There must have been something that was unjust that brought about a strike of that kind. Men do not generally go to extremes like that without some kind of a just provocation. Therefore what I want to know is what it was that brought this contention, the insurrection, the strike, and the bloodshed that followed it.

I understand, Mr. President, it is understood that this resolution shall go to the Committee on Education and Labor; and I ask, if that be so, that the amendment I have proposed be also referred to that committee for its consideration. I do not want now to take up the time of the Senate, as that agreement seems to have been reached.

Mr. KERN. It is the understanding that the resolution with the amendments offered may be referred to the Committee on Education and Labor. It is also the understanding that that committee is to report out the resolution in a few days.

Mr. WORKS. I ask the Senator from Indiana if the amendment I have offered can be referred with the resolution?

Mr. KERN. Certainly.

Mr. BORAH. Mr. President, I had intended to submit some further remarks upon the resolution, but in view of the statement which has just been made by the Senator from Indiana that it will go to the committee I shall not ask the indulgence of the Senate to discuss it until it comes out of committee, and perhaps not at all. That will depend upon how it comes out and what course it takes after it comes out.

The VICE PRESIDENT. The question is on the motion of the senior Senator from West Virginia [Mr. CHILTON] to refer the resolution and the amendments to the Committee on Education and Labor.

Mr. KERN. That includes the resolution and its amendments.

The VICE PRESIDENT. It includes the resolution and the amendments. The question is on the motion of the Senator from West Virginia to refer.

The motion was agreed to.

Mr. KERN. I move that the Senate adjourn.

Mr. REED. Is any time fixed in the motion?

The VICE PRESIDENT. The regular hour is 12 o'clock.

Mr. REED. To-morrow?

The VICE PRESIDENT. To-morrow. The Senator from Indiana moves that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 20, 1913, at 12 o'clock m.

SENATE.

TUESDAY, *May 20, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

THE JOURNAL.

The VICE PRESIDENT. The Secretary will read the Journal of the proceedings of the preceding session.

Mr. GALLINGER. Mr. President, I think there ought to be a quorum present to hear the Journal read, and I make the point that there is no quorum here.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Gore	O'Gorman	Smoot
Bacon	Hollis	Overman	Stephenson
Bankhead	Hughes	Page	Stone
Bradley	Jackson	Penrose	Sutherland
Brady	James	Perkins	Swanson
Bristow	Johnson, Me.	Pomerene	Thomas
Burton	Johnston, Ala.	Ransdell	Thompson
Catron	Jones	Reed	Thornton
Clark, Wyo.	Kenyon	Root	Tillman
Clarke, Ark.	Kern	Saulsbury	Townsend
Colt	La Follette	Sheppard	Vardaman
Crawford	Lea	Sherman	Walsh
Cummins	Lippitt	Shields	Warren
Dillingham	Lodge	Shively	Weeks
Fall	McLean	Simmons	Williams
Fletcher	Martin, Va.	Smith, Ariz.	Works
Gallinger	Martine, N. J.	Smith, Ga.	
Goff	Nelson	Smith, Mich.	

Mr. FLETCHER. I desire to announce that my colleague [Mr. BRYAN] is unable to be present on account of illness.

The VICE PRESIDENT. Seventy Senators having responded to the roll call, a quorum is present. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary read the Journal of yesterday's proceedings.

Mr. CLARK of Wyoming. In noticing the Journal as read by the Secretary there seems to be an inaccuracy in stating the title of Senate bill 60, which was reported by myself from the Committee on Public Lands. It appears in the Journal as a bill "to provide for agricultural entry of coal lands." The bill really is one "to provide for agricultural entry of oil lands."

The VICE PRESIDENT. The Journal will be corrected, and if there are no more corrections the Journal will stand approved as read and corrected.

GOVERNMENT EXPRESSAGE ON LAND-GRANT RAILROADS.

Mr. CRAWFORD. Mr. President, I discover from the RECORD that on yesterday the Vice President laid before the Senate a communication from the Secretary of the Treasury transmitting a report in response to resolution 49, which I introduced some time ago, and that the report was referred to the Committee on Public Lands and ordered to be printed. I did not know until I saw the RECORD that the report had come to the Senate.

I desire very much, having introduced the resolution and given some consideration to the subject, to have the report lie on the table until I can examine it. I ask unanimous consent that it be recalled from the Committee on Public Lands and that it lie on the table for the present.

The VICE PRESIDENT. The Senator from South Dakota asks unanimous consent to withdraw the report from the Committee on Public Lands and to have the same lie on the table until he can examine it.

Mr. CRAWFORD. I am not objecting to its going to that committee at the proper time, but I should like to have an opportunity to examine it.

Mr. SMOOT. What report is it, I will ask the Senator?

Mr. CRAWFORD. It relates to the charge of express companies for the transportation of property of the United States over lines of railway companies which received grants of land from the Government. I offered the resolution some time ago and it was passed by the Senate, and this is the response to it, which I have not had an opportunity to see.

Mr. SMOOT. I understand that the report was referred to the Committee on Public Lands, and the Senator wants to have it lie on the table for the present.

Mr. CRAWFORD. That is all; to let it lie on the table.

Mr. SMOOT. Very well.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the report will be withdrawn from the Committee on Public Lands and it will lie on the table for further action.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bill and joint resolutions, and they were thereupon signed by the Vice President:

H. R. 4234. An act providing certain legislation for the Panama-California Exposition, to be held in San Diego, Cal., during the year 1915;

H. J. Res. 80. Joint resolution making appropriations to supply urgent deficiencies in certain appropriations for the postal service for the fiscal year 1913; and

H. J. Res. 82. Joint resolution authorizing the President to accept an invitation to participate in the International Conference on Education.

PETITIONS AND MEMORIALS.

Mr. LIPPITT. I have two protests signed by 350 overseers and voting operatives in the Lorraine Mills, of Westerly, R. I. I ask that the memorials be referred to the Committee on Finance and that the body of one of them be printed in the RECORD.

There being no objection, the memorials were referred to the Committee on Finance, and the body of one of them was ordered to be printed in the RECORD, as follows:

TARIFF PROTEST.

To Members of the House and Senate assembled in Congress at Washington:

GENTLEMEN: The undersigned, overseers and voting operatives in the Lorraine Mills, of Westerly, R. I., employing 350 hands in normal times, hereby protest most earnestly against the wool and cotton schedules in the pending tariff bill and ask your honorable body to increase the rates of duty applying to raw material, yarns, and cloth, so that we may maintain our present wage scale in competition with foreign manufacturers of textiles.

Mr. CUMMINS presented petitions of sundry citizens of Cedar Rapids, Des Moines, Spirit Lake, Le Mars, Lewis, Essex, Muscatine, Lime Springs, Marshalltown, Fort Dodge, Boone, Malcom, Newton, Centerville, Bradgate, Lansing, Waterloo, Burlington, Turin, Fort Madison, Mason City, Ottumwa, Clear Lake, Oelwein, Dubuque, Luverne, Webster City, Estherville, Davenport, Sioux City, Newell, Cresco, Winterset, Churchville, Elgin, Ames, Denison, Sutherland, Slater, Keokuk, Chariton, Clinton, Dyersville, and Hartley, all in the State of Iowa, praying for the exemption of mutual life insurance companies from the operation of the income-tax clause of the pending tariff bill, which were referred to the Committee on Finance.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. GALLINGER. Mr. President, I have had numerous communications from workingmen in my State protesting against the wood schedule of the tariff bill now under consideration. I ask unanimous consent that one letter may be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The letter was read and referred to the Committee on Finance, as follows:

FRANKLIN LOCAL NO. 31,
INTERNATIONAL BROTHERHOOD OF PAPER MAKERS.

William White, president; George Rayner, vice president; Silas Glines, financial secretary; Charles Tousignant, treasurer; Archie T. Mahan, corresponding secretary.

Whereas the paper-making industry in the United States employs a large number of wage earners, a fair proportion of whom are industrious and own their own homes; and

Whereas through the efforts of organized labor the hours of labor have been reduced in a large number of mills throughout the United States to an eight-hour day; and

Whereas the endeavor of the organization is to try and secure a uniform eight-hour day throughout the entire country; and

Whereas the bill now before the United States Congress to remove the duty from the importation of paper would work a grave injustice to the employees engaged in the paper-making industry and would, without doubt, result in transferring a large amount of this business to a foreign country, and would compel the wage earners to leave the country to follow their trade and sacrifice their citizenship and homes; and

Whereas if the duty is removed from paper no one would be benefited, with the exception of the publishers, as the readers of the paper will receive no reduction in tariff on print paper: Therefore be it

Resolved, That we call upon our respective Congressman and Senators to use their influence and vote against the removal of tariff from the importation of paper; and be it further

Resolved, That a copy of this resolution be forwarded to our Congressman and Senators, also a copy be forwarded to our international president, with request that he bring the matter before the Members of the Congress and United States Senate and President of the United States.

[SEAL.] ARCHIE T. MAHAN,
Secretary Franklin Falls (N. H.) Lodge.

Mr. GALLINGER presented petitions of W. W. King, of Philadelphia, Pa.; Sherman Wiggins and Caryl J. Dodds, of Lawrence, Kans.; R. H. Williams, of Towanda, Pa.; and G. G. Roberts, of Toledo, Ohio, praying for the exemption of mutual life insurance companies from the operation of the income-tax clause of the pending tariff bill, which were referred to the Committee on Finance.

Mr. NELSON. I present a joint memorial of the Territorial Legislature of Alaska, which I ask may be printed in the RECORD and referred to the Committee on Appropriations.

There being no objection, the joint memorial was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

Senate joint memorial 17.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

We, your memorialists, the Senate and House of Representatives of the Territory of Alaska, in legislative session assembled, do most respectfully and earnestly represent that—

Whereas the Congress did, on the 25th day of June, 1910, enact a law entitled "An act to provide for the care and support of insane persons in the Territory of Alaska"; and

Whereas the buildings provided for in said act to be built at Fairbanks and Nome have not been constructed for the reason, as stated by the governor of Alaska, given upon the advice of the Attorney General, that no provision was made in said act for the purchase of sites upon which to construct such buildings, and that the Government could not accept the donation of sites; and

Whereas all insane persons in the fourth and second judicial divisions are forced to remain in the United States jails, awaiting a convenient time for their transportation; and

Whereas the sum of $4,000 will purchase suitable sites in the towns of Fairbanks and Nome for the hospitals provided for in said act: Now, therefore,

We, your memorialists, do most earnest and respectfully request that an appropriation be made in the sum of $4,000 to purchase suitable sites for the construction of detention hospitals at Fairbanks and Nome, as provided in the act of Congress of June 25, 1910, entitled "An act to provide for the care and support of insane persons in the Territory of Alaska."

And we, your memorialists, will ever pray.

Passed the senate April 11, 1913.

L. V. RAY,
President of the Senate.

Passed the house May 1, 1913.

EARNEST B. COLLINS,
Speaker of the House.

UNITED STATES OF AMERICA, *Territory of Alaska, ss:*

I, William L. Distin, secretary of the Territory of Alaska, do hereby certify that the above and foregoing is a true and complete copy of senate joint memorial No. 17 of the Alaska Territorial Legislature.

In testimony whereof I have hereunto set my hand and affixed the great seal of Alaska at Juneau this 6th day of May, A. D. 1913.

[SEAL.] WM. L. DISTIN, *Secretary of Alaska.*

Mr. NELSON. I present a memorial of the Territorial Legislature of Alaska which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

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

Senate joint memorial 31.

To the honorable the President, the Senate, and House of Representatives of the United States:

Your memorialists, the Senate and House of Representatives of the Territory of Alaska, do respectfully submit the following to your kind consideration:

That the Alaska Road Commission, since its creation under the act of Congress approved January 27, 1905, has constructed approximately 900 miles of wagon road and many hundreds of miles of sled roads and trails in all sections of the Territory of Alaska.

That such construction has resulted in great benefit to the country and has aided more than any other instrumentality in developing the various sections of our Territory.

That these roads are not merely of local importance, but they form a well-devised system of highways calculated to serve the entire Territory.

That the expenses incurred in such road and trail building are defrayed by an annual appropriation made by the honorable the Congress of the United States and by a portion of what is known as the "Alaska fund." The amount appropriated by the honorable the Congress of the United States for this year amounts to $155,000, fifty-five thousand of which, or so much thereof as may be required, is to be expended in the construction of a dam to protect the property of the Government near the town of Valdez from destruction by near-by glaciers; that the average amount per annum available from the Alaska funds amounts to $137,000, the total amount of which moneys is barely sufficient to keep the roads constructed in repair.

In view of these facts we respectfully request that Congress increase its annual appropriation for the construction and maintenance of roads, so that a sufficient amount thereof may be set aside for further construction and extension of the road system now laid out.

And your memorialists will ever pray.

Passed the senate April 29, 1913.

L. V. RAY,
President of the Senate.

Passed the house April 29, 1913.

EARNEST B. COLLINS,
Speaker of the House.

UNITED STATES OF AMERICA, *Territory of Alaska, ss:*

I, William L. Distin, secretary of the Territory of Alaska, do hereby certify that the above and foregoing is a true and complete copy of senate joint memorial 31 of the Alaska Territorial Legislature.

In testimony whereof I have hereunto set my hand and affixed the great seal of Alaska at Juneau this 6th day of May, A. D. 1913.

[SEAL.] WM. L. DISTIN, *Secretary of Alaska.*

Mr. WEEKS presented memorials of the Merchants' Association of North Adams, Mass., remonstrating against the rates of duty relating to cotton yarns, cotton goods, and cotton manufactures, also against the reduction of the present duty on boots and shoes, and the rates in the woolen schedule of the pending tariff bill, which were referred to the Committee on Finance.

Mr. SHERMAN presented a resolution adopted by the local directors of the National Business League of America, of Illinois, requesting that they be given opportunity to submit their arguments against the objectionable administrative features of the pending tariff bill, which was referred to the Committee on Finance.

Mr. KERN presented a telegram in the nature of a resolution adopted at a meeting of 6,000 citizens of Pittsburgh, Pa., favoring an investigation by the Senate of the labor situation in the coal fields of West Virginia, which was referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a resolution signed by the city chairman of the Socialist Party of Shelbyville, Ind., and a resolution adopted by Local Union No. 617, United Mine Workers of America, of Barnesboro, Pa., expressing thanks for the interest shown to secure justice for the laborers in the coal fields of West Virginia, which were referred to the Committee on Education and Labor.

REPORT FROM COMMITTEE ON PENSIONS.

Mr. SHIVELY, from the Committee on Pensions, to which was referred the bill (S. 832) 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, reported it with an amendment, and submitted a report (No. 47) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 833. A bill 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 (Rept. No. 48); and

S. 834. A bill 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 (Rept. No. 49).

ADDITIONAL DISTRICT JUDGE, CALIFORNIA.

Mr. CLARK of Wyoming. From the Committee on the Judiciary I report back favorably without amendment the bill

(S. 485) to amend section 1 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and I submit a report (No. 46) thereon. I call the attention of the junior Senator from California [Mr. WORKS] to the bill.

Mr. WORKS. I ask unanimous consent for the present consideration of the bill.

Mr. GALLINGER. Let the bill be read for the information of the Senate.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

Mr. CLARK of Wyoming. Mr. President, a very large part of the bill is a reenactment of the law as it now stands. The part which is new simply provides an additional district judge for the southern district of California.

Mr. GALLINGER. Let that part be read.

Mr. CLARK of Wyoming. Very well, let that part be read.

The Secretary read as follows:

That section 1 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and is hereby, amended to read as follows:

"SECTION 1. In each of the districts described in chapter 5 there shall be a court called a district court, for which there shall be appointed one judge, to be called a district judge, except that in the northern district of California, the southern district of California, the northern district of Illinois, the district of Maryland, the district of Minnesota, the district of Nebraska the district of New Jersey, the eastern district of New York, the northern and southern districts of Ohio, the district of Oregon, the eastern and western districts of Pennsylvania, and the western district of Washington, there shall be an additional district judge in each, and in the southern district of New York three additional district judges."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CLARKE of Arkansas. Unless there is some satisfactory explanation made in regard to the bill, I shall object to its present consideration. I do not understand why there is need at this time for so many district judges on the Pacific coast.

Mr. WORKS. I know from my own personal knowledge that there is a very urgent need of an additional district judge in that particular district.

Mr. CLARKE of Arkansas. How many district judges has the State of California at this time?

Mr. WORKS. We have two, one of them in the southern and the other in the northern district. They are 500 miles apart and are kept more than busy. As I have said, I know from my own personal knowledge of the necessity for an additional district judge at that point.

Mr. CLARKE of Arkansas. What creates the necessity for more litigation there than at other places in the country with a similar population?

Mr. WORKS. There is a great deal more I think. I believe the Senator has some conception of the increase of population and the increase of business in southern California in the last 10 years. It is utterly impossible for one judge to render the services that are necessary. I know that of my own knowledge.

Mr. CLARKE of Arkansas. Let me ask the Senator if there is a temporary congestion of the docket, or does the necessity arise from conditions that are likely to continue?

Mr. WORKS. The condition is not temporary; it is permanent. In fact, we should have had an additional judge there five years ago.

Mr. CLARKE of Arkansas. What tangible, definite showing was made in support of the proposition outside of the statement the Senator makes upon the authority of other people?

Mr. WORKS. The matter was referred by the Judiciary Committee to the Attorney General to obtain the necessary information, and letters have been received showing what the necessities are. If the Senator desires, I should be glad to have those letters read.

Mr. CLARKE of Arkansas. I am willing to concede much to the judgment of the Senator from California, because there is no Senator on this floor whom I respect more highly than I do him, but the temptation to comply with the requests of lawyers for additional judges is so great that it is difficult to resist it. I happen to know that two district judges can do a lot of business if they undertake to do it, are willing to do it, and are able to do it by reason of health and other qualifications.

Mr. WORKS. I will say unhesitatingly, Mr. President, for the information of the Senator from Arkansas, that there is an absolute and urgent necessity for the appointment of this judge.

Mr. CLARKE of Arkansas. Why in the southern district more than in the northern district? I assume there are more people, and that, therefore, there ought to be more litigation, in the northern part of the State, which includes San Francisco, than in the southern part.

Mr. WORKS. There were two district judges in the northern district of the State; but there is a vacancy in that district now.

Mr. CLARKE of Arkansas. Then, if the additional judge is authorized there will be four district judges in the State.

Mr. WORKS. We will have three——

Mr. CLARKE of Arkansas. Two now in commission and one vacancy, and if this additional judge is created it will be the fourth one?

Mr. WORKS. It will be the fourth one.

Mr. CLARKE of Arkansas. I think I will object to the consideration of the bill for the present, and I will look into the matter a little bit.

The VICE PRESIDENT. Objection being made, the bill will go to the calendar.

Mr. WORKS subsequently said: Mr. President, in view of the objection made to the consideration of the bill reported by the Senator from Wyoming [Mr. CLARK], I ask that the report accompanying the bill be printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, that order is made.

The report submitted this day by Mr. CLARK of Wyoming is as follows:

[Senate Report No. 46, Sixty-third Congress, first session.]

ADDITIONAL DISTRICT JUDGE, SOUTHERN DISTRICT OF CALIFORNIA.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, submitted the following report to accompany S. 485:

The Committee on the Judiciary, to whom was referred the bill (S. 485) to amend section 1 of the Judicial Code so as to provide for an additional district judge for the southern district of California, having had the same under consideration, recommend that the bill do pass.

The necessity for this legislation is apparent from the inclosed communications from the Attorney General and certain other correspondence, all herewith submitted and made part of this report.

DEPARTMENT OF JUSTICE,
Washington, D. C., May 14, 1913.

Hon. CHARLES A. CULBERSON,
Chairman Committee on the Judiciary, United States Senate.

SIR: This department is in receipt of your communication dated the 14th ultimo, inclosing S. 485 entitled "A bill to amend section 1 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911," signed by the assistant clerk of said committee.

In response to your request for such information as is available in this department with respect to the volume of business, civil and criminal, in the United States District Court for the Southern District of California, the increase thereof, if any, in recent years, and such other data as will tend to show the need or lack of need of the additional judge proposed, the following is respectfully submitted:

Upon receipt of your communication, letters were written to the United States district judge, the United States attorney, and the clerk of the United States district court for said district. Copies of their replies are herewith inclosed.

The clerk of the district court shows the increase of business from year to year, commencing with 1895, up to and including 1912. The letters from the United States district judge and the district attorney show that judges from other districts had to be called in to assist in disposing of the business before the district court for the southern district of California.

The latest census of the United States shows a very remarkable increase in the population of the city of Los Angeles. The population of that city in 1890 was 50,295; in 1900, 102,479; and in 1910, 319,198. Fresno and San Diego, the other places of holding court in said district, show increases of nearly 100 per cent in the 10 years from 1900 to 1910.

For the Attorney General:

JESSE C. ADKINS,
Assistant Attorney General.

LOS ANGELES, CAL., *May 1, 1913.*

The ATTORNEY GENERAL, *Washington, D. C.*

SIR: I am in receipt of yours of the 17th instant (initials and number, J.J.G.–A.G.M., 5–S–11–2), concerning Senate bill No. 485, which provides for an additional United States district judge for the southern district of California, and requesting of me information desired by the Judiciary Committee of the Senate with respect to the volume of business, civil and criminal, in the United States District Court for the Southern District of California, the increase thereof, if any, in recent years, and such other data as will tend to show the need or lack of need of an additional judge proposed by said Senate bill No. 485.

Pressure of business in the court here since the receipt of your letter has prevented an earlier answer thereto.

The clerk of this court, Mr. William M. Van Dyke, tells me that he will by to-day's mail forward you data gathered from the records of the court, which will indicate the volume of business at different periods since the organization of the court.

On the 2d day of last month I wrote to Senator WORKS on this subject, giving him a brief statement of the situation, and can not now present it better to you than by an extract from that letter, as follows:

"When the question of an additional judge was first agitated, many years ago, I did not look with favor upon the proposition. Some four or five years ago, however, the work here had increased to such an extent that I did approve the movement, and so wrote the Attorney General, as shown by the inclosure. Since then the business of the district has assumed such large proportions that an additional judge is absolutely necessary in order to dispatch it with anything like reasonable promptness. The pressure of this business has become so great that I have been compelled to seek aid from other districts. Judge Rudkin, of Washington, was helping me for several weeks during last November and December, and also during last month. He was called back to his own district, however, last Friday. Judge Bean, from Portland, Oreg., has been engaged in the trial of an important case here since a week ago Monday, and will probably be here two or three weeks longer on that case."

Judge Bean is still engaged on the case above mentioned, but, I understand, will conclude the hearing the latter part of next week.

The occasional assistance of a visiting judge, during the uncertain and limited periods for which the business of his own district will permit him to remain with us, is a mere palliative, and by no means meets the exigencies of the situation created by the fact that the volume of business in this district, which is steadily increasing, requires the constant services of two judges for its prompt dispatch.

The need for another judge in this district is urgent, and I feel that I can not too strongly recommend the passage of a suitable bill for that purpose.

Respectfully,

OLIN WELLBORN,
United States District Judge.

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LOS ANGELES, CAL., *May 1, 1913.*

The ATTORNEY GENERAL, *Washington, D. C.*

SIR: Under date of April 24, 1913, I have already acknowledged receipt of your letter of April 17, 1913 (initials J. J. G. No. 5 S 11–2), requesting me to furnish certain information desired by the committee as to Senate bill No. 485, which provides for an additional United States district judge for this district.

I have now the honor to furnish the following information, which I trust will be of service to the department and to the committee.

The following table shows the cases, civil, criminal, and in bankruptcy, that have been instituted during each calendar year, beginning with the year 1895, the year of the appointment of the present district judge, the Hon. Olin Wellborn, to and including the year 1912. I have not separated the business of the circuit court from that of the district court, as Judge Wellborn from the time of his appointment down to the abolition of the circuit court attended to almost the entire business of that court as well as to the business of the district court:

Year.	Civil cases.	Criminal cases.	Total civil and criminal.	Bankruptcy cases.	Total of all cases.
1895	36	81	117	.....	117
1896	59	75	134	.....	134
1897	57	64	121	.....	121
1898	103	46	149	57	206
1899	76	45	121	138	259
1900	64	27	91	122	213
1901	46	36	82	111	193
1902	62	47	109	114	223
1903	73	42	115	116	231
1904	69	56	125	144	269
1905	131	55	186	181	367
1906	100	98	198	173	371
1907	111	53	164	151	315
1908	126	117	243	203	446
1909	112	73	185	233	418
1910	115	86	201	249	450
1911	145	131	276	268	544
1912	127	156	283	318	601

For the four months beginning January 1, 1913, and ending April 30, 1913, when this report closes, the new cases have been as follows:

Civil cases begun	66
Criminal cases begun	56
Total civil and criminal	122
Bankruptcy cases begun	103
Total of all cases for four months, 1913	225

While it has seemed to me unnecessary to ascertain and tabulate the number of cases that have been disposed of during all of the years just mentioned, it will be an aid to understanding the needs of this district if I state that in the year 1912 there were 241 civil and criminal cases disposed of, as against 283 begun, and that from January 1 to April 30, 1913, inclusive, there have been 70 civil and criminal cases disposed of, as against 122 begun during the same period.

In this connection it should be stated that during the period last above mentioned, viz, the year 1912 and the first four months of the year 1913, besides and contemporaneously with the court held by Judge Wellborn, the following judges from other districts have, by designation of the senior circuit judge for this circuit, held district court at Los Angeles, viz, from March 12 to March 26, 1912, Judge Van Fleet of the northern district of California; from November 11 to December 13, 1912, Judge Rudkin of the eastern district of Washington; from March 4 to March 28, 1913, Judge Rudkin; from March 20, 1913, until the close of this report Judge Bean of the district of Oregon, who will probably not finish the case he is engaged in trying here until the 8th or 9th of May.

I beg also to call your attention to the fact that in addition to the court held at Los Angeles the district judge for this district is required, by the act of May 29, 1900, and by the act of June 22, 1910, both now incorporated in section 72 of the Judicial Code of the United States, to hold in each year two terms of the court at Fresno and two terms at San Diego.

If further information from this office is desired, I shall, of course, be glad to furnish it.

Respectfully,

W. M. VANDYKE,
Clerk United States District Court,
Southern District of California.

—

LOS ANGELES, *May 2, 1913.*

The ATTORNEY GENERAL, *Washington, D. C.*

SIR: On the 28th ultimo I forwarded to you a letter concerning Senate bill 485, responsive to yours of the 17th ultimo (J. J. G. 5 S 11–2), in which you requested of me information concerning the necessity for a new and additional judge in this district.

On the 30th ultimo I wired you in relation to the same matter as follows:

"I wrote you Monday concerning necessity for an additional judge this district, responsive yours 17th instant. Please hold and do not use this letter. Am forwarding to-day another letter in its place."

The letter forwarded you on the 28th ultimo was dictated hurriedly during a noon recess of court and without an opportunity on my part to go over the same after it was typewritten and correct it.

After writing it and before forwarding you the telegram, I read a copy of it carefully and have discovered several inaccuracies therein which demand correction. I have carefully gone over the letter and have redrafted the same and inclose you herewith a corrected copy. If agreeable to you, I would request that you forward to me the original letter sent you on the 28th ultimo.

Respectfully,

A. I. MCCORMICK,
United States Attorney.

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LOS ANGELES, *April 28, 1913.*

The ATTORNEY GENERAL, *Washington, D. C.*

SIR: I am in receipt of yours of the 17th instant (J. J. G. 5 S 11–2) concerning Senate bill 485, which bill provides for an additional United States district judge for this district, and requesting of me that I furnish the information desired by the committee as far as is within my power. Request is also made for a prompt reply.

I am still engaged in court on the argument on final hearing in the suit of United States of America *v.* May K. Rindge et al., involving the roads on the Malibu Rancho. All parties concerned in this suit have been working day and night for the purpose of expediting the hearing as much as possible. The Government closed its opening argument some 10 days ago, and the defendants have been occupying the time since, and will not close, according to announcement of their attorneys, for several days. The reply for the Government will require four or five days thereafter. This prevents me from giving to your request contained in your said letter the attention which I believe it deserves.

I had intended going over the entire records of this office for the past 8 or 10 years and preparing an abstract of all the business in which the United States was interested transacted in the courts of this district during that time, showing the great and constant increase thereof. However, Mr. Van Dyke, the clerk of the district court, who is thoroughly familiar with the matter, informs me that he also has received a letter from you substantially similar to the one received by me, and that he is at present engaged in looking up the matter with a view of forwarding to you a general statement showing the immense increase of business from the time of Judge Wellborn's appointment down to date. I have concluded, therefore, to leave that end of it to him and to call to your attention some specific facts and instances which, to my mind, prove conclusively that an additional judge in this district is not only an absolute necessity, but that from a purely financial or business standpoint the Government will be the gainer by the appointment of an additional judge.

In the first place, I think the attention of the committee should be called to the fact that the business transacted by the Federal courts in the southern district of California during late years has not only increased tremendously in volume, but that in no other district in the United States is there any more, if as many, varieties or kinds of Federal causes brought to the attention of the courts. To commence with, we have at our very doors the Pacific Ocean, with several harbors of prominence, and by reason thereof there arises therefrom the numerous questions relating to interstate and international commerce and immigration. In the next place this district is bounded on the south by the international boundary line between Mexico and the United States. This, as you undoubtedly know, gives rise to numerous and important questions involving international commerce, the customs and immigration laws, and also many violations of the neutrality laws existing between this country and Mexico, these last-mentioned cases, as you know, having occupied a considerable portion of the time of this office and the local courts for the past three years. In addition to the above, and by reason of the fact that Mexico adjoins this district on the south, the district court of this district has in the past been compelled to devote a great deal of its time and attention to extradition cases. Experience has shown that this is a convenient and safe asylum for fugitives from the justice of Mexico.

Again there are still a vast amount of public lands of the United States situated within this district and there are at the present time now pending in this district seven suits of the utmost importance, involving portions of these public lands, with values running up into the hundreds of millions of dollars. I refer in this connection to the three suits now pending against the Southern Pacific Railroad Co., involving the title to valuable oil lands in this district, and the three suits known as the withdrawal suits, having for their object the sustaining of the validity of the presidential order of withdrawal of September 27, 1909, and the recovery by the Government of many acres of valuable oil lands affected by said withdrawal order.

There are a vast number of Indian reservations within the southern district of California, and the business of the Government in connection with these Indian reservations and their inhabitants has in the past entailed, and will in the future continue to entail, a great amount of work upon the United States court in this district.

Again, the vast increase of the post-office business, resulting from the increase in population and the use of the mails in connection with new ventures, has been productive of a large amount of work in the Federal courts, especially in connection with the prosecution of criminals for a violation of the postal laws.

All this, together with the ordinary run of business in the Federal courts, it seems to me, will convince anyone of the necessity for more than one Federal judge in a district of the size and magnitude of this one.

You are, of course, aware of the fact that the district court of this district meets at three places. It meets twice each year in Fresno to attend to the business of the northern division; it also meets twice each year in San Diego, and this in addition to the two terms of court here at Los Angeles.

At various times in the past the fact that an important cause has been on trial when the appointed time comes for the court to go from Los Angeles to Fresno has resulted in inconvenience, necessitating either an adjournment and recess of the cause on trial at Los Angeles or the postponement of the opening of the session at Fresno.

In addition to the above, I desire to call your attention to two or three specific instances that have come under my personal observation during the past two years, wherein, by reason of the court being compelled to continue one or more criminal cases for the term on account of the crowded condition of the calendar and the impossibility of trying such criminal cases, the amounts paid by the Government in witness fees and mileage alone would almost of themselves pay the salary of a judge for a year.

It may be appropriate here to state that by the rules of the district court in force for the last seven or eight years the term trial calendar is called only twice each year, to wit, at the beginning of the January term on the second Monday in January and at the beginning of the July term on the second Monday in July. All attorneys interested in

any cause at issue, including the United States attorney, are notified to be present at the call of the calendar, and every case at issue is then set down for trial during some day in the term, preference being given to criminal cases. The result has been that for the last three or four years it has become necessary to set several cases for the same day, it being impossible to find a sufficient number of days to allow each case the time required for trial. In the event that each of the three cases set for a certain date is, on that date, ready for trial, the first one in order will go to trial, and in the vast majority of cases will require more time for trial than has been allotted even for the total of the three cases. The result is that two of them must be continued at least until the first one is finished, and then these two will either have to be continued for the term or else the next case in order must necessarily go over and perhaps off the calendar.

The important case of United States *v.* Ricardo Flores Magon et al., in which the above-named defendant and several of his companions were charged with conspiracy to violate the neutrality laws by organizing a military expedition and enlisting soldiers in this district in the revolution against Mexico, was at the call of the trial calendar in January, 1912, set for trial on April 18, 1912. The criminal case of United States *v.* Tennant, an important post-office case, in which a former employee was charged with stealing from the mails, had also been set for trial for April 18, 1912. On the last-mentioned date counsel for defendants in the Magon case moved for a continuance, and upon the showing made the Magon case was continued to April 25, 1912. The Tennant case went to trial, and was not finished on April 25. Owing to the importance attached to the neutrality case against Magon et al., both by the department and Mexico, and the fact that the Government witnesses were large in number, and being of nomadic habits were extremely difficult to find and bring together, every effort was used by this office to procure a date for the trial during that term. The court set the trial for June 4 upon the understanding that the case would be shortened as much as possible and that other cases should be disposed of so as to carry no trial over the term. As heretofore stated, a large number of the witnesses in the Magon case whose testimony was absolutely necessary to the Government were impecunious, of nomadic habits, and had been located only with great difficulty. It was therefore necessary to keep them in attendance where they could be constantly watched and accounted for, or the Government would be seriously embarrassed in the presentation of its case. The expense of keeping these witnesses in attendance up to June 4 was approximately $1,400. The case proceeded on June 4 to trial, and the amount paid to witnesses for attendance during the two weeks of the trial was only approximately $450.

At the call of said January trial calendar in January, 1912, the case of United States *v.* E. C. Redman, in which the defendant was charged with using the mails in a scheme to defraud, was set for trial May 23, 1912. This case was likewise an important one, and a number of witnesses had been subpœnaed, some of them from distant States. Some two or three days previous to the 23d day of May, 1912, it became apparent that the Redman case could not be tried for the reason that the civil suits entitled United States Consolidaed Seeded Raisin Co. *v.* Dinuba Farmers' Union Pack'ng Co. and 10 other defendants, the whole constituting 10 important civil patent suits which had been waiting many years for final disposition, were on trial on final hearing and then occupied the attention of the court. It was plainly evident that the trial of these Seeded Raisin cases would be likely to continue for some time. With the Magon trial set for June 4 and the Redman trial set for May 23 the court requested the Government to elect whether to continue the Magon trial and allow the Redman case to wait from day to day, to follow the Seeded Raisin cases, or to continue the Redman case for term and try the Magon case on June 4. On account of the difficulties connected with the Magon case, with relation to the securing of witnesses and the international character of the case, the Government concluded to allow the court to continue the Redman case for the term. This was done, and the same was set for trial on September 17, 1912. The expense of bringing witnesses together for the Redman case in May cost the Government approximately $2,260, which, of course, was absolutely lost, because these witnesses were necessarily resubpœnaed for the trial in September following.

On September 17 the Redman case was tried and occupied the attention of the court for seven weeks, during which the expenses of the witnesses were approximately $6,000. This shows that the cost to the Government occasioned by reason of the necessary continuance in May was almost half as much as the entire expense of the seven weeks' trial.

At the call of the July calendar in 1912 the case of United States *v.* Antonio Feliz et al., in which the defendants were charged with a conspiracy to violate the Chinese-exclusion law, had been set for trial October 8, 1912. On this last-mentioned date the Redman case was still on trial, it occupying the attention of the court for a considerably longer period than was at first anticipated. The Feliz case was continued several times, finally going over to November 26, 1912. The expense of witnesses called and discharged on account of the continuance of the Feliz case was approximately $600.

The condition of the trial calendar and business of the court would undoubtedly have been still more complicated had not Judge Van Fleet, of San Francisco, assisted Judge Wellborn in working off the crowded calendar by trying the case of the United States *v.* Woo Wai et al., another Chinese conspiracy case, which occupied three weeks for trial during March, 1912, during all of which time Judge Wellborn was himself occupied daily in holding court and disposing of other business.

In addition to the above, Judge Rudkin, of the eastern district of Washington, at the request of Judge Wellborn and by assignment from the senior circuit judge of this circuit, was present in Los Angeles and held court for about a month in November and December, 1912, disposing of numerous cases, while Judge Wellborn continued to hold his court at the same time.

In March, 1913, Judge Rudkin again held court at Los Angeles, during which time he tried the important Indian murder case entitled "United States *v.* Ambrosio Apapas and nine other defendants," and disposed of several other cases and numerous law and motion matters.

As late as the 24th instant, on account of the engagement of the court in the trial of a personal-injury case with a jury and the approaching trial of another criminal case to begin Tuesday, the 29th instant, the Government was obliged to continue the case of the United States *v.* Sam Yick et al., charged with conspiracy to smuggle Chinese into the United States, as it would be impossible to complete the trial thereof before the court, in accordance with law, goes to Fresno for its regular spring term in the northern division.

In addition to the above, District Judge Bean, of the district of Oregon, has been present in Los Angeles holding court constantly for the past five weeks, hearing the final arguments in the suit in equity entitled "United States of America *v.* May K. Rindge et al.," during all of which time Judge Wellborn has been constantly occupied with trials in his court.

Looking at the question from another viewpoint, it may be appropriate to call your attention to the fact that the grand jury is constantly in session, being appointed at or near the beginning of each term and serving until the close of the term. The result of this is that indictments are being constantly returned into court in the midst of a term and after the trial calendar for the entire term has been called and the cases set. In the past it has many times happened that an indictment has been returned by a grand jury during the term of court and the defendant has pleaded not guilty, and both the defendant and the Government have been ready and anxious to try the cause, but owing to the fact that the entire time of the court has been taken up with cases already set for trial, it has become necessary to continue such criminal causes for the entire term, to the disadvantage of both the defendant and the Government, and in some cases this has resulted in extreme hardship to the defendant by reason of his inability to give the necessary bail, thereby compelling him to remain in custody sometimes for a considerable length of time.

It is needless for me to add after what I have heretofore stated that I am not only heartily in favor of the proposition to give to this district an additional judge, but to repeat again I think it is an absolute necessity, and that the gain of the United States, even if estimated in money alone, will more than compensate it for the additional expense consequent upon the appointment of such additional judge.

Respectfully,

A. I. McCORMICK,
United States Attorney.

BILLS INTRODUCED.

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

By Mr. THOMPSON:

A bill (S. 2255) granting a pension to John T. Peet (with accompanying paper); to the Committee on Pensions.

A bill (S. 2256) to correct the military record of James M. Campbell (with accompanying paper); to the Committee on Military Affairs.

By Mr. GORE:

A bill (S. 2257) authorizing the Secretary of the Interior to sell certain Indian allotments, and for other purposes; to the Committee on Indian Affairs.

By Mr. FLETCHER:

A bill (S. 2258) to extend the proposed reorganization of the customs service for a period of two years.

Mr. FLETCHER. I desire to say, in reference to the bill regarding the customs service, that it is identical with the amendment which was passed by the Senate to House bill 28858. It appeared as amendment numbered 10 on page 9 of the bill as passed by the Senate. The language is identical. I understand that the Senate conferees, and at least one of the conferees of the House, favored the amendment, but it finally went out in conference. This is a bill containing the same provision, postponing for two years the operation of the order reorganizing the customs service.

By Mr. FLETCHER:

A bill (S. 2259) granting a pension to Amelia H. Sawyer (with accompanying paper); to the Committee on Pensions.

A bill (S. 2260) for releasing and quitclaiming of all claims of the United States to arpent lot No. 28 in the old city of Pensacola, Fla.; to the Committee on Public Lands.

By Mr. SAULSBURY:

A bill (S. 2261) for the relief of George T. Hamilton; to the Committee on Claims.

By Mr. FALL:

A bill (S. 2262) to amend chapter 35 of the Statutes of the United States of America, passed at the third session of the Sixty-first Congress, approved February 3, 1911; to the Committee on the Judiciary.

By Mr. BACON:

A bill (S. 2263) for the relief of the heirs of William Pope, deceased; to the Committee on Claims.

By Mr. JOHNSTON of Alabama:

A bill (S. 2264) for the relief of William L. Buck and others; to the Committee on Claims.

By Mr. WARREN:

A bill (S. 2265) for the relief of Thomas Drury and others (with accompanying paper); to the Committee on Claims.

By Mr. SHERMAN:

A bill (S. 2266) authorizing the Secretary of War to deliver to the city of El Paso, Ill., two condemned bronze or brass cannon, with their carriages and a suitable outfit of cannon balls; to the Committee on Military Affairs.

A bill (S. 2267) granting an increase of pension to Otto Kuehn; to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 2268) granting an increase of pension to Isaac Gour; to the Committee on Pensions.

By Mr. WEEKS:

A bill (S. 2269) to fix the standard barrel for fruits, vegetables, and other dry commodities; to the Committee on Standards, Weights, and Measures.

By Mr. McLEAN:

A bill (S. 2270) granting an increase of pension to Francis C. Sturtevant (with accompanying paper); to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 2271) granting a pension to Margaret Gately; to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 2272) providing for an increase in the number of midshipmen at the United States Naval Academy after June 30, 1913; to the Committee on Naval Affairs.

WHEN CONGRESS SHOULD CONVENE.

Mr. SHAFROTH. Mr. President, in the beginning of the present session of Congress I introduced a joint resolution providing when Congress shall convene and when the terms of President and Vice President shall commence. I have written an article on the subject, which has been published in Leslie's Illustrated Weekly of May 22, 1913. Inasmuch as to insert the article in the RECORD would save a speech, I ask unanimous consent that it be published in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the order is made.

The article referred to is as follows:

[From Leslie's Illustrated Weekly of May 22, 1913.]

WHEN CONGRESS SHOULD CONVENE.

(By Hon. JOHN F. SHAFROTH, United States Senator from Colorado.)

At the opening of Congress I introduced in the Senate a joint resolution providing for the adoption of a constitutional amendment, as follows:

"ARTICLE XVIII.

"SECTION 1. The terms of the President and Vice President of the United States shall commence on the second Monday in January following the election of presidential and vice presidential electors, and such electors shall assemble at the capitals of their respective States and cast their votes for President and Vice President on the first Monday in December following their election.

"SEC. 2. The terms of Senators and Representatives shall commence on the first Monday in January following their election.

"SEC. 3. There shall be held two regular sessions of Congress, convening on the first Monday of January each year."

Under the present system Congress is elected on the first Tuesday in November of the even years and does not convene in regular session until the first Monday of December of the year following. What a travesty upon representative government is the meeting of Congress 13 months after its election! What a delusion is the statement that Representatives come fresh from the people! What an opportunity is afforded to forget the pledges made at the election! It is true an extraordinary session may be called early, but such sessions are limited generally to one subject and are not usually favored by the people. It is essential to good government that the expressed will of the people be crystallized into law at the earliest practical moment.

The terms of office of Senators and Representatives expire on the 3d day of March, and now the second regular session is held during the three months immediately preceding. This second regular session is held after the election of the new Congress and after many of its Members have been repudiated by the people. To permit such Senators and Representatives, after they have failed of election, to still represent their constituents is contrary to every principle of our Government.

Often there is a complete political change of administration, but under the present system we have the representatives of the old political party for three months after defeat passing laws directly in conflict with the last expressed will of the people. Not even the legislative bodies of monarchies are permitted to so misrepresent their constituents. An examination of the Statutes at Large will disclose that outside of the general appropriation and private pension bills three-fourths of the legislation of a Congress is enacted during the second regular session.

The record of each Senator and Representative should be completed before he comes before his constituents for indorsement. After he has been turned down by the people he is not in a fit frame of mind to legislate in their behalf. If he is open to the temptation of a bribe, then is the time it is offered and received. Even those who are not subject to temptation often lose interest in legislation after failure of election. It is well known that defeated Members, during the closing session, often absent themselves for weeks and sometimes months.

A session should not be held which is brought to a close by constitutional limitation. Measures in behalf of the people are often defeated thereby. By postponing many measures to the expiring days of the limited session such a congestion of bills is effected as often precludes the consideration of measures most intimately connected with the welfare of the people.

The meeting of Congress 13 months after the election produces a most inequitable result in contested-election cases. The term of a Representative is nearly half served before the committee can enter upon the consideration of his case, and it is not brought to a vote in the House until 15 to 24 months after the commencement of the term. The Government, in the meantime, pays the salary to the one who serves and also to the contestant, should he be seated. During all that time the congressional district, at least politically, is misrepresented.

The time for the convening of Congress on the first Monday in December is very inopportune. An adjournment of two weeks for the Christmas holidays is always taken and many Members go to their homes, returning late. No real work is done until January.

Heretofore it has been deemed inexpedient to pass this constitutional amendment because Senators were not elected by the legislatures until the middle of January, and sometimes not until February or March. Then the warm season would be too near to permit the holding of a long session of Congress for the consideration of general legislation, but since Senators hereafter are to be elected by the people at the general November election it becomes very opportune for Congress to convene in January.

This is one of the most important reforms needed in our Government, because it relates to the procedure by which all reforms can be enacted.

Equally strong reasons exist for the change in the terms of the President and Vice President. They should enter upon the performance of their duties as soon as the new Congress can count the electoral votes, just as the newly elected governors of our States are inducted into office as soon as the new legislatures of the States canvass the votes and declare them elected. As it is now it is the old Congress which counts the electoral votes.

After a very close election which changes the political complexion of an administration it is dangerous to permit the defeated party to retain control of the machinery by which such important officers are declared elected. Under our Constitution, upon the failure of any candidate to receive a majority of the electoral votes, it devolves upon the House of Representatives to elect, the representation from each State having one vote. This at present is done not by the new Congress but by the old one. Thereby it is possible for a political party repudiated by the people to elect a President. This is a clear violation of the principle of representative government.

The Constitution further provides: "If the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 4th day of March next following, then the Vice President shall act as President, as in the case of death or other constitutional disability of the President." What a temptation for delay and for the defeat of the true choice of the people!

The fact that the weather of January would be inclement for an inaugural parade is too insignificant a reason to prevent the adoption of a constitutional amendment which promises so much for good government. Why should we have in a Republic the great pomp and ceremony which usually attend the coronation of monarchs? If we must have them, why can not they be in the nature of celebrations at some seasonable time?

True representative government requires that Congress should convene soon after the election thereof, and the executive officers should commence their administration without hindrance or delay.

PRODUCTION OF SUGAR IN HAWAII.

Mr. RANSDELL. Mr. President, I ask unanimous consent to have published in the RECORD a brief letter by Mr. Sidney Ballou, the representative of the Hawaiian sugar interests, written for the purpose of correcting what he says are some inaccuracies in regard to the cost of making sugar in Hawaii which were published in the RECORD in the speech of Mr. HARDWICK, of Georgia.

Mr. SIMMONS. I desire to inquire of the Senator from Louisiana what it is that he asks to have printed?

Mr. RANSDELL. It is a very brief statement in the form of a letter from Mr. Sidney Ballou, representing the Hawaiian sugar interests, giving what he says is the real cost of producing sugar in Hawaii, and showing that it takes two years to grow a crop of sugar in those islands. The statement is very brief.

There being no objection, the letter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 14, 1913.*

Hon. JOSEPH E. RANSDELL,
Senate Chamber, Washington, D. C.

DEAR SIR: As illustrating the necessity of public hearings on the sugar schedule, permit me to call your attention to some misstatements concerning Hawaii made by Congressman HARDWICK, of Georgia. In his speech just published in the current CONGRESSIONAL RECORD (May 13, 1913, p. 1642) he says, in speaking of the cost of producing a pound of raw sugar:

"In the Philippines it is 1.75 cents per pound, and in Porto Rico, Cuba, and Hawaii about 2 cents per pound. There is no dispute whatever about these facts, as will be seen on examination of the evidence submitted to the special committee on sugar and from the report of that committee (p. 23) and from the recent hearings before the Ways and Means Committee of the House of Representatives. (Hearings, Schedule E, p. 2268.)"

So far as this statement concerns Hawaii, it is entirely incorrect. The page of the Hardwick committee report from which Mr. HARDWICK quotes contains no reference whatever to the cost of producing sugar in Hawaii. The citation from the recent hearings before the Ways and Means Committee proves, upon examination, to be merely a generalization of Mr. Frank C. Lowry, who knows nothing of conditions in Hawaii and whose statements or figures in the interest of free sugar are notoriously inaccurate

The cost of producing sugar in Hawaii is given on page 2400 of the same hearings as follows: For 1908, 2.58 cents a pound; for 1909, 2.64 cents a pound; for 1910, 2.82 cents a pound; for 1911, 2.91 cents a pound. For 1912, under an increased scale of wages adopted that year, the cost will reach 3 cents a pound.

Later in Mr. HARDWICK'S speech, he says:

"In the first place, the cost of production is not materially different in Cuba and Hawaii. According to the testimony of the representatives of the sugar interest of Hawaii, in the past Hawaii has been able to produce raw sugar at around 2 cents per pound, which is about the Cuban figure, and there is no doubt that they can do so again."

As the authorized representative of the sugar interests of Hawaii, I would say that I am not aware of any testimony supporting the statement here made. It is true that Mr. A. C. Spreckels, whose sole interest for many years has been that of a refiner, sometimes purports to speak of Hawaii, based upon his experience prior to annexation to the United States, but even Mr. Spreckels gives his cost at that time and under conditions long since passed at about 2½ cents a pound (Hardwick committee hearings, p. 2259). I need hardly add that in the sugar business, where every tenth of a cent means over $7,000,000, there is a material difference between 2 cents and 2½ cents.

Mr. HARDWICK'S speech contains a further illustration of the necessity for hearings when he says:

"According to the Crop Reporter of the United States, February, 1913, the average yield of cane per acre in Hawaii for the year 1910–11 was 41.3 tons; in 1911–12, 42.3 tons. The average yield of cane per acre in Cuba is 25 to 30 tons. The average sugar contents of a ton of cane in Hawaii is 13.16 per cent; in Cuba, 11 per cent. The average extraction per ton of cane in Hawaii is 238 pounds for 1910–11 and 248 pounds for 1911–12, against an average in Cuba of 230 pounds. So

that it appears that an acre produces more cane in Hawaii than it does in Cuba, and that a ton of Hawaiian sugar cane contains more sugar than a ton of Cuban sugar cane, and that the yield of the mills in Hawaii is more than the yield of the mills in Cuba."

These figures might very well lead an investigator to the conclusion stated. If we are afforded public hearings, however, we can offer the explanatory fact that it takes sugar cane 18 months to mature in Hawaii as against 12 months in Cuba, and that every acre in Hawaii is devoted for two years to providing the yield of cane and sugar which is here compared with the yield from Cuba in one year.

These are merely examples of questions, all of which should be cleared up by any legislative body which proposes to take intelligent action on the subject.

Any publicity that you can give to these denials of Mr. HARDWICK's statements will be appreciated.

Very truly, yours,

SIDNEY BALLOU,
Representing Hawaiian Sugar Planters' Association.

BILLS OF LADING (S. DOC. NO. 41).

Mr. POMERENE. Mr. President, some time ago I introduced a bill relating to the subject of bills of lading as applied to interstate and foreign commerce. I have before me an article printed in the Traffic World of May 10, 1913, and written by Mr. Francis B. James, a prominent member of the Washington and Cincinnati Bar Associations, on the subject of the bill. The article is important in that it carefully analyzes the bill and presents the necessity for legislation of this character and is of great interest to those who are favoring such legislation. I ask that the article be printed as a public document.

Mr. GALLINGER. Mr. President, will the Senator from Ohio, in a word, again state what the article is?

Mr. POMERENE. It is an article by Mr. Francis B. James analyzing the bill which was introduced by myself on the subject of bills of lading.

Mr. GALLINGER. I have no objection, Mr. President, but I desire, in a word, to say that I notice by the RECORD that the Senator from Ohio a few days ago had a remarkable utterance of the Secretary of Commerce printed as a public document for circulation throughout the country—the Secretary who, as some of us have believed, was going to call to account all manufacturers who chose to run their mills according to their own notions. I was gratified to observe this morning that the Secretary had modified that statement and had said that he did not mean what he was understood to say. It is a matter of gratification, also, to me to know that he is not going to adopt those harsh and unusual methods that the country was given to understand he was going to use in the event of manufacturers reducing the wages of their employees or running their plants according to their own notions.

Mr. POMERENE. Mr. President, I fear the distinguished Senator from New Hampshire received his information rather from the newspaper reports of what that speech contained than from the speech itself. It was in part for the purpose of correcting that misapprehension that I asked to have the speech itself printed as a public document.

Mr. GALLINGER. I was not present when the Senator made the request, but had I been I would not have objected to it. I simply, however, want to put into the RECORD the fact that the Secretary has reconsidered the matter somewhat and has said to the country that he was misunderstood, and that he did not mean and does not mean to try to do what the country was given to understand he was going to do.

Mr. POMERENE. Mr. President, I do not think that the speech that was made by the Secretary justified any such construction. I asked to have the speech printed simply to correct a misapprehension of what it contained, or rather a misconstruction of what it contained. It was simply a statement to the effect that if corporations saw fit to lower the wages of their employees, and it was charged to be due to the passage of the tariff bill, that department might find it incumbent upon it in the proper discharge of its duties to make some investigations in order that the truth might be ascertained. It was not made in the way of a threat.

Mr. GALLINGER. Mr. President, just one word more. A similar statement was made in the way of a threat in another place, in distinct and unequivocal language, and then it was followed by this utterance on the part of the distinguished Secretary. I think the country fully understood that an attempt, which would have been futile and absurd, was to be made unless those distinguished gentlemen changed their minds. I simply repeat that it is a matter of gratification to me to know that the statement has been sufficiently modified so that the manufacturers of the country may go along transacting their business without the fear of being haled into court or being investigated by some department of the Government.

Mr. POMERENE. Mr. President, again I must insist that the statement as originally made has not been modified. It is now correctly understood in certain quarters where before it was misunderstood; and sometimes perhaps—though I do not mean in this Chamber—it has been purposely misrepresented. I am quite sure that the distinguished Senator from New Hampshire [Mr. GALLINGER] joins with the rest of the Members of this body in simply wanting to know what the truth is.

The VICE PRESIDENT. There being no objection, the article submitted by the Senator from Ohio [Mr. POMERENE] will be printed as a public document.

ABROGATION OF TREATIES (S. DOC. NO. 40).

Mr. CHAMBERLAIN. Mr. President, on the 21st of April last I had inserted in the RECORD the Hay-Pauncefote and the Clayton-Bulwer treaties. In connection with that publication there was an article, House Document No. 1313, prepared by Mr. Frank Feuille, the law officer of the Isthmian Canal Commission. I have since received a letter from him stating that there were two errors made in the House document itself which he has asked me to have corrected. I therefore ask to have the House document printed as a Senate document with the corrections which he desires to have made.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the order is made.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS.

Mr. STONE. I ask unanimous consent for the present consideration of Senate resolution No. 80. It is important that it should be acted on this morning.

Mr. CLARK of Wyoming. To what does the resolution relate?

Mr. STONE. It relates to hearings before the Committee on Indian Affairs. The resolution has been favorably reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The Senator from Missouri asks unanimous consent for the immediate consideration of Senate resolution 80. Is there objection?

There being no objection, the resolution submitted by Mr. STONE on the 9th instant was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be authorized during the Sixty-third Congress to send for books and papers, to administer oaths, and to employ a stenographer at a price not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before the said committee; that the committee may sit during the sessions or recesses of the Senate; and the expense thereof shall be paid out of the contingent fund of the Senate.

ORDER OF BUSINESS.

Mr. BACON. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. SWANSON. I hope the Senator will withhold that motion for a moment.

Mr. BACON. Certainly.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. The Senator from Georgia moves that the Senate proceed to the consideration of executive business.

Mr. BACON. I withhold that motion for a moment, Mr. President, at the request of the Senator from Virginia.

Mr. SWANSON. I ask unanimous consent that the Senate take up Senate bill 1620, reported from the Committee on Foreign Affairs. It is important that that bill should be disposed of one way or the other.

Mr. PENROSE. What is the bill, Mr. President?

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

The SECRETARY. Order of business No. 27, Senate bill 1620——

Mr. PENROSE. I shall object to any bills coming up until my two resolutions can be considered by the Senate. They properly should come up at the close of morning business, and I consider them just as important as any measure pending before this body.

Mr. SWANSON. Is the Senator's resolution on the calendar?

Mr. PENROSE. My resolution was offered yesterday, and went over on objection. It simply calls for information. If the majority of this body are going to put themselves in the position of refusing information, I shall at least object to other bills coming up until I can get a vote on my resolution.

Mr. BACON. I should like to inquire of the Senator whether his resolution will lead to any debate?

Mr. PENROSE. I do not know anything about that. I should not expect that anyone would oppose the resolution for a moment.

Mr. BACON. I will state to the Senator that if the resolution will not lead to any debate, I have no desire in the world to oppose the motion. It can be acted upon as far as I am concerned.

Mr. PENROSE. Let the resolution be read. It comes up, under the rules, immediately upon the conclusion of morning business.

Mr. SIMMONS. I will state to the Senator from Georgia that one of the resolutions will lead to some debate.

Mr. LODGE. I ask the Chair whether the resolution does not come over?

Mr. PENROSE. It comes up under the rule automatically.

The VICE PRESIDENT. It comes down at the close of morning business.

Mr. GALLINGER. Let it be read.

Mr. PENROSE. I ask that the resolution be read.

Mr. SIMMONS. Mr. President, the Senator from Georgia [Mr. BACON] asked whether these resolutions would lead to any debate. I stated that one of the resolutions probably would lead to debate.

Mr. GALLINGER. Mr. President, it seems to me it is not a question of debate. The resolutions come before the Senate automatically under the rules, and the Senate can do with them what the Senate pleases.

Mr. BACON. Undoubtedly.

INVESTIGATION BY FINANCE COMMITTEE.

Mr. PENROSE. Mr. President, I ask that Senate resolution 87 be read for the information of the Senate, and then we will see whether it leads to any debate.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the resolution (S. Res. 87) submitted yesterday by Mr. PENROSE, as follows:

Resolved, That the chairman of the Finance Committee be requested to report to the Senate a full list of all manufacturers, corporations, importers, and other persons who have appeared before the majority members of the Finance Committee or any subcommittee thereof for hearing or conference relative to House bill No. 3321.

Mr. SIMMONS. Mr. President, is that resolution before the Senate?

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. SIMMONS. Mr. President, I supposed the Senator from Pennsylvania probably would want his resolution No. 88 considered first.

Mr. PENROSE. I desire Senate resolution 87 considered now by the Senate and voted upon, unless the chairman of the Finance Committee will agree to it and accept it.

Mr. SIMMONS. Mr. President, I shall move that the resolution be referred to the Finance Committee. The resolution is a very unusual one. It is a request that the chairman of the Finance Committee report to the Senate "a full list of all manufacturers, corporations, importers, and other persons who have appeared before the majority members of the Finance Committee or any subcommittee thereof for hearing or conference relative to House bill No. 3321."

I do not recall, since I have been a Member of the Senate, that an effort has ever before been made to require the Finance Committee to furnish to the Senate a list of everybody who has filed briefs with the Finance Committee or who has talked with any member of the Finance Committee or who has been before any subcommittee of the Finance Committee for the purpose of making any representations whatever.

Mr. PENROSE. That is not my resolution at all, Mr. President.

Mr. SIMMONS. That is resolution No. 87.

Mr. PENROSE. If the Senator will read the resolution again, he will see that it does not refer to persons who have talked with every Senator individually.

Mr. SIMMONS. It says, "and other persons who have appeared before the majority members of the Finance Committee."

Mr. PENROSE. "Or any subcommittee thereof."

Mr. SIMMONS. "Or any subcommittee thereof."

Mr. PENROSE. That is very different from anyone who has talked with an individual Senator where there was no dictagraph.

Mr. SIMMONS. Mr. President, I do not know of any rule in the Senate that has obtained heretofore, or that obtains now, that whenever a gentleman interested in the tariff schedules, pending the making of a tariff bill, has had a conference with a member of the majority of that committee——

Mr. PENROSE. Or a subcommittee.

Mr. SIMMONS. Or a subcommittee—that that conference or conversation should be taken down, and that the majority members of the committee should be required to come into the Senate and file a list of the people who have talked with them with reference to tariff schedules. It is well known, in connection with every bill that has ever been framed, that people who are interested in these bills do seek out members of the committee—members of the majority and members of the minority of that committee—and have conferences with them. I could not tell the Senate, for the life of me, how many of these gentlemen have been to my rooms and have asked conferences with me. I have no list of their names.

Mr. LODGE. Mr. President——

Mr. SIMMONS. I have no list of the number who have come. I took no memorandum of what they said to me. They simply came asking for a personal conference.

Mr. LODGE and Mr. CLARK of Wyoming addressed the Chair.

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

Mr. SIMMONS. Certainly.

Mr. LODGE. I fear I must have misunderstood the resolution. I do not understand that the resolution requires the names of those who have seen an individual Senator, but only those who appeared before the majority members of the committee or before the subcommittees thereof. If the Senator will permit me, what possible objection can there be to giving the names?

Mr. SIMMONS. None in the world. There is no objection to giving the name of anybody that appeared and talked with me, if I had his name, and if it was information that the Senate desired. But this resolution, Mr. President, is intended by the minority members of this body to be a reflection upon the majority members of the Finance Committee. It is a resolution of a character that never has been presented before.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina further yield to the Senator from Massachusetts?

Mr. SIMMONS. I do.

Mr. LODGE. It seems to me the Senator is unduly sensitive. There is no implication in the resolution that the subcommittees or the majority members of the committee are seeing persons whom they ought not to see. We do not suggest that there is any impropriety in seeing these persons. The Senator is defending it as if he had some names he wanted to conceal—as if he had seen somebody that ought not to be known.

Mr. SIMMONS. The Senator misunderstood me. If the resolution was confined to briefs, or to the names of persons who have appeared before the subcommittees of the Finance Committee, if there is a record of those names in the possession of the committee, I should have no objection to it. But when this resolution calls for a list of the persons who have appeared before the majority members of the Finance Committee, I understand it to mean the persons who have appeared before any of the majority members, and not before the majority members in session. That is the part of the resolution to which I object.

It is well understood, Mr. President, that we have not had hearings of any kind before a full meeting of the majority members of the committee. It is well understood that some weeks ago the committee was divided into subcommittees, and certain schedules were referred to those subcommittees, and that there have been no hearings or conferences of any kind between persons interested in the tariff and the majority members of the committee in session as such. The resolution can not have reference to anything except conferences between individual members of the majority of the committee and persons interested in the tariff. I do not think I can be mistaken about that construction of the resolution.

Mr. LODGE. Of course, if the majority members as such have held no hearings or conferences, the resolution does not apply. We can not get information about what has never happened.

Mr. SIMMONS. The Senator did not understand me to say that we had not had any conferences among ourselves?

Mr. LODGE. Oh, no; I do not mean that.

Mr. SIMMONS. I said we had had no conferences with persons interested in the schedules.

Mr. LODGE. I mean conferences with persons who desired to be heard. The Senator says what I understood to be the case—that these hearings or conferences, whatever you choose to call them, were conducted by subcommittees of the majority members.

Mr. SIMMONS. That is true.

Mr. LODGE. In fact, the Senator from Georgia [Mr. SMITH] told us that his subcommittee had been holding hearings, and that they were open—open to the newspaper press. I have been so unfortunate that I have not seen any of the press reports of those hearings, but I understand from the Senator from Georgia that they are open and public. If the hearings before that subcommittee and others are open, which is admitted, why should we not have the names of those who appear?

Why should we not have the names of those who file briefs? Some of us may want to examine those briefs.

Mr. SIMMONS. The Senator has not understood me as objecting to that.

Mr. LODGE. Very well. That is all there is in the resolution, as I understand.

Mr. SIMMONS. I think the Senator is mistaken about that being all there is in the resolution.

Mr. LIPPITT. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Rhode Island?

Mr. SIMMONS. Certainly.

Mr. LIPPITT. In connection with this matter I desire to ask the Senator before he takes his seat, if he will permit me, if he will not inform the Senate as to what has been done in connection with his promise that he would consider the question of having printed the briefs that have been submitted to the subcommittees?

A week ago, in response to a question in regard to that matter, the Senator said that he proposed to take up that question with his committee the following day. I should like to say to the Senator that it seems to me of great importance that that matter should be not only taken up but carried into execution. I know that I am being asked by people who are interested for copies of the testimony that is being given before these subcommittees, and particularly for copies of any papers or briefs that are filed in connection with the testimony. Many people can not appear there intelligently without knowing what testimony has been given there already. I hope the Senator has already arranged to have those papers printed or, if not, that he will tell us when he is going to do so.

Mr. SIMMONS. I will say to the Senator from Rhode Island that probably he was not in the Chamber on yesterday, when I had a little colloquy with the Senator from Pennsylvania [Mr. PENROSE] about this very matter. I think probably it was last Friday that the Senator asked me the question that he has referred to.

Mr. LIPPITT. It was on the 14th of May.

Mr. SIMMONS. It was about last Friday I had proposed to have a meeting of the full committee. I think it was Saturday—I am not sure about that—when the Senator from Pennsylvania [Mr. PENROSE] advised me that he would not be in the city at that time. I then upon yesterday proposed to have a meeting of the committee to-day, but I was asked by the Senator from Pennsylvania and the Senator from New Hampshire to postpone that meeting until to-morrow. I have called a meeting of the full committee for to-morrow, when that question will be presented to the committee.

Mr. LIPPITT. I understood the Senator last Wednesday, when this matter was called to his attention, to say at that time that he was personally in favor of this policy, and I think he suggested that it be carried out. I hope he is still in favor of it, and that he will see that it is done promptly, so that the public generally or the people particularly interested may consider the matters that are being brought before the committee.

Mr. SIMMONS. What is the Senator referring to now, the briefs or the questions?

Mr. LIPPITT. I am referring to the briefs. I am referring to the testimony that is being given before the subcommittee from day to day, which involves a great many proposed changes. I understand there are a great many statements being seriously considered by the different subcommittees. I think they have already gone far enough with the study of the bill to have developed from their own standpoint that there should be many changes made. It is of great importance that the people interested should know what sort of information it is that is bringing the subcommittees into this state of mind. No man can properly come before one of the subcommittees on any question without knowing what other witnesses have said in regard to the subject, and without knowing the effect that that testimony has had upon the minds of the subcommittee. The gentlemen who are interested and all the general public have a right to be informed about it. I think there is nothing more important for the fair discusssion of this whole question than that this information should be made public, and if it is going to be made public it should be made public promptly.

Mr. SIMMONS. I desire to say to the Senator that action with reference to printing these briefs has not been delayed on my account.

Mr. LIPPITT. I will say to the Senator that it certainly has not been hurried.

Mr. SIMMONS. I have tried twice to get a meeting, and both times I have postponed it at the request of the minority members of the committee.

Now, with reference to these briefs, Mr. President, nearly all the briefs that are now on file with the Finance Committee are copies of briefs that were filed before the Ways and Means Committee. A large part of them were the same witnesses or concerns or corporations who filed briefs before the Ways and Means Committee, and were given full and ample opportunity to be heard before that committee. Their testimony has been published and their briefs have been published. There have been some additional briefs filed with the Finance Committee, and I am perfectly willing myself to have them printed. I think they ought to be printed, and at to-morrow's meeting of the committee I hope an order may be made directing that they be printed.

There is absolutely no disposition on the part of the majority members of the committee to conceal these briefs. I suppose that nearly every industry that has filed with the majority members of the committee a brief has also filed with minority members of the committee a copy of that brief, and the briefs are in their possession. I doubt whether a single brief has been filed by anybody that is not either in the hearings before the Ways and Means Committee or is not in the possession of some one or more members of the minority of the Finance Committee. But that is no reason why they should not be published, and I shall myself ask that they be published.

Mr. LIPPITT. If I may just at this point interrupt the Senator——

Mr. SIMMONS. I only state that as a reason why I do not think gentlemen on the other side are suffering from a want of knowledge on this proposition. I imagine that you are generally in possession of it as well as we are. Many of the gentlemen who have come to me with briefs have said that they had copies of the brief and they were going to distribute them among members of the committee.

Mr. LIPPITT. I can only say to the Senator, if he thinks these briefs are available, that within a few minutes of the opening of the Senate I was approached by a gentleman who was very anxious to obtain copies of some briefs that have been submitted to one of these subcommittees, and, in fact, which I knew had been submitted, for I have myself seen a copy, but I was utterly unable to procure it for him. I have no copy for myself. His demand simply emphasized the importance of the request which I am making now, which I did make nearly a week ago, and which up to this time no action of any kind has been taken on. I know how easy it is to make these dilatory suggestions, but I think the matter is too important to be treated in this way.

Mr. SIMMONS. I do not think the Senator ought to refer to the failure to furnish these briefs as dilatory methods on the part of the majority.

Mr. LIPPITT. I can only say——

Mr. SIMMONS. I am sure the members of the Finance Committee on the other side of the Chamber will say that the meeting has been postponed twice at the instance of gentlemen on the other side.

Mr. CLARK of Wyoming. I should like to ask the Senator a question. Is it necessary under the rule we have and under the resolution which the Senate has already passed for the full membership of the committee to be brought together in order to publish the hearings before it?

Mr. SIMMONS. I think that is not absolutely necessary, but I stated that I was going to submit that question to the committee.

Mr. CLARK of Wyoming. I think that never a full committee is brought together in order to publish what occurred before the committee or a subcommittee. It goes to the printer as a matter of course.

Mr. SIMMONS. I said, however, that I would submit that matter to the committee, and my reason for wanting to submit it to the committee is——

Mr. LODGE. Mr. President——

Mr. SIMMONS. If the Senator will pardon me one word more, I should say that more than half of these briefs have already been published and are in the hearings before the Ways and Means Committee of the House.

Mr. LODGE. Mr. President, I have here a list which was handed to the members of the minority, which I suppose is correct:

Subcommittee No. 1: Stone, Thomas, James, and Simmons (ex officio).

Schedules assigned to Subcommittee No. 1: Schedule C, metals and manufactures of; Schedule B, earths, earthenware, and glassware; Schedule K, wool and manufactures of; Schedule L, silks and silk goods; free list not connected with any particular schedule or schedules.

Subcommittee No. 2: Williams, Shively, Gore, and Simmons (ex officio).

Schedules assigned to Subcommittee No. 2: Schedule E, sugar; Schedule G, agricultural products; Schedule J, flax, linens, and other vegetable fibers; section 2, incomes; sections 3 and 4, administration.

Subcommittee No. 3: Johnson of Maine, Smith of Georgia, Hughes, and Simmons (ex officio).

Schedules assigned to Subcommittee No. 3: Schedule A, chemicals; Schedule I, cotton manufactures; Schedule D, wool and manufactures

of; Schedule M, pulp, papers, and books; Schedule N, sundries not connected with any particular schedule or schedules.

On account of the fact that there is very little change in Schedule F, tobacco and cigars, and Schedule H, wines and liquors, these two schedules were not assigned to any subcommittee.

There is a careful arrangement of subcommittees for the purpose of considering these schedules and the holding of hearings of persons interested. The Senator from Georgia [Mr. SMITH] said the other day, as I have already remarked, that the hearings of his subcommittee were open to the public and the press. Therefore, of course, there can be no objection to publishing the names of those who appear before his subcommittee. Why should the others be veiled in mystery? They are probably quite as reputable as those who appear before subcommittee No. 3.

Mr. SIMMONS. I believe the Senator is speaking in my time.

Mr. LODGE. I beg pardon; I thought the Senator had concluded. But, at all events, what possible objection is there to giving the names of the people who come before those subcommittees?

Mr. SIMMONS. I will state to the Senator I have no objection, and I have tried to make it clear.

Mr. LODGE. If the Senator is ashamed of the people who come there and wants to conceal their names, that is another matter.

Mr. SIMMONS. The Senator is using a term that I think, when he reflects, he will regret that he used. Nobody is ashamed, and the Senator does not think anybody is ashamed to publish the name of anybody who has been before the subcommittee.

Mr. LODGE. Then what possible reason is there for objecting to the publication of the names?

Mr. SIMMONS. The Senator would not let me finish, and he injected a word that I think he ought not to use in that connection. I stated in the beginning, and I reiterate the statement, that I have no possible objection and the committee has no possible objection to giving the name, if the name has been taken down, of any person who appeared before a subcommittee.

Mr. PENROSE. The name ought to be taken down in every case.

Mr. SIMMONS. Mr. President, I take it most of the names have been taken down where persons have made statements, but very frequently a large number of them come, and the name of one is taken down, who will make a statement, and the names of the others will not be taken down. The Senator knows that is the common course. What I was objecting to is that part of the resolution which, according to my interpretation of the resolution, requires us to report the names of persons who had come before any member of the majority for the purpose of conference with reference to any schedule in the bill.

Mr. PENROSE. Will the Senator permit me? I do not expect anything unreasonable. Where, as is well known, Senators are sitting as subcommittees, I think the Senate is entitled to get the information. If a Senator happens to meet some of these bad men on the street, I do not expect him to make a record of it.

Mr. SMITH of Georgia. Mr. President, I desire to offer an amendment to the proposed resolution, and with the amendment I favor the resolution as amended. The amendment proposes to add:

And that the minority members of the committee be requested to report to the Senate the names of all manufacturers, corporations, importers, and other persons who have appeared before the minority members of the committee relative to House bill 3321.

Mr. PENROSE rose.

Mr. SMITH of Georgia. In one moment.

Mr. PENROSE. I was going to accept the Senator's amendment.

Mr. SMITH of Georgia. I am glad that the Senator accepts it. I want it passed also. So far as we are concerned we are perfectly willing for the Senate to have the name of every man who appeared before our subcommittee where we have a record of it, and starting a few days ago we commenced keeping a record of all who appeared. We are perfectly willing for the Senate to have the names.

I want to go further and say, replying to the suggestion of the Senator from Massachusetts, who says he has seen nothing published of these subcommittee meetings——

Mr. LODGE. In the press.

Mr. SMITH of Georgia. That is what I supposed the Senator meant—published in the papers. We are not responsible for that. They are welcome to publish anything that happens during these meetings that they wish to publish. Newspaper men were in and out yesterday, and they published nothing. I told the only newspaper men who mentioned the matter to me before the debate several days ago that they were welcome to come. They were with us yesterday, they were with us the day before, and they found nothing that they wanted to publish.

Senators have been invited to come, and Members of the House have been invited to come. The effort made to create the idea that there is any secrecy about this investigation is utterly without foundation. I am glad that it came before the Senate so that the Senate may publicly hear that there is no secrecy about it.

Since the suggestion was made that a record might be kept our subcommittee has had a stenographer, and we take a record of everything that is said. We are perfectly willing to have everything that transpires before the subcommittee made a matter of record for the use of anybody and everybody who wants to use it.

The subcommittee upon which I am serving, as I said before, has stated freely to parties inquiring that they were welcome to come, and we have invited them to stay when anything was going on, when witnesses were present.

I do not know whether they are going to publish our investigations in the newspapers. We are having one now. Two members of the subcommittee are down stairs now hearing a number of men who are discussing several schedules. If the newspaper men want to report those hearings, they are welcome to report them. If they do not report them, I want to say to the Senator from Massachusetts that it is not our fault. They have the fullest opportunity.

Now, we expect to go on all of this week and possibly a part of next week, while parties have information, or believe they have information, that they think we ought to have, with reference to the schedules submitted to the subcommittee of which the Senator from Maine [Mr. JOHNSON] is chairman, and the Senator from New Jersey [Mr. HUGHES] and I are members. We propose to hear them. We want to get all the information we can.

Now, as to the briefs, I do not think the briefs have been ready for publication. I think the chairman of the committee would have made a mistake if he had published them up to this time. I believe that the proper way to publish them is when we feel that all the briefs to be printed upon a particular subject have come in to us, then we should have them properly classified and so published as to put them in a shape where anyone who desires to investigate a particular subject will find the briefs on the subject collected together. We have had the clerk of our subcommittee classify the briefs. We have them down stairs in a room adjoining the Finance Committee room, where any Senator who wishes to do so can see them. We keep the door open and we keep the briefs there. We invite any Senator who wishes to examine anything that we have received in the shape of briefs; and just as soon as we think the time has come when we shall receive no more upon a particular subject I am in favor of completing the classification and printing them for the use of anybody who desires.

Mr. LIPPITT rose.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. LODGE. I thought the Senator had concluded.

Mr. SMITH of Georgia. The Senator from Rhode Island [Mr. LIPPITT] rose, I think, to ask me a question.

Mr. LIPPITT. I can not quite agree with the view the Senator from Georgia takes of this matter, because it is utterly impossible to have a complete understanding of the development of these questions as they are going on from day to day without the gentlemen who are coming down here to testify, and whose information upon these subjects is so important, knowing what is being said by the different parties who appear before the committee. It is utterly useless to talk about printing these papers for such a purpose as that and having them ready for distribution a month or some other time from now. The only importance of them is their immediate availability. As I said, this very morning a gentleman who wants to testify before the Senator's subcommittee came to me and wanted a copy of papers that had been submitted there, and there was no way of getting them for him, and which I can see no way of getting in any way.

Mr. SMITH of Georgia. I want to ask the Senator if he applied to any member of the subcommittee for them?

Mr. LIPPITT. I did not; because the request was made while I was on my way over here. I have had similar requests from people in my own State for copies of the briefs that are being presented. It is manifestly impossible, when in the files of the committee there are only one or two copies, for information in regard to their contents to be sent to this part and that part of the country for the use of people who can not be here, or for the use of people who only propose to come here

after the development of information that has been presented on the subject.

I do not understand the objection to having these briefs printed. The Senator from North Carolina [Mr. SIMMONS] in the discussion of this question a few days ago said that so far as he was concerned he did not want any more light. It seems to me there are other gentlemen on that side who seem to be taking the same position. Now, all I am asking in connection with this matter is that information that is being poured in before the subcommittees shall be made available for the use of anybody who wants to consider it, or persons who for any reason think they have a good right to know what it is. Why should anybody object to it? It is a very simple matter to have these briefs printed. I ask for nothing unusual.

Mr. SMITH of Georgia. I think I have yielded to the Senator long enough. If he wants to make a further speech, he can do it when I am through.

Mr. LIPPITT. I was only answering a question.

Mr. SMITH of Georgia. The Senator spent a large part of yesterday with our committee and he understands how freely and fully the examination was going on.

Mr. LIPPITT. Mr. President——

Mr. SMITH of Georgia. Wait a moment. He did not apply to any one of our committee for a copy of a brief. He could have had it if he had asked for it. I do not think it is at all necessary to furnish each witness that is coming down here the testimony by other witnesses on the same subject. It would lessen the value of the information furnished by the second witness. But if any Senator or any man wished to see a brief it has been ready for his use at all times. I say now——

Mr. LIPPITT. Mr. President——

Mr. SMITH of Georgia. One moment. Each brief is now in the room downstairs, and the Senator can see them. I do not think the purpose of publication is so much to furnish an opportunity for witnesses to examine them as it is for the examination of Senators, who are finally to pass upon this question.

Mr. CLARK of Wyoming. Will the Senator from Georgia cause to be furnished to the Senator from Wyoming a copy of such briefs as have been filed before his subcommittee?

Mr. SMITH of Georgia. Not all of them; no; but if the Senator will name any particular brief which he desires, I will furnish it to him.

Mr. CLARK of Wyoming. Mr. President, the Senator from Wyoming is interested in all of the schedules that are being considered by the Senator's subcommittee; he is also a member of the Finance Committee; and he thinks he is entitled to such matters as have been filed before the committee.

Mr. SMITH of Georgia. I will do this for the Senator from Wyoming: I will give him an opportunity to examine every one of them. I have not enough copies of all to distribute.

Mr. CLARK of Wyoming. That is just what we are asking for.

Mr. SMITH of Georgia. I will favor the printing of all of them and furnishing the Senator a copy of all of them a little later on.

Mr. LIPPITT. How much later?

Mr. SMITH of Georgia. As soon as I think they have practically all come in on the schedules.

Mr. LIPPITT. Now, if the Senator will yield to me just a minute——

Mr. SMITH of Georgia. Certainly.

Mr. LIPPITT. The Senator from Georgia referred to the fact that I knew he had been very diligent in hearing people who wanted to testify before his subcommittee. I want to bear my testimony to the entire accuracy of that statement. I am perfectly aware that the Senator has been very diligent, that he has been very patient in listening to all the testimony, that he has given very fair consideration and due weight to all the statements that have been made, and I believe he himself will say that as a result of that consideration many opinions which he has had on some of the subjects that have been submitted to him have been materially modified.

The Senator says that any Senator can go to his committee room and consult his files. The Senator knows perfectly well that the time of Senators is in too great demand for them personally to sit down in his committee room and consult his files. If I seek information contained in some document I want it brought to me in the most available way for me to read it. It is impossible if the Senator has only one or two copies of that document for him to have it sent around to my committee room or to some other Senator's committee room so that I may take it to my house, perhaps, and study it in the evening or at some other time when it can be of the greatest use to me. There is only one way to do it, and that is to have copies made, which is a very simple matter and a very inexpensive matter, and that can be done very expeditiously if Senators on the other side are as anxious to furnish light on this question as Senators on this side are anxious to have it.

Mr. SMITH of Georgia. Mr. President, these briefs began coming in about two weeks ago and have been scattered through the past two weeks, frequently bearing upon the same subject. It would have been folly to have printed them for distribution as they came in. Nearly all of the briefs were already printed, and evidently the parties furnishing them were distributing them to Senators. Certainly, we had every reason to suppose that the parties furnishing them to us in printed shape were distributing them in single copies amoug the various Senators.

To make the briefs on one particular subject of real value they ought to be collected, classified, put in volume form, and indexed for ready reference. If we had simply printed them one by one, they would have been of scarcely any use. The briefs have almost completely stopped coming in; in a few days I think the filing of briefs will have been completed. Then, when properly classified and printed, they will be of substantial value; but unclassified, simply in a mass, anyone desiring to look for a particular brief on a particular subject would be required to take a large amount of time to hunt through a great pile of briefs to find what he wanted. I do not believe that it would have been an intelligent course to print them in single numbers as they came in, but I think the intelligent way to prepare them for the use of Senators and of the public is to classify them and print them in volumes properly indexed.

Mr. LODGE. Mr. President, if the Senator will allow me, I desire to ask him a question. The Senator is himself holding these hearings from day to day, and he hears all that is said by the witnesses. I do not know whether or not he reads all the briefs that they file.

Mr. SMITH of Georgia. I have not been able to read all of them.

Mr. LODGE. The information, however, comes to him from day to day, but it does not come to the rest of us from day to day. When general public hearings before a full committee have been held, as they were in the last Congress on the schedule bills, every day the testimony of that day was printed, as were the briefs which were filed, so that the whole Senate got the information from day to day exactly as did the committee.

The only distinction is that these hearings are by subcommittees and the others were by the full committee. I do not see the practical objection to that system.

Mr. SMITH of Georgia. To which system?

Mr. LODGE. I do not see the practical objection to the system of printing what occurs from day to day, as was done last year on all the schedule bills, instead of massing it at the end in one great pile. I repeat the Senator from Georgia is getting his information from day to day.

Mr. SMITH of Georgia. Yes; that is true.

Mr. LODGE. Information or misinformation, whichever you choose to call it.

Mr. SMITH of Georgia. I am getting more information by the examination of existing records than I am from the witnesses. I confess very frankly that my examination each day applies more to records already made than to the testimony of new witnesses.

I can not agree to the statement of the Senator from Rhode Island [Mr. LIPPITT] that views that I entertain have been substantially changed. There were a number of subjects upon which I had no views, as to which I had no detailed information, until I began to investigate the various schedules. I do not think any Senator has accurate information about a schedule unless he takes a great deal of time to investigate and to study it.

Mr. LODGE. That is perfectly true, and that is why I venture to suggest that the Senator and other members of the subcommittees have the advantage of getting their information or misinformation, or whatever it is, from day to day, whereas, if the plan of the Senator from Georgia is followed, the whole great mass will be thrown in on the rest of us at one moment, and that, too, probably when the bill is up for consideration.

Mr. SMITH of Georgia. I would think that the Senator from Massachusetts were right but for the general condition of information with reference to the tariff question. For four years examinations as to the tariff schedules have been going on. I do not think we have obtained before our committee any information of any value that was not already in print. I do not think any of the briefs that have been furnished really give us any substantially valuable information that we do not already find—in most instances more completely furnished—in existing reports. As to a number of matters that witnesses have discussed before us, I find more complete information in the

records of the Tariff Commission; I find more complete information and more accurate information in numerous volumes already printed. I do not think that the new information we are getting really contributes largely to the present store of information in print upon the subject. I think that is really true; and while we have been having stenographic reports for two or three days past of the statements before our subcommittee, we have had them because we felt that if any Senator did wish to read what we were hearing we desired to give him the opportunity. So I am in favor of printing these briefs in order that if anybody wants them he shall have them; but I really believe that from the record heretofore made we can dig out more complete information than we are now getting.

The special value, I think, of these briefs is that these particular persons have put their finger on an exact schedule that they criticize. As suggested by the Senator from New Hampshire [Mr. GALLINGER], they came before us and objected to putting certain dyes on the dutiable list and called our attention to the fact that derivatives from indigo as well as other dyes ought to be on the free list. There are particular items of that kind which have been called to our attention, as distinguished from the large volume of testimony that has been taken upon the tariff bill; and to that extent it is available. I am sure that it is our purpose to print these briefs very shortly and in ample time for Senators to examine them in such a way as will be most convenient.

Mr. LODGE. Mr. President, I think it highly probable that the statement of the Senator from Georgia [Mr. SMITH] as to the value or the lack of value of these new statements may be quite correct, but I think all Senators would rather like to form their own judgment of them. If the Senator will forgive me one moment, it reminds me of a gentleman in Boston many years ago in the days when they had college rebellions, as they were called. Hearing that there was to be a college rebellion and that his son was to engage in it, he rushed out to Cambridge and sent for his son, and said: "My son, I beg that you will not enter upon this rebellion; I have been through one of them and I have seen the folly of it." The son said: "That is just it; I want to see the folly of it, too." [Laughter.] We want to see the folly of this, too; we want to see what these discussions amount to.

The Senator has been very good-natured, and he will allow me to say that I did not mean to suggest for a moment that he was desiring any secrecy. On the contrary, I referred to his subcommittee and to what he said and praised it. What misled us was that we thought this morning the chairman of the committee was resisting the passage of this resolution, and that gave us the idea that he did not want these names published. If we have been misled about that and every Senator is ready to have the information published, I apologize for the time that I have wasted, and the sooner the resolution passes, with the amendment suggested by the Senator from Georgia, the better.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia [Mr. SMITH].

Mr. REED. I understand the Senator from Pennsylvania has accepted the amendment?

Mr. PENROSE. I have accepted the amendment.

Mr. REED. Mr. President, I desire to offer an amendment to the resolution as modified.

Mr. WILLIAMS. I should like to hear read the amendment offered by the Senator from Georgia.

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. It is proposed to add at the end of the resolution the following words:

And that the minority members of the committee be requested to report to the Senate the names of all manufacturers, corporations, importers, and other persons who have appeared before the minority members of the committee relative to H. R. 3321.

Mr. REED. Mr. President, I offer the following amendment to the resolution as it now stands:

Said committee shall also, as far as possible, report the names of all manufacturers, corporations, importers, and other persons who appeared before the Finance Committee or any subcommittee thereof when it had under consideration what are commonly known as the Dingley bill and the Payne-Aldrich bill. Said committee shall further report whether at the times last aforesaid any clerks or experts employed or used by said committee were furnished by or were in the employment of manufacturers or associations interested in maintaining a high tariff tax.

Mr. LODGE. Mr. President, if the Senator from Pennsylvania will allow me, I hope he will accept that amendment. I should like very much to have printed the names which the Senator from Missouri [Mr. REED] suggests, so that we may be able to form a comparison between them.

Mr. PENROSE. Mr. President, I will accept that amendment. I am very glad the Senator from Missouri [Mr. REED] has offered it. It will be an enlightening contribution to the discussion to which this matter is going to lead. The records, so far as the Finance Committee is concerned, are absolutely intact. Every letter received by Senator Aldrich when he was chairman of the committee is on file in the Office Building of the Senate, and I presume the journals of the committee are also there—they ought to be there.

I want to say further, Mr. President, in regard to the amendment of the Senator from Georgia——

Mr. REED. Mr. President——

Mr. PENROSE. I did not know the Senator was going to address himself to his amendment.

Mr. REED. I was.

Mr. PENROSE. I will wait until the Senator is through.

Mr. REED. I do not object to the Senator going on, but I wanted to hold the floor; that is all.

Mr. PENROSE. Has the Senator any objection to my going on for a few moments?

Mr. REED. No; I will take the floor when the Senator is through.

Mr. PENROSE. I also want to say that I am very glad the Senator from Georgia [Mr. SMITH] has offered his amendment. Of course the minority members of the committee are not organized. I do not know that there will be any concerted action on tariff legislation on the part of the minority. Individual Senators will doubtless offer amendments to paragraphs and perhaps amendments to schedules; but up to the present time there has been no effort at concerted action, and, in my opinion, there is no probability of such action. We do not need any; we know that any amendments which we may offer as a minority party will be voted down, and we do not want to delay this bill.

Of course every Senator will exercise his individual prerogative to offer amendments and to express his views. We have no subcommittees; but I want to inform the Senate that, as former chairman of the committee, I directed my clerks on the first day of this session to keep a record of every person who called at my committee room on tariff legislation. I have that record, and I shall furnish it at the very earliest opportunity to the Senate as part of this report.

Of course the minority is in an entirely different position from the majority. The majority are engaged in their inner recesses in framing rates. All that my visitors do is to call upon me to ask me where the majority are; where they can get hold of the subcommittee. Sometimes they ask me whether I think they would receive a sympathetic hearing. I can assure them of the sympathy, but I can not predict the result. [Laughter.]

Mr. REED. Mr. President, this discussion has been carried on in so serious a manner as almost to convince me that our brethren on the other side of the Chamber are really in search of information, but the last remark made by the Senator from Pennsylvania [Mr. PENROSE] discloses what I have suspected all along, that they do not so much want information as to fill the air with dust, and if possible convince the public they have suddenly become the advocates of publicity. The remark of the Senator to which I refer was substantially that "the minority members of the Finance Committee do not need any information, and hence they do not meet."

Mr. PENROSE. I beg the Senator's pardon. I made no such statement and had no such idea in mind.

Mr. REED. Well, Mr. President, the record of course will show.

Mr. PENROSE. Let the record be read, Mr. President.

Mr. REED. I was trying to quote the Senator correctly. That certainly is the way I heard the remark on this side of the Chamber.

Mr. PENROSE. With all due respect to the Senator, he is under such an entire misapprehension of the very insignificant remarks I did make that I should like to have the record read. It will take but a moment.

Mr. REED. I am equally content to have that done, and if I misheard the Senator, no one will more frankly right the matter than myself.

Mr. PENROSE. Let the RECORD be read.

The VICE PRESIDENT. The Reporter will read.

The Reporter read as follows:

Mr. PENROSE. I also want to say that I am very glad the Senator from Georgia [Mr. SMITH] has offered his amendment. Of course, the minority members of the committee are not organized. I do not know that there will be any concerted action on tariff legislation on the part of the minority. Individual Senators will doubtless offer amendments to paragraphs and perhaps amendments to schedules: but up to the present time there has been no effort at concerted action, and, in my opinion, there is no probability of such action. We do not need any; we know that any amendments which we may offer as a minority party will be voted down, and we do not want to delay this bill.

Mr. REED. Mr. President, I insist that the spirit of the remarks of the Senator from Pennsylvania as they have just been read was fairly expressed in the statement I made. I now understand the Senator to say that the minority members of the Finance Committee have not organized; that they have not organized because it would be useless for them to do so; that they are making no effort in that direction; and the reason must be that they do not expect to gain any light that will be of value.

Mr. PENROSE. Mr. President, we expect to be here from two to three months debating every paragraph of this bill; and the Senator will be convinced before we are through that we are in the pursuit of light and knowledge on every line of it.

Mr. REED. If the desire for information has not been sufficient to bring together the minority members of the Finance Committee, I strongly suspect the motives back of this clamor for information.

In the second place, Mr. President, I call attention to a fact well known to every Senator upon the floor, namely, that the representatives of the interests affected by this bill have not confined their attentions and solicitations to the subcommittees of the Finance Committee. On the contrary, they have visited Senator after Senator, and our time is constantly being taken up in listening to their arguments.

But when was it that the Republican Members of this body became so solicitous for public hearings, such earnest seekers for the light? Truly, a change has come over the spirit of their dreams. It is a conversion so sudden that it could not have been accomplished by anything except an unusual supply of divine grace—an attribute that is not often manifested upon the other side of the Chamber.

I hold in my hand the Payne-Aldrich bill. When that bill was passed, the present distinguished Senator from Pennsylvania [Mr. PENROSE] was a member of the Finance Committee. The Senator from Utah [Mr. SMOOT] was also a member of that committee. I want to contrast the hearings then had with the hearings now being granted, and the discussion which then took place with the discussion of the present bill. I utterly repudiate the idea that the hearings now being held are, in their great essentials, at all similar to the hearings then held.

At that time the majority members of the Finance Committee were committed to the policy of a high protective tariff. They believed in building a legal wall around this country so high that goods could not be imported from abroad. They were devoted to that policy, and had been for years. Their minds were made up on that side of the question.

The men who came before them were the men who also wanted the tariff high. They were the beneficiaries of the system. They came before the committee to have schedules made to suit themselves, and the committee wanted to make schedules to suit them. The manufacturers knew what they wanted and the committee intended to give them what they wanted. Thus these gentlemen met with a common purpose—the committee representing the manufacturer's idea and the manufacturer being there to represent his own idea. They proceeded to make up a bill; and there was not a single man among the Republican majority members of the Finance Committee to represent the consumers of the United States.

Observe, now, the contrast: When the manufacturer now comes before the Democratic majority members of the present Finance Committee he confronts men every one of whom is devoted to a reduction of the tariff. He submits his case to men who are determined that there must be a reduction. He faces a committee the Democratic members of which intend to represent the consuming population of the United States and see that justice is done to all the people. When he presents his case to that board it is a very different proposition from going before one that already agrees with him, but proposes and desires to assist him in plundering the people of the United States.

Such is the contrast we observe as we enter upon this discussion.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER (Mr. JAMES in the chair). Will the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. Certainly.

Mr. PENROSE. According to current rumor—I know that rumors, as a rule, ought not to have much importance attached to them—a very receptive mood is supposed to exist on the part of these subcommittees toward raising certain duties on protective lines. I think the Senator overrates the stern way in which the subcommittees are guarding the consumer. I do not know whether he is fully aware of all that is going on in the inner circles. It is currently said that we are to have a repetition of the performances of Senator Gorman in this body in connection with the Wilson-Gorman bill. I do not know whether it is true or not.

Mr. REED. Mr. President, I do not like to have my party tried by rumor, any more than the Senator would like to be tried by rumor. I have not heard the rumor referred to. But if the rumor exists, and is based upon fact, it must have been a pleasing bit of news for the responsive ears of the Senator from Pennsylvania.

Mr. PENROSE. It was pleasing.

Mr. REED. I think the Senator will be doomed to about the same kind of news when we get through with this bill that the people sent to his party in the last election and that he will find out that there is a great difference between a tariff-reform Democrat and a high-protection, stand-pat Republican.

Mr. President, every candid man must concede that there is a great difference between the receiver of stolen horses meeting with the horse thieves for the purpose of regulating the business of horse stealing and that same receiver of stolen horses being brought before an antihorse-thief association organized for the purpose of suppressing the crime of larceny. So there is a great difference between the beneficiaries of a tariff system meeting in friendly conspiracy with the men whose campaigns they financed and whom they put into office and then and there agreeing upon the amount of loot to be exacted from the people and those same beneficiaries coming before a body of Democrats committed to an opposite theory for the purpose of submitting arguments and facts which may call for just consideration. The two situations are as far apart as right and wrong, as justice and injustice, as criminal conspiracy and fair dealing.

I next call attention to the kind of tariff hearings our Republican brethren have hitherto given. They now declare that they want light; they passionately cry for time for unlimited debate; they lift up plaintive voices; their eyes are wet with tears; they cry aloud for time and still more time. My friend from Michigan a day or two since raised his voice so high that I imagined I could see the old deadheads and stumps of the lakes of Michigan bobbing up and down in unison with the sweet cadences of his elocution.

What about the Payne-Aldrich enormity. It reached the Senate of the United States on the 10th day of April, 1909. It was read twice and referred to the Committee on Finance on that day. On the 12th day of April, 1909, just two days after it had been sent to the Senate from the House, it was reported back by the Finance Committee, and it had 847 amendments grafted onto it—amendments that were written in advance, amendments that were prepared before the bill ever reached the Senate committee, amendments that were written without any semblance of hearing, except the private hearing when the manufacturer whispered into the willing ears of the men who believed just as he believed.

Mr. PENROSE. Mr. President——

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

Mr. REED. Certainly.

Mr. PENROSE. Mr. President, knowing the friendship which the Senator entertains for publicity, I want to call his attention to the fact that at the hour of 2 o'clock this very meritorious resolution will go over.

Mr. REED. I have no doubt the Senator would like to call time on me, but I do not intend that he shall succeed.

Mr. PENROSE. Oh, no; I should like to have a vote on the resolution, and hear the Senator afterwards.

Mr. REED. We will vote on the resolution in ample time, and then you can also hear me. You will thus revel in a double pleasure. [Laughter in the galleries.]

The VICE PRESIDENT. The Sergeant at Arms will preserve order in the galleries.

Mr. REED. Mr. President, what kind of hearings did they have? You now want all hearings recorded. I wish the hearings then had might have been all recorded. I wish we might have the light poured in upon the back-room hearings held when Republican politicians secretly met and conspired with their masters. Who was then present? We asked that question one day here upon the floor. The distinguished Senator from Utah [Mr. SMOOT], the leader of all the forces which march forth to man the walls of protection, admitted upon the floor of the Senate that they had had no reporters present when Aldrich was framing his amendments. Where was the press then? We did not then hear any Republican clamor for publicity. The eloquent and learned Senator from Massachusetts [Mr. LODGE] did not then lift up his voice in demand for the admission of the reporters. The eyes of my friends upon the other side of the Chamber were not so often turned toward the Press Gallery. They were not at that time praying for the light. They neither took down in shorthand nor preserved in any other manner the

hearings they had before the majority members of the committee. They were, in fact, engaged then in writing a bill. They were not engaged in scrutinizing the bill passed by the House of Representatives for the purpose of rectifying its defects. They were in conference with the beneficiaries of the tariff system, ascertaining how much extortion the latter desired to practice upon the American people.

I affirm now that when the Dingley bill was written—and I think he was continued until the Payne-Aldrich bill—the expert and confidential adviser of the Republican members of the Finance Committee was an employee of the Woolen Manufacturers' Association. This man was in the pay of the woolen manufacturers; he was sent to report the proceedings of the committee; he sat with the committee to represent the men who employed and paid him. I charge this servant of the woolen manufacturers substantially wrote Schedule K, and did his work so well, or so infamously—whichever term it is proper to employ—that he received a gratuity of $5,000 from the woolen manufacturers. That sum was handed to him because as the confidential man of the committee he had so successfully served the interests of his private employers.

You clamor for publicity. You ought to have it, and you ought to have a large amount of it; but publicity, while bringing notoriety, will hardly give you fame.

Mr. President, the gentleman to whom I have referred was one S. N. D. North. He had been for a long time the secretary of what is known as the National Association of Woolen Manufacturers. He was sent here by the president of that association to give private and confidential information which he was to gain as the secretary of the committee. That fact is disclosed in correspondence which I propose briefly to epitomize, and which I shall ask to have printed in full in the RECORD at the close of my remarks.

Here is a letter dated April 4, 1897, addressed to the president of the National Woolgrowers' Association:

DEAR MR. WHITMAN: Now, about the tariff. I can not, after what has been said to me in reference to my confidential relations with the committee, keep you posted as I would like to do. But if I find that it is desirable that you should come on here I will telegraph you that the situation requires attention, and you will doubtless have no trouble in finding out what is the matter.

In the meanwhile let me ask this question:

Should tops at a 24-cent line have the same compensatory duty as yarns at a 30-cent line? Should tops at a 24-cent line have a compensatory duty of 27½ cents? Putting that value line so low was unfortunate, in view of the appearance it presents of making the compensatory duty alone more than 100 per cent. I am aware that the same thing occurs in cloths at the 40-cent line, but this tops is a new paragraph and will get closer scrutiny on that account. I do not want you to intimate to any Senator that I have written you on this subject, but to consider whether you can not, when the time comes, suggest raising the value line in the top paragraph to meet this kind of criticism.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the morning hour has expired.

Mr. PENROSE. I ask unanimous consent that the resolution may be proceeded with until it is disposed of. There is no real opposition to it now that the resolution has been amended, I understand, and there is no unfinished business.

Mr. SIMMONS. I had just risen to make that request.

The VICE PRESIDENT. Is there any objection to it? The Chair hears none, and the Senator from Missouri will proceed.

Mr. REED. This was the confidential adviser of Senator Aldrich and the confidential clerk of the then majority members of the Finance Committee engaged in writing a tariff bill for 100,000,000 people.

I am well, although I am kept at work from 10 a. m. until midnight. There is an immense amount of detail, and I have not sufficient clerical assistance as yet. I am the only person whom the committee allows in its meetings, and it makes it very hard, but I expect to pull through all right.

What a spectacle for the American people! The only man permitted to know what the committee was doing was the employee of those gentlemen who are aggregated together to tax the American people. And when that infamy was being perpetrated upon the American people gentlemen upon the other side sat as mum as oysters and with about the same interesting cast of countenance. Not a protest came from their lips. Behold what a marvelous change one sound licking has wrought!

I proceed. Here is another letter. This is from Mr. Whitman, the president of the association. It bears date of April 6, 1897. Notice the plaintive protest he utters because North has been told "that what he receives is confidential," and that "he can only advise him when there is danger," and thus enable him to look out for himself:

MY DEAR MR. NORTH: I have received your letter of the 4th, for which I am obliged. I suppose there is nothing for me to do but accept the situation as regards your keeping me posted, although I had supposed that, in reference to the interests you represent, you would be at liberty to communicate freely with your associates.

"The interests you represent." Represent where? In the secret councils of the Republican members of the Finance Committee. Represent when? At the time they are making up the schedules that will fix the price of almost everything the American people use in their daily life. "The interests you represent!"

Mr. President, you may look in vain in the history of Congress for a darker chapter than is disclosed in that one statement. Gentlemen upon the other side want publicity. One of them a little while ago told a humorous story, in which the boy at school was pictured as seeking to go into some sort of scrap or row because he said he wanted to experience the same folly his ancestor had indulged in. These gentlemen who warn us now, and knowing the kind of private hearings they held when they were in power, naturally protest against private hearings by others lest their miserable example may be followed to the injury of the Republic.

I am in favor of public hearings. There has been no denial of public hearings here, and there will be none. But I can readily understand how a Republican who has been party and privy to bringing before a Finance Committee majority the representatives of the protected interests may, out of his own conduct, suspect the motives of everybody else and naturally want to be there to look on.

Mr. President, there are more of these letters. Mr. Whitman continues as he writes to Mr. North:

I depend upon you to look out for my interests in this regard. You know how important it is, not only to me, but to the whole worsted industry of the United States, that such rates of duty should be imposed upon tops as will enable them to be made here and not be imported from foreign countries. If there is a single point in reference to this that you do not understand, you ought to communicate with me at once, so that it may be explained.

Again he calls upon his servant, agent, and employee, also at that time servant, agent, and adviser of the Aldrich branch of the Republican Party, then dominant upon the Finance Committee, to keep him constantly advised.

I come to June 2, 1897, and here Mr. Whitman writes again:

MY DEAR MR. NORTH: We all depend upon you to watch closely our interests, to see that nothing is overlooked or neglected by our friends on the committee.

Who were "our friends on the committee"? Was it not the stalwart Senator from Pennsylvania [Mr. PENROSE] and the equally magnificent specimen from Utah [Mr. SMOOT]? Were they not all "our friends upon the committee," bone of the same bone and flesh of the same flesh, inspired by the same high idea and philosophy of government that the way to make a people rich is to get together in a back room and tax them to death?

Mr. President, on June 9 Mr. Whitman wrote again to Mr. North:

Bear in mind that I am depending upon you wholly to look after my interests in connection with the tariff bill.

"Look after my interests." Yet he was in the employ of the committee and the committee was in the employ of the people of the United States. He was the only man who was permitted to be present all of the time when the discussions were going on.

Do you think that the Republican members of that committee, do you think the Senator from Pennsylvania, and the acute leader upon the other side, the Senator from Utah, for one moment did not know the relations of Mr. North with this association of woolen manufacturers? If there be any here so credulous as to entertain even a suspicion that these astute gentlemen were in the dark, that their keen eyes had not pierced the veil of secrecy and discovered the exact truth, then that Senator needs a guardian ad litem to conduct him from this Chamber to his own office.

Mr. President, there is more of this. Notice how regularly these gentlemen wrote to each other. Never did sweethearts exchange lovesick billets with greater regularity. Their letters passed each other on the way. Mr. North writes to Mr. Whitman:

I have your letter and the memorandum for Senator Aldrich regarding cotton yarns.

Now, what a convenient thing it was for these woolen manufacturers to have their employee sitting at the right hand of the chairman of this committee, the then potential boss of the Republican Party, slipping to him the private communications that had been sent the day before by his employer. Attend to what follows:

I have your letter and the memorandum for Senator Aldrich regarding cotton yarns. I am somewhat at a loss to know what is best to do these days. Senator Aldrich has been seriously sick. * * * I am doubtful if he will appear again in tariff matters for some time, not merely because of his health but because I suspect he feels keenly the manner in which the Republican Senators are treating the tariff bill—so largely the work of himself. The general character of the bill is

being changed at nightly meetings, which are more like town meetings than meetings of the Finance Committee, and it must be humiliating and galling to him in the extreme.

Why, here was this echo of Aldrich, this connecting link between Aldrich and the woolen manufacturers, voicing the sentiments of the Republican majority of that day. Doubtless they were also the sentiments of some of the Senators who are protesting so loudly to-day. At that time publicity was such an unthinkable thing that public hearings so offended the delicate sensibilities of Aldrich that the good man actually fell sick of disgust.

How doth the leopard change its spots! It would appear that after reading the election returns last fall the Republican Party not only changed its spots, but it turned inside out, so now the grand old party makes virtuous companionship with that publicity it once sought to slaughter.

Again, on June 20, Mr. North writes to Mr. Whitman:

It is lucky I was here and just in the position I am. It has given me a whole day to work on the matter and get it right, and, with Aldrich away, there is no one on the committee who knows anything about it. But Allison and Platt trust me, and I expect they will both agree to what I have asked. I went all over the matter with them last evening.

And so the gentlemen of the other side who have vacated their chairs are now doughty champions of publicity, albeit a few short years ago they were permitting this confidential clerk of the manufacturers to hobnob with Platt and Aldrich and fix legislation in private. I am glad you have been converted; I am glad you have come into the tabernacle of publicity; but I would like to know that your conversion will last after you cease to profit by its profession. You know it was said—

When the devil was sick the devil a saint would be;
When the devil got well the devil a saint was he.

I do not mean to speak disrespectfully of my friends of the other side, nor exactly to compare them to Beelzebub. The couplet none the less has its applicability to the professions of the hour.

Mr. WARREN. Mr. President——

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

Mr. REED. Certainly.

Mr. WARREN. The Senator has not given us the date as to the year, but perhaps he has overlooked the fact.

Mr. REED. In each instance I have given it. I certainly gave it for the first two or three letters.

Mr. WARREN. Very well. Taking that for granted, the Senator, in alluding personally to Senators by name, alludes to the Senator from Pennsylvania, Mr. PENROSE, and the Senator from Utah, Mr. SMOOT, Senators who were not on the Finance Committee when that tariff bill was being considered. The Dingley bill, with which the Senator from Missouri connects the name of Mr. S. N. D. North——

Mr. REED. I prefaced——

Mr. WARREN. In fact, there is not a Senator in this body now who was a member of that committee at that time. That does not necessarily change the course of the argument of the Senator, except as to his personal references.

Mr. REED. The Senator need not be worried about my misstating the record. I said—when perhaps the Senator was out—that Mr. North was the secretary at the time the Dingley bill was passed, and that I believed he sustained the same relation to the committee at the time the Payne-Aldrich bill was passed; but this correspondence bears relation more particularly to the Dingley bill.

Mr. WARREN. The Senator should not apply the proceedings and happenings of the Dingley bill to the Payne-Aldrich bill with respect to persons, because he is mistaken in thinking that Mr. North occupied any position with the committee at the time of the consideration of the Payne-Aldrich bill.

Mr. REED. Well, Mr. President, if the Senator desires to plead the statute of limitations that is a right every man has. Upon July 10, 1897, Mr. Whitman wrote Mr. North:

I am unable to go to Washington and have no one to look out for my interests there but yourself, and I depend upon you. Of course Messrs. Aldrich and Dingley will do all they can, but I depend upon your letting them know what I need. I depend upon you. Dress goods, yarns, and tops.

Yours, very truly, WM. WHITMAN.

Now, consider the kind of atmosphere in which we lived then, when it was possible for a great manufacturer to assert with entire and complete confidence that Aldrich and Dingley, the two leaders of the party, could be depended upon to do what he wanted and to protect his interests and when his confidential clerk could in like manner get the ear and assistance of two other Senators, Platt and Allison (see letter of June 20). Even if this did occur some years ago, nevertheless it is an important fact for all of us to consider when men who, representing the same philosophy and speaking for the same ideas and standing for the same doctrine, standing pat for them, are here to-day suddenly clamoring for the light of publicity.

The Democrats are all agreed to give forth all the information desired. We agree to this because we regard it as proper that every man, woman, and child in the United States should know who appears before the committees of Congress. Yet it is highly proper to call attention to the fact that we have at last advanced to a point where the protected industries can no longer not only pack the committees but employ and control the committees' clerks.

I depend upon you. Dress goods, yarns, and tops.

How well Whitman knew his man, North. How well North knew his master, Whitman. How well they understood each other.

It appears that in 1902 there was some kind of a trial down in Boston. Mr. Whitman was cross-examined, and he was trying to exculpate himself from the charge of having been a paid lobbyist. He first swore, as I interpret his testimony, that he did not get any pay for being a lobbyist, but was afterwards forced to substantially admit the charge. Here is the evidence:

Q. Do you mean to tell me that you did not receive compensation from other manufacturers when you first went to Washington in regard to tariff matters?—A. I will tell you all about it; but if you ask me the question in that form I will say no; I was never compensated for anything.

Q. Very well. If the form of the question permits that answer, what do you mean? What is your explanation?—A. Why, much to my surprise there was somewhere about 1883—I think it was in 1883—a few gentlemen got together and made up a small purse to help me and gave it to me. I have forgotten how much it was. But I had been paying my own expenses there, and had been there a great deal. That was way back, 20 years ago.

Q. You say you were paying your own expenses? Do you mean that those were paid by the Arlington Mills?—A. What?

Q. Do you mean you were paying them—the Arlington Mills were paying them?—A. I don't know. I don't remember now who paid the expenses.

Q. I thought you said you had been paying your own?—A. I paid them myself; whether I was reimbursed by the Arlington Mills or not for my expenses I don't remember. * * *

Q. You generally collected from the Arlington Mills all your expenses in Washington, didn't you? You would not undertake to say that all that work that you did in the tariff was a waste of time? A. Well, if I have not collected my expenses I have been very remiss.

So it appears now that Mr. Whitman was not only the chairman of this manufacturers' association, but he was a lobbyist in Washington; that he was here frequently, and that his expenses at least were paid. Thus we have this lobbyist at Washington putting his man, his henchman, his tool, into the committee that he might know and report the secrets of the secret hearings; that he might guard the interests of the manufacturers and assist them in levying tribute upon the American people. Nay, more, that he might be the go-between for Senators seeming to protect the public and manufacturers seeking to prey upon the public.

Mr. President, how fared Mr. North, and how did he do his work? Here is his letter of December 3, 1908. It answers questions. It was written to SERENO E. PAYNE, chairman of the Ways and Means Committee. It is in the nature of a plea in confession and avoidance, but it is principally confession. I shall not read all of it, but I shall ask to incorporate it in the RECORD, so that the Senate may once more have the benefit of this interesting document. He states:

When the Wilson tariff bill of 1894 was about to reach the Senate, Senator Aldrich said to me one evening that he was entirely without expert clerical assistance in connection with the work of the tariff bill, and without any funds to pay for it, and that he urgently desired that I would remain in Washington and assist him while the bill was passing through the Senate.

Thus he became the confidential man of this committee at the request of its chairman, who then constituted about all there was of the Republican Party in the United States Senate:

I consulted with the officers of the National Association of Wool Manufacturers, of which I was the secretary, and they consented to Senator Aldrich's request. Accordingly I remained in Washington during the entire period that the Wilson bill was under consideration in the Senate, occupying a desk in Senator Aldrich's rooms in the Maltby Building. My duties were mainly the care of the correspondence, the making of tables, percentages, etc.

That was away back, when the Wilson bill was here. The letter continues:

When the tariff bill of 1897 reached the Senate, Senator Aldrich made the same request of me, and, again, after consulting the officers of the association, I went to Washington. From the date of my arrival until the bill became a law I acted as the clerk or secretary of the subcommittee of the Finance Committee. I was in charge of a number of clerks, who were loaned to the committee by the Treasury Department and the General Appraisers in New York.

Let all the gods at once bear witness to that declaration. The tool and employee of the lobbyist who represented the woolen manufacturers' association, then and there engaged in trying to tax the American people, was not only the confidential clerk of the chairman of the committee, but he was put over all the

other clerks who were brought there from the other departments of the Government. No wonder gentlemen upon the other side who have been privy to that kind of legislative iniquity now insist that the acts of others shall be open to public scrutiny, lest their performance may be repeated. But, sir, I do protest when they stand here and lift their holy hands and cry for the light they ought first to go to the confessional and admit that their own palms need thorough purging. I do insist that the tongues of such men should call for publicity in gentle accents and with very modest intonation.

I read on:

During the time that the subcommittee was going over the House bill section by section I sat with it, reading the old and the proposed new rates paragraph by paragraph.

Why, this manufacturer's agent had a seat at the table with the committee.

Mr. Arthur B. Shelton, now the clerk of the Senate Finance Committee, alternated with me in this duty. When this was completed the subcommittee went into executive session and I was no longer present at its sittings, but remained in the rear rooms of the suite which the committee occupied and in which the clerical force was located.

Then the writer states that he never gave any illicit information to anyone regarding the bill. He continues:

As a matter of personal protection, however, I wrote President Whitman, as appears from the published correspondence, that he must not expect any information from me in view of my confidential relations with the committee, and he never received any such information.

And yet I have read you a letter where this gentleman, to use a slang expression which exactly expresses the meaning—and therefore I beg pardon for using it—I read you the letter in which North had "tipped it off" to Whitman that he had better get on the ground and look after his interests, and laid out a plan by which he would call him there, letting him know when there was danger. Once on the ground, the writer declares, Mr. Whitman could easily get the facts. Doubtless the discovery would have been speedy once he had arrived at the boarding place of the man to whose tender solicitude he had consigned "dress goods, yarns, and tops."

It is my belief that the wool manufacturers would have been in a much more favorable situation if their secretary had been free to advocate their wishes.

And yet I read you a letter in which he was charged with "dress goods, yarns, and tops," and another in which he states that he can talk to Aldrich and to Platt and to Allison and they will look after the wishes of the manufacturers. These Senators appear to have been charged with a portion of the "dress goods, yarns, and tops" trust and responsibility. So this letter does not even have the grace of a reasonable regard for truth. The letter proceeds:

The fact that I was acting as clerk to the subcommittee of the Finance Committee was universally known in Washington at the time, both in and out of Congress, and no criticism ever reached my ears. It was a frequent occurrence for some Member of Congress to say to me that the Finance Committee was fortunate in having been able to secure my services.

And now in these hours when so many declare that our country is a vast quagmire of corruption, when we are told that morals have sunk to the lowest level, when men bemoan the death of virtue and regret that the high ideals of a past age have ceased, it is indeed a refreshing, a soul-stirring thing to be able to so fortunately contrast our present mental and moral attitude with that which was observed in "the good old days," when it could be publicly known upon the streets of Washington and generally understood in the Halls of Congress that the monopolistic Wool Manufacturers' Association had not only put its confidential man into the very committee that was framing the bill that would tax every inhabitant of the Republic for their benefit, but that that man was actually framing the bill, and yet all men were so content and happy, that not even a single voice was lifted in protest. Truly we have advanced a little. As I gaze back upon that dark hour of our country's history when the Republican Party was in the saddle, when Aldrich was astride the horse, when the Wool Manufacturers' Association's hired man was acting as groom, and at the same time wearing the livery of the Federal Government, and I remember that this infamous spectacle brought never a protest from the lips of gentlemen upon the other side—when I contemplate that scene I am almost content with present conditions, I am almost constrained to agree with the old darky that "it is a God's truth that the world 'do move.'"

But, Mr. President, I proceed with this remarkable document, a part of which I am omitting:

Following my return to Boston, after the passage of the tariff bill, the officers of the National Wool Manufacturers' Association informed me that, in recognition of the arduous and responsible work which I had performed for the committee—

Not for the wool manufacturers, mark you, but for the committee; not for those who were grafting upon the Government and who had been grafting upon it for 50 years; not for them; ah, no; but in consideration of the arduous duties he had performed for the committee; in consideration of the good he had done his country and the public, looking after "dress goods, tops, and yarns"—

and the serious injury to my health, which had resulted from an assignment entirely apart from my duties as secretary to the association, they believed I had been underpaid, and, accordingly, as an expression of their personal good will and regard, they presented me with the sum of $5,000. Shortly afterwards my salary was increased from $4,000 to $6,000 per annum.

The Senator from Oklahoma [Mr. GORE] suggests that it would be interesting to know how much of the $5,000 he got for taking care of dress goods, yarns, and tops.

Mr. President, the only reason I have taken the time of the Senate to make these remarks is because I have been somewhat disgusted at the recent performances on the other side of the Chamber. Here are men who rise in their seats and try to give an impression to the country that the Democratic members of the Finance Committee are meeting behind locked doors; that they have excluded the press, while they are engaged in a foul conspiracy, for the purpose of doing what? Putting up the tariff? Such is the impression they would give the country, when they know that if there be a conspiracy it is a conspiracy on behalf of the American people; and if there be a plot, it is not hatching to raise the taxes upon the necessities of life, but has for its purpose a reduction of the cost of living. During the past week and to-day gentlemen have here shouted for publicity upon whose lips the word was a complete stranger. They are declaring that each word spoken shall be taken down in shorthand—they did not erstwhile so conduct their hearings. They are clamoring for time for debate—these men who gave 48 hours for the consideration and report of the bill. They demand hearings now, but they did not give us hearings then.

The Payne-Aldrich bill came from the House to the Senate on April 10. It was read twice and referred to the committee on that day. On April 12 it was reported by Mr. Aldrich with, as I have said before, 847 amendments. On April 15 it was recalled by the House. It was returned to the Senate on April 19, and was on the same day referred to Mr. Aldrich's committee; and on the same day it was reported back to the Senate.

What kind of public hearings did you have in committee then? You did not have the bill there to consider; you had the same kind of hearings that the subcommittee of the Finance Committee have been holding on this bill before it reached here, of which the Senator from Utah [Mr. SMOOT] so loudly complained; but the mistake was so thoroughly exposed by the Senator from Wisconsin [Mr. LA FOLLETTE] in his remarks the other day that I do not need further to refer to it.

You were not clamoring for publicity then; and when the bill was framed and sent here, instead of doing as the Democrats are now asking you to do, have the bill itself sent to the committee to the end that there may be hearings, and that all objections to the phraseology or the substance may be thrashed out, you reported the bill back, in the first instance in 48 hours and in the second instance upon the same day and, I apprehend, within the hour.

I would not, and I do not, direct these remarks to the Members on the other side who were not responsible; I do not direct them to the Members on the other side who have come in since; but the two loudest to proclaim their virtues and to demand the publicity are the two Senators who were members of the committee at the time the Payne-Aldrich bill was passed.

Mr. President, so far as I am concerned, I think that all business of the public is public business and should be publicly transacted. I think that no committee of this Senate has a right to close its doors to any man who comes there with a proper petition or remonstrance. For my part, I regret that the majority members of the Finance Committee, when they divided this work up, did not request the minority members to sit with them; but they pursued a course that is sanctioned by time and precedent of the past, if it be not sanctioned by the character of the performances of the past.

I recognize the fact that in these hearings the press ought to be permitted to be present, and I am glad to know, that which every Senator knows, that there has been no secrecy and that the press were welcome to come if they thought the news was of sufficient importance.

I am in accord with the committee in the theory that they probably get better results by requiring the filing of briefs than they do by long speeches, which generally consume the time of the committee without going to the point or arriving at the kernel of the discussion. I am in sympathy with the idea of printing those briefs, and of printing them rapidly, and I think the committee is in sympathy with it.

The Democratic Party has nothing to conceal in this contest. It is not representing special interests; it is not here to add to the profits of manufacturers by taxing the people. It is not committed to the doctrine of laying burdens upon the great masses in order that money may be gathered into the pockets of a favored class, even though it be engaged in manufacturing. We are endeavoring to lift the burdens; but in taking them off we will have regard for the fact that the system, however iniquitous and however villainous in its origin, has been so fastened upon the country that the work of reduction should be executed with care and patience. It will not be done with the strong arm. It can not be accomplished in a day's time. We recognize the difficulties and will meet them to the best of our ability. Every man on this side of the Chamber is trying to solve the problem honestly and fairly. When our work is accomplished we will not have a perfect bill; there will be some mistakes; but there will be no "jokers" written into it by the paid employees of the woolen manufacturers or any other class of manufacturers. There are not in the employ of the Democratic Finance Committee men who are also in the pay of those who make a profit by the aid of the Government.

We may make mistakes, but they will be honest mistakes, and in the end we will have taken the first great step in that advance which will ultimately lead to that happy day when the American Government will not tax one class of men for the emolument and enrichment of another class of men.

So, Mr. President, I am in favor of this resolution; I am in favor of it with all of the amendments which have been proposed. I am glad we have arrived at a time now when we can say that private hearings are at an end and when the employment by committees of men who are also employed by the protected industries has finally come to its infamous end.

Mr. President, I desire to have printed in full as a part of my remarks, and at the end of them, the several letters excerpts from which I have read.

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

The letters referred to are as follows:

ELSMERE, *April 4, 1897.*

DEAR MR. WHITMAN: Now, about the tariff. I can not, after what has been said to me in reference to my confidential relations with the committee, keep you posted as I would like to do. But if I find that it is desirable that you should come on here I will telegraph you that the situation requires attention, and you will doubtless have no trouble in finding out what is the matter.

In the meanwhile let me ask this question: Should tops at a 24-cent line have the same compensatory duty as yarns at a 30-cent line? Should tops at a 24-cent line have a compensatory duty of 27½ cents? Putting that value line so low was unfortunate, in view of the appearance it presents of making the compensatory duty alone more than 100 per cent. I am aware that the same thing occurs in cloths at the 40-cent line, but this tops is a new paragraph and will get closer scrutiny on that account. I do not want you to intimate to any Senator that I have written you on this subject, but to consider whether you can not, when the time comes, suggest raising the value line in the top paragraph to meet this kind of criticism.

I am well, although I am kept at work from 10 a. m. until midnight. There is an immense amount of detail, and I have not sufficient clerical assistance as yet. I am the only person whom the committee allows in its meetings, and it makes it very hard, but I expect to pull through all right. The retroactive provision of the House bill is an inexcusable thing, and it can not stand an instant in the courts, nor, as things appear, in the bill as it goes to the Senate. At present progress it will take a month to report the bill. How it will appear in comparison with the House bill can not yet be said.

Truly, yours, S. N. D. NORTH.

BOSTON, *April 6, 1897.*

MY DEAR MR. NORTH: I have received your letter of the 4th, for which I am obliged. I suppose there is nothing for me to do but accept the situation as regards your keeping me posted, although I had supposed that, in reference to the interests you represent, you would be at liberty to communicate freely with your associates. It seems to me only reasonable that you should have this right.

In my opinion the committee will find it impossible to modify the duties on wool, but in the event of their succeeding in securing such modification there should be no change in the duties on goods.

Mr. North, no change ought to be made in the top schedule. It is right just as it stands. It is an enormous reduction from the McKinley law. No possible legislation in connection with the woolen schedule could be so dangerous to the woolen industry as legislation that would favor the importation of tops, and all the representatives of the wool-growers would oppose legislation that would in any way favor the importation of tops. There was never any complaint of the top paragraph in the McKinley law. There was never any complaint of the construction of the tariff laws in reference to tops prior to 1890. There should be no complaint now in reference to the proposed duties on tops, which are very materially lower than they have been at any time since 1867. I depend upon you to look out for my interests in this regard. You know how important it is, not only to me, but to the whole worsted industry of the United States, that such rates of duty should be imposed upon tops as will enable them to be made here and not be imported from foreign countries. If there is a single point in reference to this that you do not understand, you ought to communicate with me at once, so that it may be explained. There would be no difficulty in my satisfying the members of the subcommittee on this point, and if there is the slightest danger of any change I must see these gentlemen before it is too late. If they understand the matter properly they will make no change. The prosperity of the woolen industry in this country depends wholly upon the ability of the domestic manufacturers to manufacture the tops here. What a ridiculous position we should be in under any legislation that would favor importing tops and discontinue making them here! * * *

Yours, very truly, WM. WHITMAN.

To S. N. D. NORTH, Esq.,
Washington, D. C.

BOSTON, *June 2, 1897.*

MY DEAR MR. NORTH: We all depend upon you to watch closely our interests, to see that nothing is overlooked or neglected by our friends on the committee. I have no doubt they will do all they can do, but with so many interests to look after, our special representative must see to it that our interest receives proper attention.

Yours, very truly, WM. WHITMAN.

To S. N. D. NORTH, Esq.,
Washington, D. C.

BOSTON, *June 9, 1897.*

MY DEAR MR. NORTH: [After some discussion of other matters.] Bear in mind that I am depending upon you wholly to look after my interests in connection with the tariff bill. I do not want anything that is not given to others, but it is of the greatest importance that the Arlington Mills products have the full measure of protection accorded to associated industries.

Yours, very truly, WM. WHITMAN.

To S. N. D. NORTH, Esq.,
Washington, D. C.

WASHINGTON, D. C., *June 10, 1897.*

DEAR MR. WHITMAN: I have your letter and the memorandum for Senator Aldrich regarding cotton yarns. I am somewhat at a loss to know what is best to do these days. Senator Aldrich has been seriously sick, and he does not appear to be getting any better. I am doubtful if he will appear again in tariff matters for some time, not merely because of his health, but because I suspect he feels keenly the manner in which the Republican Senators are treating the tariff bill, so largely the work of himself. The general character of the bill is being changed at nightly meetings, which are more like town meetings than meetings of the Finance Committee, and it must be humiliating and galling to him in the extreme. I have not heard him say a word, and I may be all wrong in my surmise. He has not read his mail for 10 days—and that is one reason for my thinking as I do—although his sickness is doubtless sufficient to account for that. What will happen when the textile schedules are reached—which ought to be by next week—I can not say. I will do the best I can with Mr. Allison when the time comes, but he knows nothing about the understanding I have with Aldrich on the worsted-yarn schedule. The cotton manufacturers, I understand, are coming next week to demand additional duties on certain paragraphs because of the 20 per cent duty on cotton.

Please say nothing to anybody about what I have written as to Mr. Aldrich. I have said it to no one else, and I may be all wrong, as I trust I am.

Sincerely, yours, S. N. D. NORTH.

WASHINGTON, D. C., *June 20, 1897.*

DEAR MR. WHITMAN: It is lucky I was here and just in the position I am. It has given me a whole day to work on the matter and get it right, and with Aldrich away there is no one on the committee who knows anything about it. But Allison and Platt trust me, and I expect they will both agree to what I have asked. I went all over the matter with them last evening.

Truly, yours, S. N. D. NORTH.

BOSTON, *July 10, 1897.*

MY DEAR MR. NORTH: I am unable to go to Washington, and have no one to look out for my interests there but yourself, and I depend upon you. Of course, Messrs. Aldrich and Dingley will do all they can, but I depend upon your letting them know what I need. I depend upon you. Dress goods, yarns, and tops.

Yours, very truly, WM. WHITMAN.

MR. WHITMAN AT WASHINGTON.

In a case which was on trial in Boston in April, 1902, Mr. William Whitman was cross-examined, with the following result:

"Q. Now, you say you were never a lobbyist? 'Lobbyist' is an elastic phrase. You went to Washington; you have been on to Washington a good deal to interview committees and Members of Congress in support of certain legislation, haven't you—tariff legislation?—A. I have never solicited. I don't know just what you mean.

"Q. Perhaps you can just listen to my question. I think my question admits of an answer yes or no. [Question read by the stenographer.]—A. I have interviewed committees; yes.

"Q. And Members of Congress outside the sessions of committees?—A. I don't think I ever did.

"Q. How long were you in Washington at a time?—A. I have been in Washington two and three weeks at a time.

"Q. And do you mean to tell me that you never said anything to Members of Congress outside of the committee room?—A. I never asked anybody in my life, anybody connected with Congress, to vote for any specific thing in my life.

"Q. And that you are willing to say?—A. It is the truth.

"Q. Now, you yourself, haven't you been paid for your services in connection with tariff matters when you first went on there?—A. No.

"Q. Do you mean to tell me that you did not receive compensation from other manufacturers when you first went to Washington in regard to tariff matters?—A. I will tell you all about it, but if you ask me the question in that form I will say no; I was never compensated for anything.

MERELY A SMALL PURSE.

"Q. Very well. If the form of the question permits that answer, what do you mean? What is your explanation?—A. Why, much to my surprise, there was, somewhere about 1883, I think it was in 1883, a few gentlemen got together and made up a small purse to help me, and gave it to me. I have forgotten how much it was. But I had been paying my own expenses there and had been there a great deal. That was way back 20 years ago.

"Q. You say you were paying your own expenses? Do you mean that those were paid by the Arlington Mills?—A. What?

"Q. Do you mean you were paying them, the Arlington Mills were paying them?—A. I don't know. I don't remember now who paid the expenses.

"Q. I thought you said you had been paying your own.—A. I paid them myself; whether I was reimbursed by the Arlington Mills or not for my expenses I don't remember.

"Q. You often pay the expenses of witnesses.—A. Well, in traveling, you know, and those kind of things, you hardly ever collect.

"Q. You generally collected from the Arlington Mills all your expenses in Washington, didn't you? You would not undertake to say that all this work that you did in the tariff was a waste of time?—A. Well, if I have not collected my expenses I have been very remiss."

—

BUREAU OF THE CENSUS,
Washington, December 3, 1908.

Hon. SERENO E. PAYNE,
Chairman Ways and Means Committee,
House of Representatives.

DEAR SIR: If the Ways and Means Committee desires, I will be glad to appear before it and state, under oath, all the facts connected with my services with the Senate Finance Committee in 1894 and 1897, so far as I can recall them. I will recount these facts so that you may determine whether you desire to summon me as a witness.

When the Wilson tariff bill of 1894 was about to reach the Senate, Senator Aldrich said to me one evening that he was entirely without expert clerical assistance in connection with the work on the tariff bill, and without any funds to pay for it, and that he urgently desired that I would remain in Washington and assist him while the bill was passing through the Senate. I consulted with the officers of the National Association of Wool Manufacturers, of which I was the secretary, and they consented to Senator Aldrich's request. Accordingly I remained in Washington during the entire period that the Wilson bill was under consideration in the Senate, occupying a desk in Senator Aldrich's rooms in the Maltby Building. My duties were mainly the care of the correspondence, the making of tables, percentages, etc.

When the tariff bill of 1897 reached the Senate Senator Aldrich made the same request of me, and, again after consulting the officers of the association, I went to Washington. From the date of my arrival until the bill became a law I acted as the clerk, or secretary, of the subcommittee of the Finance Committee. I was in charge of a number of clerks, who were loaned to the committee by the Treasury Department and the General Appraisers in New York. My duties were to handle, acknowledge, brief, and file the correspondence of the committee, which was enormous, sometimes reaching 200 letters a day, and to prepare such tables and computations as the subcommittee desired.

During the time that the subcommittee was going over the House bill, section by section, I sat with it, reading the old and the proposed new rates, paragraph by paragraph. Mr. Arthur B. Shelton, now the clerk of the Senate Finance Committee, alternated with me in this duty. When this was completed the subcommittee went into executive session, and I was no longer present at its sittings, but remained in the rear rooms of the suite which the committee occupied and in which the clerical force was located. I had no knowledge of a single rate on a single article agreed upon by the subcommittee until the night before the bill was reported to the Senate. On that night Senator Aldrich sent for me, and at his dictation, from a copy of the House bill, upon which he had made notes from time to time, and which never passed out of his possession, I wrote out the changes in the bill. When it was completed I took the bill to the Government Printing Office and read the proof of it as fast as it was put into type. It was about 5 o'clock in the morning when the work was finished, and the bill was reported at noon the same day.

I was never in a position to give illicit information to anyone regarding the terms of the bill. As a matter of personal protection, however, I wrote President Whitman, as appears from the published correspondence, that he must not expect any information from me in view of my confidential relations with the committee, and he never received any such information.

I told him also that if it should come to my knowledge that the situation was one that required his attention, I would telegraph him and that he "would doubtless have no difficulty in finding out what is the matter." I so wrote because I had already learned that Senators Aldrich, Allison, Platt, and Wolcott, the members of the subcommittee, talked with the utmost frankness to all the representatives of manufacturing interests who personally called upon them. They made no secret of their personal views as to what the rates of duty on any article should be, and they talked to hundreds of people.

As to the phraseology of the woolen schedule and the rates of duty to be given woolen goods, I was never consulted by the subcommittee and never communicated with except in writing. My recollection is that on several occasions Mr. Whitman wrote me suggestions regarding this schedule. They were transmitted to the committee with hundreds of similar suggestions. It is my belief that the wool manufacturers would have been in a much more favorable situation if their secretary had been free to advocate their wishes.

One does not know Senator Aldrich if he imagines that he is a man whose judgment on any question connected with tariff rates can be influenced in the slightest degree by the presence or the personality of any person employed to represent a particular industry. I have never known a man who was less susceptible to this sort of influence.

The fact that I was acting as clerk to the subcommittee of the Finance Committee was universally known in Washington at the time, both in and out of Congress, and no criticism ever reached my ears. It was a frequent occurrence for some Member of Congress to say to me that the Finance Committee was fortunate in having been able to secure my services

All the correspondence which Mr. Bennett obtained from Mr. Whitman's files, by order of the court, in the libel suit against a Lynn newspaper, was published at the time of the suit, some eight years ago, and commented upon in the newspapers. I do not recall an instance in which it was suggested that it revealed anything which I have any reason to regret or to explain.

And that is the fact. I discharged to the best of my ability the duties of clerk of the Senate subcommittee, which Senator Aldrich urgently asked me to undertake. I kept inviolate, so far as I knew them (which was very little), the secrets of the subcommittee. I had no hand whatever in the drafting of a single phrase or rate in the tariff bill reported by that committee to the Senate. I did a lot of hard work, but I did it honorably, as a duty which I owed to the public, and for which I expected no reward.

Following my return to Boston, after the passage of the tariff bill, the officers of the National Wool Manufacturers' Association informed me that, in recognition of the arduous and responsible work which I had performed for the committee and the serious injury to my health, which had resulted from an assignment entirely apart from my duties as secretary of the association, they believed I had been underpaid, and, accordingly, as an expression of their personal good will and regard, they presented me with the sum of $5,000. Shortly afterwards my salary was increased from $4,000 to $6,000 per annum.

Very respectfully,

S. N. D. NORTH.

Mr. TOWNSEND. Mr. President, I rise for one thing for the purpose of stating that Senators on this side are not in combination with the junior Senator from Missouri [Mr. REED] to filibuster. I am very glad to see that there seems to be a unanimity of feeling as to the hearings and as to the publicity that shall be given.

There is another matter, however, about which I desire to speak, and about which I think we ought to have some information. I believe it was the President who first stated that manufacturers—citizens of the United States—would be hung as high as Haman if they induced a panic. I also believe that it has been stated many times since by members of the Cabinet and by a leader in the House of Representatives that the law was to be invoked against manufacturers who reduced wages. The Senator from Ohio [Mr. POMERENE] on Friday last attempted to correct the erroneous impression, as he called it, which has been created by the remarks made by Secretary Redfield, and had his speech ordered to be published in the RECORD.

I should like to know from the chairman of the Finance Committee, or from any other Senator, if he is prepared to give the information, whether there has been any attempt made to determine whether wages have been reduced in the United States; if any attempt has been made to discover whether there has been an actual loss to business; whether there has been that apprehension in the country which has manifested itself in the reduction of pay rolls or the reduction either in the number of employees or in the wages which they have received? In other words, it seems to me so much has been made of this matter that there must be some foundation for the apprehension which Senators and others have felt as to the effect of the proposed tariff measure, or from the proposition to enact it, even as to existing conditions. I should like to ask the Senator from North Carolina [Mr. SIMMONS], the chairman of the Finance Committee of the Senate, if anything has come to his knowledge along the line I have suggested?

Mr. SIMMONS. Mr. President, I desire to say to the Senator that I have no information that there has been, up to this time, any reduction in wages in the industries of this country. I suppose, however, that the remarks of the Secretary of Commerce to which allusion has been made grew out of the fact, not that reductions of wages have been made, but out of the threats which are constantly being made by the protected industries of the country that unless they are permitted to retain the privileges and the favoritism accorded them under the Republican law they will reduce the wages of their employees instead of cutting off their profits.

Mr. TOWNSEND. Has the Senator in mind any such case to which he can call the attention of the Senate?

Mr. SIMMONS. Only, Mr. President, that in our conferences with representatives of the protected industries they have constantly asserted that if the duties on their products were reduced they would have to cut the wages, and would cut the wages, of their employees. If the Senator will read the hearings before the Ways and Means Committee of the House of Representatives I think he will see that the testimony of the representatives of the favored industries is full of threats that if the Democrats should reduce the protection now accorded them to the slightest degree that they would reduce the wages of their laborers and recoup themselves in that way.

Mr. TOWNSEND. Does the Senator mean that any manufacturers have appeared before the Finance Committee, or before any member of that committee, and stated, as a threat, that they would reduce wages, or have they said that certain proposed changes would make it necessary for them to reduce their expenses?

Mr. SIMMONS. They have done so repeatedly in private conversations with me.

Mr. TOWNSEND. Does the Senator object to naming some manufacturer who said that?

Mr. SIMMONS. I will say to the Senator that so many of these people have been to see me that I can not carry their names in my mind; but in conversation with me representatives of these industries——

Mr. TOWNSEND. What industries?

Mr. SIMMONS. Have constantly intimated——

Mr. TOWNSEND. Could the Senator mention some particular industry?

Mr. SIMMONS. That if the duties on their product were reduced——

Mr. GORE. The blast-furnace people.

Mr. SIMMONS. The blast-furnace people and others, too—that if the duties on their products were reduced they would have to reduce, and would reduce, the wages of their employees. If the Senator will read the House hearings he will have no difficulty whatever in finding scores of just such statements as that.

Mr. TOWNSEND. Did the Senator understand that to be a threat or the statement of a fact?

Mr. SIMMONS. The Senator can construe that in whatever way he may see fit. He can construe it into a threat or he can construe it into a statement; but I take it that the Secretary of Commerce in making this statement had reference to the constant warning, if the Senator prefers that word, by the representatives of the protected industries that if there was a reduction in duties they would not themselves suffer that reduction in their profits, but they would place it upon the shoulders of their laborers and employees.

Mr. TOWNSEND. Has the Senator from North Carolina any knowledge as to whether any steps are to be taken to determine whether the manufacturers have rightfully reduced the cost of labor or not?

Mr. SIMMONS. I have said to the Senator that I know of no reductions that have taken place up to this time. I will state further to the Senator that I know of no arrangements that have been made in any direction for an investigation in case there should be a reduction in wages as the result of the reductions which are likely to be made in the tariff bill.

Mr. TOWNSEND. Is it proposed by the Senator or his committee, to his knowledge, to compel manufacturers to continue doing business if they have to do it at a loss?

Mr. SIMMONS. The Senator's committee has not had any proposition before it nor under consideration with reference to what is to happen when the tariff duties are reduced.

Mr. TOWNSEND. Would it be possible for the Senator to furnish the Senate a list of the gentlemen who have made this threat, as he calls it?

Mr. SIMMONS. I can furnish the Senator with the testimony before the House committee; I can furnish the Senator with the testimony or such parts of the testimony as have been taken down before the subcommittees of the Senate Committee on Finance. I can furnish the Senator, too, with the briefs which these interests have filed, and if the Senator will read those briefs he will see running all through them this very threat or warning.

Mr. TOWNSEND. Does the Senator make no distinction between a threat and an expression of apprehension as to what may happen?

Mr. SIMMONS. I have said to the Senator that he could apply to this declaration of the interests whatever term of designation or definition he may see fit. I merely state to the Senator the facts.

Mr. TOWNSEND. But the Senator from North Carolina has seen fit to apply the term "threats" to an expression of apprehension merely.

The VICE PRESIDENT. The question is on the resolution as modified.

Mr. BURTON. Mr. President, has an amendment been proposed to the resolution?

The VICE PRESIDENT. Two amendments have been proposed and have been accepted by the Senator from Pennsylvania [Mr. PENROSE].

Mr. BURTON. I should like to hear them read.

The VICE PRESIDENT. The Secretary will read the resolution as it has been modified.

The Secretary read the resolution as modified, as follows:

Resolved, That the chairman of the Finance Committee be requested to report to the Senate a full list of all manufacturers, corporations, importers, and other persons who have appeared before the majority members of the Finance Committee or any subcommittee thereof for hearing or conference relative to H. R. 3321; and that the minority members of the committee be requested to report to the Senate the names of all manufacturers, corporations, importers, and other persons who have appeared before the minority members of the committee relative to H. R. 3321.

Said committee shall also, as far as possible, report the names of all manufacturers, corporations, importers, and other persons who have appeared before the Finance Committee or any subcommittee thereof when it had under consideration what are commonly known as the Dingley bill and the Payne-Aldrich bill.

Said committee shall further report whether at the times last aforesaid any clerks or experts employed or used by said committee were furnished by or were in the employment of manufacturers or associations interested in maintaining a high tariff tax.

Mr. SMOOT. Mr. President, I should like to ask the Senator from North Carolina a question before voting upon the resolution. Can the Senator from North Carolina tell me the names of the experts employed by the subcommittee who have charge of the chemical schedule?

Mr. SIMMONS. I am not able to give the names of the experts. The Senator from Maine [Mr. JOHNSON] is the chairman of that subcommittee. I have not myself personally met with them at any time and do not know the names of the experts, I will say to the Senator.

Mr. SMOOT. The Senator from Maine [Mr. JOHNSON], the Senator from Georgia [Mr. SMITH], and the Senator from New Jersey [Mr. HUGHES], as I understand, compose the subcommittee on the chemical schedule.

Mr. SIMMONS. I will state to the Senator that in all of these cases I have simply, upon the request of the chairman of the subcommittee, asked the department to send us an expert upon a given schedule. I am not able to tell the Senator what expert has been assigned to the committee having charge of the chemical schedule.

Mr. SMOOT. I notice that none of the members of that subcommittee are in the Chamber. I will ask a further question.

Mr. PENROSE. I call the attention of the Senator from Utah to the fact that the Senator from Colorado [Mr. THOMAS] is here.

Mr. SMOOT. I do not think the Senator from Colorado is a member of that subcommittee.

Mr. SIMMONS. He is not.

Mr. SMOOT. The members of the subcommittee on the chemical schedule, I understand, are the Senator from Maine [Mr. JOHNSON], the Senator from Georgia [Mr. SMITH], and the Senator from New Jersey [Mr. HUGHES].

I will ask this question: Does the Senator know whether the subcommittee has employed anyone outside of the Government service?

Mr. SIMMONS. What subcommittee?

Mr. SMOOT. The subcommittee that has the chemical schedule in charge.

Mr. SIMMONS. Not to my knowledge.

Mr. SMOOT. The Senator would know if there were such a thing?

Mr. SIMMONS. I think I would; yes.

Mr. SMOOT. But the Senator does not know?

Mr. SIMMONS. I do not know; I have heard of no suggestion of that kind.

The VICE PRESIDENT. The question is on the resolution as modified.

Mr. SIMMONS. Mr. President, while I am of the opinion that the resolution ought to be referred to the committee to which it relates, together with the amendments which have been proposed and accepted, I shall not insist upon that reference and I shall not oppose the passage of the resolution. I was opposed this morning to the passage of the resolution in the form in which it then appeared, because I thought that under the resolution—and I still think it is capable of that interpretation—the committee was to be required to furnish Senators the names of all persons who had conferred with any member of the majority of the Finance Committee. That, of course, as has been explained, is an impossibility. Numerous gentlemen have appeared and talked and conferred with members of the majority, as with members of the minority, whose names have not been preserved and whose statements have not been preserved. But I am assured by the Senators on the other side that no such purpose as that is embraced in the resolution, and that no such construction as that is to be given to the resolution.

With that understanding, Mr. President, and with the amendments, I have no sort of objection to the passage of the resolution, although in the future I think I shall insist upon these resolutions first going before the Finance Committee. I think it would save time and save discussion, and I think it would be the orderly way in which to deal with these resolutions.

Mr. LIPPITT. Mr. President, I understand the resolution is still open to amendment?

The VICE PRESIDENT. It is.

Mr. LIPPITT. I offer the following amendment:

And that all briefs that may have been submitted by such parties, or that may hereafter be submitted, in connection with House bill 3321 shall be promptly printed and made available for public use.

Mr. SIMMONS. I ask that the Secretary may read that amendment, Mr. President. I did not hear it.

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. It is proposed to add, at the end of the resolution, the following:

And that all briefs that may have been submitted by such parties, or that may hereafter be submitted, in connection with House bill 3321 shall be promptly printed and made available for public use.

Mr. PENROSE. I will accept that amendment.

Mr. SIMMONS. If that amendment is offered, I shall ask that this resolution be referred to the Finance Committee. I have stated frankly that it is my purpose to-morrow, when the committee meets, to present that question to the committee; and I have not the slightest doubt that the committee will order these briefs to be printed. I think it is unnecessary to be instructing the Finance Committee about all of its duties in this matter. If it is insisted upon, I shall ask that the resolution be referred to the committee, and we can bring it out in such form as the committee may desire to present it to the Senate.

Mr. LIPPITT. Mr. President, of course the only motive I have in this matter is to obtain the information that is contained in these briefs for public use and for the use of the Senate. If the Senator from North Carolina is willing to state that he will have these documents printed, and printed promptly, and made available, of course it will give the matter an entirely different aspect.

Mr. SIMMONS. No; I do not make that statement.

Mr. LIPPITT. One of the other members of his own committee has been arguing here for some time this morning that there is no necessity for giving out this information, or that if it is given it ought to be given at some time in the remote future; that it should not be given until all briefs have been presented, and further than that, that it should not be given until the committee is satisfied that all briefs have been submitted. For my part, I think that is not the attitude that ought to be taken in regard to these matters. If the distinguished chairman of the Finance Committee agrees with that statement of the case, I should like to have the judgment of this body upon whether that is or is not what they wish in regard to it. Of course, if the Senator is willing to say in behalf of his committee that this information will be given, and given promptly, I shall be very glad to withdraw the amendment.

Mr. SIMMONS. Mr. President, I am not willing to say anything except what I have said, and that is that I shall submit this question to the Finance Committee at its meeting to-morrow—not the meeting of the majority members, but the meeting of the full committee—and I will state to the Senator from Rhode Island that I do not know of any Senator on this side who is opposed to printing the briefs. Personally, I am in favor of it, and as far as I recall I have heard no expressions of opposition to it.

Mr. SMOOT. Mr. President, I take it for granted that the resolution is before the Senate. Of course, if the Senate wishes to vote down the amendment, well and good. But before the vote is taken upon the amendment I should like to suggest to the Senator from Rhode Island certain amendments to it: First, that whatever number should be printed ought to be named in the amendment; and, second, that instead of being "for public use" it ought to be "for the use of the Senate."

Mr. SIMMONS. Mr. President, I beg the pardon of the Senator from Utah. My attention was distracted and I did not catch his proposition.

Mr. SMOOT. I was saying that I took it for granted that the resolution was before the Senate, and that if the amendment to the resolution was to be voted upon certain amendments ought first to be made to it, in my opinion. First, we ought to state the number to be printed, because unless that is done the Public Printer certainly will not know how many are desired.

Mr. SIMMONS. I did not understand the Senator from Rhode Island to be insisting upon his amendment. Does the Senator insist upon his amendment?

Mr. LIPPITT. The amendment has been accepted by the originator of the resolution and has been made part of it. I suppose it is rather beyond my hands at the present moment.

Mr. PENROSE. I think by unanimous consent the suggestion of the Senator from Utah, which is a very proper one, could be embodied in the amendment.

Mr. SMOOT. I suggest that the number be 2,000 and that——

Mr. SIMMONS. Do I understand that the Senator from Pennsylvania has accepted the amendment of the Senator from Rhode Island?

Mr. PENROSE. Yes. The Senator has no real objection to the amendment, has he?

Mr. SIMMONS. In that event I move that the whole matter be referred to the Finance Committee.

The VICE PRESIDENT. The question is upon the motion of the Senator from North Carolina to refer the resolution to the Committee on Finance.

Mr. PENROSE. That is a debatable question.

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

The yeas and nays were ordered.

Mr. SIMMONS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll to determine whether or not a quorum is present.

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

Ashurst	Hughes	Overman	Stephenson
Bacon	Jackson	Owen	Sterling
Bankhead	James	Page	Stone
Brady	Johnson, Me.	Penrose	Sutherland
Burton	Johnston, Ala.	Perkins	Swanson
Catron	Jones	Pomerene	Thomas
Chamberlain	Kenyon	Ransdell	Thompson
Clark, Wyo.	Kern	Robinson	Tillman
Colt	La Follette	Root	Townsend
Crawford	Lane	Saulsbury	Vardaman
Dillingham	Lea	Shafroth	Walsh
Fall	Lippitt	Sheppard	Warren
Fletcher	Lodge	Sherman	Weeks
Gallinger	Martin, Va.	Simmons	Williams
Goff	Martine, N. J.	Smith, Ariz.	Works
Gore	Nelson	Smith, Ga.	
Hitchcock	Norris	Smith, Md.	
Hollis	O'Gorman	Smoot	

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. A quorum of the Senate is present. The question is, Shall the resolution of the Senator from Pennsylvania [Mr. PENROSE], and the amendments, be referred to the Committee on Finance? On that question the yeas and nays have been ordered.

Mr. LIPPITT. Mr. President, I wish to say only two or three words in regard to this proposition.

A resolution has been discussed here at some length to obtain certain information in regard to individuals who have appeared before the various subcommittees of the Committee on Finance for the purpose of testifying in regard to the tariff bill. Two amendments have been made to the original resolution, calling for additional information similar to that asked for in the original resolution.

The original resolution and its amendments have been accepted by the chairman of the Finance Committee, and he has announced his willingness to have them adopted. The resolution having arrived at that stage, I have proposed that there shall be included in the original resolution an amendment asking that the information filed with the committee in the form of briefs, in regard to which considerable has already been said, shall also be transmitted to the Senate.

This matter was brought up before the Senate practically a week ago—on last Wednesday—at which time the chairman of the Finance Committee said that he proposed to bring the matter before his committee the next day. At the same time he used the expression that he and the other Senators on that side of the Chamber were not asking for additional light on this subject, and that the information was being asked for by the Republican Members of this body. I quite agree with that statement of the facts; and it is in accordance with the position that we then took that I now ask to have this matter included in the resolution.

The Senator from North Carolina now says that he may take up this matter to-morrow. If he is inclined to take it up to-morrow and to favor it, it certainly will do no harm to have the request made in the resolution. There is in my mind a certain amount of doubt as to how far he may be able to influence all the majority members of the Finance Committee to sustain the position that he himself apparently takes. In either case I can see no possible reason for an objection on the part of Senators on the other side of the Chamber to having this matter discussed and settled.

For my part, I believe it is as much to the interest of the Democratic Members of this body that this information shall be given as it is to the interest of the Republican Members, if not more so. I hope the resolution will prevail.

Mr. NEWLANDS. Mr. President, the tariff is up for discussion, and I should like to say a few words regarding the portion of the legislative program I have offered for the consideration of the Senate which relates to the tariff.

It will be observed that the first inquiry which the resolution I have offered makes of the Finance Committee, and upon which it calls for a report, is as follows:

(a) Whether the prices of any farm products in the United States are raised above the international level of prices by the duties now imposed on such products; and if so, what products, and whether such duties on such products can be abolished or materially reduced without injury to American industry, and to what extent. In such inquiry shall be included meats, cheese, wool, sugar, tobacco, wines, citrus fruits, and dried and preserved fruits.

I might have added to that list the cereals and other products of the farm upon which we now have certain duties and which are kept on the dutiable list by the Underwood bill.

Mr. President, it seems to me that this is a very material inquiry. We all know that the Republican Party sought to maintain its high protective duties upon manufactured products by organizing a union between the manufacturers and the farmers under which, while maintaining for the manufacturers high duties, aggregating in some instances as much as 100 or 125

per cent, they also imposed duties upon imaginary imports of farm products, and thus sought to impress the farmer with the view that he was a beneficiary of a protective tariff, and therefore should join the manufacturers in its support.

So far as I know, we never have had any definite statistics presented to Congress as to what the effect of these duties was upon farm products in the way of raising above the international level the price of farm products inside the United States. Of course we all knew that the effect of a protective tariff is to raise above the international prices the prices of domestic manufactured products similar to those on the dutiable list. That constitutes a subject of complaint and of indictment against the Republican Party—that it has sought, through this protective system, not simply to secure a revenue upon imports, but also to impose upon the consumers throughout the entire country added prices for the domestic manufactures. The statistics have been absolutely convincing that the high protective tariff has had this effect, and that wherever the Government would get $1 in duties the manufacturers were able to impose upon the consumers of the country enhanced prices to the extent of approximately $10. Thus the taxing power was exercised by the Government to the extent of only about one-tenth and by the manufacturers to the extent of about nine-tenths

We all know that this nefarious system existed, and it has been proved by the statistics, but we never have had any showing as to whether or not these duties imposed upon farm products had the effect of raising, inside of the tariff walls, the prices of domestic farm products to the extent of the duty. It seems to me that after submitting for so many years to this system of exaggerated taxation it is about time that we should know whether the farmers have been the beneficiaries of the duties imposed by the Republican Party, which they inserted in the tariff bill with a view to obtaining the farmers' support for the high duties upon manufactured products.

I hope the Finance Committee will take up this question seriously. I hope they will make use of the bureau in the Department of Commerce known as the Bureau of Foreign and Domestic Commerce and the experienced and capable experts there, with a view of presenting to Congress and to the people of the United States a definite statement as to the effect of the duty upon corn in raising the price of corn, and as to the effect of the duty upon wheat, barley, oats, and other farm products in raising the domestic price of those farm products. I should like, also, to have a statement presented as to what effect these duties have had upon such products as wool, wines, citrus fruits, and dried and preserved fruits.

Inasmuch as there are practically no imports of most of the farm products, and as to most farm products this country is an exporting country, I am inclined to think that the duties imposed by our tariff upon such products have been simply fictitious duties, without any substantial revenue return. If they are such, they ought to be taken out of the proposed tariff bill by the Democratic Party, which doubtless intends to deal with this great subject in all sincerity and candor toward the people.

We have for years condemned the treaty between the manufacturers on the one side and the farmers upon the other, between the wool manufacturers upon the one side and the woolgrowers upon the other, under which, by a community of interest, an exaggerated tariff has been maintained, to the injury of the American consumers. It seems to me the Democratic Party ought not to and will not be willing to maintain this system of deceit and of delusion. If, as a matter of fact, these duties have raised the domestic price of farm products, cereals, and others, we ought to know it. If they have not, and if they have been substantially without revenue to the country, these duties on farm products should be abolished.

It seems to me the Democratic Party should not obtain favor for its system of tariff taxation by permitting the farmer to rest under the delusion that a Democratic tariff is imposing duties upon farm products, the alleged purpose of which is to raise the domestic price of farm products.

We are complaining throughout the country of the high price of food. We are complaining throughout the country of the high price of farm products. The high cost of living is a question that is being considered in every household. We all know that farm products have increased in value and in price to a much higher degree than the manufactured products of the world. Therefore, in my judgment, we should remove all duties imposed upon farm products indigenous to the soil, requiring no stimulation in their production and none of the care essential to an infant industry. But the answer would be, if that is done, How can you contend for a duty upon sugar and wool, both of which are farm products?

Mr. GALLINGER. Mr. President——

Mr. NEWLANDS. In reply to that——

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

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. I will ask the Senator if the complaint is not lodged as to the retail price of farm products rather than the price the farmer himself obtains for his productions?

Mr. NEWLANDS. I think, Mr. President, the statistics show that the prices paid to the farmers themselves have vastly increased.

Mr. GALLINGER. Undoubtedly, but——

Mr. NEWLANDS. And the prices which they have received have advanced within the last 15 years in a much higher degree than the products of the manufacturers.

Mr. GALLINGER. Mr. President, I do not know precisely how that may be. Unquestionably they have advanced, as everything else has advanced. But my investigation has satisfied me that the inordinate price of farm products is largely due to the fact that the retailer and the middleman can put about what value they please on them. If the duty was taken off and a little reduction came as a result, I am not quite sure that the middleman and the retailer would not simply add that to his price, and we would be paying just the same.

Mr. NEWLANDS. There is no question that owing to an imperfect system both of distribution and of retailing the price of farm products and of all products has been raised very largely to the consumer. I think the investigations have shown that a very large proportion of the high prices of which the people of America complain is due to the system of distribution and of retailing. But I am now speaking of the prices that the farmers receive. I assert that they have vastly increased during the past 15 years and have increased in a larger proportion than the prices of the manufactured products of the country. All I am contending for is that as to those farm products, the prices of which have not been raised to domestic consumers by duties imposed upon similar importations, we should ascertain the fact, obtain the report of a committee as to the fact, and then exercise our judgment as to whether those products shall remain upon the dutiable list or not.

I claim, Mr. President, as I was remarking a few moments ago, that in the case of farm products which may be called indigenous to the soil—the natural products of the country—which require no stimulus in order to insure their largest production, no duties whatever even under the protective system should be put upon similar products imported from abroad; that they should not be put on the tariff under the protective system because they do not protect, and they should not be put on the tariff under the revenue system because they produce no revenue.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from North Dakota?

Mr. NEWLANDS. Certainly.

Mr. McCUMBER. I wish to ask the Senator if he is acquainted with the comparative Minneapolis and Liverpool prices of like grain during all the year or substantially all the year 1910?

Mr. NEWLANDS. As to what product?

Mr. McCUMBER. Take the grain product. Take wheat, for instance.

Mr. NEWLANDS. No; I am not familiar with it.

Mr. McCUMBER. I will give the Senator one fact and ask him for his conclusion as to the cause.

The Minneapolis and the Liverpool price were almost exactly the same during the entire year 1910 on what we call No. 1 and No. 2 grades of northern wheat. If the Liverpool price measured what you might call the world's level of prices, then why was it, with a difference of about 18 cents in insurance and handling between Liverpool and Minneapolis, that the Minneapolis prices were equivalent to the Liverpool prices during that entire year?

Mr. NEWLANDS. Mr. President, I want an explanation of that fact from the Finance Committee, and that is one of the purposes of this inquiry. I do not pretend to be informed upon these questions and to be able to give the information, or perhaps I would not have offered this resolution.

Mr. McCUMBER. I agree with the Senator, Mr. President; I should like to have the information myself, and I am perfectly willing that the Senator should get it in any way, but I thought I understood the Senator to state that from his view the tariff did not affect the price of grain in any way whatever, and therefore it should be reduced. I can explain to the Senator why the prices were nearly equal during that period.

Mr. NEWLANDS. It is my view that it does not affect the price of the cereals. I do believe——

Mr. McCUMBER. What, then, does the Senator say affects it?

Mr. NEWLANDS. I believe it affects the price of wines in this country, of citrus fruits, of dried and preserved fruits, of sugar, and I am inclined to think it affects the price of wool.

Right here I may say that if after a careful inquiry it is found that the imposition of these tariff duties has had the effect of raising the domestic prices above the international level, and has thus stimulated production in this country, I believe that as to those things they should go gradually to the free list and not immediately to the free list; that as to those products the price of which is not raised above the international level there is no reason for the duty, because the duty neither gives protection under the Republican theory nor gives revenue under the Democratic theory, and therefore it should be abolished.

Mr. McCUMBER. Mr. President——

Mr. NEWLANDS. I simply want to ascertain the fact as to whether the tariff has stimulated any industry in this country. If I find that it has, then, so far as I am concerned, I shall propose to urge a policy that will deal gently with that product, that will withdraw gradually the stimulating heat of a high protective tariff, so that that particular production can gradually accustom itself to a normal temperature.

Mr. McCUMBER. I wanted to ask the Senator another question, because I assume from his argument that he is desirous of getting at facts to prove whether he is in error in his conclusion as to the effect of tariff legislation upon farm products. The Senator will find, if he will look at the daily reports in Winnipeg, that the prices between Liverpool and Winnipeg, across the line, measure the difference between the cost of transportation, the insurance, and so forth, whereas on the American side we were just that difference practically above the Winnipeg price and the equivalent of the Liverpool price.

Then I wanted to call the Senator's attention to another fact, which was brought out in the Senate by a number of Senators from the reports during all of the winter of 1911, and when we were considering the reciprocity pact. During that time the average price of barley upon the American side was nearly double the price, during the entire winter, of the Canadian barley.

Mr. NEWLANDS. It was nearly double?

Mr. McCUMBER. Yes. In other words, it measured just about equal to the 30 cents per bushel which was the tariff. Now, if the Canadian barley could have come in here free, as they had a very good crop in Canada that year, does not the Senator believe it would necessarily have lowered the price of the American barley, which was from 30 to 50 cents a bushel higher than the Canadian?

Mr. NEWLANDS. Yes; I think it would probably have lowered the price. I think it ought to lower the price, and that it would be very beneficial to the country if it did lower the price.

Mr. McCUMBER. I admit it would have been beneficial to the brewers.

Mr. NEWLANDS. If the barley production has been so affected by a protective tariff that it commands a price high above the world's level, I agree entirely with the policy that would reduce the level of the domestic price.

Mr. McCUMBER. Does the Senator believe that——

Mr. NEWLANDS. Because it would be an imposition upon the consumers of the country to charge upon them a price very largely in excess of the international price. All the concession I make to the Senator is that in dealing with that particular product we should deal with it not radically but gradually and gently, by a process of graduated reduction year after year until the production of barley is upon a normal basis.

I wish to state to the Senator that I do not pretend to be as familiar as the Senator as to the facts regarding the international price and the domestic price of these farm products. I am unable to take up the discussion of those questions, and the Senator will excuse me from a further discussion of them.

Mr. McCUMBER. Will the Senator allow me to make just one suggestion to him?

Mr. NEWLANDS. Very well.

Mr. McCUMBER. I agree with the Senator that the price of farm products has risen very materially in the last 15 years; that farm products have risen in value until within the last few months considerably greater than the rise in the value of manufactured products. But I ask the Senator this one question: Does he believe that the farming or agricultural communities, by reason of this advance in the price of their products, compared with the rest of the people of the United States have been unduly prosperous?

Mr. NEWLANDS. Mr. President, I am not prepared to answer that question. I really do not know enough of the comparative economic conditions of the different classes to be able to answer it. All that I say generally is, first, I want to ascertain not through the speech of a single Senator, not through the statistics he may present upon the floor, but through findings of fact ascertained by a skilled committee of the Senate after investigation as to whether or not these duties upon farm products have really raised the domestic price of similar products produced in the United States. And then, if I find that they do not, I would favor the obliteration of such duties from our tariff, whether it was a protective tariff or whether it was a revenue tariff.

If they do raise the price above the international level, then I should deal with them just as gently as I would with the manufacturing industries, and instead of bringing on a cataclysm in production in this country in any industry I would gradually reduce those duties so that the production could be put upon a normal basis. The more stimulated the production was by an excessive tariff duty the more gentle I would be in the process of gradually reducing the heat of the temperature under which that industry had flourished. I would not wish to withdraw the heat immediately so that the industry might be destroyed. I would wish to gradually reduce the temperature by reduced duties in such a way as to enable the industry gradually to get accustomed to a normal temperature.

Now, Mr. President, there is no question but that the duties imposed upon wines, citrus fruits, and dried and preserved fruits have had the effect of largely stimulating those industries in the United States, and particularly on the Pacific coast. There is no doubt but that the production has vastly increased there, so much so as to bring all these products within the reach of the masses of the people. There is no question but that all those duties are now too high. The Democratic Party has very wisely reduced them by its action in the House.

There is one industry, however, which I think they have attacked a little too vigorously. The duty on oranges, I believe, has been reduced from 1 cent a pound to half a cent a pound, a reduction of 50 per cent, but the duty on lemons has been reduced from 1½ cents a pound to half a cent a pound, making a reduction of considerably more than 50 per cent.

So far as the duty on oranges is concerned, the reduction was warranted, though it was a very much larger reduction than is made, on the average, throughout the entire tariff bill. But so far as the duty on lemons is concerned, I am inclined to think that the temperature has been reduced too rapidly, for we all know that these are both hothouse industries; that the orange industry is here to stay, even at this very much diminished duty, but there is considerable doubt in my mind as to whether the lemon industry is here to stay at this very largely diminished duty, something far exceeding the reduction that has been made upon the manufactured products of the country. For, recollect, the average reduction made has been from an average duty under the Payne bill of 40 per cent to an average duty of 25 per cent, a reduction of a little less than 40 per cent, whilst the duty on lemons has been reduced about 70 per cent. We all know that the lemon industry has not been established as long as the orange industry, that it takes very many years to perfect a lemon orchard, and that that industry is now in a critical condition. Is it wise simply because ultimately we have in view bringing lemons down to the free list, possibly to bring them down to a duty of 10 or 15 or 25 per cent under the revenue system, that we should now reduce the duty to a far greater degree than we have reduced the duties upon the other articles upon the dutiable list?

As to sugar, I would like to have the finding of the Finance Committee regarding the effect of the present duty of nearly 100 per cent upon domestic prices, and the effect upon the domestic industry of lowering this duty to zero. Would it have the effect, as I claimed in my remarks of last Friday, of transferring the industry of sugar raising from Louisiana and the Western States, as well as our insular possessions in Porto Rico, Hawaii, and the Philippines, to Cuba, and would it also result in the loss of $50,000,000 of annual revenue? Would it not be better to materially reduce the duty temporarily to 50 per cent, and later on to 25 per cent, rather than displace and destroy an industry upon which the prosperity of so large a part of our own country, as well as of our insular possessions, depends?

Now, I am in doubt as to the effect of the tariff on wool. I am in doubt as to whether the high duty imposed upon wool has really raised the price of the domestic wool above the international level. We hear varying statements as to that. It seems to me it ought to be a fact that could be ascertained beyond peradventure.

If, as a matter of fact, the price of domestic wool has not been raised above the international price by the very high duty imposed by the Payne tariff, then from the protective standpoint certainly that duty is not required, and the only question which remains is as to whether we shall maintain it as a revenue duty. With that duty we now get about $7,000,000 annually from raw wool, and certainly no Democrat should vote for the entire abolition of the duty if while securing $7,000,000 of revenue from it it has not, as a matter of fact, raised the domestic price of domestic wool.

But, on the other hand, Mr. President, we hear it stated that the effect of that duty has been to raise in a considerable degree the price of domestic wool over the international price. If it has, and if the effect, therefore, has been to stimulate the production of wool in this country above the normal level, and people have been induced by the existing condition to go largely into wool production, then I will say that very condition appeals to Democrats simply to reduce that duty gradually, so that ultimately the production of wool in this country will be put upon a normal basis, and in order to act intelligently upon this matter it seems to me it is incumbent that some committee, acting with authority, should investigate the statistics, ascertain the facts, and report the facts to Congress.

Of course we are told that every individual Senator can examine the statistics. It is true that every individual Senator can, if he chooses, inquire as to the statistics of every item in this tariff bill, and the items number 4,000; he can devote his entire lifetime to statistics to the utter neglect of his other legislative duties; but it seems to me that there is an orderly way to go about it, and that is either through a tariff commission, for which I have always stood and for which I still stand, or through a bureau such as has been organized in the Department of Commerce, or through a committee of Congress, which has all the sources of information open to it. As we have chosen to rely upon a committee of Congress charged with that duty it seems to me that the Committee on Finance should present to us some reliable statement as to the facts gained through investigations which it makes, with its opportunities to reach out to all the sources of information, and with its opportunities to secure the best expert assistance in both this and foreign countries; and that if we are to act scientifically not in shaping a protective system but in reducing the abnormalities of a protective system, we should do this upon information and not upon impulse.

Mr. President, we are dealing with a question which the Democratic platform declares is intimately connected with the business of the country. The Democrats of the country in convention assembled declared that this was intimately connected with the business of the country; that it expected only the ultimate accomplishment, not the immediate accomplishment, of what it desired by processes that would involve neither injury nor destruction to any legitimate industry.

Of course, we are told that the words "legitimate industry" mean economically legitimate, not legally legitimate. I happened to be upon the committee which framed that platform. I heard no such refinements there. I assumed, and I think the committee assumed, that any industry was legitimate which was legally organized in this country and under public policies that permitted its organization. Under the administration of both parties from time immemorial duties have been imposed upon sugar and wool, and the industries of producing commodities were certainly legitimate industries.

Mr. President, I believe that if the Finance Committee will occupy itself in giving us the basic facts we shall then be in a position where each Senator can exercise his judgment; and I hope that this opportunity, the first which the Democratic Party has had for many years, of basing its action upon the intelligence and the information of the members of the Democratic Party in Congress, instead of mere juggling adjustments made between industries and sections, will not be lost.

I have always believed that we could organize a tariff board, which, like the Interstate Commerce Commission, proceeding under a rule fixed by Congress, would relieve us of much of the burden of this work of adjustment, and could accomplish the work much more intelligently than we could accomplish it, not because this body would be inferior in intelligence, but because a specialized board, devoting its entire time to a particular duty under a rule fixed by Congress, would be more likely to produce a satisfactory result than could be accomplished by bringing together 96 minds in the Senate and 435 minds in the other House in the adjustment, and the nice adjustment, of 4,000 items in a tariff bill

We never hesitated when we came to the great and important question of railroad rates which involves practically a tax upon the transportation of the country, involving classifications and equitable adjustments between shippers and communities. We did not hesitate, under a rule fixed by Congress, to organize that commission as a servant of Congress to carry out its will; and the time will come when the Democratic Party, in my judgment, will see the wisdom of organizing such a board, which, acting under a rule fixed by the Democracy, will proceed to a scientific and equitable adjustment of this question.

It is true that we have made progress by the organization of the Bureau of Foreign and Domestic Commerce in the Department of Commerce relating to this subject, but the difficulty with the bureau is that the chief of the bureau is always a partisan; that the bureau chief changes with every administration; and that there remains no tradition, no precedent, no accumulated and composite judgment such as exist in an administrative tribunal that can be handed down continuously and consecutively as a guide to action. That has been the great trouble with our Bureau of Corporations in questions relating to interstate trade and the trusts. Had we organized that bureau just as we organized the Interstate Commerce Commission and given them jurisdiction over the trusts and had appointed to it from three to five capable commissioners from both political parties to hear complaints and to guide and control the prosecutions under the Sherman Act, under rules made by Congress, we would by this time have reached an adjustment of the interstate-trade question, as we have reached an adjustment of the interstate-transportation question.

Interstate trade and interstate exchange are just as much a part of interstate commerce as is interstate transportation, and the wisdom which guided us in the creation of a commission to regulate transportation, under rules fixed by Congress, should have guided us with reference both to interstate trade and to banking and exchange. Had that been accomplished at the time of the enactment of the Sherman Antitrust Act, and had such a board been charged with its administration and enforcement, we would have been free to-day from almost all the evils that afflict us with reference to interstate trade, just as we are free to-day from almost all of the evils that have afflicted us regarding interstate transportation.

So, I hope, Mr. President, that the Democratic Party, while felicitating itself upon the organization of the bureau of foreign and domestic commerce, will supplement the creation of that bureau by adding to it a board similar to the Interstate Commerce Commission, which, investigating questions, hearing the complaints of importers upon the one hand and of the domestic producers upon the other, will, under a rule fixed by Congress—a Republican rule if the Republicans are in power, a Democratic rule if the Democrats are in power—bring about a satisfactory adjustment of this great question of the tariff, which the Democratic Party declares is and has been intimately connected with the business of the country and ought to be taken out of purely partisan administration, and, above all, should be taken out of the juggling adjustments which, whether under Republican or Democratic administration, prevail in both Houses of Congress.

Mr. President, subdivision B of this resolution, in regard to a legislative program, relating to tariff taxation, calls upon the Finance Committee to report what products now upon the dutiable list should be put upon the free list. Of course, this committee will do that in reporting the bill, but I should like a report from the Finance Committee, outside of the bill itself, stating what products now upon the dutiable list should be put on the free list, and the reason why. I think such information will enable every Member of this body to act upon this subject, and we will not be herded together, directed by the impulse that has been given from this direction or that.

Subdivision C provides that the Finance Committee shall ascertain and report whether it is practicable and advisable to change all duties from a specific to an ad valorem basis. So far as I am concerned, I believe that we should change to ad valorem duties, and the House of Representatives has, in the main, carried out that rule.

I realize the difficulty in administration so far as the ad valorem duty is concerned; that the ascertainment of values depends not only upon the knowledge and information of the appraisers, but oftentimes upon their integrity—always, I may say, upon their integrity—and there are great opportunities for fraud, and yet, of course, the percentage basis is the only real basis for revenue duties. We find that everywhere in our State administrations. I should like the committee to state, where they preserve the specific duties and do not change them to ad valorem duties, the reason for their action.

Subdivision D provides that the Finance Committee shall report—

(d) The average percentage of the duties imposed by the existing tariff, and the average percentage to which it is desirable to reduce the duties imposed under the proposed revision of the tariff, and the maximum and the minimum duties which it is desirable to impose.

I may say with reference to that, that the other House has already acted. We know that under the Dingley bill the average duties amounted to about 43½ per cent; that under the Payne-Aldrich bill they amounted to about 40 per cent; and that under the Underwood bill they amount to about 25 per cent. The Republican tariff imposed duties all the way from 5 to 10 per cent up to 150 per cent. I do not know what the maximum tariff is under the Underwood bill, but if any of its duties are in excess of 50 per cent it seems to me that we ought to have a special report showing why. Fifty per cent seems to me to be a large tax to impose upon a consumable product and thus enlarge the price paid by the consumer. If we have such duties, as I am told we have, it seems to me that we ought to have some explanation from the Finance Committee.

Mr. KERN. Mr. President——

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

Mr. NEWLANDS. Certainly.

Mr. KERN. I should like to inquire of the Senator from Nevada whether it would inconvenience him at all to postpone his remarks to a subsequent occasion, as it is desired to have an executive session this afternoon.

Mr. NEWLANDS. I will state, Mr. President, that I will very gladly yield. I hope I have not detained the Senate.

Mr. KERN. I only asked if it would inconvenience the Senator to postpone his remarks.

Mr. NEWLANDS. Not at all. I will be very glad to yield. I wish merely to add that later on I will take up subdivisions E, F, G, H, and I of section 2 of this legislative program relating to the tariff and taxation.

Mr. JONES. Mr. President, I desire to ask unanimous consent that on the next regular meeting day of the Senate, at the close of the routine morning business, the Senate proceed to the consideration of Calendar No. 11—Senate resolution No. 19—and proceed to the final determination of that resolution and all amendments before the close of that calendar day.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

Mr. GALLINGER. Will the Senator from Indiana permit me to ask if we may not have a vote on the pending motion before we go into executive session? The yeas and nays have been ordered.

Mr. KERN. I will be very glad if that matter can be disposed of, if the Senator from Nevada will consent.

The VICE PRESIDENT. Will the Senators permit the Chair to put the request of the Senator from Washington [Mr. JONES]? Is there objection to the request of the Senator from Washington?

Mr. ROOT. What is the request?

The VICE PRESIDENT. The Senator from Washington requests unanimous consent that Senate resolution 19 be made a special order at the close of the morning business at the next session of the Senate. The Secretary will state the resolution.

The SECRETARY. A resolution (S. Res. 19) to authorize the allowance of an additional clerk to Senators having less than three.

Mr. CLARKE of Arkansas. I object to that. The Senator from Mississippi [Mr. WILLIAMS] is in charge of the matter, and he is not here. I object for the present.

Mr. GALLINGER. Now, I trust we may have a vote on the pending motion, on which the yeas and nays have been ordered.

Mr. KERN. The Senator from Nevada has informed me that it would not inconvenience him to have that done.

Mr. GALLINGER. Very well.

Mr. KERN. I have no objection. However, Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum having been suggested, the Secretary will call the roll.

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

Ashurst	Jackson	O'Gorman	Smith, Ga.
Bacon	James	Overman	Smith, Md.
Burton	Johnson, Me.	Page	Smoot
Catron	Johnston, Ala.	Perkins	Stephenson
Chamberlain	Jones	Pittman	Stone
Clark, Wyo.	Kenyon	Pomerene	Swanson
Clarke, Ark.	Kern	Ransdell	Thomas
Colt	La Follette	Reed	Thompson
Crawford	Lane	Robinson	Thornton
Dillingham	Lea	Root	Townsend
Fall	Lippitt	Saulsbury	Vardaman
Fletcher	Martin, Va.	Sheppard	Walsh
Gallinger	Martine, N. J.	Sherman	Warren
Goff	Myers	Shields	Williams
Gore	Nelson	Shively	
Hollis	Newlands	Simmons	
Hughes	Norris	Smith, Ariz.	

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present. The question is on the motion of the Senator from North Carolina [Mr. SIMMONS] to refer the resolution of the Senator from Pennsylvania [Mr. PENROSE] as modified, to the Committee on Finance. On that question, the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD'S name was called). My colleague [Mr. BANKHEAD] is absent on business. He is paired with the Senator from West Virginia [Mr. GOFF].

Mr. CHAMBERLAIN (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer that pair to the Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

Mr. JACKSON (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. I inquire if he is recorded as having voted?

The VICE PRESIDENT. The Chair is informed that that Senator has not voted.

Mr. JACKSON. Then I will withhold my vote.

Mr. POMERENE (when his name was called). I have a pair with the junior Senator from North Dakota [Mr. GRONNA]. I transfer that pair to the Senator from Illinois [Mr. LEWIS] and will vote. I vote "yea."

Mr. SIMMONS (when his name was called). I have a pair with the junior Senator from Minnesota [Mr. CLAPP]. I transfer that pair to the Senator from Oklahoma [Mr. OWEN], and will vote. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER] and therefore withhold my vote.

The roll call was concluded.

Mr. SHEPPARD. I desire to announce that the senior Senator from Texas [Mr. CULBERSON] is necessarily absent. He has a general pair with the Senator from Delaware [Mr. DU PONT]. If present, the Senator from Texas would vote "yea."

Mr. JACKSON. As I have stated, I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the Senator from Connecticut [Mr. BRANDEGEE] and will vote. I vote "nay."

Mr. WEEKS. I am requested to announce that the junior Senator from Maine [Mr. BURLEIGH] is paired on this question with the junior Senator from South Carolina [Mr. SMITH].

Mr. CLARKE of Arkansas (after having voted in the affirmative). I have voted, but I find that the junior Senator from Utah [Mr. SUTHERLAND] did not vote. I have a pair with him, and I must, therefore, withdraw my vote.

Mr. GALLINGER. I desire to announce—and I will not repeat the announcement—that the continued absence of the junior Senator from Maine [Mr. BURLEIGH] is due to illness.

Mr. SIMMONS (after having voted in the affirmative). After transferring my pair with the Senator from Minnesota [Mr. CLAPP] to the Senator from Oklahoma [Mr. OWEN], that Senator came into the Chamber and voted. I therefore withdraw my vote.

Mr. CHAMBERLAIN (after having voted in the affirmative). There is some question about the transfer of my pair. I do not want to have any doubt about it. Instead of transferring my pair with the Senator from Pennsylvania [Mr. OLIVER] to the junior Senator from South Carolina [Mr. SMITH], I will transfer it to the junior Senator from Florida [Mr. BRYAN] and allow my vote to stand.

The result was announced—yeas 42, nays 29, as follows:

YEAS—42.

Ashurst	Kern	Pomerene	Stone
Bacon	Lane	Ransdell	Swanson
Chamberlain	Lea	Reed	Thomas
Fletcher	Martin, Va.	Robinson	Thompson
Gore	Martine, N. J.	Saulsbury	Thornton
Hitchcock	Myers	Shafroth	Tillman
Hollis	Newlands	Sheppard	Vardaman
Hughes	O'Gorman	Shields	Walsh
James	Overman	Shively	Williams
Johnson, Me.	Owen	Smith, Ariz.	
Johnston, Ala.	Pittman	Smith, Ga.	

NAYS—29.

Bradley	Fall	McLean	Smoot
Brady	Gallinger	Nelson	Stephenson
Burton	Jackson	Norris	Townsend
Catron	Jones	Page	Warren
Clark, Wyo.	Kenyon	Penrose	Weeks
Colt	La Follette	Perkins	
Crawford	Lippitt	Root	
Dillingham	Lodge	Sherman	

NOT VOTING—25.

Bankhead	Clapp	Lewis	Smith, S. C.
Borah	Clarke, Ark.	McCumber	Sterling
Brandegee	Culberson	Oliver	Sutherland
Bristow	Cummins	Poindexter	Works
Bryan	du Pont	Simmons	
Burleigh	Goff	Smith, Md.	
Chilton	Gronna	Smith, Mich.	

So the resolution as modified was referred to the Committee on Finance.

EXECUTIVE SESSION.

Mr. BACON. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. BURTON. On that I call for the yeas and nays.

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

Mr. CHAMBERLAIN (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. OLIVER]. I transfer that pair to the junior Senator from Florida [Mr. BRYAN] and will vote. I vote "yea."

Mr. JACKSON (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the senior Senator from Connecticut [Mr. BRANDEGEE], and will vote. I vote "nay."

Mr. POMERENE (when his name was called). I make the same announcement as heretofore in respect to my pair and transfer. I will allow this announcement to stand for the day. I will therefore vote. I vote "yea."

Mr. SIMMONS (when his name was called). Owing to my pair with the junior Senator from Minnesota [Mr. CLAPP], I withhold my vote.

Mr. SMITH of Maryland (when his name was called). I am paired with the senior Senator from North Dakota [Mr. MCCUMBER] and therefore withhold my vote.

Mr. TOWNSEND (when his name was called). The Senator from North Carolina [Mr. SIMMONS] spoke to me this afternoon about pairing with the junior Senator from Florida [Mr. BRYAN], I think. I said at that time that I would pair with him on all votes outside of executive session, and I voted on the other roll call without thinking that I had that pair. I am not in the habit of pairing. I do not know whether or not it is too late for me to withdraw it. If it is not, and this is a suitable opportunity, I should like to withdraw that vote.

On this roll call I announce my pair with the Senator from Florida [Mr. BRYAN], and refrain from voting.

The roll call was concluded.

Mr. TOWNSEND. I am informed that the senior Senator from Oregon [Mr. CHAMBERLAIN] had transferred his pair to the junior Senator from Florida [Mr. BRYAN]. Therefore he is protected, and I will allow my vote to stand as originally cast. On this roll call I vote "nay."

The result was announced—yeas 42, nays 27, as follows:

YEAS—42.

Ashurst	Kern	Pomerene	Stone
Bacon	Lane	Ransdell	Swanson
Chamberlain	Lea	Reed	Thomas
Fletcher	Martin, Va.	Robinson	Thompson
Gore	Martine, N. J.	Saulsbury	Thornton
Hitchcock	Myers	Shafroth	Tillman
Hollis	Newlands	Sheppard	Vardaman
Hughes	O'Gorman	Shields	Walsh
James	Overman	Shively	Williams
Johnson, Me.	Owen	Smith, Ariz.	
Johnston, Ala.	Pittman	Smith, Ga.	

NAYS—27.

Bradley	Gallinger	McLean	Sherman
Brady	Jackson	Nelson	Smoot
Burton	Jones	Norris	Stephenson
Catron	Kenyon	Page	Townsend
Clark, Wyo.	La Follette	Penrose	Warren
Crawford	Lippitt	Perkins	Weeks
Dillingham	Lodge	Root	

NOT VOTING—27.

Bankhead	Clapp	Goff	Smith, Md.
Borah	Clarke, Ark.	Gronna	Smith, Mich.
Brandegee	Colt	Lewis	Smith, S. C.
Bristow	Culberson	McCumber	Sterling
Bryan	Cummins	Oliver	Sutherland
Burleigh	du Pont	Poindexter	Works
Chilton	Fall	Simmons	

So the motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 40 minutes spent in executive session the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. KERN. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 2 o'clock p. m.

The motion was agreed to.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to, and (at 6 o'clock and 25 minutes p. m.) the Senate adjourned until Thursday, May 22, 1913, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate May 20, 1913.

UNITED STATES MARSHALS.

Emmet R. Jordan, of Alaska, to be United States marshal for the District of Alaska, division No. 2, vice Thomas Cader Powell, whose term will expire at the close of June 15, 1913.

Edward W. Exum, of Alaska, to be United States marshal for the District of Alaska, division No. 3, vice Harvey P. Sullivan, whose term will expire at the close of June 30, 1913.

EXECUTIVE COUNCIL OF PORTO RICO.

The persons herein named for appointment as members of the Executive Council of Porto Rico, provided for in section 18 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes."

Tulio Larrinaga, of Porto Rico, vice Rafael del Valle.

Luis Sanchez Morales, of Porto Rico, reappointment.

RECEIVER OF PUBLIC MONEYS.

Abraham Hogeland, of Lewistown, Mont., to be receiver of public moneys at Lewistown, vice Wyllys A. Hedges, removed.

REGISTER OF THE LAND OFFICE.

Harry J. Kelly, of Lewistown, Mont., to be register of the land office at Lewistown, vice Clarence E. McKoin, removed.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Col. John P. Wisser, Coast Artillery Corps, to be brigadier general from May 16, 1913, vice Brig. Gen. Walter S. Schuyler, retired from active service April 26, 1913.

Col. Thomas F. Davis, Eighteenth Infantry, to be brigadier general from May 16, 1913, vice Brig. Gen. Frederick A. Smith, retired from active service May 15, 1913.

MEDICAL RESERVE CORPS.

To be first lieutenants in the Medical Reserve Corps, with rank from May 16, 1913.

Moreton Homer Axline, of Florida.
Frederick Binder, of Nebraska.
William Alexander Boyd, of Georgia.
Frank Emory Bunts, of Ohio.
William McEwen Edwards, of Wisconsin.
Alonzo Graves, of Alabama.
Daniel Joseph Hayes, of California.
Chevalier Jackson, of Pennsylvania.
Daniel Ralph Lucas, of New York.
Arthur Hugh Mays, of California.
Edward Campbell Morton, of Illinois.
Charles Howard Peck, of New York.
William Martin Perkins, of Louisiana.
Henry Stanley Plummer, of Minnesota.
Victor Eugene Putnam, of California.
Harry Leach Schurmeier, of California.
George Reese Satterlee, of New York.
Harry Gardner Wood, of Minnesota.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 20, 1913.

AMBASSADOR TO JAPAN.

George W. Guthrie to be ambassador extraordinary and plenipotentiary of the United States to Japan.

COMMISSIONER OF PENSIONS.

Gaylord M. Saltzgaber to be Commissioner of Pensions.

SOLICITOR, DEPARTMENT OF COMMERCE.

Albert Lee Thurman to be Solicitor of the Department of Commerce.

MEMBER MISSISSIPPI RIVER COMMISSION.

Lansing H. Beach to be a member of the Mississippi River Commission.

COLLECTORS OF CUSTOMS.

Sinclair C. Townsend to be collector of customs at St. Marys, Ga.

John Purroy Mitchel to be collector of customs at New York, N. Y.

William C. Logan to be collector of customs at Astoria, Oreg.

Thomas C. Burke to be collector of customs at Portland, Oreg.

Andrew H. Evans to be collector of customs at Saluria, Tex.

Frederick C. Peters to be collector of customs at Charleston, S. C.

James C. Congdon to be collector of customs at Georgetown, S. C.

SURVEYORS OF CUSTOMS.

Warner S. Kinkead to be surveyor of customs at Louisville, Ky.

Charles R. Kurtz to be surveyor of customs at Philadelphia, Pa.

UNITED STATES MARSHALS.

Lewis T. Erwin to be United States marshal for the district of Alaska.

Andrew H. Hudspeth to be United States marshal for the district of New Mexico.

SUPERVISING INSPECTOR OF STEAM VESSELS.

William J. MacDonald to be supervising inspector of steam vessels for the fourth district.

PROMOTIONS IN THE NAVY.

Lieut. Commander Allen M. Cook to be commander.
Lieut. (Junior Grade) Hollis M. Cooley to be lieutenant.
Lieut. (Junior Grade) Robert W. Cabaniss to be lieutenant.
Medical Inspector Thomas A. Berryhill, to be medical director.
Paymaster Donald W. Nesbit to be paymaster with rank of lieutenant commander.
Paymaster John S. Higgins to be paymaster with rank of lieutenant commander.
Paymaster Ignatius T. Hagner to be paymaster with rank of lieutenant commander.
Passed Asst. Paymaster Walter D. Sharp to be paymaster.
Civil Engineer George A. McKay to be civil engineer with rank of lieutenant commander.
Ensign Ralph D. Spalding to be assistant civil engineer.
Carpenter Robert H. Neville to be chief carpenter.
Carpenter Joseph F. Gallalee to be chief carpenter.
Boatswain Harry T. Johnson to be chief boatswain.
Capt. William M. Small to be captain, Marine Corps.
First Lieut. Robert B. Farquharson to be captain, Marine Corps.
First Lieut. Walter N. Hill to be captain, Marine Corps.
First Lieut. Epaminondas L. Bigler to be captain, Marine Corps.

APPOINTMENTS IN THE NAVY.

ASSISTANT SURGEONS, MEDICAL RESERVE CORPS.

Judson Daland.
James D. Morgan.
Everett W. Gould.
Worthington S. Russell.
Robert G. Le Conte.
Alfred D. La Ferté.
David S. D. Jessup.
Horace V. Cornett.
Henry C. Macatee.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Second Lieut. James Albert Alger to be first lieutenant.
Third Lieut. William Kirk Scammell to be second lieutenant.
First Lieut. of Engineers Charles Francis Nash to be senior engineer.
Second Lieut. of Engineers California Charles McMillan to be first lieutenant of engineers.
Second Lieut. of Engineers William Lindsay Maxwell to be first lieutenant of engineers.
Third Lieut. of Engineers Charles Edward Sugden to be second lieutenant of engineers.

POSTMASTERS.

ALABAMA.

J. L. Thornton, Alexander City.
O. M. Reynolds, Anniston.
A. A. Leach, Dadeville.
Charles S. McDowell, Eufaula.
W. L. Crew, Good Water.
Elizabeth Simpson, Hartsells.
Ed G. Caldwell, Jacksonville.
Claude McMillan, New Decatur.
Oscar Sheffield, Pine Hill.
David M. Scott, Selma.
O. L. Woodfin, Uniontown.

ARKANSAS.

W. F. Turner, Atkins.
Earl Harrison, Beebe.
H. B. Ingram, Conway.
T. L. Pound, Danville.
A. J. Stephens, Morrilton.
P. G. Henry, Texarkana.

CALIFORNIA.

Alice T. Durnin, Colfax.
C. W. Collins, El Centro.
Percy B. Brown, Holtville.
John M. Jolley, Oceanside.
Albert E. Dixon, Point Loma.
Joseph M. Hackett, Rocklin.
Ellis T. Tanner, San Jacinto.
Charles Whited, Willits.

CONNECTICUT.

John L. Eliot, Clinton.
George F. Hammill, Georgetown.
Edward Perkins, Suffield.

DELAWARE.

E. Pierce Ellis, Laurel.
William Brockson, Middletown.
John B. Mustard, Milton.
Orlando W. Short, Seaford.

GEORGIA.

Ada Winslow, Manchester.
Mary P. Dixon, West Point.

ILLINOIS.

Claude Shaffner, Dallas City.
James M. Nunamaker, Greenup.
W. H. Harkrader, Hamilton.
Robert E. Gamble, Kirkwood.
M. O. Scott, Neponset.
D. M. Fullmer, New Athens.
W. D. Hall, Port Byron.

INDIANA.

Charles L. Wood, Albany.
Charles L. Haslet, Chesterton.
Charles B. Donovan, Jr., East Chicago.
James E. Burke, Jeffersonville.
Hume L. Sammons, Kentland.
Daniel Gantz, Odon.
James W. Carroll, Otterbein.
Fred G. Rice, Roachdale.
E. R. Niccum, Swayzee.
Levi A. Eaton, Wanatah.
Robert F. Dobbins, Wolcott.

KANSAS.

John McKee, Clay Center.
E. L. Pepper, Conway Springs.
Madison D. Gallogly, Hoxie.
Alfred D. Carpenter, Oswego.
James A. Thompson, White Water.

KENTUCKY.

Robert I. Blagg, Benton.

LOUISIANA.

Augustus P. Windham, Merryville.
Rene L. Derouen, Ville Platte.
George A. Payne, Winnfield.

MASSACHUSETTS.

William J. O'Brien, Kingston.
Henry E. Madden, West Medway.

MISSISSIPPI.

S. W. Pendarvis, Magnolia.

MISSOURI.

Harlie F. Clark, Harrisonville.
Richard B. Wilson, Montrose.
J. W. Allen, Mountain Grove.
De Coursey D. Hitt, Rockville.
Benjamin R. Lingle, Warsaw.

MONTANA.

J. A. Wright, Chester.
J. P. Lavelle, Columbus.
George S. Miller, Deer Lodge.
Eugene L. Poindexter, Dillon.
Mordena C. Busey, Eureka.
Charles Lepley, Fort Benton.
Henry H. Smith, Joliet.
Charles L. Beers, Judith Gap.
T. A. Rigney, Laurel.
Grant Robinson, Lewistown.
George E. White, Manhattan.
Alice Hensley, Moore.
Thomas H. Rush, Wibaux.

NEVADA.

Jennie R. Backus, Golconda.
J. R. Foreman, National.

NEW JERSEY.

Walter M. Miller, Netcong.

NEW MEXICO.

W. E. Foulks, Deming.

NORTH CAROLINA.

J. D. Bivins, Albemarle.
David J. Whichard, Greenville.

R. B. Terry, Hamlet.
Virgil D. Guire, Lenoir.
E. E. Hunt, sr., Mocksville.
Richard A. Bruton, Mount Gilead.
F. M. Williams, Newton.
James Gordon Hackett, Northwilkesboro.

OHIO.

John Q. Baker, Middletown.
O. S. Earnest, Plymouth.
David H. Heiby, Ohio City.

OKLAHOMA.

W. P. Madden, Cheyenne.
T. H. Hubbard, Cordell.
Samuel R. Staton, Cushing.
W. F. Parker, Davis.
Ira B. McCrary, Dewey.
W. M. Davis, Okemah.

OREGON.

Herman Wise, Astoria.
Ira C. Mehrling, Falls City.
E. E. Bragg, La Grande.
H. Y. Kirkpatrick, Lebanon.
H. E. Mahoney, Oakland.
August Huckestein, Salem.
Harry M. Stewart, Springfield.
William A. Elder, Stayton.
Ada H. Studer, Sumpter.

PENNSYLVANIA.

Ellsworth F. Giles, Altoona.
H. D. Jackson, Freedom.
A. R. Traugh, Hollidaysburg.
George B. Richardson, Knox.
Allen A. Orr, Lewistown.
Matthew C. Fox, jr., Media.
J. Frank Patterson, Mifflintown.
Eugene L. Aldrich, New Milford.
John H. Mitchell, Newtown.
Oscar F. Weiand, Perkasie.
Roy R. Rowles, Philipsburg.
Patrick F. Campbell, Portage.
Henry J. Lemon, Port Allegany.
Russell T. Mogle, Rossiter.
C. J. D. Strohecker, Zelienople.

SOUTH CAROLINA.

Rachael H. Minshall, Abbeville.
E. D. Raney, Beaufort.
W. Clarence Clinkscales, Belton.
Leila Jackson Huntley, Cheraw.
Arthur G. King, Easley.
Francis B. Gaffney, Gaffney.
James F. Hunter, Lancaster.
John T. Lawrence, Seneca.

SOUTH DAKOTA.

William Brady, Beresford.
Dennis Foley, Menno.

TENNESSEE.

John E. Conner, Chattanooga.
Samuel W. McKinney, Etowah.
Eugene Blakemore, Shelbyville.

TEXAS.

James W. Davis, Alvord.
G. P. Tarrant, Aransas Pass.
S. A. Roberts, Blooming Grove.
E. T. Oliver, Caldwell.
E. F. English, Cameron.
L. E. Haskett, Childress.
Mina Daughtry, Chillicothe.
Laura V. Hamner, Claude.
S. R. Haynes, De Leon.
R. S. Rike, Farmersville.
M. A. Chancey, Hondo.
Calvin C. Davis, Iowa Park.
W. G. Carpenter, Kerrville.
M. J. Kivlin, Kingsville.
Marvin P. Gillis, Kosse.
T. E. Van Landingham, Lone Oak.
Charles C. Porter, Meridian.
Frank W. Kirkland, Mount Calm.
T. A. Fuller, New Boston.
W. J. Harkey, Palmer.
H. L. Brooks, Pearsall.
Bessie Peterson, Port Lavaca.
John A. Shapard, Rockdale.
J. S. J. Gober, Sanger.
W. B. Smith, Shamrock.
J. T. Fulcher, Thorndale.

VIRGINIA.

Leslie F. Ferguson, Appomattox.
H. I. Tuggle, Martinsville.
S. L. Cecil, Pennington Gap.
E. M. Morrison, Smithfield.
E. L. Wade, Vinton.

WEST VIRGINIA.

David W. McConaughey, Cameron.
Fred F. Jasper, Glen Jean.
Herbert T. Davis, West Union.

WYOMING.

George Whittaker, Yellowstone Park.

HOUSE OF REPRESENTATIVES.

TUESDAY, *May 20, 1913.*

The House met at 12 o'clock noon.

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

We thank Thee, our Father in heaven, that the line of cleavage 'twixt good and evil has been clearly defined in the ten great commandments, "Thou shalt not"—illumined, crystallized, epitomized, and strengthened by the two great commandments, "Thou shalt." Blessed is the man who resisteth evil, but more blessed is he who resisteth evil and doeth good deeds. Help us, we beseech Thee, through unfeigned love for Thee, our Father, and for our fellow men, to combine in our character the power of resistance and the power of persistent energy, that we may be indeed disciples of the Lord Christ. Amen.

The Journal of the proceedings of Friday, May 16, 1913, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 80. Joint resolution making appropriations to supply urgent deficiencies in certain appropriations for the postal service for the fiscal year 1913.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4234. An act providing certain legislation for the Panama-California Exposition, to be held in San Diego, Cal., during the year 1915.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 30. Joint resolution extending the leave of absence of Mrs. A. E. Grant.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 82. Joint resolution authorizing the President to accept an invitation to participate in the International Conference on Education.

PANAMA CANAL TOLLS.

Mr. TOWNER. Mr. Speaker, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a speech delivered by Hon. JOSEPH R. KNOWLAND, of California, a Member of this House, recently at the Lake Mohonk Conference on the question of Panama Canal tolls.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] asks unanimous consent to have printed in the CONGRESSIONAL RECORD a speech made by the Hon. JOSEPH R. KNOWLAND, of California, on Panama Canal tolls at the Lake Mohonk Conference. Is there objection?

There was no objection.

Following is the address referred to:

THE RIGHTS OF THE UNITED STATES AT PANAMA—SIGNIFICANCE OF THE OBJECTIONS OF GREAT BRITAIN TO THE PANAMA CANAL ACT.

(Address delivered by Hon. JOSEPH R. KNOWLAND, of California, before the Lake Mohonk Conference on International Arbitration at Lake Mohonk, N. Y., Friday, May 16, 1913.)

"No patriotic American would countenance the violation by this country of a sacred treaty obligation. On the other hand, would not the citizen be lacking in patriotism who would hastily and without most careful and painstaking investigation blindly accept an interested foreign nation's interpretation of a disputed treaty, a construction that would not only deprive this country for all time of most important commercial advantages,