protect them against the extortion of the trusts. A low duty on all trust-made articles would materially interfere with their plans and tend to bring about competition.

On December 5, 1898, shortly after the passage of the Dingley bill, the American Linseed Co. was organized. It took over the National Linseed Oil Co., then in process of formation, and 43 other oil-producing plants in this country, controlling about 85 per cent of the production of the linseed oil in America. Since that time other linseed-oil plants have been taken over by this trust, making in all 47 different plants under one set of directors, with a capital stock of \$50,000,000, which, in my opinion, control the manufacture, output, and sale of linseed oil. The following companies form this trust:

AMERICAN LINSEED CO.

Incorporated under the laws of New Jersey December 5, 1898, to consolidate a number of independent mills with those of the National Linseed Oil Co., then in process of reorganization.

Business: To manufacture American and Calcutta linseed oil, raw, boiled, and refined varnish, oil cake, oil meal, and crushed flaxseed. The capital stock authorized consists of \$25,000,000 7 per cent non-cumulative preferred and \$25,000,000 common stock. Outstanding, \$16,750,000 preferred and \$16,750,000 common. Par value, \$100. In 1904 the mortgages had all been paid off, no dividends having been paid on the preferred stock since 1900. The \$6,000,000 of 5 per cent gold notes were paid off in August, 1901.

Composed of the following properties:
Crown Linseed Oil Works, St. Louis, Mo.
Close Linseed Oil Works, Iowa City, Iowa.
Burlington Linseed Oil Works, Burlington, Iowa.
Hawkeye Linseed Oil Works, Marshalltown, Iowa.
Hall Linseed Oil Works, Chicago, Ill.
Mankato Linseed Oil Works, Mankato, Minn.
Sioux City Linseed Oil Works, Sioux City, Iowa.
Missouri Linseed Oil Station, St. Louis, Mo.
Woodman Linseed Oil Works, Omaha, Nebr.
Grove Linseed Oil Co., Philadelphia, Pa.
Ottumwa Linseed Oil Works, Ottumwa, Iowa.
Des Moines Linseed Oil Works, Des Moines, Iowa.
Dubuque Linseed Oil Works, Dubuque, Iowa.
Kansas City Lead & Oil Works, Kansas City, Mo.
St. Paul Linseed Oil Works, St. Paul, Minn.
Northwestern Lead & Oil Works, Chicago, Ill.
Cedar Rapids Linseed Oil Station, Cedar Rapids, Iowa.
Evans Linseed Oil Works, Indianapolis, Ind.
Topeka Linseed Oil Station, Topeka, Kans.
Leavenworth Linseed Oil Works, Leavenworth, Kans.
Gilman Linseed Oil Works, Gilman, Ill.
Marion Linseed Station, Marion, Ind.
Logansport Linseed Oil Works, Logansport, Ind.
Leonard Linseed Oil Works, Piqua, Ohio.
Detroit Linseed Oil Works, Detroit, Mich.
Dayton Linseed Oil Works, Dayton, Ohio.
Portland Linseed Oil Works, Portland, Oreg.
La Crosse Linseed Oil Works, La Crosse, Wis.
Wright & Lawther Oil & Lead Works, Chicago, Ill.
Buffalo Linseed Oil Works, Buffalo, N. Y.
Emmerson Linseed Oil Works, Racine, Wis.
W. P. Orr Linseed Oil Works, Piqua, Ohio.
Mansfield Linseed Oil Works, Mansfield, Ohio.
Cleveland Linseed & Oil Co., South Chicago, Ill.
Metzger Linseed Oil Co., Chicago, Ill.
Leonard & Daniels, Piqua, Ohio.

Douglass & Co., Cedar Rapids, Iowa.
 Cleveland Linseed & Oil Co., Cleveland, Ohio.
 Metzger Linseed Oil Co., Toledo, Ohio.
 Douglass & Co., Minneapolis, Mich.
 Archer & Co., St. Paul, Mo.
 Toledo Linseed Oil Co., Toledo, Ohio.
 Campbell & Thayer, New York City.
 Deane Linseed Oil Co., New York City.
 Griswold Linseed Oil Co., Warren, Ohio (acquired afterwards).
 Wright & Hills Linseed Oil Co., Chicago, Ill. (acquired afterwards).
 Western Linseed Oil Co., Minneapolis, Minn. (acquired afterwards).
 These properties represented about 85 per cent of the linseed-oil production of the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JACKSON. I ask unanimous consent that the gentleman's time may be extended for five minutes.

The CHAIRMAN. Is there objection? The Chair hears none. The gentleman from Illinois [Mr. FOWLER] is recognized for five minutes.

Mr. JACKSON. Will the gentleman yield?

Mr. FOWLER. With pleasure, for a question.

Mr. JACKSON. Does the gentleman not think that the Linseed Oil Trust, as well as the Standard Oil Trust, which I understand makes an adulteration which is sold as linseed oil, should join together in congratulating the Democratic side of this House that the reduction of the tax on linseed oil is only 2 cents per gallon in this bill?

Mr. FOWLER. I will say to the distinguished gentleman from Kansas that the United Lead Co. in the same year, 1898, was organized for the purpose of controlling the production of white lead in America. It is composed of 19 leading lead plants in this country. I understand that the American Linseed Co. and the United Lead Co. have since united under one directorate and one management, the majority of the stock thereof being controlled by the Rockefellers.

Mr. JACKSON. Yes; I quite agree with the gentleman about that, but what I ask him is if he does not think it is a subject for congratulation in these days of tariff revision that these great trusts should escape with a reduction of only 2 cents per gallon on this important commodity?

Mr. FOWLER. I say to the gentleman from Kansas that I do not know what were the hearings before the committee—

Mr. COOPER. There were none.

Mr. FOWLER. The committee that framed this bill; but I am informed by the distinguished gentleman from New York [Mr. HARRISON] that it is because there is a tariff on flaxseed, which has varied in the past all the way from 20 cents per bushel to 30 cents per bushel, and that because of the further reason that the committee is not now dealing with flaxseed at this time they were reluctant to make sweeping reductions in the rate on linseed oil. But, Mr. Chairman, in view of the fact that the Rockefeller interests have extended out so far and in so many different directions in this country and laid a heavy hand upon the various things which we must have in order to live, and inasmuch as this trust has laid such a heavy hand upon the humble homes of the people of the country, I believe that we ought to take the tariff off altogether and let these wrongdoers compete with the countries across the sea that produce linseed oil and white lead.

The following statement shows the companies which originally joined hands in forming the White Lead Trust:

THE UNITED LEAD CO.

Incorporated under the laws of the State of New Jersey in January, 1903, by interests affiliated with the American Smelting & Refining Co.; the latter a Guggenheim-Rockefeller property. The Whitney-Ryan and Standard Oil parties are also interested in the United Co.

The purpose of the company was to take over the various lead and linseed manufacturing plants controlled by the parties above named.

The following is a complete list of the concerns whose plants were taken over by the United Lead Co.:

James Robertson Lead Co., Baltimore, Md.
 The Omaha Shot & Lead Co., Omaha, Nebr.
 Northwestern Shot & Lead Works, St. Paul, Minn.
 Collier Shot Tower Works, St. Louis, Mo.
 Bailey & Farrell Shot Works, Pittsburgh, Pa.
 Markle Lead Works, St. Louis, Mo.
 Gibson & Price, Cleveland, Ohio.
 Le Roy Shot & Lead Works, New York City.
 Union Lead & Oil Works, Brooklyn, N. Y.
 Sportsman Shot Works, Cincinnati, Ohio.
 Chicago Shot Tower Co., Chicago, Ill.
 Hoyt Metal Co., St. Louis, Mo.
 Tatham & Bros., New York City.
 Raymond Lead Co., Chicago, Ill.
 E. W. Blatchford & Co., Chicago, Ill.
 Thomas W. Sparks, Philadelphia, Pa.
 Chadwick-Boston Lead Co., Boston, Mass.
 Lausten Lead Works, Chicago, Ill.
 McDougal White Lead Co., Buffalo, N. Y.

Control of the Chadwick-Boston Lead Co. was effected on the basis of \$125 of 5 per cent 40-year bonds for each of its \$100 shares (total issue of stock, \$800,000). The \$251,000 first-mortgage 5 per cent sinking-fund bonds of the Chadwick company were not disturbed by the merger. There are no other underlying bonds.

Capital stock: Originally there was \$15,100,000 stock, \$100,000 of which was 7 per cent preferred, but in May, 1903, the issue was in-

creased to \$25,000,000; of the last-named amount \$10,000,000 is 6 per cent cumulative preferred, the rest common stock. Par value of share, \$100.

Mr. NORRIS. Will the gentleman yield for a question?

Mr. FOWLER. I have only a little time, but I will be very glad to yield to the distinguished gentleman from Nebraska.

Mr. NORRIS. I thank the gentleman. I want to ask him if he thinks it ought to be put on the free list why he does not offer an amendment that would put it there, or, at least, reduce it to a point where he thinks it ought to go. I would be very glad to vote with the gentleman.

Mr. AUSTIN. I will vote with the gentleman also.

Mr. FOWLER. Mr. Chairman, a large quantity of flaxseed is produced in other countries. The Argentine Republic produces more than any other country in the world, producing from twenty to thirty million bushels annually. Uruguay produces from four to six million bushels annually; Russia, about eighteen to twenty million bushels annually; India, about sixteen to eighteen million bushels annually; and the United States produces annually from twenty to twenty-nine million bushels; England, France, and Germany produce but little, if any, and must look to these countries for supplies. Therefore our people are quite well supplied with the home product, as we import but little flaxseed, unless we have a short crop, which occurred in 1911, which was only a little over 14,000,000 bushels. Hence our revenue is slight, comparatively speaking, from our imports of flaxseed and its product, being now slightly over a half a million dollars. Until the duty on the flaxseed is regulated it would not be wise to make a radical reduction, but I agree with the gentleman that there would be much benefit come from his suggestion. I would be very glad to see the duty changed to 10 cents per gallon.

I am indebted to Mr. Ennis for the following table, which shows the world's flaxseed crop under average conditions for one year:

Countries.	Production.	Exports.	Consumption.	Imports.
United States	\$26,000,000	\$2,000,000	\$24,100,000	\$100,000
India	16,000,000	15,000,000	1,000,000	—
Russia	17,000,000	1,425,000	15,575,000	—
Argentina	30,000,000	29,500,000	1,500,000	—
Uruguay	5,000,000	4,800,000	200,000	—
England	—	—	18,800,000	—
France	500,000	—	7,000,000	6,500,000
Germany	—	—	18,500,000	18,500,000
Holland	300,000	—	7,800,000	7,500,000
Denmark	325,000	—	650,000	325,000
Total	95,125,000	51,725,000	95,125,000	51,725,000

Until about the year 1850 flax was raised in America for the fiber almost solely, but since that time it has been used for making linseed oil and is almost solely raised for that purpose in our country now. The following table shows the growth of flax raising in America:

No. 277. Flaxseed—Quantities produced, 1887 to 1911, and amounts imported, exported, and retained for consumption, 1887 to 1911.

[Production from annual reports of the Department of Agriculture.]

Years ended June 30—	Production. ¹	Imports.	Exports.		Retained for consumption.
			Domestic seed.	Foreign seed.	
	Bushels.	Bushels.	Bushels.	Bushels.	Bushels.
1887	10,000,000	415,179	—	44	10,415,139
1888	10,500,000	1,583,264	37,235	—	12,046,689
1889	9,000,000	3,259,469	—	25	12,259,435
1890	10,250,000	2,391,175	14,678	—	12,626,495
1891	8,500,000	1,515,546	144,848	1	9,870,697
1892	19,000,000	285,140	3,613,187	—	15,671,953
1893	11,104,440	112,015	1,837,370	—	9,379,085
1894	10,000,000	592,820	2,047,896	—	8,544,884
1895	7,500,000	4,106,222	1,224	—	11,604,998
1896	15,000,000	754,507	80,453	90,478	15,583,576
1897	17,402,000	105,222	4,713,747	19,892	12,773,583
1898	12,500,000	136,098	257,228	2,172	13,376,608
1899	16,400,000	81,953	2,830,931	—	13,650,922
1900	19,379,432	67,379	2,743,266	—	17,338,605
1901	17,592,000	1,631,725	2,755,683	21,112	16,446,931
1902	25,319,000	477,157	3,874,033	64,748	21,857,376
1903	29,284,880	129,089	4,128,130	20,211	25,285,628
1904	27,400,510	213,270	758,379	—	26,755,401
1905	23,400,534	295,184	1,338	3	23,695,377
1906	28,477,753	52,240	5,983,519	—	22,541,474
1907	25,576,146	89,353	6,626,310	2,044	19,028,148
1908	25,851,000	57,419	4,277,313	11,391	21,619,715
1909	25,805,000	589,663	882,899	—	25,515,799
1910	25,856,000	5,002,496	65,193	—	30,793,302
1911	14,116,000	—	—	—	—

¹ Production is of the crop year preceding the fiscal year.

² Census figures.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection?

Mr. UNDERWOOD. I do not like to object to the extension of my colleague's time on this side of the House, but I notified gentlemen on the other side that I would not consent to an extension of time—

Mr. MANN. Will not the gentleman reserve the right to object?

Mr. UNDERWOOD. I will reserve the right to object.

Mr. MANN. I do not see how it is practicable to finish the bill to-night.

Mr. UNDERWOOD. I hope that we can get through to-night.

Mr. MANN. It undoubtedly would keep us until late, and if it does I would not be willing for everybody to leave and go home to dinner while we are considering the bill. I see no difficulty in practically finishing the bill to-night except voting, and let that go over. I would be willing, as far as I am concerned, to agree by unanimous consent, if that can be done, to postpone Calendar Wednesday until Saturday.

Mr. UNDERWOOD. I think the bill can be finished to-night. I would like to do so.

Mr. MANN. It can not be done without great inconvenience to Members. There is a presidential reception to-night. I am not going myself.

Mr. UNDERWOOD. I think the Members who want to go, and expect to go—and there are Members on both sides—can find pairs.

Mr. BUTLER. I suppose there will be a record vote on the bill, will there not?

Mr. UNDERWOOD. I suppose so.

Mr. MANN. There will probably be several record votes.

Mr. UNDERWOOD. I will say that if we can finish the reading of the bill to-night, and I may be allowed to move the previous question so that it can go over as unfinished business, I am willing to vote on the motion to recommit to-morrow morning.

Mr. MANN. I do not know whether it could come up as unfinished business.

Mr. FITZGERALD. I do not think it could come up as unfinished business.

Mr. JAMES. We might take a recess until 11 o'clock to-morrow.

Mr. MANN. Why can not we have an agreement to transfer Calendar Wednesday until Saturday and see if anybody objects to it? Of course, it can not be done in committee.

Mr. UNDERWOOD. I think we can get through with the bill to-night if gentlemen will allow us to read the bill. We are nearly through the disputed items now.

Mr. MANN. Well, I have a number of amendments to offer, and we shall probably have at least two roll calls coming just at a time that is inconvenient to Members.

Mr. UNDERWOOD. I will say with reference to roll calls that I am willing, when we reach that stage, to make an agreement with the gentleman that to-morrow morning we may have a two-thirds vote to dispense with Calendar Wednesday until the two votes are taken. I am willing to take those votes to-morrow morning.

Mr. MANN. I do not know whether we can do that.

Mr. UNDERWOOD. We can do it by a two-thirds vote.

Mr. MANN. Mr. Chairman, we can dispense with Calendar Wednesday by a two-thirds vote. As far as I am concerned, I am willing under the circumstances to transfer it. I think we can transfer it without any difficulty.

Mr. UNDERWOOD. If we transfer Calendar Wednesday, we would have to take up an appropriation bill to-morrow when we get through with this bill. I much prefer to try and finish the bill to-night. However, I do not want to inconvenience anybody on the record vote if we can arrange that. I am quite willing to take the gentleman's word about it if he will say that to-morrow morning he will see that we get a two-thirds vote to dispense with Calendar Wednesday until the vote is taken.

Mr. MANN. I will be quite willing to-morrow, under the circumstances, to cooperate with the gentleman in an effort to secure a two-thirds vote.

Mr. UNDERWOOD. Then I will say that when I move the previous question in the House to-night, I shall adjourn the House and take the final vote to-morrow morning.

Mr. MANN. I hope now that the gentleman from Alabama will give my colleague [Mr. FOWLER] his time; and take the chances on shutting off others hereafter.

Mr. UNDERWOOD. Mr. Chairman, I do not like to make a precedent. If the gentleman will agree not to hold it against me as a precedent I will do so.

Mr. MANN. I shall not hold it as a precedent, because I think every gentleman in the House will now want to get through the bill as speedily as possible.

The CHAIRMAN. Is there objection to the request that the time of the gentleman from Illinois [Mr. FOWLER] be extended for five minutes? [After a pause.] The Chair hears none.

Mr. FOWLER. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

Mr. NORRIS. Mr. Chairman, reserving the right to object, I want to ask the gentleman if in extending his remarks in the Record he will not answer my question? I have no objection to the request. [Cries of "Regular order!"]

Mr. MANN. Do I understand there is objection to the request of my colleague to extend his remarks in the Record?

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. MANN. Gentlemen demanded the regular order, and that is equivalent to an objection.

Mr. JAMES. No; we were demanding the regular order against questions being put out of order; that is all.

Mr. MANN. Gentlemen were demanding the regular order, and I hope they will withdraw that objection.

The CHAIRMAN. The Chair hears no objection.

Mr. HARRISON of New York. Mr. Chairman, in the debate on yesterday I suggested to the gentleman from Illinois who has just addressed the committee the reasons which actuated the committee in recommending a rate of 13 cents per gallon on linseed oil. The Dingley law taxed linseed oil 20 cents a gallon. The Payne law cut it down to 15 cents a gallon, and the Underwood bill makes a further cut to 13 cents a gallon, or an ad valorem equivalent of 19 per cent. At this rate we estimate we will receive \$570,000 of revenue. It will thus be seen that linseed oil is one of the largest revenue producers in the oil list. But there was a further reason why we did not make a further reduction than from 15 to 13 cents per gallon, namely, because flaxseed, out of which this oil is made, is taxed at 25 cents per bushel in the agricultural schedule, which on the customhouse receipts last year made an ad valorem equivalent of 19 per cent; and in view of that we found it impossible at this time and in view of the revenue to make a further reduction on linseed oil.

Mr. MANN. Will the gentleman yield for a question?

Mr. HARRISON of New York. With pleasure.

Mr. MANN. It being out of order to offer an amendment on this bill to reduce the tariff on flaxseed, and the gentleman stated that he maintained the tariff on flaxseed oil because he can not reduce the tariff on flaxseed, and it being out of order on the consideration of the agricultural schedule to reduce the tariff on linseed oil, how in the world will you ever make the bread and the molasses meet?

Mr. HARRISON of New York. Mr. Chairman, I can not answer the parliamentary question of the gentleman, but I will inform him I am in hopes we will soon present a revision of the agricultural schedule which contains flaxseed, and that revision will be a revision downward of the rates on flaxseed.

Mr. MANN. Very well—

Mr. HARRISON of New York. And I repudiate his suggestion that we have left a high rate on linseed oil, as we have reduced the rates of the Payne law on linseed oil.

Mr. MANN. You have reduced it less than 10 per cent—

Mr. HARRISON of New York. Fourteen per cent.

Mr. MANN. From 15 to 13 cents. Now, what great benefit will it be to the people of the country, as you say, to reduce the duty on flaxseed in the agricultural schedule when you can not then reduce the tariff on linseed oil?

Mr. HARRISON of New York. Why, Mr. Chairman, we have already reduced linseed oil to the fairest revenue point, and when we come to flaxseed we will reduce that, because in justice to the manufacturers of linseed oil it ought to be reduced.

Mr. MANN. And then will you come back with another chemical bill and reduce the tariff on linseed oil?

Mr. HARRISON of New York. I thought the gentleman had enough of this bill.

Mr. MANN. I have quite enough of it, but under the rules you have adopted you can not reduce the tariff on both flaxseed and linseed oil at the same time.

Mr. NORRIS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NORRIS. Is there a motion now pending on the paragraph?

The CHAIRMAN. There is an amendment pending on the paragraph.

Mr. NORRIS. Offered by the gentleman from Illinois [Mr. MANN]?

The CHAIRMAN. Offered by the gentleman from Illinois. Mr. NORRIS. That is the paragraph ending at line 19 on page 13?

The CHAIRMAN. Yes, sir.

Mr. NORRIS. All right. Thank you, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. NEEDHAM, Mr. NORRIS, and Mr. MANN rose.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, I desire to offer a further amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 13, lines 1 to 5, by striking out the following:

"Olive oil rendered unfit for use as food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him, three-eighths of 1 cent per pound."

Mr. MANN. Mr. Chairman, this olive oil does not come in competition with olive oil produced in this country. Under the existing law olive oil rendered unfit for food comes in free of duty. It is used for manufacturing purposes. I propose by my amendment to leave that character of olive oil on the free list. The bill proposes to take it from the free list, where we placed it under the Payne bill, and put it on the dutiable list.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. HARRISON of New York. Mr. Chairman, in taking denatured olive oil from the free list we have placed upon it a tax of three-eighths of a cent a pound, which is about 3 or 4 per cent ad valorem. There is no reason why, if we tax the olive oil which is used as a food of the poor people, we should not place a revenue tax upon the olive oil which is used by the manufacturer.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. NEEDHAM. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 13, line 15: Strike out the word "thirty" and insert in lieu thereof the word "fifty."

Mr. NEEDHAM. Mr. Chairman, this amendment, if it should be adopted, would restore the rate upon olive oil in packages of less than 5 gallons to the rate which that article has borne both in the Dingley law and in the Payne law. The olive-oil industry in the State of California has been making progress since the enactment of the Dingley law, notwithstanding that the rate of 50 cents a gallon has only averaged about 33 per cent ad valorem—a very moderate protective duty. At the same time the importations of olive oil have been increasing enormously year by year. It is a remarkable coincidence that the rate fixed in this bill by the Democratic members of the Ways and Means Committee is exactly the same rate as was requested by the importers when the Payne bill was under preparation before the Committee on Ways and Means.

We hear a good deal about special interests, but, in my opinion, the worst special interest of all is the importing interest, and it should not receive the same consideration at the hands of the American Congress that the domestic producers of this country should receive. The rate fixed in this bill is exactly the one asked by the importers, and will be found in the hearings, volume 4, page 3735. I have not the time to read it, but it ends by saying:

We therefore respectfully submit that a duty be made of 30 cents a gallon upon olive oil.

That is signed by the importing interests of the city of New York.

There is another matter, Mr. Chairman, that I would like to bring before the House. For more than 20 years Democratic candidates for Congress in the State of California have been telling the voters of that State that the election of Democratic Members from California and of a Democratic Congress would not imperil the industries of that State. In view of the action of this Democratic House already taken, and the action yet to be taken, I am very curious to see the line of argument which Democratic candidates for Congress in California will follow in the coming campaign. In my opinion they will find it very difficult to convince the voters of that State that the industries of California have not been imperiled by the election of a Democratic House.

In addition to the direct competition of importers, we have to meet the adulterations of the imported olive oil. The imported article in many instances is composed of half cottonseed oil, and is not a pure product. Our olive-oil producers have been compelled from the very foundation of this industry to meet this secret and underhanded method of competition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEEDHAM. I would like to have a minute longer in which to read an editorial from the Washington Post, which refers to the question of adulteration.

Mr. LONGWORTH. I ask unanimous consent, Mr. Chairman, that the gentleman from California may proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] asks unanimous consent that the gentleman from California [Mr. NEEDHAM] may proceed for five minutes. Is there objection?

Mr. UNDERWOOD. I would regret, Mr. Chairman, to have to object to members of the committee going on, but they can extend their remarks in the Record.

Mr. NEEDHAM. Will the gentleman permit the editorial to be read? It will take only half a minute.

Mr. UNDERWOOD. I will not object. I ask unanimous consent, Mr. Chairman, that the Clerk may read the editorial referred to.

The CHAIRMAN. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that the Clerk read the editorial submitted by the gentleman from California. Is there objection?

There was no objection.

The Clerk read as follows:

A sample of the manner in which the House Democrats are looking after the interests of the people in their tariff-reduction bills is shown in the olive-oil item of the chemical schedule, just agreed upon. The present duty upon olive oil is 50 cents a gallon, or about 34 per cent ad valorem, which affords protection to domestic producers of pure olive oil and enables them to go ahead and build up a new industry. The new bill cuts this duty to 30 cents a gallon, or about 20 per cent ad valorem. This destroys the protection enjoyed by American producers and means the ruin of their business.

French and Italian olive oil is adulterated with cottonseed oil. American olive oil is absolutely pure. The pure-food law requires, of course, that imported oil shall be properly branded, but Dr. Wiley is authority for the statement that it is almost impossible to detect a blend of cotton seed with olive oil if the proportions are half and half. So heavy were the importations of cottonseed oil by French and Italian olive-oil manufacturers that the French Government quintupled the duty on cottonseed oil against the protest of the virtuous manufacturers who were adulterating their olive oil for American consumption. The increased cost of this adulterant and the duty on olive oil enabled the California producers of pure oil to build up a business.

The Democratic bill, if enacted into law, will destroy this business, and American consumers will be forced to use the foreign adulterated oil at prices fully as high as the perfectly pure oil now produced in California. Experience has shown that the consumer never benefits by a tariff reduction on such commodities. The middleman merely adds to his profits.

If the Senate should join with the House in passing this bill, the olive-oil producers will have to look to President Taft to save their industry from destruction. Other industries are in the same fix. The Democrats could not give Mr. Taft a better campaign weapon than to pass a tariff bill tearing down American industries and thereby enable him to veto it.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. HARRISON of New York. Mr. Chairman, I am sorry that my very good friend from California [Mr. NEEDHAM] has allowed himself to see specters of New York importers in the reductions made by the committee. Of course, I know that he and other prohibitive tariff advocates look upon that class of business men whom they call "importers" as the enemies of the Republic, but he must recognize that behind these people there is an enormous class of citizens of Mediterranean birth or descent, in the cities of Boston, New York, Philadelphia, Washington, and elsewhere along our seaboard, where olive oil is the substitute for butter, and is largely consumed by those people. It is what they call "the poor man's food." The heretofore existing high rates on olive oil were put on simply to make these poor people on the eastern seaboard pay the freight rates on the California olive oil, so as to enhance the price of their food. That is the reason why the committee has reduced these rates. [Applause on the Democratic side.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. BROWNING. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk and ask to have read.

The CHAIRMAN. The gentleman from New Jersey [Mr. BROWNING] offers an amendment, which the Clerk will read.

The Clerk read as follows:

Amend, page 13, lines 8 and 9, by striking out the following: "and Chinese-nut oil."

Mr. BROWNING. Mr. Chairman, I send to the desk a telegram, which I have just received, and ask that it be read.

The Clerk read as follows:

PHILADELPHIA, PA., February 17, 1912.

Hon. W. J. BROWNING, Washington, D. C.:

We earnestly protest against changes in duties on paints and oils proposed in new chemical schedule, especially duty on china wood oil, which would double cost of about 50 per cent of varnishes consumed.

JOHN LUCAS & CO.

Mr. BROWNING. Mr. Chairman, John Lucas & Co., whose office is in Philadelphia, Pa., have in Camden County, N. J., one of the largest paint manufactories in the United States. They own their own spur of railroad to the main line and their own freight and passenger stations, and they employ hundreds of hands. I hope this protest will be heeded.

Now, Mr. Chairman, there may be many more articles in the two paragraphs to which I have offered amendments to-day that should, by every right of reason, remain on the free list, but I have singled out only the articles which have been brought to my attention by several manufacturing firms—articles essential in the manufacture of necessities used in the homes of average American families. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. MANN rose.

The CHAIRMAN. Does the gentleman from Illinois desire to speak to that amendment?

Mr. MANN. I did want to speak a word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, Chinese nut oil is now on the free list. We imported last year nearly 6,000,000 gallons of it at an expense of over \$2,000,000. It is used in the manufacture of varnishes. It is very important that we should have the crude materials as cheaply as possible. The bill proposes to put a duty of 5 cents a gallon on this oil. The amendment of the gentleman from New Jersey [Mr. BROWNING], if it prevails, will strike that out and leave it where it now is, on the free list.

The CHAIRMAN. The question is on the amendment of the gentleman from New Jersey [Mr. BROWNING].

The question being taken, the amendment was rejected.

Mr. NORRIS. Mr. Chairman, I move to amend the bill on page 13, line 6, by striking out the word "thirteen" and inserting in lieu thereof the word "ten."

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Nebraska.

The Clerk read as follows:

On page 13, in line 6, strike out the word "thirteen" and insert in lieu thereof the word "ten."

Mr. NORRIS. Mr. Chairman, my good friend from Illinois [Mr. FOWLER] told us of the Linseed Oil Trust a few moments ago and explained why it was that the tariff on this oil ought to be reduced even to the extent of putting it on the free list. I suggested to him at that time that he offer an amendment to reduce it; but while he is in favor of the reduction, and I presume his colleagues are, he did not offer an amendment to make a reduction.

The last Democratic national platform has a plank in it to the effect that the Democratic Party are in favor of putting the products of the trusts on the free list. Now, here is an opportunity to cut down the tariff on this product of the Linseed Oil Trust or to put it on the free list.

Mr. SHERLEY. Will the gentleman permit a question?

Mr. NORRIS. I will.

Mr. SHERLEY. Is it a trust?

Mr. NORRIS. I am taking the word of the gentleman from Illinois [Mr. FOWLER].

Mr. SHERLEY. I am asking you.

Mr. NORRIS. I have no information on the subject.

Mr. SHERLEY. You are offering an amendment on that supposition?

Mr. NORRIS. I have given the gentleman the source of my information. I am taking the word of the gentleman from Illinois [Mr. FOWLER], in whom I have the greatest confidence, given here as a Member on the floor of the House, that it is controlled by a trust, and the gentleman from Illinois is Democratic authority.

Mr. SHERLEY. I simply wanted to ask, if it was a trust, what steps have been taken by the Department of Justice to dissolve the trust?

Mr. NORRIS. The gentleman knows that he can not get the information from me, because I am not able to give information as to the course that would be taken by the present administration on that or anything else. [Laughter.]

Mr. SHERLEY. For the moment I forgot that the gentleman was not a Republican. I thought he was. [Laughter.]

Mr. NORRIS. The gentleman ought to continue to have that recollection that I am one of those Republicans who believe in

the right kind of Republican doctrine; and I am informed by the gentleman from Illinois [Mr. FOWLER] that this product is controlled by a trust.

Mr. SHERLEY. If the gentleman be the right kind of a Republican, he seems to be in a tremendous minority.

Mr. NORRIS. I would rather be right and be in a minority than be wrong, with the gentleman from Kentucky, and be in a majority. [Applause on the Republican side.]

Mr. SHERLEY. Paraphrasing a remark once made by a distinguished gentleman, the gentleman from Nebraska may find himself both wrong and in the minority.

Mr. NORRIS. That may be, and when I do I will be frank and honest enough to admit it just as soon as I am convinced of it.

Now, that is all outside of the question. The gentleman from Illinois [Mr. FOWLER] says this is controlled by a trust. The entire Democratic Party have said, "We are in favor of making free the products of the trusts." Now, if you think more of your word and the good of the country than you do of the dictates of your party caucus you ought at least to vote for this amendment.

It is said, Mr. Chairman, that if we reduce the tariff on this oil we ought to reduce the tariff on flaxseed, from which it is made. I concede that that may be a good argument, and that we could not offer an amendment here to reduce the duty on flaxseed, because it would not be germane to this bill and would be out of order.

Now, then, if that be true, then the country is between the devil and the deep sea, sure, because when we come to the schedule where flaxseed is included, and a motion is made to reduce the duty on it, they would say that if we reduce the duty on that we ought to reduce the duty on oil, and we can not make a motion to that effect on that bill, because it would be out of order. So what we ought to do—and I believe in schedule revision—is to reduce this tariff, and then, if it is necessary when we come to another schedule of the tariff, reduce the tariff on the product out of which it is made.

Mr. UNDERWOOD. Mr. Chairman, I desire to ask that all debate on this paragraph close in five minutes.

Mr. MANN. I hope the gentleman will not do that. I want to offer two amendments.

Mr. UNDERWOOD. Then, Mr. Chairman, I ask that all debate on this pending amendment close in five minutes.

The CHAIRMAN. The gentleman from Alabama asks that all debate on the pending amendment close in five minutes. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Chairman, the flaxseed which is used in America for making linseed oil is mostly produced in America. We produce annually from twenty to twenty-eight million bushels of flaxseed, and we manufacture most of that. Last year, or in 1910, we imported 5,000,000 bushels of flaxseed. We produced during the year 24,000,000 bushels, but we exported a part of what we had raised and a portion of what we had imported.

A bushel of flaxseed will make 2½ gallons of oil. There is now on flaxseed a duty of 25 cents a bushel. If the rate were reduced to 10 cents a gallon on linseed oil, that would leave the manufacturer of this article without any compensatory duty. Two and one-half times 10 cents is 25 cents, the same as is placed on a bushel of seed to-day. He would have nothing left except the flax cake, which is about 37 or 38 pounds to the bushel, and which sells from \$20 to \$80 a ton, and is used as cow feed, which is regarded as a most excellent and highly nutritious food.

Mr. Chairman, the gentleman from Nebraska [Mr. NORRIS], a gentleman whose course in this Hall was to a greater or less extent a pattern for me in my campaign last year, has done me more than honor by saying that he accepts as true my statement that this article is controlled by a trust, but I desire to say to the gentleman and to this House that I verily believe that there is a trust in the production of linseed oil and which controls the sale thereof. I want to thank him very kindly for his courtesy, but I want to say in reply that if the amendment which I would like to see passed is carried and the duty on the rates lowered to 10 cents a gallon, then it would, perhaps, require a corresponding reduction on the flaxseed itself.

North Dakota produces more flaxseed than all the rest of the United States. Minnesota, the two Dakotas, Wyoming, Washington, and Idaho practically produce the flaxseed of this country. I do not know what the gentlemen who come from those States think of a reduction of the tariff on flaxseed itself, but in my opinion the tariff could be lowered upon flaxseed with a great deal of consistency, and thereby give an opportunity to lower the tariff on linseed oil.

It would give the man in the country an opportunity to give his humble home a coat of whitewash made of lead and linseed oil instead of being made of lime. I highly favor it, because in my own town I have a humble home that I undertook to paint, and when I went to buy the oil at retail it was \$1.25 a gallon, a price so enormous that I was not able to buy it, and for that reason my little home at Elizabethtown, Ill., is yet without a coat of paint. I would like to get an opportunity to paint that house.

Mr. BUTLER. How much oil did the gentleman require? We might get him a gallon. [Laughter.]

Mr. FOWLER. Well, Mr. Chairman, I want to say in reply to the distinguished gentleman from Pennsylvania that I never posed as a millionaire living in mansions one part of the year during the fashionable season and then hibernating in a dozen other places at seashores and summer resorts, residing in mansions which are costly enough for that of the king of any country in the world. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer this further amendment.

The Clerk read as follows:

Amend, page 13, line 8, by striking out the following:
"And peanut oil."

Mr. MANN. Mr. Chairman, peanut oil is now on the free list. This bill proposes to place it on the dutiable list at 10 cents per gallon. I do not know just how the gentleman drawing the bill has arrived at the tariff on the different oils. He proposes on coconut oil a tariff of one-quarter of 1 cent per pound; on poppy-seed oil and peanut oil, 10 cents per gallon; on Chinese nut oil, 5 cents per gallon; on almond oil, sweet, 5 cents per pound; on mace oil, 8 cents per pound; and there are various other provisions. All in this list are now on the free list. Peanut oil is a table article in different forms, used by people, certainly not of the richest class, because I use some of it myself, and I have no doubt that my colleague from Illinois [Mr. FOWLER] also must occasionally use peanut oil. What is the reason for putting the highest rate of all in this list on peanut oil, which is now on the free list? What is the reason for transferring it from the free list at all to the dutiable list? It ought to be kept on the free list, where it is now, in the interest of the consumers of the country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 13, lines 9, 10, 11, and 12, by striking out the following:
"Almond oil, sweet, 5 cents per pound; mace oil, 8 cents per pound; sesame or sesamum seed or bean oil, 1½ cents per pound."

Mr. MANN. Mr. Chairman, these oils are all on the free list now. If my amendment prevails, they will remain on the free list. The bill proposes to place them on the dutiable list at a rather high rate of duty. They are necessities in the families of the country, in the ordinary way they are used, and there is no excuse for placing them upon the dutiable list under any form of tariff legislation which endeavors to protect to any extent the industries of the country.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

Mr. HARRISON of New York. Mr. Chairman, the tax on almond oil, mace oil, sesame oil, as contained in the bill, and as proposed to be stricken out by the amendment of the gentleman from Illinois, is a tax upon the materials used in manufacturing perfumes, cosmetics, and perfumed toilet soaps. To some extent also these oils are used in the manufacture of flavoring extracts, but it is not believed that the revenue duty placed upon these noncompetitive products will be a hardship upon the people who use any of these articles of manufacture.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

51. Oils, distilled and essential: Peppermint, 25 cents per pound; almond, bitter; anise or anise seed; bergamot; camomile; caraway; cassia; cinnamon; cedrat; citronella or lemon-grass; jasmine or jasmine; juniper; lavender; and aspic or spike lavender; lemon; limes; neroli or orange flower; orange; origanum, red or white; rosemary or anthos; attar of roses; thyme; and valerian; all the foregoing oils, and all fruit oils and essences, and essential and distilled oils and all combinations of the same, not specially provided for in this act or in the first section of the act cited for amendment, 20 per cent ad valorem; *Provided*, That no article containing alcohol shall be classified for duty under this paragraph.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 13, lines 21 to 25, and page 14, line 1, by striking out the following words:

"Anise or anise seed; bergamot; camomile; caraway; cassia; cinnamon; cedrat; citronella or lemon-grass; jasmine or jasmine; juniper; lavender; and aspic or spike lavender; lemon; limes; neroli or orange flower; and origanum, red or white; rosemary or anthos; attar of roses; thyme; and valerian."

Mr. MANN. Mr. Chairman, these oils are now all on the free list. They are used in the manufacture of perfumes and some of the common extracts.

Mr. BUTLER. Extracts of vanilla?

Mr. MANN. Lemon extracts. The bill proposes to place them upon the dutiable list at 20 per cent. My amendment proposes to leave them where they now are under the Payne law, on the free list. These go indirectly into every household. The gentleman proposes to tax what are no longer luxuries, but necessities—true, largely used by the gentler sex—

Mr. BUTLER. To anoint themselves.

Mr. MANN. The gentler sex who can not vote, but that is no excuse for putting them on the dutiable list. Some of them are used by the gentler sex to anoint themselves, it is true, as the gentleman from Pennsylvania suggests, and some of them are used to make the food they prepare for us a little pleasanter to eat.

Mr. HARRISON of New York. Mr. Chairman, the rates of duty upon the finished product, perfume, are retained in this bill at the same figure they were in the Payne law, which is about 70 per cent ad valorem, equivalent. In view of that fact it is believed that the imposition of a 20 per cent ad valorem tax upon the essential oils which are the raw material for the manufacture of perfume is one of the fairest revenue producers that could be found.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

54. Ambergris; enfleurage grease; musk, crude, in natural pods, and musk in the grain; civet, crude; all synthetic and essential oils and all other odoriferous substances or preparations suitable for the manufacture of perfumes or cosmetics, or flavoring extracts, not specially provided for in this act or in the first section of the act cited for amendment, 20 per cent ad valorem; *Provided*, That no article containing alcohol shall be classified for duty under this paragraph.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 15, lines 16 and 17, by striking out the following:
"Ambergris; enfleurage grease; musk, crude, in natural pods, and" and "civet, crude."

Mr. MANN. Mr. Chairman, these articles are now on the free list. If my amendment prevails, they will remain on the free list. This bill proposes to place them on the dutiable list at 20 per cent ad valorem, a high rate even if it were to pay a duty. They are crude materials, not competitive in character, of the same class to which I have already called attention.

Mr. HARRISON of New York. Mr. Chairman, in answer to the gentleman, I will simply call the attention of the committee to the fact that ambergris, enfleurage grease, musk, and civet are very expensive articles and should bear their fair share of the burdens of taxation. They were left upon the free list by the Republicans because they are noncompetitive articles. That is the very reason why we are placing them on the tax list. They are raw materials in the manufacture of perfumes.

Mr. HILL. I want to call the attention of the gentleman to paragraph 54, where a word is spelled wrong. It is spelled a-m-b-e-r-g-r-i-s in the bill and it ought to be a-m-b-e-r-g-r-i-s.

Mr. HARRISON of New York. As I read the bill it is a-m-b-e-r-g-r-i-s. I thank the gentleman for calling attention to it; it is simply a typographical error, which should be corrected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

Mr. HARRISON of New York. Mr. Chairman, I move to amend paragraph 54, in line 16, page 15, by inserting the letter "r" between the letters "e" and "g" in the first word, "ambegris," so that it will read "a-m-b-e-r-g-r-i-s."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

59. Chrome yellow, chrome green, and all other chromium colors in the manufacture of which lead and bichromate of potash or soda are used, in pulp, dry, or ground in or mixed with oil or water, 20 per cent ad valorem, but not less than 3 cents per pound.

Mr. AUSTIN. Mr. Chairman, I was called out of the Chamber when the paragraph just ahead of this was read, in relation to barytes.

Mr. UNDERWOOD. Does the gentleman wish to go back to a paragraph?

Mr. AUSTIN. If you please.

Mr. UNDERWOOD. I will ask the gentleman to wait until we finish the bill, and I will not object.

The Clerk read as follows:

69. Potash: Bicarbonate of, and carbonate of, refined, one-half of 1 cent per pound; hydrate of, six-tenths of 1 cent per pound; hydrate of, in sticks or rolls, 1 cent per pound; chlorate of, chromate and bichromate of, 1 cent per pound; cyanide of, 1½ cents per pound; nitrate of, or saltpeter, crude, \$3 per ton; refined, \$7 per ton; permanganate of, 1½ cents per pound; prussiate of, red, 2 cents per pound; yellow, 1½ cents per pound.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 19, lines 5 to 8, by striking out the words "Potash: Bicarbonate of, and carbonate of, refined, one-half of 1 cent per pound; hydrate of, six-tenths of 1 cent per pound; hydrate of, in sticks or rolls, 1 cent per pound."

And inserting in lieu thereof the following:

"Potash: Bicarbonate of, one-half of 1 cent per pound; caustic potash or hydrate of, refined, in sticks or rolls, 1 cent per pound."

Mr. MANN. Mr. Chairman, my amendment proposes to put caustic potash—not refined—on the free list, where it is now. The bill proposes to transfer unrefined caustic potash to the dutiable list. Another household necessity transferred from the free list to the dutiable list under the bill.

The CHAIRMAN. The question is upon the amendment.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 19, lines 10 and 11, in the paragraph headed "Potash," by striking out the words "nitrate of, or saltpeter, crude, \$3 per ton; refined, \$7 per ton," and inserting in lieu thereof the following: "nitrate of, or saltpeter, refined, \$7 per ton."

Mr. MANN. Mr. Chairman, crude saltpeter is now on the free list. My amendment, if agreed to, would leave crude saltpeter upon the free list. The bill proposes to place it upon the dutiable list. Another of those cases where it is proposed to put a tariff on the crude article and at the same time reduce the tariff on the refined article. If my recollection is correct, the present tariff on refined saltpeter is \$10 a ton, and this bill proposes to put a tariff of \$3 a ton on the crude article and reduce the tariff on the refined article \$3 a ton. Gentlemen may imagine that that will maintain the industry in the country, but the result will be to drive out the refining of crude saltpeter in this country and the bringing of refined saltpeter in from abroad and in the end largely increase the cost of saltpeter to those who use it in this country.

Mr. HARRISON of New York. Mr. Chairman, the gentleman from Illinois is laboring under the delusion that refined nitrate of potash is made out of crude nitrate of potash.

That is incorrect. The crude nitrate of potash is used in the manufacture of gunpowder and so is the refined nitrate of potash, but the latter is made out of potassium chloride and not out of crude nitrate of potash. We have put a tax on \$3 a ton on the crude nitrate of potash, an ad valorem equivalent of 4½ per cent, at which rate we anticipate duties of more than \$11,000. At the same time we have reduced the rate upon the refined nitrate of potash from 11 per cent ad valorem to 10 per cent ad valorem.

Mr. MANN. What is crude saltpeter used for?

Mr. HARRISON of New York. It is used also in the manufacture of gunpowder.

Mr. MANN. What else is it used for? It is the most common kind of antiseptic in the country.

Mr. HARRISON of New York. It is not used at all as an antiseptic. It is used in the manufacture of gunpowder and nitric acid.

Mr. MANN. And the gentleman can not buy a ham but that has saltpeter in it or can not buy a piece of preserved beef that has not saltpeter in it. The color of all these meats comes from saltpeter. The gentleman proposes to tax this necessity of the people so far as eating is concerned. We have it on the free list. The gentleman proposes to put it on the dutiable list.

Mr. BUTLER. This is not going to threaten our ham, is it?

Mr. MANN. It is going to add to the high cost of living.

Mr. HARRISON of New York. We introduced the other one, which is used for the same purpose.

Mr. MANN. It is going to add to the high cost of living. The gentleman is not familiar with the subject at all, neither is his expert. If he had studied the pure-food question as long as I have he would know something about it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

76. Vanillin, 10 cents per ounce; vanilla beans, 50 cents per pound; tonka beans, 25 cents per pound.

Mr. MANN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 20, lines 20 and 21, by striking out the following: "Vanilla beans, 50 cents per pound."

Mr. MANN. Mr. Chairman, vanilla beans are now on the free list. This bill proposes to place a duty of 50 cents a pound on them. My amendment proposes to leave vanilla beans upon the free list. They are the basis of the vanilla flavor to a large extent. Some of the vanilla flavors are made in other ways, however. [Laughter.]

Mr. BUTLER. The ice cream flavors, especially.

Mr. MANN. But the real vanilla flavor is made from these vanilla beans. The gentleman proposes to place a high tariff upon them, not for that purpose, but in order to encourage fraudulent vanilla extracts made from other articles—synthetic articles. The pure, natural vanilla extract is based upon, and it is made from, the articles that they propose to put a high tariff on. They are reducing the tariff on coal-tar products, some of which can be used for the manufacture of various extracts that come close to vanilla extract. We are in favor of maintaining a free list as to vanilla beans and are for the pure article on our tables and in our households.

Mr. BUTLER. And in our ice cream.

Mr. MANN. And in our household foods, in our ice cream, and in other things. My friend from Pennsylvania [Mr. BUTLER] evidently has the impression that the principal use of vanilla is in ice cream.

Mr. BUTLER. I am sorry to say to my friend that it is not. You will find it in the coffee and water and everything. [Laughter.]

Mr. MANN. Vanilla flavoring is used in a very large percentage or number of articles prepared for food in a household, in a very small percentage of flavor, but used to a very large extent. I dare say there is hardly a household in this country where you can not find a bottle of vanilla extract in the kitchen.

Mr. HARRISON of New York. Mr. Chairman, the tax which we have proposed upon vanilla beans is simply a tax upon a luxury, and it will produce a revenue, at 50 cents a pound, of \$575,000. The extract of real vanilla beans as described by the gentleman from Illinois [Mr. MANN] is very seldom met with in the household. The ordinary object which is in use in the kitchen of the average home comes from vanillin, which is an extract of the oil of cloves and is a synthetic imitation of the real vanilla extract. We have reduced the rates of duty upon vanillin from 20 cents an ounce to 10 cents an ounce, and in putting a tax upon vanilla beans we believe we are collecting revenue on a noncompetitive product which goes into the manufacture of a luxury and is a most proper subject of taxation.

Mr. MANN. Mr. Chairman, the bill puts a tariff on unground cloves, the raw material from which vanillin is made; it leaves a higher tax on the raw material from which vanillin is made than it puts upon the article itself, vanillin, in the bill.

Mr. HARRISON of New York. Oh, no. The gentleman from Illinois is mistaken. The rate which we put on vanillin is equal to about 40 per cent ad valorem, while the tax on unground cloves is only 20 per cent ad valorem.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. MANN. Now, Mr. Chairman, will the gentleman be willing to return to paragraph 56? We have finished the dutiable list.

Mr. UNDERWOOD. I would prefer to finish the bill, but if the gentleman desires it I will not object.

The CHAIRMAN. By unanimous consent the committee will return to paragraph 56.

Mr. BARTHOLOTT. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri [Mr. BARTHOLOTT].

The Clerk read as follows:

Amend, page 16, lines 4 and 5, by striking out after the word "unmanufactured" the words "15 per cent ad valorem but not less than 40 cents per ton" and inserting the words "\$1.50 per ton." And in line 5, after the word "manufactured," strike out the words "20 per cent ad valorem but not less than \$1.30 per ton" and insert the words "\$5.50 per ton."

Mr. BARTHOLOTT. Mr. Chairman, under the Dingley bill the rate on barytes, unmanufactured, was 75 cents a ton, and as at that time there were practically no importations from Europe

that rate was sufficient to enable the industry to exist. But soon the importations from Canada, Newfoundland, and Germany began, and they increased at such a rapid rate, namely, from 1,000 tons to 12,000 tons, within a few years that the barytes industry of Missouri was threatened with utter destruction, owing to a lack of proper protection. At the time the Payne bill was under consideration I saw with my eyes hundreds and thousands of tons of barytes piled up along the Iron Mountain Railroad tracks which had been mined, but could not be disposed of, owing to the fact that foreign barytes could be laid down in the port of New York at a rate several dollars lower per ton than the Missouri product. Recognizing this condition of affairs, Mr. PAYNE and his Republican colleagues on the Ways and Means Committee agreed to increase the rate from 75 cents to \$1.50, and while this was hardly sufficient protection to make the industry profitable and prosperous it enabled it at least to live. Now it is proposed to cut down this meager measure of protection to 40 cents a ton, a little more than one-half of what it was when the operators had gone out of business and the miners were idle. The inevitable effect will be to wipe this Missouri industry off the map and to substitute for our own product the product of Germany and Canada. What this means to the people of southeast Missouri will be seen from the figures, which show that at the present time 52 per cent of the total barytes output of the country is mined in Washington County, of my State. It is a great part of the subsistence of those people, and if this bill passes there will stand between them and the utter destruction of their main industry only one man, the President of the United States. I protest, Mr. Chairman, against a policy which will sacrifice the industries of my State to a mere theory, and I call upon my Democratic colleagues, especially my colleague from the thirteenth district [Mr. HENSLEY], one of whose predecessors, also a Democrat, once introduced a bill to make the duty on barytes \$5 a ton, to join me in the defense of the vital interests of our common State. [Applause on the Republican side.]

Mr. AUSTIN. Mr. Chairman, I want to state that what the gentleman from Missouri has so well said about the history of the barytes industry in Missouri applies exactly to the industry in Tennessee; and the legislation which affected it, namely, the Dingley law and the Payne-Aldrich law, resulted precisely in Tennessee as it did in the State of Missouri. With the low duty carried in the Dingley law and the increased importations the barytes mills and mines in eastern Tennessee and other Southern States were compelled to shut down and go out of business. With the increase of duty carried in the Payne-Aldrich bill, immediately operations were resumed in the mines and the mills were started again. They are now in operation. If this bill should become a law, every mine will close down, every plant will stop, a large number of men will be thrown out of employment, and the capital invested will practically be lost.

Mr. Chairman, I send to the Clerk's desk a letter from a pioneer southern man in this industry, who, I think, is the best-posted man in all the Southern States on this subject. He has been actively and extensively engaged in calling the attention of capital to deposits of barytes in the South and inducing parties to come there to inaugurate this industry.

I refer to Mr. Charles A. Weller, a reputable business man of my town (Knoxville, Tenn.), who has voted and supported the Democratic ticket, but I venture the assertion that if you pass this bill and destroy his business, he, like thousands of others, will cease to vote the Democratic ticket, and will support that party which stands for the protection of American capital, the American mills, and the American wage earner. [Applause on the Republican side.] I protest against the destruction of this new and promising southern industry.

The CHAIRMAN. If there be no objection, the letter will be read in the gentleman's time.

The Clerk read as follows:

Hon. R. W. AUSTIN, KNOXVILLE, TENN., February 12, 1912.
Washington, D. C.

MY DEAR SIR: As I understand it, the new schedule proposed on chemicals embraces a change in the present tariff covering barytes. This change, as I have gotten it, is meant to be misleading, so as not only to put this product back to the old rate, but even lower, by substituting an ad valorem for the present rate under pigments for paints, etc. For example, they are calling the ore barytes earth unmanufactured, which now carries a rate of \$1.50 per ton and is selling in this country at \$6.75, including the duty of \$1.50 and freight \$1.90. The proposed schedule is 45 per cent ad valorem, which, as I understand, will apply on the cost of the ore at the mines, which is around about \$1.40 per ton. As to the cost at the mines, I have this information from Hon. Robert F. Skinner, consul general at Hamburg, Germany.

Cost at mines	\$1.42
Barge to Hamburg	1.30
Ocean freight to United States	1.95
Duty	1.50

Total ----- \$6.17

It will cost something from docks to plants, but that should not be considered, however. The total price now asked in New York and Philadelphia is \$6.75 per long ton. Our freight rate to New York is, in long tons, \$5.21; to Philadelphia, \$4.09; so you can see what our competition is with the duty at \$1.50, whereas the new duty would be, as I understand it, 45 per cent of \$1.42—about 64 cents. The new schedule on the ground product is 40 per cent ad valorem, and the old rate \$5.25 per short ton; deducting the cost of ore, milling, and transportation, they get about \$7 per ton, a good price in Germany; this reduces the duty to about \$2.85 per ton, and so, with the highest product made, the artificial carbonate, the proposed rate is 30 per cent ad valorem when the present rate is one-half cent per pound.

At the prices named you the foreign ores now command about 65 to 75 per cent of the business of the United States, but since the duty was raised at last Congress there has been great activity in the development of the American ores and manufacture of this product; but if this reduction is made it will certainly kill the business, as we can not compete with water rates.

We have in this district, as well as in other sections of the South, the largest deposits of barytes in this country, which has just been placed in a position to be handled, at a small profit, and large amounts raised to develop the business, but if the present duty is lowered, as proposed, it will kill off a large business in this country and give it to foreign markets and, in turn, benefit only three or four large importers.

I will be glad to have any information you can give on this subject, as well as your assistance in defeating a measure that will kill an industry that could not live heretofore because of a lack of protection with a proposed change in the duty that will make it still lower than ever before when really there should be an increase on the present rates of duty.

Thanking you for your attention to this matter, and with kind regards, I remain,
Yours, truly,

CHAS. A. WELLER.

Mr. HARRISON of New York. Mr. Chairman, the letter which the gentleman from Tennessee has sent to the desk contains some of the errors customary in the presentation of the case of persons asking for tariff taxation. He says that it costs \$1.95 for freight, \$1.50 for duty, and he says that with the duty paid it makes the cost \$6.90 in New York. As the unit of value in 1911 was \$2.46, that would make the cost in New York \$5.99, nearly a dollar out of the way in the calculation; but of course such a trifle as that does not stand in the way of anybody who is seeking for tariff protection.

In my judgment the most indefensible raise in the Payne law was the doubling of the duty upon barytes from 75 cents to \$1.50 a ton. Even for those persons who advocated it the result of the imposition of that duty must have been a grievous disappointment, because the price of barytes in this country has been falling, and has continued to fall in spite of the doubling of the duty. The price in 1909 was \$3.55; in 1910, \$3.02; and in 1911, \$2.46, a ton, so that the result of doubling the tariff tax upon barytes was not to increase the price, as had been hoped for by those desiring the protection, but simply to impede and make more difficult the manufacture of paints in the eastern seaboard States, where they were obliged to pay freight rates upon the barytes shipped from Missouri to the Atlantic coast.

Mr. BARTHOLDT. Will the gentleman permit me?

Mr. HARRISON of New York. If the gentleman will excuse me, I wish to conclude my argument. Barytes is a mineral which is found right at the surface of the ground. It requires little or no labor to take it out. It is chiefly produced by farmers in the rare intervals when they have nothing else to do, and is trundled by them to the sidings of the railways and dumped there for transportation. It is not worthy of laying a heavy tax upon the paint manufacturers of the East, and it would be inconsistent in us to retain the high tariff duty on barytes, inasmuch as we have cut the duties on paints, the finished products, from 30 per cent to 20 per cent ad valorem.

Mr. BARTHOLDT. Will the gentleman yield now?

Mr. HARRISON of New York. With pleasure.

Mr. BARTHOLDT. Is not the gentleman's statement—that the price has fallen—a complete refutation of the Democratic theory?

Mr. HARRISON of New York. The price would have fallen very much more if the manufacturers of paint had been able to obtain it at the lower rate of duty.

Mr. BARTHOLDT. The gentleman says the price has decreased from \$5 to \$2.46.

Mr. HARRISON of New York. Yes.

Mr. BARTHOLDT. In spite of the fact that the duty has been raised from 75 cents to \$1.50?

Mr. HARRISON of New York. And the manufacturers of the East would have gotten it 75 cents cheaper if it had not been for the duty.

Mr. BARTHOLDT. The result will be to throw all the labor out of employment which is engaged in the production of barytes and to leave the product in the bowels of the earth.

Mr. AUSTIN. And we will not buy paint for a cent less.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri [Mr. BARTHOLDT].

The question being taken, the amendment was rejected.

The Clerk read as follows:

83. Calcium, acetate of, brown and gray, and chloride of, crude.

Mr. HAMMOND. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend. paragraph 83, page 21, by striking out the word "and" in line 19, before the word "chloride"; by striking out the period and inserting in place thereof a comma, after the word "crude," in line 20; and by adding to the paragraph the following: "And nitrate of, crude."

Mr. HAMMOND. Mr. Chairman, I offer this amendment on behalf of the committee, as the nitrate of calcium is probably under another name free now under existing law. In the Payne law lime nitrogen is free. This is a fertilizer known as nitrate of calcium, made in Norway by an invention of a genius there from the nitrate of the air combined with lime. It is made into this product nitrate of calcium, and, as I say, is used as a fertilizer. I believe it was the intention of the framers of the Payne bill to include it under the nomenclature of lime nitrogen. But in order that there may be no doubt about it, I offer this amendment to the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

88. Drugs, such as barks, beans, berries, buds, bulbs, bulbous roots, excrescences, fruits, flowers, dried fibers, dried insects, grains, gums, herbs, leaves, lichens, mosses, nuts, nutgalls, logs, roots, stems, vegetables, seeds (aromatic, not garden seeds), seeds of morbid growth, weeds, and woods used expressly for dyeing or tanning; any of the foregoing which are natural and uncombined drugs and not edible and not specially provided for in this act or in the first section of the act cited for amendment, and are in a crude state, not advanced in value or condition by peeling, shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and the prevention of decay or deterioration pending manufacture: *Provided*, That no article containing alcohol shall be admitted free of duty under this paragraph.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend. page 22, lines 14 and 15, by striking out the words "peeling, shredding, grinding, chipping, crushing, or," and by striking out in line 15 the word "other."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

89. Magnesite, crude, not purified.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend. page 22, line 20, by striking out the words "magnesite, crude, not purified," and inserting in lieu thereof the words "magnesite, crude or calcined, not purified."

Mr. MANN. Mr. Chairman, this is to restore to the free list magnesite, crude or calcined, not purified, which the gentleman has taken out of the free list and put upon the dutiable list.

Mr. HARRISON of New York. Mr. Chairman, this is the same question that the gentleman from Illinois and I debated when we dealt with the subject of magnesite on the dutiable list. It is the basis of the white pigment, a first-class revenue producer, and we expect to get \$89,000 revenue.

Mr. MANN. At the expense of the trade. The gentleman's theory now that the tax is paid by the manufacturer and never at the cost of the consumer was not always entertained by that gentleman.

Mr. HARRISON of New York. My theory is not correctly stated by the gentleman from Illinois. The tax paid by the manufacturer would go to the consumer if his top rate was prohibitive, but since we have cut down the top rate, the consumer will get it cheaper and the manufacturer can not unload on him.

Mr. MANN. He can unload his factory and close it up. That is what will happen with a great many manufacturers if the gentleman's bill becomes a law. Of course, it is easy to speculate about these things. It is easy to say from that side that this bill will do no harm and no injustice to the country, because we all know on both sides of the Chamber that hardly anybody here would vote for the bill at any stage of it if there was the slightest possibility of its being enacted into law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

93. Potash, crude, or "black salts"; carbonate of potash, crude; sulphate of potash, crude or refined; and mullate of potash.

Mr. MANN. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amend. page 23, lines 3 and 4, by striking out the words "Potash, crude, or 'black salts'; carbonate of potash, crude"; and inserting in lieu thereof the following:

"Potash, crude, or 'black salts'; carbonate of potash, crude or refined; hydrate of, or caustic potash, not including refined, in sticks or rolls; nitrate of potash, or saltpeter, crude."

Mr. MANN. Mr. Chairman, the last two or three amendments which I have offered have been to the free list carried in this bill. The amendments offered before were to the dutiable list carried in the bill. This amendment proposes to place in the free list caustic potash and crude saltpeter, where they now are. I confess that I do not quite understand the purpose of inserting some of these items in the free list, which are already in the free list, and which are not disturbed by the change of law. Just what will happen in connection with some of the provisions in this bill and the existing provisions in the free list I do not know. I am very sure that the gentleman from New York does not know. This bill proposes to substitute various paragraphs of it in place of Schedule A, the chemical schedule of the Payne tariff law. It does not propose to substitute any portion of the bill for the various paragraphs of the free list in the Payne tariff law. It is to be made a part of the Payne tariff law. You will find in the law a provision placing an article upon the dutiable list, and in the same law a provision placing the same article upon the free list. It is quite true that the amendment, which would be this bill, if enacted into law, being subsequent in point of time, although in the same law, would control, and that the items carried into the law by this bill would supersede the items in the existing law, although in the same law. It is also true—and I make the suggestion for the benefit of the gentleman from New York [Mr. HARRISON] and his assistant chemist—that he has entirely misconceived the effect of some of the provisions in this bill placing articles upon the dutiable list in connection with the law, as to articles upon the free list; and if this bill should ever become a law it would take a Philadelphia lawyer at his very best to unravel some of the difficulties unnecessarily placed in the law by the provisions of this bill.

Mr. HARRISON of New York. Mr. Chairman, I shall not detain the committee at any great length, as everybody is probably getting tired, but I will explain for the benefit of the gentleman from Illinois [Mr. MANN] that the free list attached to the dutiable list in the Underwood bill contains, as the gentleman of course knows, not only the objects which we transfer to the free list, but also other objects which were already upon the free list. We have combined them in this bill, together with the dutiable list, merely to make it readier of reference for any Member who wished to ascertain what tax was laid upon the cognate substance, for instance, the raw material or the finished product. It would have been practically impossible to invade the whole of the free list of the Payne law and attach the chemical part of it to this bill, because there are some subjects in that free list which may or may not be properly classifiable as chemicals, so that we have limited ourselves to the method that I have described. At the same time, of course, all the matters which are now in the Payne free list and which are not mentioned in this bill are still in the free list, and those which we have mentioned in the free list here, which are not in the Payne free list, we change. Those which we have added to the free list would go on to the free list if this bill becomes a law.

Mr. HILL. I would like to inquire if it is the expectation, in case this bill should become a law, and all things are possible in the providence of the Almighty—

Mr. MANN. Well, this is not.

Mr. HILL. Whether the gentleman intends, or the committee intends, that this free list shall be published and printed in the tariff law as a part of Schedule A, or whether it is intended that it shall modify the free list of Schedule A of the whole law.

Mr. HARRISON of New York. Mr. Chairman, it is difficult to answer that. I should be inclined to think that these articles would fall into their proper places upon the free list of the law in case this amendment to the law were adopted.

Mr. HILL. By what authority? There is no provision striking out from the Payne free list.

Mr. HARRISON of New York. They substitute the other—by that authority. The difficulty is that the Payne law has 14 different schedules, and but one free list attached to the whole 14, and it would be a very difficult matter to select all the articles in that free list which deal with the chemical industry.

Mr. UNDERWOOD. If the gentleman will allow me for a moment, this bill proposes to substitute for the items in the Payne bill from 1 to 83, inclusive, this bill necessarily wiping out everything that is mentioned in the Payne bill, if it becomes

a law, from 1 to 83 and repealing it, and this will take its place. Now, it puts into the chemical Schedule A of the Payne bill a free-list section as well as a general free-list section in the bill.

Mr. HILL. Necessarily the same plan would be followed out with regard to other schedules, making a dutiable list and a free list in every schedule if there were things to put on the free list.

Mr. UNDERWOOD. It is possible in some of the other sections of the bill we may not pass them as amendments to the Payne bill.

Mr. HILL. The embarrassment I can see in regard to the situation is that we might find articles dutiable in a schedule, and they might still remain on the free list in the law. Of course I understand that the courts would probably hold that the last legislation would prevail under the rule that where there is an amendment to the law the last-named rate becomes effective.

Mr. UNDERWOOD. There is no question about what the court would hold, as it has been held too often. They would hold where we have put a tax on an article in this bill it is conclusive evidence that that nullifies anything in the Payne bill.

Mr. HILL. There is another question that I would like to ask. What would be the situation where we have taken articles from other schedules which are already dutiable and have put them in here at a lower rate of duty, not striking them out from the other schedules, but leaving them at a higher rate of duty there? Would not the court hold that the higher rate of duty would prevail?

Mr. UNDERWOOD. The gentleman has not read the last clause of the bill, "that all acts and parts of acts in conflict with the provisions of this act be, and the same are hereby, repealed."

Mr. HILL. I have read the whole bill.

Mr. UNDERWOOD. That answers the question.

Mr. HILL. But when you strike out from the present law all of the paragraphs of Schedule A and substitute new items from other schedules and the free list as well, why do you not change the other schedules accordingly?

Mr. UNDERWOOD. Because the general repealing clause takes care of that.

Mr. HILL. I hope so.

Mr. MANN. Not only will items on the free list of this bill be placed under the chemical schedule of the Payne law, but they will be placed there under the head of a dutiable list. The Payne law contains a dutiable list, so labeled and named in the law itself. It contains a free list, so labeled and named in the law itself, and with characteristic logic the gentleman proposes now to take items out from under the heading of free list and put them free under the head of dutiable list, so that a man who examines the law will need a decision of the court to know what the tariff law is. If it should become a law, no one by reading the law would be able to tell that which was in force and that which was not in force.

The question was taken, and the amendment was rejected.

The Clerk resumed and completed the reading of the bill.

Mr. HILL. Mr. Chairman, I want to call the attention of the chairman of the committee to section 2, on page 80, the maximum and minimum law, by which he will see that there is a distinct reference to the dutiable list of the Payne Act, which means everything up to the free list of the Payne Act, and it seems to me to avoid trouble in the future that at some time in the progress of this bill the free list of the Payne Act should be modified to correspond with the items named in the free list of this bill, and they should not be made a part of Schedule A. I think a very serious complication may arise there in the future.

Mr. UNDERWOOD. I understand the gentleman's contention, and if I agreed with him and thought so I would amend the bill—

Mr. HILL. No; I would not ask to amend it now, but I wanted to call the gentleman's attention to it.

Mr. UNDERWOOD. I do not think the gentleman is correct about it. I have permission to make committee amendments, but I think that the gentleman is mistaken about the matter.

I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20182—the chemical schedule—and directed him to report the same to the House with certain amendments, with the recommendation that

the amendments be agreed to and that the bill as amended do pass.

Mr. UNDERWOOD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

WITHDRAWAL OF PAPERS.

Mr. JACOWAY, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of James C. Williams, second session Sixty-first Congress, no adverse report having been made thereon.

Also, papers in the case of E. Ross Smith, second session Sixty-first Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock p. m.) the House adjourned until Wednesday, February 21, 1912, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster General submitting an estimate of appropriation for postal savings system for the year ending June 30, 1913 (H. Doc. No. 552); to the Committee on the Post Office and Post Roads and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Acting Secretary of the Interior submitting an estimate of appropriation for pay of Blackfeet Indians for lands granted the State of Montana for school purposes and to provide allotment for members of the Rocky Boy Band of Chippewa Indians (H. Doc. No. 553); to the Committee on Indian Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting a letter from the Chief of Ordnance, United States Army, submitting the report of the commanding officer of Watertown Arsenal of "Tests of iron and steel and other material for industrial purposes" made during the fiscal year ended June 30, 1911 (H. Doc. No. 161); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEDMAN, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 16306) to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war, reported the same without amendment, accompanied by a report (No. 337), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (S. 405) authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands, reported the same with amendment, accompanied by a report (No. 339), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DIFENDERFER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 232) extending the operation of the act for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes, reported the same with amendment, accompanied by a report (No. 340), which said joint resolution and report were referred to the House Calendar.

Mr. JONES, from the Committee on Insular Affairs, to which was referred the bill (H. R. 20048) declaring that all citizens of Porto Rico and certain natives permanently residing in said island shall be citizens of the United States, reported the same without amendment, accompanied by a report (No. 341), which said bill and report were referred to the House Calendar.

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 20195) to amend the naturalization laws, reported the same without amendment, accompanied by a report (No. 336), which said bill and report were referred to the House Calendar.

Mr. SULZER, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 20287) to amend section 5 of the act entitled "An act to incorporate the American Red Cross," approved January 5, 1905, reported the same without amendment, accompanied by a report (No. 338), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 19632) granting a pension to Henry F. Mackey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19355) granting a pension to Michael Rahilly; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18452) granting a pension to Mary McKelvey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 16463) granting a pension to Henry Dixon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15156) granting a pension to Sarah E. Dillon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13783) granting a pension to George H. Lozon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13748) granting a pension to Frederick Leidenberger; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12152) granting a pension to Joseph Coslett; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8464) granting a pension to Mary Ellen Clark; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 20148) granting an increase of pension to Rebecca M. Gaunt; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14259) granting an increase of pension to William McClay; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13825) granting an increase of pension to Nazaire Beaupre; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18092) for the relief of Henry L. Abbot, United States Army, retired; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOODWIN of Arkansas: A bill (H. R. 20476) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries, and home economics, in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure; to the Committee on Agriculture.

By Mr. HAYES: A bill (H. R. 20477) to patent certain semi-arid lands to Luther Burbank under certain conditions; to the Committee on the Public Lands.

By Mr. DENVER: A bill (H. R. 20478) for the erection of a monument to Gen. Ulysses S. Grant at Georgetown, Ohio; to the Committee on the Library.

By Mr. BURNETT: A bill (H. R. 20479) to authorize and require the Solicitor of the Treasury to convey by quitclaim deed all the right, title, and interest that the United States have in certain lands in Clay County, Ala., to Osceola Evans; to the Committee on the Judiciary.

By Mr. MARTIN of South Dakota: A bill (H. R. 20480) excepting certain lands in Lawrence and Pennington Counties, S. Dak., from the operation of the provisions of section 4 of an act approved June 11, 1906, entitled "An act to provide for the entry of agricultural lands within forest reserves"; to the Committee on the Public Lands.

By Mr. SHEPPARD: A bill (H. R. 20481) regulating jurisdiction of suits by and against corporations created by or under acts of Congress; to the Committee on the Judiciary.

Also, a bill (H. R. 20482) to establish a post office at Texarkana, Tex., and to provide for the appointment of a postmaster; to the Committee on Public Buildings and Grounds.

By Mr. NEELEY: A bill (H. R. 20483) for the erection of a public building at Pratt, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. FAISON: A bill (H. R. 20484) for the purchase of a suitable site and the erection of a Federal building for the United States post office at Mount Olive, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. BINGHAM: A bill (H. R. 20485) to establish the direction and control of public education in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HAWLEY: A bill (H. R. 20486) authorizing the construction of a bridge across the Willamette River at or near Newberg, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. BRANTLEY: A bill (H. R. 20487) to provide an exclusive remedy and compensation for accidental injuries resulting in disability or death to employees of common carriers by railroad engaged in interstate or foreign commerce or in the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. CLAYTON: A bill (H. R. 20488) to amend an act entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," approved May 30, 1908; to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 20489) authorizing the Secretary of the Interior to lease certain Indian lands; to the Committee on Indian Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 20490) to amend the reclamation law; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 20491) authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries; to the Committee on the Public Lands.

Also, a bill (H. R. 20492) authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries in the State of Colorado; to the Committee on the Public Lands.

Also, a bill (H. R. 20493) granting to the city of Colorado Springs and to the town of Manitou, Colo., the right to purchase certain lands for the protection of water supply; to the Committee on the Public Lands.

By Mr. GODWIN of North Carolina: A bill (H. R. 20494) authorizing the Secretary of Agriculture to purchase a site and establish an agricultural and live-stock experiment station in the sixth congressional district of North Carolina; to the Committee on Agriculture.

Also, a bill (H. R. 20495) to improve and protect Fort Johnson, in the town of Southport, N. C.; to the Committee on Agriculture.

Also, a bill (H. R. 20496) authorizing the Secretary of Agriculture to investigate the subject of drainage in the sixth congressional district of North Carolina; to the Committee on Agriculture.

Also, a bill (H. R. 20497) directing the Secretary of Agriculture to fix a standard package for fruit, truck, and vegetables grown and shipped in the United States; to the Committee on Agriculture.

By Mr. KINKAID of Nebraska: A bill (H. R. 20498) for the relief of certain homesteaders in Nebraska; to the Committee on the Public Lands.

By Mr. CALLAWAY: A bill (H. R. 20499) to amend the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. LITTLEPAGE: A bill (H. R. 20500) to authorize and direct the Commissioners of the District of Columbia to cause to be removed all obstructions from West Virginia Avenue, in the city of Washington, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LINTHICUM: A bill (H. R. 20501) to authorize the Secretary of Commerce and Labor to exchange the site heretofore acquired for a United States immigration station at Baltimore, Md., for another suitable site, and to pay, if necessary, out of the appropriation heretofore made for said immigration station an additional sum in accomplishing such exchange; or to sell the present site, the money procured from such sale to revert to the appropriation made for said immigration station, and to purchase another site in lieu thereof; to the Committee on Public Buildings and Grounds.

By Mr. CURLEY: A bill (H. R. 20575) to regulate the hours of employment of women and minors; to the Committee on Labor.

By Mr. AUSTIN: A bill (H. R. 20577) to provide for the inspection of gas-water heaters, gas ranges, gas radiators, gas-lighting fixtures, and other gas appliances in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PICKETT: A bill (H. R. 20578) to incorporate the National Society of the Women of the Civil War; to the Committee on the Library.

By Mr. PALMER: Resolution (H. Res. 420) calling for information as to the Apache Indian prisoners of war at Fort Sill, Okla.; to the Committee on Indian Affairs.

By Mr. BYRNES of South Carolina: Resolution (H. Res. 421) directing the Secretary of the Treasury to transmit a report showing property taken by agents of the Government from June 1, 1861, to June 1, 1865, and disposition of proceeds of sale of such property; to the Committee on War Claims.

By Mr. LA FOLLETTE: Joint resolution (H. J. Res. 245) to provide for printing Public Health Bulletin No. 51; to the Committee on Printing.

By Mr. DICKINSON: Joint resolution (H. J. Res. 246) proposing an amendment to section 1 of Article III of the Constitution of the United States of America; to the Committee on the Judiciary.

By Mr. CURLEY: Joint resolution (H. J. Res. 247) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 20502) granting an increase of pension to J. M. Dunham; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 20503) granting a pension to William C. Wittfelt; to the Committee on Pensions.

By Mr. BARTLETT: A bill (H. R. 20504) granting an increase of pension to Charlie L. Pennington; to the Committee on Pensions.

Also, a bill (H. R. 20505) granting an increase of pension to William A. Sanderson; to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 20506) for the relief of Benjamin E. Jones; to the Committee on Claims.

By Mr. BOWMAN: A bill (H. R. 20507) granting an increase of pension to Thomas B. Taylor; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 20508) for the relief of George W. Board; to the Committee on War Claims.

Also, a bill (H. R. 20509) granting a pension to Hiram Metcalf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20510) granting a pension to Lucy A. Layman; to the Committee on Invalid Pensions.

By Mr. CURLEY: A bill (H. R. 20511) for the relief of Samuel Butter & Co.; to the Committee on Claims.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 20512) granting a pension to John J. Collins; to the Committee on Pensions.

Also, a bill (H. R. 20513) granting an increase of pension to John O'Mara; to the Committee on Pensions.

Also, a bill (H. R. 20514) granting an increase of pension to Thomas O'Brien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20515) granting an increase of pension to Henry E. Boorman; to the Committee on Pensions.

Also, a bill (H. R. 20516) granting an increase of pension to Henry A. Munzert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20517) granting an increase of pension to Seymour H. Marshall; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 20518) for the relief of Alberta Woods; to the Committee on War Claims.

Also, a bill (H. R. 20519) for the relief of Laura P. Moynelo; to the Committee on War Claims.

Also, a bill (H. R. 20520) for the relief of the heirs of Levy E. Byck; to the Committee on War Claims.

Also, a bill (H. R. 20521) for the relief of the heirs of George Heard; to the Committee on War Claims.

Also, a bill (H. R. 20522) granting an increase of pension to Lavina A. E. Rogers; to the Committee on Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 20523) for the relief of the estate of Rev. A. D. Garber, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20524) for the relief of the estate of Rev. A. D. Garber, deceased; to the Committee on War Claims.

By Mr. GARDNER of New Jersey: A bill (H. R. 20525) granting an increase of pension to Mrs. J. C. Fremont; to the Committee on Pensions.

By Mr. GUERNSEY: A bill (H. R. 20526) for the relief of W. A. Brown Co.; to the Committee on Claims.

By Mr. HELM: A bill (H. R. 20527) for the relief of J. Knight Lowery; to the Committee on War Claims.

By Mr. HOWARD: A bill (H. R. 20528) granting a pension to Allen M. Jackson; to the Committee on Pensions.

Also, a bill (H. R. 20529) granting an increase of pension to Permella A. Creed; to the Committee on Pensions.

Also, a bill (H. R. 20530) granting an increase of pension to Alexander Mattison; to the Committee on Invalid Pensions.

By Mr. KNOWLAND: A bill (H. R. 20531) granting a pension to Ann V. McNeil; to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 20532) granting a pension to Ellen Bernard Lee; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 20533) granting a pension to John Adair Agey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20534) granting an increase of pension to C. J. Hodgkinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20535) granting an increase of pension to John McAdoo; to the Committee on Invalid Pensions.

By Mr. LEWIS: A bill (H. R. 20536) granting an increase of pension to Daniel Marmaduke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20537) to remove the charge of desertion from the record of George Patterson; to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 20538) for the relief of John S. Nix; to the Committee on War Claims.

By Mr. MOON of Tennessee: A bill (H. R. 20539) for the relief of the estate of Patrick Henry Watkins, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20540) for the relief of the estate of Martin Hartman, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20541) for the relief of the estate of Preston Gann, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20542) for the relief of the estate of Mary A. Henderson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20543) for the relief of the estate of Robert Langford, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20544) for the relief of the heirs of Erban Powell, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20545) for the relief of the estate of Alexander Smith, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20546) for the relief of the estate of Samuel Y. B. Williams; to the Committee on War Claims.

By Mr. NEELEY: A bill (H. R. 20547) granting an increase of pension to Cornelius Cline; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 20548) for the relief of the heirs of B. Y. Trotter; to the Committee on War Claims.

By Mr. POWERS: A bill (H. R. 20549) granting a pension to Robert Strong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20550) granting a pension to Thomas W. Jackson; to the Committee on Invalid Pensions.

By Mr. ROTHERMEL: A bill (H. R. 20551) granting a pension to William Haines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20552) granting a pension to William F. Heisler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20553) granting a pension to Emma C. Young; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 20554) to remove the charge of desertion from William Crawford; to the Committee on Military Affairs.

By Mr. RUCKER of Colorado: A bill (H. R. 20555) for the relief of the heirs of Baruch Emmanuel, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20556) granting an increase of pension to William Fuller; to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 20557) for the relief of Thomas F. Sutton, heir of Jonas Sutton, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20558) for the relief of J. H. Claiborne; to the Committee on War Claims.

Also, a bill (H. R. 20559) for the relief of the heirs of George A. Bush, deceased; to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 20560) granting an increase of pension to Elizabeth Cochran; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 20561) for the relief of Jesse C. Martin; to the Committee on Claims.

By Mr. SPARKMAN: A bill (H. R. 20562) granting a pension to Elizabeth Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20563) to remove the charge of desertion from the military record of William D. Jenner; to the Committee on Military Affairs.

By Mr. STONE: A bill (H. R. 20564) granting an increase of pension to Endress M. Conklin; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 20565) granting a pension to Susan McGrath; to the Committee on Pensions.

Also, a bill (H. R. 20566) granting a pension to William J. Baker; to the Committee on Pensions.

Also, a bill (H. R. 20567) to complete the military record of Cyrus E. Burnett and for an honorable discharge; to the Committee on Military Affairs.

By Mr. WHITE: A bill (H. R. 20568) granting a pension to Viola Russell; to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 20569) granting an increase of pension to Albert Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20570) granting a pension to Mary Soper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20571) granting an increase of pension to Arnold Dickinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20572) granting an increase of pension to James Musser; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 20573) granting an increase of pension to William Connett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20574) granting an increase of pension to Miles Murray; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 20579) granting a pension to Frank H. Biladeau; to the Committee on Pensions.

By Mr. HOWELL: A bill (H. R. 20580) granting a pension to Samuel A. Sellers; to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 20581) granting certain lands of the Colville Indian Reservation, Wash., to the Washington Historical Society; to the Committee on Indian Affairs.

By Mr. MAHER: A bill (H. R. 20582) granting an increase of pension to Henry Coster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20583) granting an increase of pension to Elizabeth Reynolds; to the Committee on Invalid Pensions.

By Mr. PICKETT: A bill (H. R. 20584) for the relief of Capt. Ellis B. Miller; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of citizens of the State of Missouri, for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, memorial of the National Board of Trade, for an adequate merchant marine, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. ALEXANDER: Paper to accompany bill granting an increase of pension to J. M. Dunham; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: Memorial of Grand Army of the Republic Post of Newark, Ohio, for passage of House bill 1; to the Committee on Invalid Pensions.

Also, petition of A. M. Preston and others, of Vanatta, Ohio, for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, papers to accompany bill (H. R. 16470) for the relief of Sarah Lane; to the Committee on Invalid Pensions.

Also, petition of the Lutheran Brotherhood of New Philadelphia, Ohio, asking for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. AYRES: Memorial of Maritime Exchange of New York, opposing proposed abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BARNHART: Petitions of merchants of Indiana, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of merchants of Goshen, Ind., for reduction of duty on sugar; to the Committee on Ways and Means.

By Mr. BATES: Petition of Fishermen's Association of Erie, Pa., favoring passage of House bill 18788; to the Committee on the Merchant Marine and Fisheries.

Also petition of the Lehigh Valley Coal Co., of Wilkes-Barre, Pa., in favor of House bill 16663, relating to the Federal corporation-tax law; to the Committee on Ways and Means.

Also, petition of the Methodist Episcopal Church of North Girard, Pa., for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. BOWMAN: Petitions of citizens of the State of Pennsylvania, asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, memorial of Committee of One Hundred, for civil retirement system; to the Committee on Reform in the Civil Service.

By Mr. BRADLEY: Petitions of business men of Middletown, Monticello, and Port Jervis, N. Y., favoring the passage of legislation to increase the powers of the Interstate Commerce Commission in the regulation of express rates and express classifications; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Middletown, Monticello, and Port Jervis, N. Y., remonstrating against the passage of legislation for the establishment of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. BROWN: Petition of St. Paul's Lutheran Church, of Morgantown, W. Va., favoring the passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

By Mr. BROWNING: Petition of the Methodist Episcopal Church of Clarksboro, N. J., and of the Presbyterian Church of Woodstown, N. J., for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. CALDER: Petition of Army and Navy Union, for favorable action on House joint resolution 239; to the Committee on Military Affairs.

By Mr. CAMPBELL: Petition of business men of Edna, Kans., protesting against extension of the parcel-post service beyond its present limitations; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Resolution of Chamber of Commerce, Milwaukee, Wis., indorsing Senate joint resolution 72, for an appropriation for the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations; to the Committee on Foreign Affairs.

Also, resolutions of the Milwaukee (Wis.) Chamber of Commerce, indorsing the Lever bill for Federal aid to agricultural schools; to the Committee on Agriculture.

By Mr. CURLEY: Petition of citizens of Massachusetts, in favor of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. DALZELL: Petitions of First Baptist and First Presbyterian Churches of McKeesport, and of Third Presbyterian Church of Pittsburgh, Pa., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. DANFORTH: Petition of Army and Navy Union, Brooklyn, N. Y., favoring the passage of House joint resolution 239, authorizing the Secretary of War to deliver a condemned cannon to the Army and Navy Union; to the Committee on Military Affairs.

Also, petition of the Maritime Association of the Port of New York, of New York, N. Y., protesting against the abolishment of or any change in the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVENPORT: Resolutions of the Trades and Labor Council of Henryetta, Okla., indorsing House bill 5970; to the Committee on Reform in the Civil Service.

By Mr. DRAPER: Memorial of Maritime Exchange of New York, protesting against abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. DWIGHT: Petitions of First Methodist Episcopal Church of Ithaca, First Methodist Episcopal and Morris Chapel Methodist Episcopal Churches, of Danby, and Methodist Episcopal Churches of South Danby, N. Y., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. FLOOD of Virginia: Petitions of citizens of the State of Virginia, for passage of old-age pension bill; to the Committee on Pensions.

Also, petitions of citizens of the State of Virginia, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Petition of Grange No. 794, Patrons of Husbandry, for amending the oleomargarine laws; to the Committee on Agriculture.

By Mr. FULLER: Petition of Rockford Central Labor Union, of Rockford, Ill., favoring the passage of the Lloyd bill, assuring to civil-service employees the right of petition, etc.; to the Committee on Reform in the Civil Service.

Also, petition of Archie T. Hay, of Sycamore, Ill., protesting against reduction of duties on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of Julia C. Lathrop, Hull House, Chicago, Ill., in favor of the creation of the proposed Federal commission on industrial relations; to the Committee on Labor.

Also, petition of Woman's Christian Temperance Union of Mazon, Ill., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. GARNER: Petition of citizens of the State of Texas, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. GOLDFOGLE: Resolution of the Maritime Association of the port of New York, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Petitions of citizens of Springfield and Staunton, Ill., for passage of old-age pension bill; to the Committee on Pensions.

Also, petition of citizens of Nokomis, Ill., for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Nokomis, Ill., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. GRIEST: Petitions of United Brethren Church and Trinity Methodist Episcopal Church, of Mount Joy, Pa., urging the enactment into law of the so-called Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. GUERNSEY: Petitions of citizens of the State of Maine for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HAYES: Petitions of Woman's Christian Temperance Union of Campbell and First Baptist Church of San Jose, Cal., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, memorial of Board of Trade of San Francisco, Cal., for improvement of the Yosemite Valley; to the Committee on Appropriations.

Also, petition of San Jose (Cal.) Chamber of Commerce, for a greater California Redwood Park; to the Committee on the Public Lands.

By Mr. HELGESEN: Petitions of citizens of the State of North Dakota, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, resolutions of the Northwest Development League, recommending the passage of laws inaugurating a United States Government domestic immigration policy; to the Committee on Immigration and Naturalization.

Also, resolutions of the 70 members of the Methodist Episcopal Church of Thompson, N. Dak., and by 40 members of the Methodist Episcopal Church of Reynolds, N. Dak., indorsing the passage of Sheppard-Kenyon bill and the Hobson resolution, and condemning any effort to secure the restoration of the Army canteen; to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petition of Improved Order of Red Men of Hartford, Conn., for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. HILL: Petitions of members of Woman's Christian Temperance Union and others of Shelton, Conn., protesting against repeal of the anticanteen law; to the Committee on Military Affairs.

Also, petition of Woman's Christian Temperance Union of Goshen, Conn., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HOUSTON: Petition of the Murfreesboro (Tenn.) Woman's Christian Temperance Union, for the suppression of the liquor traffic; to the Committee on the Judiciary.

By Mr. HUBBARD: Petition of citizens of the State of Iowa, asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of Fred W. Jones and others, of Spirit Lake, Iowa, for total elimination of the duties on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of Branch No. 69, National Association of Letter Carriers, in favor of House bill 9242; to the Committee on Reform in the Civil Service.

Also, petitions of citizens of the State of Iowa, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. HUGHES of New Jersey: Petitions of German-American Alliance, of Elizabeth and Newark, N. J., protesting against prohibition or interstate liquor legislation; to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance Union and churches of the State of New Jersey, for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petitions of German-American Alliance, of Elizabeth and Newark, N. J., protesting against prohibition or interstate liquor legislation; to the Committee on the Judiciary.

Also, memorial of the International Dry-Farming Congress, for the Page bill; to the Committee on Agriculture.

Also, petition of First Baptist Church of Hoboken, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. KOPP: Petition of citizens of Richland County, Wis., protesting against parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LAFFERTY: Petitions of citizens of the State of Oregon, for an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. LANGHAM: Petition of the Christian Church of Big Run, Pa., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, memorial of Post No. 242, Department of Pennsylvania, Grand Army of the Republic, opposing proposed incorporation of the Grand Army of the Republic; to the Committee on the District of Columbia.

Also, petition of citizens of Freeport, Pa., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LEVY: Resolution of the Sons of the Revolution in the State of New York, in favor of House bill 15471, appropriating \$30,000 for the repair and preservation of flags at the Naval Academy at Annapolis, Md.; to the Committee on Naval Affairs.

Also, petition of the Woman's Board of Missions of Boston, Mass., urging reimbursement of the Ellen M. Stone ransom; to the Committee on Claims.

Also, resolution of the Legislative League of New York, indorsing bill for Federal children's bureau; to the Committee on Labor.

By Mr. LEWIS: Petitions of the members of the First Baptist Church and Trinity Methodist Episcopal Church, of Frederick city, Md., praying the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of citizens of New York, in favor of the Berger old-age pension bill; to the Committee on Pensions.

Also, resolution of the Maritime Association of the port of New York, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Petitions of merchants and citizens of Heyburn, Idaho, and of citizens of Clarkson, Fremont, and Omaha, Nebr., against extension of the parcel-post service beyond its present limitations; to the Committee on the Post Office and Post Roads.

Also, resolutions of the Farmers' Educational and Cooperative Union of America, in favor of a children's bureau; to the Committee on Labor.

Also, resolution of the Woman's Board of Missions of Boston, Mass., favoring bill to reimburse those American citizens who advanced \$66,000 ransom paid to brigands for the release of Miss Ellen M. Stone, a missionary; to the Committee on Claims.

By Mr. LOUD: Petition of Mrs. Julia R. Parish and others, of Bay City, Mich., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of A. D. Wyman and others, of East Tamas, Mich., favoring the passage of House bill 16450; to the Committee on the Judiciary.

By Mr. McCALL: Petition of Christian Endeavor Union of Cambridge, Mass., for an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. MAHER: Memorial of Maritime Exchange of New York, in opposition to proposed abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Petition of L. S. Tiffany and others, of Chicago, Ill., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MOON of Tennessee: Papers to accompany bill for the relief of Taylor Williams, administrator of Samuel Y. B. Williams, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the estate of Alexander Smith, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the heirs of Erban Powell, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the estate of Robert Langford, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the estate of Mary A. Henderson, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the estate of Preston Gann, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the estate of Martin Hartman, deceased; to the Committee on War Claims.

Also, papers to accompany bill for the relief of the estate of Patrick H. Watkins, deceased; to the Committee on War Claims.

By Mr. NEEDHAM: Petition of citizens of Santa Cruz County, Cal., in favor of House bill 14, for extension of parcel-

post system; to the Committee on the Post Office and Post Roads.

Also, resolution of the Chamber of Commerce of Sacramento, Cal., in favor of 1-cent postage; to the Committee on the Post Office and Post Roads.

By Mr. NEELEY: Petition of certain members of Friends' Church of Haviland, Kans., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. NELSON: Petitions of citizens of Cambridge, Wis., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. NORRIS: Petitions of citizens of Upland, Nebr., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. PAGE: Petition of certain citizens of Jonesville, N. C., asking reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. PARRAN: Papers to accompany House bill 19765, granting a pension to Lillie Garner; to the Committee on Pensions.

By Mr. PICKETT: Petition of Albert Seltrecht and others of Dubuque, Iowa, for passage of old-age pension bill; to the Committee on Pensions.

By Mr. POWERS: Papers to accompany bill for Thomas U. Jackson; to the Committee on Invalid Pensions.

Also, petitions of the Woman's Christian Temperance Union, the Christian Church, the Methodist Episcopal Church, the Methodist Episcopal Church South, and the Baptist Church, all of London, Ky., for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. RAKER: Petitions of Standard Gas Engine Co. and the Union Gas Co., of San Francisco, Cal., protesting against House bill 18788; to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Chamber of Commerce of Sacramento, Cal., favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of Conservation Commission of California, indorsing House bill 18326; to the Committee on Rivers and Harbors.

Also, petition of Conservation Commission of California, indorsing House bill 18227; to the Committee on the Public Lands.

Also, resolution of the Chamber of Commerce of San Diego, Cal., relative to appointment of special committee; to the Committee on Rules.

By Mr. REDFIELD: Resolution of the Maritime Association of the port of New York, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Sons of the Revolution in the State of New York, in favor of House bill 15471, appropriating \$30,000 for the repair and preservation of flags at the Naval Academy, Annapolis, Md.; to the Committee on Naval Affairs.

Also, resolution of the Congress Club of Kings County, N. Y., for free passage of American ships through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: Petition of citizens of the State of Connecticut, for passage of old-age pension legislation; to the Committee on Pensions.

Also, petition of the four churches of Clinton, Conn., for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the United German Societies of the county of New London, Conn., against any prohibition or interstate liquor legislation now pending; to the Committee on the Judiciary.

By Mr. ROBERTS of Nevada: Petitions of citizens of the State of Nevada, for passage of old-age pension bill; to the Committee on Pensions.

Also, petition of citizens of Beowawe, Nev., favoring passage of House bill 14; to the Committee on the Post Office and Post Roads.

By Mr. SCULLY: Memorial of the Allied Banks of Passaic, N. J., for monetary reform; to the Committee on Banking and Currency.

Also, petitions of Woman's Christian Temperance Unions, churches, and Young Men's Christian Associations of the State of New Jersey, for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the New Jersey Wood Finishing Co., protesting against duties on certain imports; to the Committee on Ways and Means.

By Mr. SHERWOOD: Petition of members of the Grand Army of the Republic, for passage of the Sherwood pension bill; to the Committee on Invalid Pensions.

By Mr. SIMS: Petition of citizens of Madison County, Tenn., for an effective interstate liquor law; to the Committee on the Judiciary.

Also, petition of Local No. 1033, Farmers' Educational and Cooperative Union, for parcel-post legislation, etc.; to the Committee on the Post Office and Post Roads.

By Mr. J. M. C. SMITH: Resolution of the Milwaukee (Wis.) Chamber of Commerce, against any change in present administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the board of directors of the San Francisco Chamber of Commerce, indorsing House bill 16841; to the Committee on Appropriations.

By Mr. SPARKMAN: Petition of citizens of the State of Florida, for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of Daughters of the American Revolution of the State of Florida, for establishing a suitable reservation in that State for the Seminole Indians; to the Committee on Indian Affairs.

Also, petition of Lucas & Bros., of Tampa, Fla., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, memorial of City Council of Brooksville, Fla., urging construction of a post-office building at that place; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of California: Petition of the Men's Club of Pasadena, Los Angeles County, Cal., in favor of the passage of the Kenyon-Sheppard bill, to withdraw from interstate commerce protection liquors imported into "dry" territory for illegal use; to the Committee on the Judiciary.

Also, petition of the Gardena Methodist Episcopal Church, of Los Angeles, Cal., favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, memorial of N. P. Banks Post, No. 170, Department of California and Nevada, Grand Army of the Republic, against incorporating the Grand Army of the Republic; to the Committee on the District of Columbia.

Also, petition of numerous citizens of Los Angeles, Cal., favoring the passage of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. SULZER: Resolution of Old Guard Camp, United Spanish War Veterans, of New York City, indorsing House bill 17470, providing a pension for the widows and minor children of Spanish War Veterans; to the Committee on Pensions.

Also, petition of citizens of New York, in favor of reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of the Lehigh Valley Railroad Co., New York City, in favor of House bill 16663, relating to the Federal corporation tax law; to the Committee on Ways and Means.

Also, resolution of the Maritime Association of the port of New York, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Sons of the Revolution in the State of New York, in favor of House bill 15471; to the Committee on Naval Affairs.

Also, memorial of the dairy and agricultural interests of the United States, protesting against certain sections of the Lever oleomargarine bill; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: Petition of members of Improved Order of Red Men of Fort Collins, Colo., for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. TILSON: Petition of the United German Societies of the County of New London, against the passage of any prohibition or interstate-commerce liquor measure now pending; to the Committee on the Judiciary.

Also, petition of Frank J. Rice and 30 other members of the Improved Order of Red Men and citizens generally, of Connecticut, in favor of Senate bill 3953 and House bill 16313, providing for the erection of an American Indian memorial and museum building in Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. TUTTLE: Petitions of the Woman's Christian Temperance Union and the Methodist Episcopal Church of Belvidere, N. J., and of the East Baptist Church, of Elizabeth, N. J., for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of the Turnverein of Atlantic City, Elizabeth, and Newark, N. J., against prohibition legislation; to the Committee on the Judiciary.

By Mr. UNDERHILL: Resolutions of the Sons of the Revolution in the State of New York, in favor of House bill 15471, appropriating \$30,000 for the repair and preservation of flags at the Naval Academy, Annapolis, Md.; to the Committee on Naval Affairs.

By Mr. WEBB: Petitions of citizens of Charlotte, N. C., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. WILLIS: Petition of Delaware Tribe, No. 82, Improved Order of Red Men, Delaware, Ohio, asking for the enactment of an act to provide for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of the American Association of Labor Legislation, asking for the immediate enactment of the Esch phosphorus bill; to the Committee on Ways and Means.

Also, petition of H. B. Conyers and 35 other citizens of Urbana, Ohio, protesting against the enactment of any legislation for the extension of the parcel post; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of Illinois: Petitions of citizens of numerous States, in favor of House bill 18787, relating to the limitation of the hours of daily service of laborers and mechanics employed upon a public work of the United States and of the District of Columbia, and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia; to the Committee on Labor.

By Mr. WILSON of New York: Memorial of the Congress Club of Kings County, for free passage of American ships through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of a Catholic society of Chicago, Ill., relative to a certain resolution of inquiry; to the Committee on Indian Affairs.

Also, petition of Tenement House Committee of the Brooklyn Bureau of Charities, for a Federal commission on industrial relations; to the Committee on Labor.

Also, memorial of New York State Assembly, for militia pay bill; to the Committee on Military Affairs.

Also, petition of numerous citizens, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Legislative League of New York, for children's bureau; to the Committee on Labor.

Also, memorial of the Maritime Exchange of New York, protesting against abolishing the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD of New Jersey: Petition of the Reformed Church of Bedminster, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. YOUNG of Kansas: Petitions of citizens of Alton and Lucas, Kans., asking for legislation to prohibit shipping of intoxicating liquor into prohibition territory; to the Committee on the Judiciary.

Also, petition of citizens of Phillips and Norton Counties, Kans., protesting against the passage of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the sixth district of Kansas, asking that a law be passed giving the Interstate Commerce Commission more power to regulate express rates and express classification; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, February 21, 1912.

The Senate met at 2 o'clock p. m.

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

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the council of the American Association for the Advancement of Science at a meeting held in Washington, D. C., December 27, 1911, favoring the enactment of a national quarantine and inspection law directed against the introduction and establishment of injurious insects and plant diseases, which was referred to the Committee on Public Health and National Quarantine.

Mr. CRAWFORD presented a petition of sundry citizens of Westport and Barnard, in the State of South Dakota, praying for the adoption of certain amendments to the postal-savings law, which was referred to the Committee on Post Offices and Post Roads.

Mr. BRISTOW presented a petition of sundry citizens of Fowler, Kans., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. GRONNA presented a petition of the Woman's Christian Temperance Union of Pembina, N. Dak., and a petition of sundry citizens of Leal, N. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Bowman, N. Dak., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Rolette County, N. Dak., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

Mr. CULLOM presented memorials of sundry citizens of Macomb and Alton, in the State of Illinois, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Post A, Illinois Division, Travelers' Protective Association of America, of Quincy, Ill., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Post No. 374, Department of Illinois, Grand Army of the Republic, of Waukegan, Ill., praying for the passage of the so-called dollar-a-day pension bill, which was ordered to lie on the table.

Mr. GAMBLE presented a petition of the Woman's Christian Temperance Union of Mitchell, S. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented the petition of Ralph L. Brown, of Aberdeen, S. Dak., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a petition of members of the Commercial Club of Bellefourche, S. Dak., praying for the establishment of an experimental town mail-delivery system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of members of the Commercial Club of Bellefourche, S. Dak., praying for the enactment of legislation to better regulate the immigration of aliens, which was referred to the Committee on Immigration.

Mr. JOHNSON of Maine presented petitions of the congregations of the Methodist Episcopal Church of Fairfield; the First Baptist Church of Nobleboro; and the Penny Memorial Church of Augusta; of the Woman's Christian Temperance Unions of St. Albans and Kezar Falls; and of Local Grange No. 369, Patrons of Husbandry, of Nobleboro, all in the State of Maine, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. SWANSON presented memorials of the Retail Merchants' Association, the Board of Trade, and of sundry citizens of Lynchburg, all in the State of Virginia, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented the petition of O. L. Kent, of Kents Store, Va., praying for the adoption of a parcel-post system, for national aid to good roads, and to prohibit gambling in farm products, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of W. C. Pulliam, secretary of Local Union, Farmers' Cooperative and Educational Union, of Alton, Va., and the petition of J. M. Chaney, secretary of Local Union, Farmers' Cooperative and Educational Union, of Meadville, Va., praying for the enactment of legislation to further restrict immigration, to prohibit gambling in farm products, and for the establishment of a parcel-post system, which were referred to the Committee on Immigration.

Mr. BURTON presented a memorial of Local Grange No. 10, Patrons of Husbandry, of Burton, Ohio, remonstrating against the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Ohio, remonstrating against the adoption of certain amendments to the law regulating the equipment of motor boats, which was referred to the Committee on Commerce.

He also presented a petition of Web Pressmen's Local Union No. 15, of Columbus, Ohio, praying for the enactment of legislation proposing to increase the rate of compensation of pressmen in the Government Printing Office, which was referred to the Committee on Printing.