

which prevailed on the *Slocum* in regard to the so-called life-saving appliances than I conceived of when I made the remarks on the seamen's bill.

In what I have stated here at this time I am giving voice to the statements which I have taken from the press reports which were published following that event and from the report of the commission which investigated the affair at the request of President Roosevelt. One of the commissioners who made this report—this the official and only report—was, I am informed, the chief inspector who was responsible for the condition of the appliances aboard the *Slocum* the day she was burned.

EXECUTIVE SESSION.

Mr. BACON. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, November 24, 1913, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 22, 1913.

COLLECTOR OF CUSTOMS.

John F. Pugh, of Alaska, to be collector of customs for the District of Alaska in place of John R. Willis, whose term of office expired by limitation January 31, 1913.

COLLECTOR OF INTERNAL REVENUE.

David J. Williams, of Washington, to be collector of internal revenue for the district of Washington in place of Millard T. Hartson, superseded.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Francis J. Kernan, Infantry, unassigned, to be colonel from November 20, 1913, vice Col. Charles McClure, Thirtieth Infantry, who died November 19, 1913.

Maj. William M. Wright, Infantry, unassigned, to be lieutenant colonel from November 20, 1913, vice Lieut. Col. Francis J. Kernan, unassigned, promoted.

Capt. Edward A. Shuttleworth, Second Infantry, to be major from November 21, 1913, vice Maj. James H. McRae, Fifth Infantry, detailed as adjutant general on that date.

First Lieut. George C. Lewis, Twenty-sixth Infantry, to be captain from November 21, 1913, vice Capt. Edward A. Shuttleworth, Second Infantry, promoted.

Second Lieut. David G. C. Garrison, Twenty-sixth Infantry, to be first lieutenant from November 21, 1913, vice First Lieut. George C. Lewis, Twenty-sixth Infantry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 22, 1913.

COLLECTOR OF INTERNAL REVENUE.

Seth W. Jones to be collector of internal revenue for the district of New Hampshire.

PROMOTIONS AND APPOINTMENT IN NAVY.

Lieut. Commander Alfred W. Hinds to be a commander.

Lieut. Edwin H. Dodd to be a lieutenant commander.

Lieut. Manley H. Simons to be a lieutenant commander.

Lieut. (Junior Grade) Alfred W. Brown, jr., to be a lieutenant.

Lieut. (Junior Grade) Frank Russell to be a lieutenant.

Lieut. (Junior Grade) Garret L. Schuyler to be a lieutenant.

Ensign Edward H. Connor to be a lieutenant (junior grade).

Pay Inspector Thomas S. Jewett to be a pay director.

Asst. Paymaster Frank H. Atkinson to be a passed assistant paymaster.

Gray C. Holladay to be an assistant surgeon in the Medical Reserve Corps.

POSTMASTERS.

ALABAMA.

S. L. Dorroh, Reform.

J. T. Farmer, Samson.

FLORIDA.

Harry Gray, Palatka.

IDAHO.

Claude V. Biggs, Buhl.

F. E. Cornwall, Moscow.

ILLINOIS.

Frank Allen, Oglesby.

John R. Barclay, Rutland.

M. M. Brown, Bunker Hill.

Edward M. Dieter, Naperville.

Joseph S. Grimes, National Stock Yards.

Edward Johnston, Atkinson.

John Morahn, Sheridan.

P. H. Mulligan, Tolono.

M. S. Yoho, Roseville.

MASSACHUSETTS.

William J. Campbell, East Taunton.

NEW YORK.

Elizabeth Hollenbeck, Harriman.

John F. Ryan, Batavia.

James C. Spalding, Great Neck.

E. J. Sweeney, East Islip.

WASHINGTON.

Dana Child, Spokane.

WYOMING.

Louis Schalk, Rawlins.

HOUSE OF REPRESENTATIVES.

SATURDAY, November 22, 1913.

The House met at 12 o'clock noon.

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

Eternal Spirit, Father of all souls, our hearts go out in praise and gratitude to Thee for the preservation and prolongation of our lives; for Thy loving kindness and tender mercies which pour themselves out in a thousand blessings day by day, without which we should perish from the face of the earth and sink into nothingness forever. May we show our appreciation of Thy care and protection by clean living and an earnest desire to serve Thee by a faithful service in the things which make for the betterment of mankind under the spiritual leadership of Thy son Jesus Christ. Amen.

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

ORDER OF BUSINESS.

Mr. THOMAS. Mr. Speaker, a day or two ago I introduced a resolution to adjourn to-day, and I wish to amend that resolution by inserting Monday, the 24th, instead of Saturday, the 22d. I think that the resolution is privileged, and I wish to call it up now and dispose of it.

The SPEAKER. The resolution is privileged.

Mr. THOMAS. Then I wish to call it up.

Mr. MANN. Mr. Speaker, I desire to call the attention of the Speaker to the fact that yesterday by unanimous consent an order was made providing for three speeches following the approval of the Journal, which, I take it, would come up ahead of any other matter.

Mr. THOMAS. Mr. Speaker, I think this resolution is privileged and comes before those speeches.

The SPEAKER. The resolution is privileged, there is not any question about that, but the House yesterday by solemn agreement set aside 95 minutes. I think it is, for speech making to-day, a special order, and a special order takes precedence of a privileged question. The Chair would not rule that it takes precedence of a question of personal privilege. There are two distinctions. After these gentlemen have made their speeches the Chair will entertain the motion of the gentleman, and the first one recognized for debate is the gentleman from Washington [Mr. JOHNSON], who is recognized for 40 minutes.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Does the Chair hold that these speeches which these gentlemen are entitled to make take precedence over this privileged resolution?

The SPEAKER. The Chair does hold that. The House has a right to do as it pleases, and the House set aside this time for speech making. The Chair wishes to differentiate again between a privileged question and a question of privilege. The Chair says that a privileged question is shut out temporarily by the special order which was made yesterday, but if it were a question of personal privilege the Chair does not know how he would rule. He would have to investigate.

Mr. THOMAS. I do not either.

The SPEAKER. The Chair thinks he would rule that a question of personal privilege came in ahead; but he is not ruling.

CONSERVATION AT CLOSE RANGE.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to be notified when I have consumed 30 minutes of my time.

Inasmuch as the Fifth National Conservation Congress has just concluded its session in the city of Washington, Mr. Speaker, and inasmuch as this great organization has fallen upon rocks which may mean its disruption, I feel that a statement should be made as to how, when, where, and why this congress was organized.

It may surprise some Members of Congress to know that the National Conservation Congress was organized in the city of Seattle five years ago in a sincere effort to develop along rational and great progressive lines plans for the true conservation of the great resources of the Pacific Northwest.

I desire to say at the outset that the Tacoma Daily News, of which I had the honor to succeed as editor the present Secretary of the Interior, Hon. Franklin K. Lane, began in 1898, under my editorship, to warn the people of the West with regard to the waste of the products of the forests. We pointed out over and over again that the time would come when our forests would be exhausted and that western Washington would then consist of unsightly, logged-off lands, unpeopled and unproductive. A year or two later I employed Mr. Joel Shoemaker, an expert on agricultural matters, and our newspaper waged a campaign for conservation and for the improvement of the land laws. A few years later not only the State but the owners of tracts of timber began to agitate better fire protection. A great association was formed and is now carrying on this work.

In 1909 the city of Seattle held its Alaska-Yukon-Pacific Exposition. The year before Mr. Joel Shoemaker, who had been a reporter on the Tacoma News, conceived the idea of a conservation congress to be held in connection with that exposition. Assisted by R. W. Douglas, Mr. Shoemaker developed this idea, and the congress was one of the greatest successes of all the features of that far-famed western exposition. The move was launched, made national in character, and the members began at once to outline a great plan of conservation, not only of the resources of the United States, but of the people in the factories and on the farms.

There had, of course, been some sincere efforts along this line in the East. Forest reserves had, as we all know, been created several years before, and the American Forestry Association had made a start at conservation. Mr. Gifford Pinchot had published some important articles and was drawing lessons from forest management abroad; but the movement inaugurated and perfected at Seattle spread like wildfire. In a twelvemonth conservation became the fad of the year. What a pity that the men who developed it and gave heavily of their finances to support it are now the men who are so often denounced whenever a simon-pure, dream-book conservationist finds an audience.

MR. PINCHOT ON THE SCENE.

As the conservation congress grew in numbers the original Seattle secretary was shorn of his power and Mr. Thomas R. Shipp was made executive secretary. Mr. Bernard Baker, of Baltimore, was the first president, and the second meeting was held in St. Paul in 1910; and it was in this meeting that Mr. Gifford Pinchot appeared. Up to this time the congress had been constructive and nonpolitical. Mr. Pinchot, desiring to take control, brought a great number of eastern delegates and gave as an excuse for so doing the fact that the West was in possession of the congress. Inasmuch as western men were endeavoring sincerely and honestly to solve the problems of the West they resented the sudden approach of the army of theorists from east of the Mississippi. Although greatly outnumbered, the westerners made a stand and former Gov. Marion E. Hay, of the State of Washington, undertook to state the position of the westerners. For this he was howled down and given scant courtesy. He returned to his State and told the people what would happen. They declined to believe him. His prophecy has come true.

The next president of the congress was Mr. Wallace, a famous agriculturist editor of Iowa. The congress having been well-nigh disrupted at St. Paul, the Pinchotites now decided to remain in the background. At the third congress, held in Kansas City in 1911, the matter of conservation of the soil was taken up and great progress made, the then Secretary of Agriculture, Hon. James Wilson, putting into practice at once many of the ideas presented there.

J. B. White, of Kansas City, was the next president of the session of the congress, which was held at Indianapolis, where social, human, and bodily welfare were the principal topics. The Pinchotites still kept out of the sessions to a large degree.

Do not understand me to infer that matters of forest conservation, water-power conservation, and other great problems were neglected at these various meetings. All of these subjects were given full attention and special sections were devoted to them, and I believe sincerely that an unprejudiced examination of the progress along any of these lines will show that the work of the four congresses has been of lasting and permanent value.

ILL-PROPORTIONED REPRESENTATION.

We now come to the fifth congress. Charles L. Pack, of New Jersey, was president and the meeting place Washington, D. C., November 18, 19, and 20. We find called for one day ahead of this conservation congress a meeting of the forest association. We find present numbers of the employees of the Forest Service of the Department of Agriculture. We find many of them remaining as delegates to the conservation congress, and when the credentials of the delegates entitled to sit in that great congress—called primarily to discuss the welfare of the United States, but devoted principally to discussion of the heavy problems of the West—were presented, we find accredited to the District of Columbia 162 delegates. Opposed to this splendid array from the District of Columbia, which, while having no voice or vote in the affairs of the Nation, knows better how to handle the affairs of all of the people of the 48 States combined—I say, opposing these 162 delegates from the District of Columbia we find 10 accredited delegates from the State of Washington, where the congress was founded, and from New York State we find accredited delegates to the number of 60, and opposing them we find from the State of Oregon 7 delegates, and I am informed that several of these were members of the Forest Service or paid employees of the conservation association.

From New Jersey, where corporations are spewed forth in great numbers and almost without restraint, and permitted to prey upon our Western States, we find 30 or 40 delegates, and opposed to them we find Arizona, with 4 delegates present—some of them field or other representatives of the Forest Service, voting with the conservationists of the East and against the delegates from beyond the Great Divide, and so on.

When a vote was taken without a roll call, the voice of the East sounded like the roar of Niagara, while the voice of the West sounded like the chirp of a canary bird. When a vote was taken by States, every Eastern State found itself entitled to 20 votes, while every Western State had but 10 votes. Oregon and Arizona, controlled by means of their Forest Service delegates or by paid employees of the conservation association, found themselves voting with the great eastern majority. Most of the Southern States had 10 votes along with the West, and no western or southern idea or outline was given the slightest consideration. The men who had founded, financed, and kept alive the conservation congress found themselves neither welcomed nor wanted. If this great organization finds itself upon the rocks, the people of the United States should know that it was wrecked by Mr. Gifford Pinchot, against the final protests of his friends, Walter L. Fisher, Charles L. Pack, James R. Garfield, and others.

WHAT BUREAUCRACY CAN DO.

The whole thing was a sample of what can be expected under increased Federal bureaucracy. Carry the thing out a little further—a Federal express service, a chain of regional banks, Federal control of the practice of medicine, Federal control of our education system, Federal good roads system, and so on ad infinitum, and you will have a centralized form of government the like of which the fathers never dreamed. The array of Federal employees will be imposing and the bureaucratic control appalling.

I desire to criticize no individual of the Forest Service or of the Land Department. I believe that the Chief Forester, Hon. Henry S. Graves, is doing the very best that he can with the very bad legacy which was left to him. It is not fair that he should suffer for a scheme which was inherited by him and which can not be worked out in 30 years. It is, in my opinion, up to Congress to help rather than to hinder him. Congress, too, should appoint a commission to untangle the mess of land laws that are bearing down upon Secretary Lane's great department. Mr. Lane knows the West; he wants to help the West, and Congress should help him.

So much for the fifth session of the conservation congress. What did it amount to, anyway? Principally a two days' sensation in the newspapers, followed by more magazine articles and more books and reports for the shelves of the Congressional Library.

CONSERVATION AT CLOSE RANGE.

Now for a few statements concerning conservation at close range, and particularly forest conservation. I desire first to

call attention to the fact that the Bureau of Forestry is in the Department of Agriculture, and that the General Land Office is in the Interior Department. Let us see where this division leads us. Special traveling agents of the Land Office in one great executive department and rangers of the Forest Service in another executive department are permitted to make reports upon applications for land patents. If the forest ranger reports "no protest," the Land Office agent does not make further examination, but if the forest ranger makes a protest then a special agent of the Land Office takes the matter up. Where is the law under which forest rangers of the Agricultural Department and special agents of the Land Office divide their work and keep away from each other's territory? I suspect that there is no such law, but that the plan is carried out under a "gentleman's agreement."

Experience has proved that the forest ranger, who goes about the country, sleeping at the homes of the farmers and sharing their well-cooked meals, chatting with their boys and girls, and instructing the fathers in forestry and agriculture, generally reports "no protest," while it seems to be a fact that the special agent of the land office generally files a protest. It seems also that the special agents make their records by the number of protests that they find. The more often that they can put a would-be homesteader on the defensive the better appears to be their record.

Over in the other department the forest ranger, living with and loving the people whom he meets, is subject to the same sentiments of the heart which make life worth living for all of us, and often tips the scale in behalf of the claimant; and yet, strange as it may appear, whenever a forest ranger finds it necessary to report a protest what a hue and cry goes up.

WHEN SETTLERS FALL OUT WITH RANGERS.

I have seen nailed to the trees invitations to the people to settle on agricultural lands in the forest reserves. I have known settlers who accepted these invitations, and I have known rangers, when the settlers had made the clearings, to take the tract for administrative purposes. I have heard of settlers burning their stacks of hay to keep it from falling into the hands of the rangers. I have known of forest rangers and traveling special agents to go into our great country and take to the trails without the slightest knowledge of the forests or of our agricultural lands. I knew of two young rangers fresh from college who so tethered their horses that the latter choked to death, and only with the greatest difficulty did the young men get out of the woods alive.

But I am digressing. That is in the past, and it is just as unfair for me to harp on these mistakes as it is for the "dream bookers" to harp on the robberies of the public domain in the West many years ago, when not one person in one hundred thousand knew anything about that country and its wonderful resources. Men who took advantage of inadequate laws then really got what then was of little actual value, though of great worth now.

DISTRIBUTION OF FOREST-RESERVE FUNDS.

Now, a word as to the distribution of funds received from the sale of timber in the forest reserves. Of all the moneys received, 25 per cent goes to the county road and school funds, and is distributed to the counties in proportion to their area in the reservation from which the timber has been sold. Then 10 per cent more is set aside and is used for permanent improvements in the national forests—that is, for fences, roads, telephones, trails, and the like. This 10 per cent can be spent where recommended by supervisors, and is often spent in an effort to placate trouble.

Some times it is spent in an effort to bring on trouble, as I shall undertake to demonstrate; but, before doing so, permit me to state that in the second congressional district of the State of Washington there are 13 counties comprising nearly 20,000 square miles, or 10,094,000 acres. In that district are 2 great national parks, 3 forest reserves, and 9 or 10 Indian reservations—one, the Quinault, in my county, of great size. The forest reserves comprise 2,919,995 acres—nearly 3,000,000 acres, or a little less than one-third of the whole congressional district.

This Olympic Forest Reserve is now estimated by the Government to contain 33 thousand million feet of timber. The estimate is far too low.

THE GREAT OLYMPIC MONUMENT.

Also, there is the Olympic Monument, made under the same act which permitted the Gettysburg tract to be called a monument. However, there is this difference: The Gettysburg Monument, of a few thousand acres, is sacred to the dead of the North and South; the Olympic Monument, partially located in my county, consists of almost 700,000 acres, and these acres

have been set aside for the preservation of the *Cervus Roosevelti*, which until a few years ago we plain people of the Northwest were content to call the Olympic elk. That monument comprises the great mountainous center of the vast Olympic Forest Reserve, which consists of nearly 1,300,000 acres, and under the monument act citizens are forbidden to wield a pick—almost forbidden to even strike a match. In that monument, I am satisfied, exists semiprecious minerals of many kinds. I believe that there is enough manganese there to supply the United States for 200 years. I believe that there are great quantities of fluorspar, concerning which the gentleman from Illinois [Mr. FOWLER] is so alarmed. That great forest reservation has taken the heart not only out of the Olympic Peninsula, but also has taken the heart out of the prospector and of the sturdy pioneer who settled in there, many of them over 20 years ago, and who are still living far up in the trackless woods, waiting for the counties in which they live and for the State to whose charter they subscribe to build to them roads over which they might haul in the necessities of life at less than 2 cents a pound and haul out the products which grow in such abundance in that, the richest soil in all the United States.

Mr. FOWLER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. FOWLER. I desire to ask if the gentleman will yield for one simple question?

Mr. JOHNSON of Washington. Mr. Speaker, I will be very glad if the gentleman will not interrupt at this point; later I will take up any questions which are asked, provided time permits.

COURTHOUSE FALLING INTO DECAY.

One county in particular has so much of its area in the forest reserve—100,000 acres in fact—that nothing is left but a little strip of beach on the Pacific Ocean to the west and another strip on the shores of Puget Sound to the east; and on a high hill overlooking the eastern shore of this great county sits in solemn grandeur the courthouse, slowly falling into decay because no taxes are available for its upkeep and no settlers are coming to that territory upon which the county had based its hopes of prosperity. (See Appendix.)

Here is a report from that county:

PORT TOWNSEND, WASH., June 4, 1913.

Hon. A. JOHNSON:

Jefferson County, with an area of 1,747 square miles, or 1,078,400 acres, has 730,000 acres in the Olympic Forest Reserve, and received from the Forest Service in the year 1912 the sum of \$602. Area of assessed lands outside of reserve, but 280,000 acres.

H. L. HANSEN, Assessor.

IN OTHER COUNTIES.

Mr. Speaker, that county has been bankrupted by the forest reserve. Can you blame me for opposing a conservation which is filling up the libraries, the magazines, and the Government reports and giving us such meager returns?

Here is another statement from a great big county, Skamania, with 833,600 acres in the Rainier Reserve and only 212,358 acres outside. The assessor says:

Total amount received, since record was kept, for sale of forest-reserve timber is \$4,718.41.

The withdrawal of 700,000 acres from the Olympia Forest in 1901 is still a subject of much discussion. The report of the forestry committee of this year's conservation congress (p. 21) gives that withdrawal a shot and says that the land fell into the hands of the big timber owners. So it did, much of it, but I insist that the money they paid the settlers was the money that kept that part of the country going, and that the wages they pay in camps, mills, and offices is to this day the principal support of the country in question. But for the withdrawal of 1901 another county would have been bankrupted.

WE ARE ALL SPECULATIVE.

We all know that the whole people of the United States are of a speculative turn of mind. When you of the East turn to the stock and bond market, and sometimes to the race courses, our prospectors and pioneers of the West turn to mines and the land and hope to win. They are the descendants of the venturesome and enterprising spirits who secured grants of lands in bulk on the most liberal conditions imaginable and broke ground for the settlement of North America. They proceeded to wipe out the aboriginal forest guards, the native Indians, who opposed them in making good their title, and they speculated in their holdings, from William Penn down to the obscurest settler in the newest colony.

I can see no difference in the principle involved in Marcus Daly selling for millions his great mining claim than in the holder of a timber claim selling his possession for \$2,000. Every individual claim holder and every homesteader I have ever met hopes to sell at a handsome profit.

NO NEED OF PUBLICITY BUREAU.

We have accounted for 35 per cent of the money received from sales in the forest reserve, and that would leave 65 per cent for executive and overhead charges, as we say in the business world. And some money of this 65 per cent is spent for the purposes of publicity. How much do you suppose was spent in sending out to the newspapers of the United States the following bulletin:

FIRST TIMBER SALE IN EASTERN NATIONAL FORESTS—NOT RELEASED UNTIL
APRIL 5, 1913.

WASHINGTON, April 4.

The United States has made its first timber sale on the newly purchased Appalachian forests, and the voucher that established the fact has been an object of interest in the hands of the officials of the Department of Agriculture who have had occasion to handle it.

The voucher itself does not show what the character of the sale was, but inquiry has drawn forth the information that the material disposed of was \$7 worth of logs, bought by a Georgia farmer to use in building a barn. This apparently insignificant transaction is regarded as a foretaste of the future, when the Government will be taking in a tidy revenue from the forest lands which it is now buying in the East.

And so on, runs the bulletin for two pages. [Laughter.] Here and now I want to state I am opposed to a publicity agent in the Forestry Service, he being entirely unnecessary, a luxury, and a useless expense. The Forestry Service will always get enough advertising, good and bad.

EASTERN FOREST CONSERVATION.

We of the West do not object to eastern conservation of forests and watersheds. Not a bit of it. But I hardly need to say, concerning the establishment of forests and sources of water supply in the East by purchase, which results in the distribution of real money—an article which is becoming quite scarce in the West—I can readily see where States which are selling their mountain tops to the United States should be for the greatest conservation and should vote, whenever opportunity affords, to lay it onto the State of Washington and the West, regardless of our feelings. It has been said on this floor this year that it will take 30 years to straighten out the plans of the Forest Service for the conservation of the forests in my district, and in 30 years, my friends, the men who have pioneered and lived in the most primitive fashion out there will all be dead. This is why we are a little squeamish about the extension of Federal conservation. We are for it, Mr. Speaker, out West, but we find that the process is the least bit slow.

ALASKA, THE CINDERELLA OF THE SISTERHOOD.

For instance, Alaska was pretty generally conserved seven full years ago. Everything that could be withdrawn was withdrawn—some of it without warrant of law—and since that time things have been mighty dull in Alaska, and interest has gone on at 8 per cent just the same. Alaska is an orphan; she is the Cinderella of this great sisterhood. Her area is about one-fifth as large as the United States. There is before you, Representatives in Congress, this winter a bill to authorize the stretching of a line of rails somewhere through that vast territory, and when that bill is offered there will be amendments of every kind from those who would still further conserve a country which is starving to death. Seven years has Alaska been in bondage, and she will be in bondage seven years more, for it will take that time to survey and build a Government railroad, if we are so fortunate as to secure the authority to do so and to devise a method by which locked-up Alaska can be unlocked and given back, not to the corporations, but to the plain people. How will you do it? Shall we try on Alaska all of the panaceas which are proposed?

GOVERNMENT PUTS IN TELEPHONE LINE TO RIVAL FARMERS.

Mr. Speaker, I have said that 25 per cent of the sale of the timber goes to county roads and the school funds and that 10 per cent is used in the permanent development of the national forests where thought best. I have said that this 10 per cent was sometimes used to placate trouble and sometimes to make trouble. Let me give one illustration of each. In the celebrated Big Bottom County, where we hope soon to throw 24,000 acres open to settlement, the ranchers built a telephone line along the county road. That road let open the public domain which was not then the forest reserve. When the forest reserve was established the road ran through the corner of it for an eighth of a mile. The farmers built a telephone line between Randle and Lewis. Capital could not be interested, so the farmers themselves organized a company and built 23 miles of telephone line. Each man dug so many holes and furnished so many poles. Each contributed so much of his cash for wire installations and instruments. Each man agreed to pay, I believe, \$6 a year for his telephone. The

ranchers of the Forest Service stepped in and asked for a certain number of telephones free of charge.

The farmers offered them the instruments at cost, but declined to let them connect up free of charge. Thereupon the forestry officials caused to be constructed, for their own use, at a cost of \$1,500, a telephone line paralleling the farmers' line and running from "nowhere to nowhere." In a country where these ranchers settled more than 20 years ago they were then 80 miles from a railroad, in a rich valley, into which their wagons had to be let down with tackle and pulley. With enormous labor they built trails and roads and have created such an interest in their community that a railroad is now within 20 miles.

As the farmers' telephone line, 23 miles long, neared completion the forestry officials ordered that part of it—one-eighth of a mile—running over the forest reserve, on the county road, removed, and not only brought suit, but asked for damages. I think the forestry officials wanted pay for telephone poles covering one-eighth of a mile. We are in a country where telephone poles 20 miles from a railroad are not worth as much as toothpicks in this Chamber.

SENATOR JONES SAVES SITUATION.

Through the employment of lawyers and through much work on the part of the ever-diligent senior Senator from the State of Washington, Hon. WESLEY L. JONES, this difficulty was straightened out. It was announced not long ago that the 24,000-acre tract of home land, with some timber on the benches, which timber would look mighty to a man from Kansas, who, however, would die of heart disease if he tried to cut it down and sell it and then grub out the roots, might be opened for settlement.

See how harmonious (?) is the situation. The forestry supervisor for the district, Mr. Allen, in the Agricultural Department, mind you, recommended it to be thrown open and described it as good agricultural land. Then came along two traveling experts from some other department, and they reported that the land should not be thrown open to agriculture, as the soil was no good. Then the Chief Forester, Hon. Henry S. Graves, made a trip to that far-off country, 3,200 miles away, and he reported that the land was fit for agriculture and should be opened. Then Congress passed a bill providing for the lottery method in such cases, and letters have commenced to flow in by hundreds, asking how men who desire to settle on the land with their families shall proceed.

AND NOW FOR FURTHER DELAYS.

But next comes the Forestry Service with its law concerning that 10 per cent which it may spend here and there, and it put a few hundred dollars on the public road in the hope of placating. I presume, the great outcry of the farmers against the Government going into the telephone business against them; and somebody out there seems to have given it out that the Forest Service proposes to spend \$2,000 on this road in 1914, and thereupon, so I am told, a feeling has been created throughout the settlement that the 24,000 acres had better not be thrown open, for if there is one thing farmers in the reserves need it is roads. Some men now say they would rather not have any more of the country opened and settled if they can have Forest Service roads instead. Next we must get reports from the Geological Survey as to minerals in the tract; we must have reports on water-power possibilities of the river which runs by, and I predict it will yet take a long time to get the tract in shape for opening. And, mind you, this consists of but 24,000 acres—a mere dot on the map of the reserve—and yet we dare to talk and preach about putting "people on the land."

HINDSIGHT IS A WONDERFUL THING.

Mr. Speaker, the charge is often made that men have come to Congress from the West to loot the public domain. That charge has been laid against every man who has ever been prominent as a representative of our State, either at the Nation's Capitol or at the State's capitol.

We can look back now to 1862 and see that mistakes were made when Congress gave great land grants to the trans-Pacific railroads, but I am one of those who believe that those grants were made in good faith by the men who then sat on this floor. I believe that if we should undertake to pass similar laws for, say, the Philippines, which are better known to us now than was the Oregon country to the legislators of 1862, we would make similar mistakes. I believe that no matter what kind of an Alaska railroad bill we shall pass, even though it may make that great Territory blossom like a rose and may lift it from wilderness to a cultivated district supporting 10,000,000 souls, there will rise up at some future day demagogues who will denounce those who in the Sixty-third Congress advocated such a measure.

SPEAKER CLARK'S ADDRESS.

I was much impressed on hearing the Speaker of the House, Hon. CHAMP CLARK, in a recent address, say that in his boyhood days his father sang—

"Uncle Sam's got land enough to give us each a farm." Nowadays—

Said the Speaker—

in the United States parents are lying awake nights wondering where their children will secure homes.

And it occurred to me that if that statement be true, no one could dispute the argument that the day the United States found it necessary to conserve its resources was the very day to have put up the bars against an ever-increasing immigration.

CONSERVATION HERE TO STAY.

Mr. Speaker, conservation of natural resources is here and here to stay. It is as useless to rail against conservation as it was after 1865 to rail against the abolition of slavery. But we of the new and growing West and of the flourishing Southwest and of the new and prosperous Southland do object to conservation being forced upon us in larger doses than we can assimilate. Our Western States have some rights given to us in our charters under which we entered the Union. With public-service commissions limiting profits to as low as 10 per cent, with interest prevailing at 8 per cent, with the great demand of the "dream-book conservationists" pressing down for national control of almost everything, with taxes and the cost of living steadily increasing, with debt—private, municipal, county, school, State, and national—climbing like the thermometer on a July day, the effort to keep the wheels going round is a task most prodigious, not only for the greatest of our western industries but for the smallest as well. The people of Washington State have not complained. They do not now complain. Nowhere does a dollar work harder. Each dollar out yonder, my friends, is a guaranty for 90 days' credit in a dozen places at the same time. And that is a kind of conservation that keeps life in the body politic and fuel under the boiler.

MARKET WEAK AND WILL BE WORSE.

I am told by my colleague, page 2057 of the CONGRESSIONAL RECORD of this session, and I see that I am addressed in the first person, against the rules and practices of the House, as follows:

You come from a timber district, and you know the big men of your district are timberland owners and that they want this timber eliminated.

Now, Mr. Speaker, that statement is not sustained by the facts. The timber in the reserves is keeping up the price of stumpage. I can not find a man of means who wants a stick of it out. In fact, the Forest Service complains that it is having poor sales. These poor sales, no doubt, are responsible for the smallness of the 25 per cent return received by Mason County, which contains 585,200 acres—a county as big as Connecticut—which has received from the Forest Service this year the munificent sum of \$24.65. Mason County, which has been fed on the "dream-book" stuff for five years and led to believe that it would receive some forest-reserve money with which to build roads at \$12,000 a mile, gets \$24.65 and a nice bulletin from the Forest Service to the effect that in the Appalachian range there has been sold a \$7 log.

Here are the figures of the Mason County receipts from the Forest Service:

1911	232.42
1912	112.05
1913	24.65

No, Mr. Speaker, the timbermen do not want a stick from the forest reserves. They are kept busy paying taxes on what they own. Men owning a single timber claim can not find buyers, and are working in the mills and camps to get tax money. The banks are loaned up on these small claims.

COST OF CLEARING LAND.

Listen to this, which is an extract from a letter of Thaddeus L. Waters, of Gig Harbor, Wash., of June 16, 1913:

There is another matter I wish to speak about, and that is money at a low rate of interest and on long time. It costs \$200 an acre to clear this stumpage land, and if we could borrow of the Government—something like Germany—on long time it would help us out and bring the Government in a revenue that now goes to the money sharks. Can't you introduce a bill at the regular session?

The writer of this letter lives in the locality where the song, "The Old Settler," is the favorite of the people. Let me recite it:

THE OLD SETTLER.

I had wandered all over the country
Prospecting and digging for gold;
I had tunneled, hydraulicked, and cradled,
And I had been frequently sold.
For one who gets riches by mining,
Perceiving that hundreds grow poor,
I made up my mind to try farming,
The only pursuit that is sure.

So rolling my grub in my blankets,
I left all my tools on the ground
And started one morning to shank it
For a country they call Puget Sound.
Arriving flat broke in midwinter,
I found it enveloped in fog
And covered all over with timber
Thick as hair on the back of a dog.
As I looked on the prospect so gloomy
The tears trickled over my face,
For I felt that my travels had brought me
To the edge of the jumping-off place.
I took up a claim in the forest
And sat myself down to hard toil;
For two years I chopped and I niggered,
But I never got down to the soil.
I tried to get out of the country,
But poverty forced me to stay
Until I became an old settler,
Then nothing could drive me away.
And now that I'm used to the climate,
I think that if man ever found
A spot to live easy and happy,
That Eden is on Puget Sound.
No longer the slave of ambition,
I laugh at the world and its shams,
As I think of my pleasant condition,
Surrounded by acres of clams.

WOES OF A WEALTHY INDIAN.

And here is a telegram from an Indian, the owner of 960 acres of the finest timber in the world, a rich man as timber goes, but too poor in cash to send his wife, dying from tuberculosis, to a hospital. Listen:

ABERDEEN, WASH., September 8, 1913.

Hon. ALBERT JOHNSON,
Washington, D. C.:

Joseph Capoean, an Indian owning 960 acres of the finest timberland in the Quinalt Reservation, has wife who is dying with tuberculosis. Although this man and family are wealthy, they can not get a dollar or sell a stick of timber. What can be done?

W. A. RUFF, Editor World.

The Indian Office went to work on presentation of this telegram, and after unwinding red tape for four days authorized me to send the following telegram:

WASHINGTON, D. C., September 12, 1913.

W. A. RUFF, Aberdeen, Wash.:

Indian Office here has just authorized Supt. Johnson to expend \$200 for immediate relief of Capoean's wife, if necessary. Also to have some reputable physician examine her and if condition warrants send her to sanatorium at Laguna, N. Mex., for tubercular people. If she does not desire to go there, Johnson is authorized to look to sale of timber on her allotment for future expenses.

ALBERT JOHNSON.

ONCE THERE WERE NO BUYERS AT \$1 AN ACRE.

Now, just a word as to the great sale of timberland by the Northern Pacific to the Weyerhaeuser syndicate. I do not know how many times the Northern Pacific Railway went broke trying to hang on to the enormous land grant it got in 1862. When I went west the Northern Pacific was offering sage-bush land in eastern Washington at \$1 an acre, and it was not worth it.

Now irrigated acres near North Yakima and Wenatchee are worth, unimproved, \$400 to \$600.

When I went west land in the fertile Puyallup Valley, between the wonder cities of Tacoma and Seattle, was worth \$100 an acre. Now some of it is worth \$2,000 an acre. The pure-food law, which provided a market for full ripe berries and their juices, is responsible. Also, that W. H. Paulhamus and others were pioneers in the art of putting brains as well as seeds into the soil.

I know one lumberman who, during the panic of 1892-93, bought timber at as low as 50 cents an acre. He went into the forest with his family and lived there 10 years to earn and save money with which to pay taxes. Is he now, as age comes on, entitled to his holdings or not? No one knows to what lengths—in good times as well as bad—he has been forced for cash to finance his transactions and to pay wages in his lumber camps, the largest in all the world. I refer to Hon. Alexander Polson, of Hoquiam.

HARDSHIPS OF THE PIONEERS.

Mr. Speaker, I am right in defending the people of my State and of the 10 great States of the far West. In spite of much early fraud and much loose management, we are not the vicious, unlawful people that we have been so often portrayed. I dare to defend and do defend the pioneers—good, bad, and indifferent—who went to the boundless West and endured privation, isolation, and danger which in our day we can not begin to comprehend.

NORTHERN PACIFIC SELLS ITS TIMBERLAND AT \$6 AN ACRE.

In 1900 the Northern Pacific offered 900,000 acres of timbered lands in Washington at \$6 all over the United States and could not get a buyer until F. Weyerhaeuser got his syndicate of upper Mississippi lumbermen together and bought the 900,000 acres

for \$5,400,000. Two years later the Northern Pacific sold nearly 400,000 acres more on a stumpage basis at a little better rate and thought it had made a great bargain.

At that date C. F. White, one of the most far-sighted men we have, thought \$10 an acre was too much for the best timber in Chehalis County, which is the best fir and cedar in all the world. Now the United States Government is paying more than that for mountain tops in the Appalachians. If Mr. White thought \$10 an acre in Chehalis County too much in 1900, I wonder what he thought last spring, when the timber alone on 320 acres in Chehalis County sold for \$60,000. You see, Mr. White had not figured on the potentialities of the forest reserve.

In my county of Chehalis, in the one-half outside of the forest reserve, stands more timber than will be cut in 130 years at the present rate of cutting. And yet some people say that the big lumbermen want to get still more on their hands. They deny it, and, I think, with justice. In Chehalis County there is on file in the assessor's office the results of an official county cruise made last year, which shows a total of 22,260,000,000 feet of fine timber in the county, outside of the Olympia Reserve, and that county is only one of 13 which I have the honor to represent.

TIMBER OF CHEHALIS COUNTY.

That timber is classified as follows:

	Feet.
Green merchantable timber-----	20,732,394,365
Dead standing timber-----	732,354,200
Dead and down timber-----	795,299,784
making a grand total of more than 22,000,000,000 feet, or in words 22,000 million feet of good timber.	

At a conservative figure the green timber alone was worth \$41,500,000.

And when our county has cut and marketed all of that timber in, say, 100 years from now, we will not be broke. For under the dense growth in many of our forests lies a land so productive and so fertile that in comparison the far-famed lands of the Nile are as nothing.

We have long wanted a wagon road into the forest reserve in the north half of the county. We have tried every way possible to get it from the Forest Service or from Congress. Marooned away up in our end of that reserve are 100 or more families, who settled there when it was eminent domain. For 20 or more years they have been there waiting. A few years ago the gentleman from Kansas [Mr. MURDOCK] came to my town, which is away off of the beaten path. A Congressman is a rare bird out there. Of course, the gentleman from Michigan [Mr. FORDNEY] comes out there every year or so to replenish his stock of stories, but my friend FORDNEY never pretended to be a great uplifter, and so when it became known that MURDOCK was coming with a lyceum lecture there was great excitement on the forest reserve in the Quinault Indian Reservation, in town, and everywhere else. Here was a man who could do something. We gave Mr. MURDOCK a little dinner, and I have his consent to tell this story.

HIGLEY'S LIFE STORY.

A man, Mr. A. V. Higley, walked down from away up in the Olympia Reserve, 20 miles or more, over the trail, 8 miles along the Pacific Ocean beach, and 10 miles on the stage road to tell his troubles to MURDOCK. You see, Higley was from Kansas originally, and after the grasshoppers had got him there along in the eighties he hitched up his oxen and drove 2,500 miles over plains and mountains until he found the Quinault Valley—in my opinion the most beautiful and the most productive in all the Northwest. There he homesteaded. He gambled with Uncle Sam for a claim and won. Soon he found himself surrounded by a forest reserve and his troubles commenced. At our little dinner in honor of MURDOCK we called on Higley for a speech. Horny-handed, tired of eye and weary of frame, bent with toll, he told his story. He told how he had hauled in a cookstove at \$2 a hundred pounds. He told how when his grazing live stock crossed an imaginary line the forest ranger punished him, although neither the live stock nor the grass they ate was worth anything, because it then cost \$2 a hundred pounds to haul products to the nearest railroad. In sad vein he told the whole story of his long, dreary life in the reserve. As he talked he got a little mad. He laid all of his troubles to Congress, and he told a little story of a deacon who, after being dressed for church one Sunday morning, was reminded by his wife that he had forgotten to feed the calf that had been weaned. In his best clothes he went to the barn and forced the calf's nose into a pail of bran mash. The calf kicked the milky mixture all over the deacon, who wildly yelled, so Higley declared, looking the distinguished Kansas Congressman straight in the eye, "Blast ye, if you weren't worth so darn much I'd break your blamed neck."

Mr. MURDOCK laughed heartily, but he afterwards told me that Higley's story was the saddest life story he had heard, and that he should have relief.

CAN NOT WAIT; BUILDING OUR OWN ROADS.

Our county has despaired of aid from the Forest Service, or Federal aid, if you will. This year the county decided to spend \$80,000 in building to and into the reserve, and the State is helping to the extent of \$30,000 more. While we are doing that we get a little more national conservation shot into us by Mr. Pinchot. Will the Nation take up the wagon road where we leave it and carry it on through Government lands to the other settlements and valleys of the Queets and the Clearwater, where thousands of water power race unharnessed and unused to the sea and where both oil and gas are beginning to spout from recently drilled experimental wells? (See Appendix.) If so, bring on your Federal plans and a little more than the 25 per cent. It is a little rough; yea, more—it is unfair to require us to spend \$100,000 for 10 miles of road in the Government's forest reserve. Why does not the Forest Service bond some of its holdings and provide the money to cure such rank injustice to the present generation?

PRaise FOR REPRESENTATIVES MANN AND MONDELL.

Several hundred volumes on conservation are in the Library of Congress. The year 1910 seems to have been about high-water mark for conservation from a literary standpoint. And yet in all of the volumes produced at that season I can find but one which gives credit to any westerner. In a paper in the Editorial Review (p. 146) I find the following, and it is with the sincerest pleasure I quote a tribute to the Republican leader, Mr. MANN, and to the intrepid, far-sighted westerner, Mr. MONDELL:

A bill had been introduced in Congress which is designed to give the Government control of streams wherever such streams pass through public lands. Congressman MONDELL showed the House, and more particularly the stepfather of this bill, Mr. MANN, of Illinois, that the legal phase of the subject is still to be worked out. Nonnavigable streams are, under the Constitution, reserved to the sovereignty of the States. Congress and the Federal courts have repeatedly recognized this. It was shown by Mr. MONDELL that the bill related wholly to western States, because only there can public lands still be found. He showed that these States only have accepted the responsibility of administering the diversion and use of water from streams. Eastern States have failed in this particular, and it is possible that a water-power monopoly might have sprung up there. He indicated plainly that the bureau chiefs, if concerned at all, should plead with these Eastern States to brace up and shoulder the responsibility that is theirs. While Congress was trying to arrive at some conclusion as to its powers and duties in this matter, one of the bureau chiefs was traveling about the country trying to arouse public sentiment in favor of his theory. He claims that the opposition to his measures comes from the great trusts and that this opposition grows as his services in behalf of the people increase. How often we see such foolishness in print. How seldom do we find a commendation of work such as Mr. MONDELL is performing for Wyoming and the West.

SOME PROPHECIES WHICH FAILED.

Ah, gentlemen of the Congress, how that paragraph stands out among thousands upon thousands of pages of dream and denunciation.

Peep into these conservation dream books and we find that in 1884 Thomas Donaldson, in his famous volume "The Public Domain" (p. 280), predicted that at the rate the public lands were then being patented for homesteads all the arable public domain would be gone in five years, or by 1885. You see, he never dreamed of a blossom on the Great American Desert. And, Mr. Speaker, in spite of his prophecy, we have 700,000,000 acres of unappropriated land remaining, 365,000,000 of which are in Alaska, which itself is as large as the area of the German Empire in Europe.

In 1889 the then Director of the Geological Survey, Mr. Walcott, predicted that our coal supply would be gone in 150 years. Mr. Walcott's time is going rapidly, and yet in Washington and Alaska is enough coal to last the United States, I presume, for 300 years, or 500 or 1,000 years if we conserve it in the future as we have in the past.

The SPEAKER. The gentleman from Washington [Mr. JOHNSON] has 10 minutes' time remaining.

Mr. JOHNSON of Washington. Mr. Speaker, this year the United States bought in Japan the coal for the use of its Philippine army—a half million dollars' worth, at over \$6 a ton. We conserved our coal and spent our money. (See Appendix.) But we have made Alaska pay dearly for coal. Listen to this:

HON. ALBERT JOHNSON, KATALLA, ALASKA, October 30, 1913.
Washington, D. C.

DEAR SIR: We are using Utah coal in Katalla this winter that costs us laid down in our bins \$22 per ton. We have better coal in the Bering River coal fields within 15 miles of this town, but the seal of the United States is upon it and we can not use it. I have lived here for 10 years, and during all that time my coal has cost from \$21 to \$25 per ton.

Yours, very truly,

In 1902 Gifford Pinchot gave the standing timber of all the United States at two thousand billion feet. A few years later he raised his figures to three thousand billion feet, notwithstanding all that had been cut in the interim. In poker parlance, I see his raise of one thousand billion feet and raise him right back another two thousand billion feet. What is a few thousand billion feet among dreamers?

THE CONSERVATION OF ALMIGHTY GOD.

In closing I desire to repeat the words of the Hon. Josephus Daniels, Secretary of the Navy, spoken one Sunday morning last July after he had climbed old Mount Tacoma—the mountain that was God; Tacoma, the nourishing breast of Indian legend—on the occasion of his first visit to my beautiful North-west.

I read from the Tacoma Ledger of July 21:

Moved by the beauty of nature as exemplified in Mount Tacoma National Park, Secretary of the Navy Josephus Daniels eloquently pleaded yesterday for conservation of the Almighty. By those who heard it his talk on Sunday morning was regarded as a most beautiful and expressive tribute to the snow-capped peak that rises in its loftiness above forest and glacier. Through it all ran the Secretary's reverence for the works of the Creator, his acknowledgment of the source of the earth's glories.

In his soft, low voice Secretary Daniels said:

"What is man without the Creator? When I saw yon mighty mountain in its night glory and then again the wonderful sunrise tints this morning it brought to me the solemn thought 'What is man without the Creator?'"

The Secretary's theme on conservation took to new thoughts from that of Gifford Pinchot or any other of the conservationists. He said: "We should turn our thoughts to other conservation from that which has been rung in our ears for some time—the conservation of the Almighty. It might be regarded merely as a great unfolding process, the earth through the Creator unfolding to our needs the things we need. Some day our great coal deposits and our timber will be gone, but when that time comes other substitutes will be found."

"When I was a boy I saw marked out on the map of my geography a vast desert taking in the States of Colorado and Utah. Now that desert is beginning to blossom as the rose."

"In the past the waters of our streams have gone away until they were needed by man. Then he harnessed them. When the country was rent asunder over the fight on free silver the Alaska gold mines were unfolded and our economical needs were met. Some day our gold and silver will be gone. When it is we will use paper currency secured by that with which we have to secure it at that time. These things will be unfolded to us by the all-wise God."

[Applause.]

Mr. Speaker and Members, I thank you for your attention.

APPENDIX A.

Mr. Speaker, I desire, as an appendix to my speech, to print part of the address of Hon. E. T. Allen, forester for the Western Forestry and Conservation Association, delivered before the Fifth Conservation Congress here last week. Mr. Allen has been a homesteader, a forest ranger, a United States forestry supervisor, and an association supervisor. He knows the Northwest, and his speech was the only one in all of the Conservation Congress proceedings that proposed anything helpful to the Western States. I am glad to present his remarks in full, as Appendix A of the various statements necessary in connection with my arguments.

PUBLIC KNOWLEDGE OF FOREST ECONOMICS.

[By E. T. Allen, forester for Western Forestry and Conservation Association, before Fifth National Conservation Congress, Washington, D. C.]

Did you ever go into any project requiring your money and effort, together with considerable responsibility, without really understanding it? I suppose every one of us has. Most of us have invested hard-earned money in some enterprise because we couldn't find a single flaw in the argument of the promoter and consequently didn't have strength of mind to resist. We didn't really want to invest, even if it were a good thing. We hadn't the money to spare or, even if we had, we knew some other business better and would feel safer in it. We succumbed to persuasion and logic just because we were off our own ground and couldn't escape decently, but our hearts weren't in it. And however good that project was, it didn't succeed as well as it would have if we had understood it, known it good because we did understand, followed every development with intelligent interest, and put our money and enthusiasm behind it every minute accordingly.

Maybe we never actually distrusted the promoter, but we watched affairs mightily ready to criticize or sell out. We could even fall like martyrs if necessary, but we didn't help as though our own honor and judgment were at stake.

Now, that's just what is wrong with forestry in America. We have propagandists with a perfectly irrefutable assertion that forest preservation is a good investment. The public either says "Too busy to-day," and while not denying does nothing, or it says "Here's your law (or appropriation, or whatever is asked for); now make good and save the forests." But it doesn't know the business factors that govern the enterprise and can not criticize or help intelligently. Sometimes the propagandist doesn't know, either. And forest preservation, unfortunately, can not be conducted wholly by a business manager or board of directors. It is a mutual cooperative enterprise, requiring daily participation and ratification by all concerned. There must be an American forest policy which exists, not because a few of us say it should, but because a majority of citizens understand what is needed and why and proceed to put it into effect.

WHAT IS NEEDED FOR SUCCESS.

True, we are making rapid progress toward such a situation. Twenty years ago we had practically nothing. Now we have a great and efficient national forestry administration. Most States have some forest laws, some have good ones, a few are fairly liberal with funds. We have forestry associations and congresses. Lumbermen, once regarded as the opposition, are now showing the most rapid advance of all, for in less than 10 years their systematic protection of private timber has grown from practically nothing to cover about 100,000,000 acres, with an increase of 3,000 per cent in five years.

But why does the Forest Service still have to fight for existence in every Congress and at best be supplied with funds much less than private owners spend to protect adjoining lands? Why do many States have no forest legislation and few legislation that is adequate? Why are there sections where lumbermen and the public are so mutually suspicious that neither supports any real solution of a mutual problem? Why do we have to have forestry associations and conventions?

Evidently because the average citizen does not know much about the problem himself, in spite of all we have said and done. Every result dependent upon human action depends partly upon the extent of desire for this result but more upon the extent of knowledge how to achieve it. We are trying to do as a minority what in its very nature must be an expression of the majority. We tell the average citizen it is his problem; that we have solved it for him; and that he should support the project. We are wrong. We can not solve it or reduce it to a mere supportable project. We can give him the facts, but he must solve it by studying the relation of his conduct and the community's to his own welfare and then acting accordingly. Then and only then will Congress, legislatures, lumbermen, foresters, and the public be able to work together as they must work together, knowing that their policies are sound and commended, that success will be rewarded, and that failure will be punished.

We talk and write a great deal about methods, as though all that is necessary is to make foresters proficient and lumbermen interested. This is all right enough, but what is most needed is permission to apply what we already know. Knowledge and interest are far ahead of opportunity. Success depends chiefly upon having conditions under which they are encouraged. With such conditions you couldn't stop it if you tried.

Let us return to our average citizen who with his fellows constitute the majority of our population. Suppose that in his home town, where community relations are so closely under his eye that they are familiar and clear to him, a single industry employs a large proportion of the population, produces the chief share of all manufactured products, and pays an essential part of the taxes. Let us say it is fruit growing, or dairying, or furniture making. This citizen would not think twice before conceding its necessity. Anything threatening its continuance would be a menace to be fought vigorously; anything promising to increase it would be encouraged. Town officials, chamber of commerce, citizens, all would work and spend in earnest for its continuance and development, just as you have seen them do often when occasion offered to promote enterprises of community advantage. No one in public life would dare do otherwise.

Moreover, they would know how. If it were a dairy community, its average citizen would know pretty well what production costs, what prices are necessary, what improvements are feasible, what the State can and should do to aid and regulate, what public demands are reasonable, and what are unreasonable.

RELATION OF FOREST INDUSTRY TO STATE AND NATION.

The relation of forest industry to the State or Nation is exactly that of our illustrative industry to our supposititious town, and so is its relation to every citizen. Lumbering is one of the three or four greatest American industries—it is our greatest manufacturing industry—and forest products are used in almost every other, besides being practically life essentials. Certainly it is second in usefulness to none except agriculture, and this would fare ill without its aid in many ways. The only reason the average citizen does not realize this and give it the same active and intelligent interest that he gives home-town problems is that he can not see it so clearly. The very immensity and importance of the industry causes its several processes of growing, manufacturing, and distributing to be conducted separately and thus confuses the public mind. Different communities see different parts of the process and get no thorough grasp of forest economics.

In many a little German village the whole community sees the forest grown, cut, manufactured, and used. Those who do not actually participate, serve or supply those who do. All use the crop or profit by what is sold elsewhere. There forestry needs no propaganda. The people could not understand the need of it any more than of propaganda for raising wheat and making bread. Yet their situation is really no different—it is only more concentrated. Here, too, forest industry is an entity. Man needs wood in various forms. To make the earth supply it, employing such labor as is required to make it suitable and available for his use, is a business. Its permanence and service to the community—supplying the consumer, employing labor, using supplies, and paying taxes—require, like other business, perpetuation of the resource dealt with, economy in every process, and just payment by the consumer for service rendered.

Here is where we, who should be the teachers, are at fault. We talk too much about forests, as though they were an end in themselves. We might just as well talk only of land when trying to improve agricultural conditions, or water when urging the protection and propagation of food fishes. How can the average citizen understand forests? It is the business of producing and making them useful to him that he must understand—its place in the society under which he exists, the economic laws under which it exists. He must be brought to consider all forest production and all forest use as little or no different from the production and use of any other necessary crop obviously to be encouraged and stabilized on a permanent basis profitable to all concerned. Whether he is a private citizen or a lawmaker serving private citizens he must be fairly familiar with the factors which govern lumber prices, logging and manufacturing methods, the cost of growing and protecting the raw material. As long as he thinks an uncut forest is forestry and that such forestry is good and all lumbering bad there will be no real progress. Nor will he have lumber to use sometime when he needs it.

We are moving in the right direction slowly. Once propagandists made forestry an abstract problem of public or private conscience. They dwell on the needs of posterity and urged present sacrifice as a duty. They practically said, "You are partly responsible for lack of forest protection. Forest destruction is bad for somebody's grandchildren. Badness is wicked. Therefore you are wicked. You need a sermon and

we'll preach it." Nowadays we realize that abstract ethics do not influence human action as quickly as does fear of immediate personal injury. It does not offend our reforming instinct to add to our preachments of duty more vigorous and skillful appeals to human selfishness. We say, "Do more money? Then stop the other fellow from destroying dollars you would otherwise share. Forest preservation is a bargain-price insurance policy you can't afford to be without. It's cheap for a short time only. Look over our prospectus and invest."

FOREST PRESERVATION IS PROSPERITY INSURANCE.

Now, forest preservation is prosperity insurance, and insurance is good business. But it is a commodity that must be paid for in money and careful conduct. The new way is better than the old, but our prospectus is still so general it only gets a certain confiding class of customers. It needs to give more information about the business, information that will both convince the critical and make every customer another salesman.

Seek local arguments. If for the Atlantic coast, look up the pay-roll total for all lumbering and woodworking industries in your State and the total selling receipts from their manufactured products. The size of the revenue thus kept at home, but which will leave you if these industries have to move nearer some other source of raw material, will probably amaze you as much as it will the public. Learn how much your consumers pay annually for all forest products and figure how much they would save if there were no import freight bills. Then learn the rate of growth of your own species and refute the popular belief that it is too slow to enable saving these sums to those now living. Do you know that Massachusetts is to-day manufacturing its fourth crop of white pine?

Learn your area of waste land and, with the same definite growth figures to give your statements news value and convincing business accuracy, show what it might be earning the community by producing forest commodities. Calculate the tax revenues your existing forests bring and that which forests on now waste land would pay and show the consequent reduction of taxation on other property. On definite promises of area, growth rate, and conservative crop values, show the revenue obtainable by the State from forest reserves of its own. Balance this against the cost of such a project, and prove that you could lower all taxation just as they do in Europe. Study the effect of deforestation on stream flow, use specific familiar examples, and convert the injury into dollars and cents. When you get figures in all these calculations, turn them into popular comparisons that are easily grasped.

If you live on the Pacific coast, forget that white pine grows rapidly in Massachusetts and appeal to local pride by saying that here, undoubtedly, in the Nation's woodlot, where climate and rapid-growing species give an advantage over the East which it is a business crime to leave ungrasped. Show that the area denuded by fire and use will produce an equally valuable crop in, say, 60 years, and that leaving this land idle is costing our five coast forest States about \$30,000,000 a year. Add to this the loss by fire and show many millions altogether are being thrown away that might be distributed through every channel of industry. The lumber industry now brings about \$140,000,000 a year into the four northwest Pacific States. Show that this is more than they get from wheat, wool, fruit, dairying, and fisheries combined. The Pacific coast had more than half the Nation's timber. Show how many billion dollars this will bring in if saved for manufacture. Show the wreck of industries that would follow its sudden destruction and point out that partial destruction means the same thing in proportion.

WHAT FIRE PROTECTION MEANS.

When a score of American citizens are endangered by an uprising in China or Mexico no price is too great to pay for their protection. When a few hundred sailors went down in the *Maine* we were aroused to the supremacy of national effort—war. Are the lives of hundreds of men and women who meet fearful death in forest fires through American carelessness any less precious, their sufferings any less cause for national horror? The neglect of our people to observe the same care with fire in the woods that they exercise at home, the refusal of Congress and legislatures to appropriate adequately for fire prevention, and the leniency of our courts with fire-law violators all must be due to failure by those of us who are responsible for American education in these matters to impress a true comparison of values on the public mind.

As a Nation we are engaged in forestry. Our national forests comprise nearly 200,000,000 acres. Here is a stupendous task, involving the protection of existing supply, reforestation denuded areas, and disposing of the product so as best to serve the people and to influence conservative management of private forests. To withhold funds necessary to do the work is letting an immensely profitable manufacturing plant lie almost idle, as well as in danger of destruction, to save the cost of fuel and watchmen. To mismanage it would be as bad or worse, for the one-fifth of our timber supply thus under public control can not but influence profoundly the permanent wise management of the four-fifths under private control, upon which we are still more dependent. Clearly all of us, lumberman and consumer alike, have most to gain from stable conditions for the fullest use and perpetuation of all our forest resources regardless of ownership from making all true forest land capable of earning such an income from forest production as, without being excessive, will insure its best management and consequent fullest service to community and Nation.

WE HAVE NO CLEAR-CUT, DEPENDABLE POLICY.

And yet who can deny that we are without any accepted clear-cut, dependable national policy which supports and finances this immense project with competent consideration of both public and private forests and their influence on permanent industrial development? The Forest Service can neither announce nor execute such a policy so long as there is every extreme of variance in the views not only of the States, whose attitude toward their own forest and forest industries has a profound influence, but also in Congress, where any executive policy to be dependable must find sanction and support. Every congressional session sees the whole subject debated from a dozen viewpoints, chiefly political, with a marked lack of statesmanlike treatment based on any real knowledge of forest economics. Ignorance or a desire for political effect has even urged immediate sacrificial cutting to break a mythical "Lumber Trust," when it should be self-evident that private competition is now at its keenest and that the Government supply should be husbanded against the time when it may have some real effect on prices to the consumer.

Now, all this is by no means chiefly the fault of Senators or Congressmen. There is nothing in it for them, except so far as it can be made

to strike a responsive chord in their constituents. With the public half as well informed on the production of the lumber it needs as it is on the getting of its parcels by mail or the price of sugar, there would be an expression on an American forest policy that would leave no statesman uncertain. We can not blame him if there is no such expression, nor can we blame his constituents for not seeing that he gets it. It is because they have not been told the facts in convincing business language.

Come now to our States. Many have done nothing. Few have comprehensive, farseeing policies covering their own opportunity on State-owned lands and adequate encouragement of good private management through efficient fire protection and just taxation. It is not enough for the reformer to present good laws and recognize bad ones. Why is there little trouble in passing laws for protection and advance of agriculture, horticulture, and dairying? Not because these industries are more useful and deserving, but because people understand their governing conditions and see the point of such laws readily. The chief reason they do not so understand forest conditions is that the reformer himself makes forestry a creed and not a business.

MUST BE ALLIED WITH LUMBERING.

In my opinion forestry will never succeed in the United States until it is so closely allied with lumbering that neither forester, lumberman, nor public makes any distinction. This is the case in Europe and everywhere in America where there has been successful progress. So long as the lumberman suspects forestry of being antagonistic, he will not help. So long as he does not help, the forester can not talk intelligently to the public. After all, the private owner controls most of our forest area. His use of it, our use of it, and the effect of our relations upon our joint use of it largely determine our forest destinies.

Were foresters in proper touch with the business end of producing forest products, they would have the support of all lumbermen and jointly they would have an irresistible argument. Were forest economics understood and forest industry given its proper rating compared with other industries, suspicious lumberman and suspicious public would alike see a common object and make mutual cause to further it. A State with a hundred times more revenue to be expected from lumbering than from woolgrowing would not appropriate \$500 for forest protection and \$20,000 for coyote scalps. A community that applauds its chamber of commerce for getting a shoe factory and gives it a free building site would not carelessly burn up a forest capable of employing a thousand times as many men and then tax the owner so he can not afford to hold and protect the land for a new crop. A State that is glad to see its farmers get a good price for wheat, even if it does use some flour, would not rejoice when its sawmills are forced to accept a low price for lumber. A lumberman who prefers to let his trees stand until Americans need them rather than cut them at a loss for foreign export would not be accused of conspiring to bleed the consumer any more than would a farmer who decides not to raise potatoes when they do not pay for raising. A country that applauds fruit growers for systematizing to assure reliable grades and intelligent marketing and sends publicly paid experts to help improve their orchards and exempts them specifically from the Sherman law would not condemn and seek to prosecute forest growers for attempting similar cooperative improvement of a business still more necessary to the community.

In short, the public would prefer to see all forest industry, public and private, on a sound business footing calculated to preserve it and its benefits to the community and would expect to pay the cost of producing lumber from the tree to the yard plus the same fair profit that the public itself requires from its individual enterprises. And if this is true, the great need to-day is for teaching the principles of the business from start to finish. Every process, its cost, and its relation to other processes and to the final price of the product should be common knowledge.

LUMBERMEN ARE HAVING HARD STRUGGLE.

Nothing can be more inconsistent, so long as most of our forests are privately owned—and even the public forests must be manufactured for us privately—than to antagonize the lumberman, whose help we must have, by continuing such ignorance of his problems that we even treat him as an enemy. On the whole, forest industry probably surpasses any other in smallness of profit. Unusual opportunity has built some large fortunes, but for every one of these are many cases where the public has profited by failure. Nor is stumpage speculation any exception. Times are changed. Taxes, protection, and interest are now compounding more rapidly than prices advance. The tendency is toward competitive overproduction rather than toward monopolistic holding back of material. Few, if any, things are sold at so much less than their value as the trees of which lumber is made.

Whatever may have been in the past, when new supplies were easily available, the lumber producer now sees his industry dependent on forest preservation, and his interest in this is as keen as ours. If he does not practice forestry it is, as Forester Graves says, for one or more of three reasons: First, the risk of fire; second, burdensome taxation; third, low price of lumber. This situation will not be relieved by threats of compulsion, but only by learning what it costs to furnish forest crops and establishing a businesslike policy accordingly.

When forest economics are as well understood as the economics of fruit or wheat growing the suspicion which always confronts mystery will no longer manifest itself in prejudice which works to the consumer's disadvantage. The private as well as public lumber producer, as a class, because he is honest and useful as a class, will be accorded the same respect and helpful sympathy as is accorded the farmer or engineer who develops the possibilities of utilizing our country and supplying its people. And he will be quick to respond.

So we always get back to education—the line in which forestry effort is the weakest. The ingenuity of theatrical, railroad, political, and advertising agencies is proverbial. Activities of this kind are now regarded as business necessity. They are needed and legitimate nowhere more than in forest propaganda, which has nothing to conceal but everything to teach. Education is a matter of publicity, and publicity is a trade. It can not be practiced intuitively. Foresters and lumbermen must learn this trade.

APPENDIX B.

WILL GOVERNMENT HELP BUILD QUEETS ROAD?

HOQUIAM, WASH., July 26, 1913.

A few days ago there came into Hoquiam a bronzed, privation-aged man, who showed plainly he had spent many years in the woods. When one studied the rugged features of the man, it was apparent he

had seen hardship and had faced danger, and one who had been a close student of human nature and the effect of varying emotions might have said "Here is a man who has gone hungry, probably that some one else might eat."

This man is Edward Ashenbreuer, one of the oldest residents of the Queets River Valley, that wonderfully rich tract of land 50 miles north and west of Hoquiam where the settlers who went there a quarter century ago are still forced to pack their supplies in to their homes on their backs or tote them up the river in Indian canoes. In fact, they are real pioneers, and though they have spent more than two decades in the country, some of them, they are still no better supplied with transportation than they were when they first went in. Their pioneering days, in place of being over in a comparative few years, have dragged out to a lifetime.

OUR LAST GREAT UNEXPLORED SECTION.

The Olympic Peninsula is without doubt the least known tract of land within the United States proper. In fact it is about the only section of the country which has not been thoroughly explored. Remarkable as it may seem, it is a fact that there are large areas of the Olympic Peninsula which have never seen white man so far as known. Within its borders lies one of the largest and richest, in timber wealth, national forest reserves of the United States. And again, inside that is the Olympic monument, a reservation arbitrarily established by former President Theodore Roosevelt. One of the rich Indian reservations of the country, the Quinault Reservation, is also within its borders, lying in the northern part of Chehalis County and extending back from the Pacific Ocean a distance of about 20 miles.

It is this very reservation which has a large part in shutting the Queets Valley ranchers off from the help of civilization and which has kept them pioneers for more than 20 years.

The Queets and Clearwater River Valleys, the latter stream being a tributary of the former the confluence being about 5 miles back from the ocean, together have about 18,000 acres of bottom land. This land is as rich, it is generally conceded, as there is in southwest Washington. The valleys are wide, comparatively easily cleared, and the surroundings are beautiful. A little land was open for homestead entry. It was taken up by men who sought to make homes for themselves. In all about 150 ranchers have settled at various times in the Queets and Clearwater Valleys. In the two at present there are close to 50 ranchers, several of whom have hung on ever since they began the struggle many years ago. Others of the original number have been driven out of the country where they hoped to live for the rest of their days, where they hoped to carve out nice comfortable homes for themselves, by the fact they could not make a living—they could not market the produce they raised—and so faced starvation, or, at least, very severe hardships, such as no man is willing to see his family suffer.

THE QUINIAULT INDIAN RESERVATION.

The Quinault Reservation is a triangular-shaped tract of land, with a frontage of nearly 30 miles on the ocean. The most of the reservation lies in Chehalis County, but it extends a short distance into Jefferson County, stopping at the Queets. The Queets and Clearwater are in Jefferson County. There are no roads to the north. The west end of the county is effectually cut off from the east end, where Port Townsend, the county seat, is located and where most of the development and settlement has taken place. Two things have combined to thus cut the county in two—the Olympic Mountains and the Olympic National Forest. The ranchers in the west end of the county to reach their county seat must come out by way of Hoquiam and Grays Harbor, take the train in this city, and make a long detour by way of Seattle, where they transfer to steamer, and finally, after traveling more than 200 miles and using almost every kind of mode of conveyance on a trip that has taken three days, they arrive at their destination.

GOVERNMENT IS ONLY POWER THAT CAN BUILD THIS ROAD.

All this comes down to the fact that these people need a road, but they can't get it. Jefferson County can not build a road that will take these hardy pioneers anywhere. Neither is it able to furnish sufficient money to go far toward road building. Chehalis County can do nothing for the ranchers, because the road for its entire distance between Tahola, the Indian village on the seashore at the mouth of the Quinault River, would be through the Indian reservation. The Government is the only power that can build this piece of road; about 15 miles is needed.

The mail is carried once a week each way, and travelers get back and forth to the Queets by way of a trail along the beach and through the timber. Part of the way this trail is as good as a trail through a Washington forest can be, but at certain places it is never good, and in the winter is impassable for a pack horse until the animal is relieved of its pack. At one place in the road, over a hogback, the mail carrier during the winter is forced to unpack his horses, carry the packs over the trail himself to the other side of the bad place, several hundred yards, then lead his horses over. Even this is not easy, for even a horse much used to the trail will be down several times before it is gotten past this spot.

WHAT IT COSTS FOR TRANSPORTATION.

Another way that provisions are gotten to the Queets Valley is by boat. This is the easiest way, but it is not a light task, and the cost of handling freight is remarkable. It costs the Queets ranchers \$15 per ton to have supplies delivered at the mouth of the river from Hoquiam by gasoline launch. From that point they are taken up the river in Indian canoes. The cost for this part of the journey varies from 50 cents to \$1 per hundred pounds, depending upon the distance the freight is carried up the river. So it is seen that the cost of delivering freight is probably more than the goods cost in the city.

Not only does this condition exist, but last winter saw something like real privation for a number of the families. Most of the families lay in supplies which they consider will last them through the winter months and then also depend on the boat, a gasoline launch which makes irregular trips between Hoquiam and the Queets. Last winter Mr. Ashenbreuer and others brought to their ranches their winter's supplies as usual, but did not have an opportunity to get the amount of flour they expected to need before the rains of the fall set in. But there was the store they could depend upon. It was supplied by the boat. Eventually, however, the flour supply began to run low. At about the same time the storms became severe, and no small boat dare attempt to make the trip to Hoquiam and return. For more than a month the boat could not venture out. For several weeks Mr. and Mrs. Ashenbreuer lived without bread in order that their babies might have

what little there was. Other supplies of the staple kind were none too plentiful. The people were not near starvation, but the privations were severe.

WILL THE GOVERNMENT HELP?

Efforts are now under way to have built by the Indian Department a piece of road to strike the Queets River 15 miles from Taholah at Fisher Rapids. There is now a road to Taholah. At Fisher Rapids the settlers can use an old trail they have built. The piece of road will let them in and out. It will let them live. But Jefferson County can't build it; it is not in that county. Chehalis County can't build it, for it is in the Indian reservation. Will the Government build it? The settlers hope so.

APPENDIX C.

Table showing approximately the percentage of the area of far western States owned by the Federal Government.

State.	Total acreage owned by United States.	Percentage of total.
Arizona.....	67,097,293	92.00
California.....	53,276,547	52.58
Colorado.....	37,702,033	56.67
Idaho.....	45,218,919	83.80
Montana.....	61,049,263	65.80
Nevada.....	62,219,423	87.82
New Mexico.....	49,315,409	62.83
Oregon.....	32,229,745	51.90
Utah.....	43,564,645	80.18
Washington.....	17,684,198	40.00
Wyoming.....	42,613,499	68.00

The above is an extract from Senate Document No. 243, Sixty-third Congress, entitled "Conservation of National Resources." Note that Arizona is 92 per cent "preserved," leaving but 8 per cent of area of the State to pay taxes and do business.

APPENDIX D.

CHAPTER 102.

An act (S. 332) relating to lands granted to the State for common schools and for educational, penal, reformatory, charitable, capitol building, and other purposes; providing for the completion of such grants and the relinquishment of certain granted lands; and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. For the purpose of obtaining from the United States indemnity or lieu lands for such lands granted to the State for common schools, educational, penal, reformatory, charitable, capitol building, or other purposes, as have been or may be lost to the State, or the title to or use or possession of which is claimed by the United States or by others claiming it through or under the United States, by reason of any of the causes entitling the State to select other lands in lieu thereof, the inclusion of the same in any reservation by or under authority of the United States, or any other appropriation or disposition of the same by the United States, whether such lands are now surveyed or unsurveyed, the commissioner of public lands, with the advice and approval of the board of State land commissioners and the attorney general, is authorized and empowered to enter into an agreement or agreements on behalf of the State with the proper officer or officers of the United States for the relinquishment of any such lands and the selection in lieu thereof, under the provisions of this act, of lands of the United States of equal area and value.

SEC. 2. Upon the making of any such agreement the board of State land commissioners shall be empowered, and it shall be their duty, to cause such examination and appraisal to be made as will determine the area and value, as nearly as may be, of the lands lost to the State or the title to, use, or possession of which is claimed by the United States by reason of the causes mentioned in section 1 of this act, and proposed to be relinquished to the United States, and shall cause an examination and appraisal to be made of any lands which may be designated by the officers of the United States as subject to selection by the State in lieu of the lands aforesaid, to the end that the State shall obtain lands in lieu thereof of equal area and value.

SEC. 3. Whenever the title to any lands selected under the provisions of this act shall become vested in the State of Washington by the acceptance and approval of the lists of lands so selected or other proper action of the United States, the governor, on behalf of the State of Washington, shall execute and deliver to the United States a deed of conveyance of the lands of the State relinquished under the provisions of this act, which deed shall convey to and vest in the United States all the right, title, and interest of the State of Washington therein.

SEC. 4. For the purpose of carrying out the provisions of this act the sum of \$30,000, or so much thereof as may be necessary, is hereby appropriated from the general fund, to be disbursed upon vouchers approved by the commissioner of public lands.

Passed the senate February 26, 1913.

Passed the house March 7, 1913.

Approved by the governor March 18, 1913.

APPENDIX E.

[From the Seattle Post-Intelligencer.]

TRYING TO GET STATE LANDS.

The State land commissioner and the attorney general have gone to Washington City for the purpose of trying to effect some arrangement with the Forestry Service and the Department of the Interior through which, as the State is denied the right to take the lands which Congress granted it for school purposes, it may be at least given the privilege of exchanging its school lands for others of equal value.

The case is simple. Congress made this State a direct grant of two sections out of every township of the public lands for school purposes. The grant was specifically of sections 16 and 36. Before the lands were surveyed, however, great forest reserves were created by Executive order, which include within their limits 730,000 acres of the State's school

lands. Since the creation of these reservations the State has been denied any right to its granted lands. The Forest Service has, indeed, sold to private individuals, in instances, the timber growing on school lands within the limits of the reservations.

Failing to secure the lands which Congress granted it, owing to the refusal of the executive branch of the Government to recognize the validity of those grants as conveying full title, the alternative has been suggested for the State to abandon its claim and take an equal area of lands in compact form on the edges of the forest reserves. This arrangement was, in fact, made between the State of Idaho and the Forestry Service. It is a similar arrangement which the authorities of this State hope to be able to effect. If not the specific lands which Congress granted, the State will yet be able, should the arrangement go through, to recover property of the value of not less than \$7,000,000 belonging to the State schools, of which the Forest Service has successfully deprived it.

The legislature appropriated \$30,000 to be used to get the Government to give us our State lands now lost in the forest reserves.

APPENDIX F.

STATEMENT IN EXCHANGE OF LANDS IN THE STATE OF WASHINGTON.

By section 10 of the act admitting the States of North and South Dakota, Montana, and Washington into the Union each of those States was granted sections 16 and 36 in every township for common-school purposes (25 Stat., ch. 180). Under that act and under the act of 1891 (56 Stat., 796) the States were authorized to select indemnity lands where those sections were otherwise appropriated or disposed of by the United States.

There is a deficiency of some 730,000 acres in the school-land grant to the State of Washington, due to the following causes:

1. Sections incomplete in area because of natural causes, such as water.
2. Sections mineral in character.
3. Sections included within the boundaries of Indian, military, and other governmental reservations.
4. Sections settled upon prior to survey.
5. Sections within the boundaries of the national forests.
6. Indemnity lands selected by the State and afterwards included within the boundaries of reservations.

The approximate areas of the larger losses are shown by the following table:

Cause of loss.	Area lost.	Areas offered as base for selections made elsewhere, and approved.	Area available as base.
Settlement.....	61,122.39	37,930.34	23,192.05
Natural causes.....	79,641.99	61,912.95	17,729.04
National forests.....	666,040.00	104,747.05	561,292.95
Indian reservations.....	159,721.26	31,328.12	128,393.14
Total.....	966,525.64	235,918.46	730,607.18

The State is unable to select lands in lieu of the lands lost as aforesaid, because there are now no lands in the State outside of the boundaries of the forest reserves that are worth \$10 an acre, which is the minimum price for which the lands may be sold under the provisions of the enabling act and the State constitution.

The State of Washington desires to relinquish to the United States or to its grantee the lands unavailable to it by reason of the causes stated and to select in lieu thereof lands to be eliminated from the forest reserves in a block or blocks on the margins of such reserves, the lands selected to be as nearly as may be of equal area and value to the lands lost.

Chapter 102 of the Laws of Washington for 1913 empowers the commissioner of public lands of the State to enter into an agreement with the proper authorities of the Federal Government to the end that an exchange of lands may be effected and appropriate the sum of \$30,000 for the purpose of carrying out the agreement.

APPENDIX G.

REPORT AND EXPLANATION OF THE 1901 WITHDRAWALS IN THE OLYMPIC RESERVE.

It is true that lands eliminated from the Olympic National Forest are now in the hands of private persons and corporations, some of these logging corporations. Being so, they are of some use to society. Had they remained in the national forests, according to the showing that has been made by the Forest Service, they would have stagnated; their timber would have rotted. As it is, they are paying part of the tax burdens of the State, are contributing to the settlement and upbuilding of the Commonwealth, and are performing that duty which nature intended them to perform.

Stress is laid on the fact that people living in the State wanted these lands eliminated. The implication is that their desire in this respect was inherently vicious. It is insinuated that there was something wrong in it all.

There was some deceit practiced, it is true, but it was practiced by those forces in control of the Federal Government. Let me tell you about it.

By reason of the enormous Federal reservations created in the State of Washington—they total about 30 per cent of the total

area—the State never has been able to fill its grants made to it by Congress in the enabling act by which it became a State. These grants were for sections 16 and 36 in each township and for certain other lands. Before the gift was completed came the reservations, which prevented the State getting all that it had been promised.

When there was talk of lands being eliminated from the Olympia Forest the State thought it saw an opportunity to get some land to satisfy the debt owed it. The State authorities got in behind the movement to secure the elimination.

But when the elimination was secured the State found that it had been deceived. The Department of the Interior ruled that the State must stand back and not attempt to file selection lists on any of these lands until settlers, be they homesteaders or timberland entrymen, had had 30 days to initiate their efforts to secure title. The rule declared that "filings" could be received not before a certain date, but that "entry" might be initiated 30 days prior thereto. The State can not "enter"; it can only "file." The excuse was that this order was in the interest of the legitimate settler. How it worked out is shown in the list of present-day owners. Before the 30 days' handicap on the State had expired there was nothing left for the State to file on.

So, if any deceit was practiced in this matter of the elimination, it was practiced by those in charge of the Federal Government's operations, and the State, rather than the Nation, was the victim.

I may state further that the State never yet has been able to secure the lands promised it in the enabling act of 1889. It is some 800,000 or 900,000 acres short.

The promise of Congress that it should have these grants has been annulled by Executive orders creating reservations.

APPENDIX H.

[From Daily Consular and Trade Reports, July 11, 1913.]

PHILIPPINE COAL CONTRACT.

The Japanese firm, Mitsui Bussan Kaisha, has been awarded the contract for 80,000 tons of coal, aggregating in value over half a million dollars, to be used by the Army of the Philippines during the fiscal year beginning July 1. The Mitsui bid was \$6.20 per ton for delivery ex-ship to Manila Bay, of approximately 20,000 tons of Milke washed nut coal, or Tagawa lump coal, and \$5.85 per ton for 60,000 tons Mineji best screened lump coal.

For delivering and piling on dock the company will be paid 20 to 88 cents gold per ton in advance of the above figures, the amount differing according to the kind of coal concerned, discharging facilities at various ports, and similar conditions. The company agrees to discharge its vessels at Manila of 500 tons per weather working day, excepting Sundays and holidays. Demurrage will be charged against the Government at the rate of 12 cents gold per day and per the net registered tonnage of the vessel concerned.

For delivery to Iloilo and Cebu the price for Tagawa best screened lump coal will be \$6.90, while to the ports at which Pettit Barracks, Augur Barracks, Warwick Barracks, Camp Connell, Ludlow Barracks, Camp Overton, and Camp Downes are situated the price will be \$7.60 per ton, ex-ship and duty paid. This is said by Manila journals to be the largest contract for coal ever awarded by the Army in the Philippines, being 20,000 tons in excess of the amount ordered for any previous fiscal year.

Two other firms made bids, one being \$7.70 per ton for Australian coal and another \$6.45 per ton for Chinese coal.

SUGGESTED LAND-LAW CHANGES.

Mr. Speaker, in connection with the speech on "Conservation at Close Range," which I have delivered this afternoon on the floor, I desire to take advantage of the permission granted to me June 3, page 2130 of the CONGRESSIONAL RECORD, to extend my remarks on the subject of the forest reserves by placing in the RECORD, adjoining my address of to-day some statements which will exemplify and verify the statements I have put forth.

I desire first to make some modest suggestions as to changes which many westerners think necessary in the land laws. In the preparation of these suggestions I have been aided by some of the brightest legal minds in western Washington. Particularly do I refer to Hon. Maurice D. Leeb, of Seattle, and to Hon. Loren H. Brewer, of Hoquiam, and I am proud to give credit to them and to thank them.

LET FOREST SERVICE BE A SCIENTIFIC BUREAU.

The Forest Service, we believe, should be relieved from the administration of the national forests. The Forest Service should be a purely scientific bureau, such as the Bureau of Plant Industry and other bureaus in the Department of Agriculture. That department is engaged in scientific work, and the work of the Forest Service can best be done along scientific lines, not limited to publicly owned forests, as it practically is at present. The other departments are administrative. The General Land Office is an administrative bureau, and should have full charge of the administration of public lands. It will

never be satisfactory to divide that administration with the Forest Service, as at present. We now have one bureau to sell lands and another to sell the timber off the more valuable portion of those lands, lease grazing, water-power, and other privileges, and so forth. I need not comment upon the confusion resulting constantly from this divided authority and responsibility. It should all be concentrated in the General Land Office.

Mr. Speaker, I have presented a bill, H. R. 6923, to transfer the Bureau of Forestry from the Department of Agriculture to the Department of the Interior. I hope the Committee on Public Lands will give this service consideration. The suggestions given above are an improvement on the plan offered in the bill. At any rate, something should be done, not only to give the Chief Forester a chance but to reduce the doubled labor of the two departments involved.

MORE LOCAL LAND OFFICE POWER.

The General Land Office would, in my opinion, be made a more efficient administrative bureau if more power and authority were vested in the local officials in each land district. The divided responsibility of the register and receiver should be vested in the register, as the administrative officer and judge of land contests. The office of receiver should be abolished and his duties transferred to a clerk or cashier. The register should sit as a trial judge in all land contests, including contests upon charges filed in behalf of the Government. His decision should have the same effect, in contests only, as that of the trial judge in our courts. I mean by that he should render final judgment upon such contests, subject to review upon appeal to the department, and the practice in this respect could be similar to that upon appeals from trial to appellate courts. I do not mean that the register should pass upon all the details as to whether patent should issue, but he should sit as the judicial officer, hearing the evidence from witnesses who appear before him, and should enter judgment as to the merits of all contests, whether instituted by other claimants or on behalf of the Government. The clerical details prior to issuance of a patent can well be conducted as at present.

This plan would invest more authority in the register. The office would be made more important and should command a larger salary. This would not increase the expense, as the present salary of the receiver would be saved. Of course it would be necessary to pay a larger salary to the clerk or cashier than is at present paid to such clerks, but the amount at present paid receivers could be divided between them. Then, too, a reduction could be made in the number of land offices by consolidation or a better distribution of territory. For instance, the seven land offices in my State of Washington could be merged into five, and even into four, without injury to the service.

A POSSIBLE REMEDY.

I appreciate the opposition which this suggestion will encounter. Indeed, I fear it will produce such opposition as to indefinitely delay its adoption. This will be especially so as to the suggestion that the Forest Service be relieved from the administration of the national forests. I have given much thought to the whole subject and have satisfied myself that the solution most likely of early adoption is a law permitting a trial in the Federal courts of all contests instituted by the Government upon entries of lands within any Government reservation. This system has worked well for 40 years in the determination of contests arising over adverse claims under the mineral laws. The plan suggested is simply to permit claimants to demand a trial in the Federal courts of any contest filed by any bureau over lands within any Government reservation. The officials of the Government have some interest in retaining such lands within such reservation, and hence they should be disqualified from rendering judicial decision thereon.

There is a very general demand throughout the public-land States and Alaska for reform in the present procedure, which compels officials of the General Land Office to serve in the triple capacity of detective, prosecutor, and judge. Then, too, there is at present no method of obtaining a judicial review of the department decisions, even upon questions of law. It is sometimes done indirectly in contests between private claimants, and actions in our courts are quite common whereby patentees are sought to be declared as trustees. The courts have frequently decreed land grants to be in trust or, in effect, that the patent was issued to the wrong party, by declaring the patented ground to be the property of another. No such action is possible, however, where Government contests have been upheld, and hence there is a lack of uniformity in the decisions.

The suggestion that an appeal be allowed from the decision of the Secretary of the Interior to the courts would not afford

the necessary relief. It would be cumbersome, expensive, and ineffectual. It would increase the delay; it would not be practicable; and it could not very well provide for more than a review of departmental decisions upon questions of law. Even such questions are frequently so interwoven with questions of fact that only a trial de novo in the appellate court could afford relief, and this presents difficulties in the matter of obtaining testimony. On the other hand, if such contests were tried in the Federal courts, the Government can be represented by the district attorney, who, in turn, will receive the same assistance from the Field Service, Forest Service, and other Government agencies as is now given the district attorney by the Post Office inspectors in prosecutions for the violation of the postal laws.

It would not increase the expense to claimants, but, on the other hand, would materially reduce the same, saving much in the cost of transcripts of testimony and the employment of counsel in Washington. It would facilitate final action and greatly reduce the expenses of the General Land Office, and, above all, it would afford the claimants a fair trial in court and give them the resulting satisfaction which will be impossible from a distant tribunal, no matter how impartial and efficient.

The suggestion that a court trial be allowed only when the lands involved are within a Government reservation would afford such relief to comparatively few homesteaders. Hence, it might be well to include all contests filed by the Government against homestead claimants. The law should not require all such contests to be referred to the courts, but simply give the claimant permission to transfer the trial of such contests to the courts.

Comparatively few cases would be taken to the courts, but sufficient to establish a more uniform policy, and, above all, to afford claimants an avenue of relief which will leave them without substantial grounds of complaint against the present system.

The result would be fewer contests and quite as general satisfaction with the administration of the public lands as our people now have with the decisions of our courts.

THE SEATTLE RIOTS.

The SPEAKER. The gentleman from Washington [Mr. BRYAN] is recognized.

Mr. BRYAN. Mr. Speaker, with some of the things which my colleague has just said I heartily agree, and particularly one proposition, namely, the construction of a railroad in Alaska by the Government, to be maintained by the Government, and operated by the Government. I believe that ought to be an accomplished fact in this next session of Congress.

I had handed to me a day or two ago a clipping from the Seattle Times in reference to some incidents that occurred out there, and the editor of that paper wound up his article by saying that "BRYAN had ho'lered 'nuff in his fight with the Times." How he got that idea I do not know. But I do know that there is no truth in the statement.

Mr. Speaker, it will be remembered by some of the gentlemen present that a few weeks ago my colleague, Mr. JOHNSON, objected to my speaking to this House in answer to my colleague, Mr. HUMPHREY, concerning the Seattle riots conducted by enlisted men on the 18th of last July. It will also be remembered that except for Mr. JOHNSON's objection I was accorded the unanimous consent of this body to proceed with my discussion, although what I had to say did not refer to the then pending bill and was, of course, out of order. I left for my home State just after being refused unanimous consent.

I returned a few days ago, and yesterday, when my colleague, Mr. JOHNSON, asked unanimous consent to speak, I thought it a good time to reserve my right to object to his proceeding out of order unless he would grant like consent to me, so I now find myself enjoying the unanimous-consent courtesy of this body which my friend and colleague enjoyed a few minutes ago but which he denied me a few weeks ago.

There lives at Seattle a former resident of Minneapolis, Alden J. Blethen, who owns a big newspaper, which has a large daily and Sunday circulation. The people of Seattle had been outraged by the Seattle riots of July 18, and there was widespread contempt for this man Blethen and his newspaper for encouraging and staging the riots.

Blethen had grossly misrepresented in the Times a speech of Secretary Daniels made at the Rainier Club in Seattle, and his newspaper, the Times, had made the enlisted men think their acts were approved both by the public and by the Navy officers. There was nothing in Secretary Daniels's speech to warrant this.

The mayor of Seattle, after laying the blame for inciting the riots to the editor of the Times, made his unsuccessful attempt

to suppress the Times and prevent its publishing any further riot-inciting articles. While the mayor was unsuccessful in his effort to suppress the newspaper, still the people were enraged against the Times. Public feeling ran high.

The mayor published a statement denouncing Blethen and the Times. In order to convince all that Blethen was of an indescribably low type and that his raving and frothing about patriotism and the flag was the cheapest and most intolerable form of advertising, the mayor published over his signature the following, which I had made part of my speech delivered in this House on July 29:

Alden J. Blethen was bitter in his denunciation of Dr. Matthews, Prosecuting Attorney Murphy, and others connected with the grand jury which had indicted him. With singular boldness he forced upon my attention two disgraceful photographs bearing the heads of the two gentlemen above named upon human figures in indescribably loathsome relations. He—Alden J. Blethen—explained in detail how and why he had conceived the idea of these vile photographs, secured foundation pictures by searching out some indecencies from a Paris collection, engaged one of our best Seattle artists to combine them with perfect photographic skill with the heads and faces of Dr. Matthews and of Prosecuting Attorney Murphy. The name of the photographer and the price he paid him for the making of these faked exhibitions of degeneracy was part of the Blethen recital. The memory of that disgusting and criminal conception has been a constant reminder of public danger from a source capable of conjuring and perpetrating such an infamy.

In commenting on this incident, I had said in my speech:

I call special attention to the fact that a congressional committee from this House went to Seattle and investigated Judge Hanford. The gentleman from Illinois [Mr. GRAHAM] and the gentleman from New Jersey [Mr. McCoy] were members of that committee. If any Member of this House desires to verify the diabolical act of Editor Blethen, of the Times, referred to by the mayor in his statement published as part of these remarks, as an incident to show the character of the man, let him go to Congressman GRAHAM, who has in his possession a description of the low, vulgar pictures. Dr. Matthews was a man of piety, courage, and civic faithfulness, who was at the time urging a grand jury which later caused Blethen-supported dives to be put out of business and a Blethen chum, Chief of Police Wapenstein, to be put in the State penitentiary, where he is now serving his term. The dirty, filthy pictures manufactured by this "patriot" exhibits an awful crime against nature. I can not here give even a suggestion of the filthy details.

Well, my colleagues, as strange as it may seem to you when considering a man who would do such an act as this—and he has been forced to admit the truth of the statement—Alden J. Blethen got mad at me for merely referring to and making a permanent record of his own admitted act. He had caused Judge Humphries to expunge from the record of the King County grand jury a portion of a report in which he was referred to in connection with these red-light investigations. But there was no expunging the record here, and he got mad.

When I got to Billings, Mont., on my way home, I bought a copy of the Sunday Times, and I found in that paper the bitterest, most vitriolic, and libelous statement ever published about myself.

I had been invited to deliver a speech at the King County fair at Seattle and had made all arrangements to be in Seattle for that appointment. Of course I did not know what Blethen had published till I got his paper, but as soon as I read his editorial I determined to go after him at my first opportunity.

When I arrived in Seattle on Saturday morning I was informed by the fair officials that Blethen or some one on his behalf had filed a protest against my speaking unless I would agree not to say anything personal or political.

The King County fair officials were right in their request, but I was determined to roast Blethen in my first speech. I knew another opportunity would be afforded, so I declined to amend my remarks, and it was announced in the afternoon papers that I would deliver the speech at the Dreamland Rink the following Monday night. This was a building of about 5,000 seating capacity.

In his editorial, referred to a moment ago, Blethen had demonstrated the fact that he is as expert at faking in word painting as he is in portraiture. His language was full of the vilest epithets. He declared I had delivered my speech in Congress behind my constitutional privilege, which protected me from attack. He told how I would have been punished by indignant citizens if I had delivered that speech in Seattle. I would have contempt for any Member of Congress who would thus take advantage of his protection in debate on this floor, and, of course, I was anxious to get into the open, where I could throw off all such protection.

In the issue of the Times of the day before the Dreamland Rink meeting he published the following:

This fellow has declared in the Halls of Congress that the editor of the Times is immoral, dishonest, and a profligate.

Then he challenged me to offer any evidence that would be accepted in court against him, and said:

This fellow BRYAN is hereby challenged to produce any legal proof that will amount to the shadow of the violation of the criminal laws

during the editor's entire residence in this city covering a period of 17 years, and if he can produce a single item of proof that in any way indicates that the editor of the Times ever violated any law, either of God or man, the Times will pay \$1,000 in gold for the proof.

Next morning I addressed to him and made public the following letter:

AIDEN J. BLETHEN, *Seattle, Wash.*

DEAR SIR: In the last issue of the Sunday Times, under the heading "J. W. BRYAN—An assassin of character," you said that I declared in Congress that the editor of the Times is immoral, dishonest, and a profligate.

You further denounced me in the most sweeping terms. You then addressed to me a direct challenge.

I accept your challenge. I will speak at the Dreamland Rink to-night. You are invited to be present. I am willing to divide equally with you a portion of my time before the audience to-night and to agree not to refer to you after that time has expired. After the audience has heard your statements and my statements we will submit the issue to a vote of those present. This decision I am willing to consider final.

You said in your editorial that you have lived in Seattle for 17 years, and that during that time you have not violated any law, either of God or man.

You have the Seattle Times at your disposal and will be able to thoroughly advertise your presence.

If your statement on behalf of yourself is true and what you say I said about you is untrue, you surely will not hesitate to submit your cause to a majority vote of a large assembly of the citizens of the city of Seattle with whom you have lived so long. I will further give you the privilege of setting forth in your remarks on this occasion any facts that warrant your attack upon me as a citizen, a Representative, and a man.

Yours, very truly,

J. W. BRYAN.

The old fellow has average ability as a speaker. He is a hard bitter and is ordinarily well able to take care of himself. But he did not show up.

The meeting was a splendid success. The immense auditorium was crowded with people assembled to give vent to their contempt of Blethen and the Times. I will refer to the three daily newspapers published in Seattle for the report of the meeting.

The Seattle Sun said in part:

A crowd of 5,000 persons, forming the largest mass meeting ever held in Seattle, jammed into Dreamland last evening, heard a scathing attack by Congressman J. W. BRYAN on Alden J. Blethen, the Times, and Blethenism, then rising showed itself openly and squarely an enemy of those forces.

Time and again BRYAN was interrupted in his remarks by cheers and applause; time and again when he started to outline portions of manuscript he had made a part of his speech the crowd called, "read it all"; time and again his auditors shouted their approval as he scored Blethen as a flag-flapper and a mock patriot, and as he charged that Blethen staged the Potlatch riots for the "cheapest of advertising purposes."

At the close of his address resolutions unanimously were adopted which called on the citizens of Seattle to discontinue all support of the Times and Blethen.

They declared the Times, "with its terrorist tactics and criminal methods, is a menace to Seattle, and is an unrelenting creator of civic discord and debauchery," and that "its existence is made possible by the support of its enemies, who, curious to know the latest victim of its vicious attacks and whether or not the limit of audacity had been reached, continue, unwillingly and apologetically, to buy and read the same."

Therefore, the resolution went, "all fair-dealing and liberty-loving citizens should unite to withdraw their support from the Times and the advertisers who make its existence possible."

The Seattle Star said in part:

Dreamland pavilion was crowded to capacity Monday night with an audience of over 5,000 to hear Congressman J. W. BRYAN attack Blethenism.

BRYAN was given a great ovation when he appeared upon the platform. Blethen failed to show up in acceptance of BRYAN's challenge.

BRYAN's speech dealt chiefly with references to his remarks in Congress in which he charged Blethen with staging the Potlatch riots for cheap advertising, the mayor's open letter accusing Blethen with faking immoral photographs of Dr. M. A. Matthews, Blethen's record in Minneapolis, Blethen's "My dear Wap" letter to the ex-chief of police, now in the penitentiary, in which Blethen portrayed a keen interest in the welfare of the notorious Arcade dance hall, and Blethen's continued defense of the wide-open vice régime.

I give below the entire report of the Post-Intelligencer, Seattle's only morning paper, a conservative publication:

BRYAN DECLARES BLETHEN STAGED POTLATCH RIOTS—MASS MEETING OF 4,500 PERSONS PASSES RESOLUTIONS TO WITHDRAW SUPPORT FROM THE TIMES—APPLAUDS SPEECH ATTACKING EDITOR.

Characterizing Alden J. Blethen as an evil and sinister influence, the creator of civic discords, and a menace to the reputations of upright and honest citizens, Congressman J. W. BRYAN addressed an audience of 4,500 persons at Dreamland pavilion last night. The speech was the one which Congressman BRYAN announced in the House of Representatives he would deliver at the King County fair, and which was designed to reply to an attack made upon him by the Seattle Times a little more than a week ago.

The audience indicated its approval of Congressman BRYAN's denunciation of the editor, and frequently encouraged him with cheers and handclapping. When Congressman BRYAN spoke of the faked photographs of Rev. M. A. Matthews, which were prepared upon the order of Col. Blethen and exhibited to Mayor Cotterill and to others, the audience gave expression to its feelings in a roar that shook the building.

ANTI-BLETHEN RESOLUTION ADOPTED.

At the close of the meeting Glenn E. Hoover, who presided, read a resolution calling upon the opponents of Col. Blethen to withdraw their support from his newspaper. The resolution was adopted with a roar of ayes.

Congressman BRYAN spoke under the auspices of the Free Speech Defense League, and a collection was taken in the crowd to defray the

expenses of the hall. The pavilion was crowded and circus seats erected in the rear and the balconies seated those who could not find chairs on the dancing floor. A fringe of auditors along the four walls stood to hear the address.

Congressman BRYAN announced that he was speaking in answer to an attack printed in the Times following his speech regarding the Potlatch riots and in answer to a challenge of Congressman HUMPHREY to set forth the facts on which he based his statements made in the House.

SAYS HUMPHREY WAS AFRAID.

He said that Mr. HUMPHREY's speech was made because of pressure brought to bear on him. "HUMPHREY was afraid to go on record in defense of Blethen," Mr. BRYAN said, "and he was afraid to go home unless he did make some kind of a fake attempt at answering my remarks."

"One morning I picked up the morning paper in Washington and I read about anarchy in Seattle, about lawlessness on the public streets so gross and violent that the enlisted men of the United States Army and Navy were compelled, through self-respect for the flag, to take up the cudgel and loot and destroy valuable property. An article was published in the Seattle Times which had been sent out by wire calling the mayor of Seattle, among other things, a loathsome louse, a leader of anarchists."

DISCUSSES JOHNSON INTERVIEW.

"On the next morning an interview appeared from Congressman ALBERT JOHNSON, in one of the papers of the National Capital, in which he likewise censured the city of Seattle and its officers for permitting the red-flag demonstration. Among other things he stated that the American flag had been trampled in the mud in the streets of Seattle by the I. W. W.'s and anarchists. I knew this to be false and that the slanders against the city which had been circulated ought to be met and answered in as public a way as possible."

"After introducing the resolution calling for the facts in the case I delivered a speech on the floor of the House July 29, and inserted in the Record following the speech a statement that had been published by the mayor of Seattle and two or three newspaper articles."

BLAMES BLETHEN FOR RIOTS.

"I stated in this speech and I say now that the riots were not an outburst of patriotic sentiment, but they were staged and brought about by the Seattle Times for the cheapest kind of advertising purposes."

"I denounced Alden J. Blethen and the Times as an enemy to Seattle; and after detailing to Congress some of the features of the terrific struggles that the people of this city and State have had against special interests and the agencies of evil, I said that we had finally won in the city and had dethroned a great many of these interests, and the fight Blethen was now making was to restore these old conditions and cause a return to the wide-open town policies of a bygone day."

BRYAN'S SPEECH IN HOUSE.

Reading from his speech delivered in the House of Representatives, Congressman BRYAN recited the incident of the photographs in the statement of Mayor Cotterill over his own signature following the Potlatch riots, in which the mayor declared that Blethen showed him a loathsome picture of Dr. Matthews, made by a cunning composition of one photograph with another. In his speech Mr. BRYAN said:

"I call special attention to the fact that a congressional committee from this House went to Seattle and investigated Judge Hanford. The gentleman from Illinois [Mr. GRAHAM] and the gentleman from New Jersey [Mr. McCoy] were members of that committee. If any Member of this House desires to verify the diabolical act of Editor Blethen, of the Times, referred to by the mayor in his statement published as part of these remarks as an incident to show the character of the man—I refer to the photograph episode—let him go to Congressman GRAHAM, who has in his possession a description of the low, vulgar pictures of a naked human base to which this corrupt advertiser, at the expense of the flag and of order, this 'patriot' who foams and froths about socialism, caused the head of Dr. M. A. Matthews, the moderator of the Presbyterian Church in America, to be affixed so as to form a new composite portrait—Dr. Matthews, a man of piety, courage, and civic faithfulness, who was at the time urging a grand jury which later caused Blethen-supported dives to be put out of business and a Blethen chum, Chief of Police Wappenstein, to be put in the State penitentiary, where he is now serving his term. The dirty, filthy picture manufactured by this 'patriot' exhibits an awful crime against nature. I can not here give even a suggestion of the filthy details."

"Is it any wonder that a man who could invent such a scheme to discredit a zealous and faithful pastor of national renown, engaged in a splendid work of reform, would consider the mayor of Seattle 'loathsome'?"

BLETHEN AND THE FAIR SPEECH.

"When Col. Blethen attacked me in connection with my proposed speech at the fair, it was perfectly natural for any board of managers to believe that my speech would involve personalities, and so far as I am concerned I have no criticism for the King County fair refusing to go into that kind of business; but I would criticize local conditions that would permit a man of the Blethen type to be so enthroned in power and so fortified in the privileges which he asserts as to enable him to control a situation of this kind."

"To be sure, his objection to the fair would hurt the fair, but I believe that there will come in the city of Seattle a public sentiment that will change this kind of thing, and make such objection a benefit to the fair."

"The public have read the vicious attacks Blethen has made upon me within the last few days. To-day I addressed a challenge to him to reply to me at this meeting."

"I have received no answer from Blethen and do not expect to receive one. I therefore consider myself at liberty to present some of the reasons why Alden J. Blethen and the Seattle Times constitute a menace to every decent undertaking in the city of Seattle. The editor very properly interprets the photo episodes as involving immorality on his part."

ACCUSES BLETHEN OF BLASPHEMY.

"All I said in my congressional speech was that they had manufactured these awful pictures, which are so low and filthy and corrupt that no reputable speaker could possibly describe them before an audience of this kind. Yet with that superb effrontery that has characterized his operations in this city since he became publisher of his paper he blasphemously asserts that he has never violated a single law of God or man."

"Read, if you will, his Wappy letter. Remember that the officials of the city of Seattle here exposed an awful corrupt situation involving the

lowest forms of vice, and that Wappenstein was later convicted and sent to the penitentiary because of his part in these proceedings."

"Why should a man be permitted by the public in a community such as the city of Seattle to own and operate a newspaper on behalf of such interests as this? Consider the Minneapolis activities of Blethen. Consider his association, with that of his paper, with all forms of vice in the city of Seattle, and then answer why he should not be condemned, why any organization should not be encouraged to protest against his continued power."

"In politics his paper has always favored the lowest measures that could be proposed. He hates reform; he despises civic decency."

At the close of the meeting by a tremendous acclamation and without opposition the following resolution was adopted:

Whereas the Seattle Daily and Sunday Times as now conducted with its terroristic tactics and criminal methods is a menace to the liberties and the reputations and even the lives of the residents of Seattle and is an unrelenting creator of civic discord and debauchery; and Whereas its existence is continued and made possible by the support of its enemies, who, curious to know the latest victim of its false and vicious attacks and whether or not the limit of audacity has been reached by the owners and editors of the Times, continue to unwillingly and apologetically buy and read the same: Now, therefore, be it

Resolved by the citizens of Seattle in mass meeting assembled, That all progressive, fair-dealing, and liberty-loving citizens unite to withdraw their support from the Times and the advertisers who make its existence possible.

It will be seen that I read from the speech I had delivered here and thus reiterated the statements that Blethen said I had made only because I was protected in what I had to say here on the floor.

Blethen did not make good his threat of violence, but reverting to his ability to fake with words as well as with pictures, he published a lot of false and libelous stuff, impugning my honesty and fitness to occupy a seat in this body. His accusation could have no influence with those who knew me, but I believe it a personal privilege, to which I am entitled as a matter of right, to denounce these publications and show to the Members of this House and to such of my constituents as may read this RECORD wherein his publications are false and thus divert the calumny which those who do not know me might attach to my name and reputation on account of the publications. I have been informed that copies of these publications have been circulated here, and I demand the right to show their utter falsity.

The gravest part of his charges were these: He said that the court records show me charged with the crime of perjury and various acts of professional delinquency, which he enumerated. It is true that the record did once show me charged with perjury, but I was fully vindicated by an acquittal that fastened infamy upon the corrupt political judge who ordered the prosecution.

It is also true that I was once charged with professional delinquency by this same corrupt judge and his friends of the bar in the little county where I was engaged in a political life and death struggle in the State of Washington.

The charges of professional delinquency were investigated and tried by a coordinate judge, and I was again fully vindicated by the court's finding.

The judge who ordered the prosecution has lost his place on the bench and left the State. His name is John B. Yakey. He now resides in Los Angeles, Cal.

The judge who vindicated me has been advanced since the trial by popular vote from superior judge of King County to supreme judge of the State of Washington. His name is John F. Main, and he has made a record for impartiality and integrity that ranks him as one of the foremost judges of the Northwest.

In the alleged perjury proceeding I was trying to obtain from this Judge Yakey a change of venue in a murder case where an officer of the Navy, whom I was defending, was accused of murder. He ordered the trial to be proceeded with and said he would again take up the affidavit for change of venue after the trial was over.

My client was convicted of manslaughter, but I reversed the judge in the supreme court, and when the case was tried again I obtained a dismissal from a coordinate judge on account of the defendant's insanity, which had existed all the time. His name is John Stokes. He is out here at the St. Elizabeth Asylum now.

Immediately upon the termination of this first trial of John Stokes, Judge Yakey ordered me prosecuted for perjury. The papers were not to be served till the next day, but the Seattle Times had an enlarged picture of myself and the news of my coming trial, with most prejudicial and false statements, on the street within a few minutes after the judge had made the order. The news had evidently been prepared and held subject to release.

When the case came to trial the judge who was called in to conduct the trial directed the jury, in the usual form, when they had arrived at a verdict, to appoint a foreman, who would sign

same and report it into court. When the jury came in a most unusual thing happened. The judge looked at the verdict, and then leaned over toward me and said: "All the members of the jury have signed the verdict. Is there objection to receiving it in this form?"

Of course I had no objection. Every member of the jury had signed the verdict and was proud to have his name on my vindication against the crooked political job they had tried to put up on me.

In about three days I was served with a motion for disbarment by certain Yakey underlings at the bar, who had been taught to obey orders. Three of these have since left the State.

I had whipped the sawmill political organization in my State senatorial district by being elected over their idol to the State senate. I had been in a red-hot fight with the whisky crowd at the navy-yard town. They had determined to eliminate me. Three of the saloons at the county seat were renting their saloon buildings from his honor, Judge Yakey, who had been put on the bench through the political pull of the State senator I had defeated. The judge was to drive me out of court and the rest would speed me on out of the county.

I was without funds and they all knew it. Politics and the fight with the judge had taken from me the major portion of my business. I was really up against it, but I took a second breath and started a newspaper, *The Navy Yard American*. I had the paper printed each week in Seattle. It was an eight-page paper. We got out the paper at nights.

My disrespect to the court in these publications was the main dependence of the judge and his underlings in their effort at disbarment. They raked my court record thoroughly, and made a cause of action out of every case where either client was mad enough to complain. They accused me of soliciting business—barratry—and renewed their perjury charge. The case was assigned to Judge John F. Main, who was sitting in Seattle, for trial. He was a perfect stranger to me, but he had been a university instructor and was a man of splendid reputation. He was a Presbyterian and hated crooks.

When my disbarment came before the court they opened up with the barratry charges. The evidence consumed the best part of three days, when the judge said: "If you have any substantial testimony or charges to present, you had better get at them."

Then they took up the perjury charge. Judge Main, after a day's testimony and before I had begun to defend, said: "There's no perjury in it. Go to something else."

Then they took up some miscellaneous charges fathered by Judge Yakey, but they made no headway. Nearly six days had been consumed, and they placed in evidence the files of the *Navy Yard American*, showing my unquestioned and admitted disrespect for the judge. They wanted the court to disbar me for not respecting him. But by this time it seemed apparent that Judge Main had no more respect for Judge Yakey than I had.

I had defended my own case. Judge Main looked to me and asked what would be my defense as to these publications. I told him I had witnesses to prove the truth of every publication. "Well," said the judge, "that would take a long time, and I do not care to go into that. These publications arose from a condition between two factions that is indescribable in the English language."

As to the barratry charges, he said: "The whole array, taken all together, are not worthy of the consideration of the court for one moment."

And thus he gave to me the fullest vindication and dismissed the proceedings, finding that I had committed no act which should subject me to any punishment whatever.

In the meantime I had procured the enactment of a law through my position as State senator, which enabled me to get one change of judge upon filing an affidavit of prejudice. The court had no option about granting it. This put an end to Judge Yakey, for it was seldom that both sides were willing to try a case before him. It amounted to judicial recall.

All through these fights the *Seattle Times* has aided Judge Yakey and the crowd against me, publishing false stories in an effort to humiliate me. Blethen knows of my vindication. He knows the charges are false. Yet he publishes that they are pending of record against me. I shall be glad of the closest scrutiny of my record.

As soon as these publications were made I filed a libel suit against Blethen, hoping thereby to get him before court at an early date and expose in that way to those not already informed his falsehood and corruption. I tried to get a stipulation to try the case during the month of November, so that it could be presented to a jury before the December session of Congress required my attendance. His attorneys refused to do this.

In his answer to this suit Blethen declared under oath that it was his opinion that I had attacked the *Times* in Congress merely to get the support, in a political way, of the enemies of the *Times*, and he further declared that the attacks in the *Times* on me had not damaged me in any particular whatever.

This declaration in itself is a vindication and a confession of pusillanimity incomprehensible. In other words, the old fellow will go into court and attempt to show that an attack on me by the *Times*, howsoever vicious, does not injure me, and he will thereby assert and try to prove that his paper, although it enjoys a large circulation, is held in such contempt by the public that its editorial utterances are disregarded and its knocks are boosts.

I thank the Members for their courtesy in listening so kindly to these remarks. I am glad to have answered the charges. I believe it was a duty as well as a privilege. It takes patience, nerve, and a good shot to fight these gangsters in the West as well as in New York City.

Blethen has always fought with them and aided them. They try to destroy any man who gets in their way. But there is a new element asserting itself now. Women figure in the movement, and I tell you we are going to mow this old crowd down like bitter weeds. Their day is past. No man with a clean record need fear them. [Applause.]

Mr. MURRAY of Oklahoma. Mr. Speaker, I desire to make a parliamentary inquiry. I wish to know whether there is any other special order just now?

The SPEAKER. Yes; there is a special order for the gentleman from Montana [Mr. EVANS] to speak for 40 minutes on corporal punishment, and he is now recognized.

CORPORAL PUNISHMENT.

Mr. EVANS. Mr. Speaker, on November 8 the press of the country carried the following dispatch:

WILMINGTON, DEL., November 8, 1913.

Six prisoners—two white men and four negroes—all convicted of robbery, were whipped on their bare backs with a total of 95 lashes at the Newcastle County workhouse to day. James Bayard and William Reason, negroes, each received 20 lashes for burglary. Next Saturday they will each receive a similar number of lashes. In addition Bayard will serve 14 years in prison and Reason 11 years. The court divided the administration of the lashes for fear the victims could not stand the penalty all at once.

On November 11 I introduced in the House the following resolution:

Whereas it appears from dispatches published in the public prints that six prisoners—two white men and four negroes—all convicted of robbery, were whipped on their bare backs with a total of 95 lashes, at the Newcastle County workhouse, in the State of Delaware, on November 8, 1913; and

Whereas it further appears that two of said prisoners, James Bayard and William Reason, negroes, each received 20 lashes for burglary; and

Whereas it further appears that on Saturday next, November 15, these two men will each receive a similar number of lashes on the bare back, and in addition Bayard is sentenced to serve 14 years in prison and Reason 11 years; and

Whereas it further appears that the court divided the administration of the lashes for fear the victims could not stand the penalty all at once; and

Whereas the eighth amendment to the Constitution of the United States of America provides that "cruel and unusual punishments shall not be inflicted"; and

Whereas it is manifest from the fact that the court divided the imposition of the number of lashes for fear of causing the death of the victims that such punishment is cruel; and

Whereas such method of punishment is a relic of medieval barbarism and is not generally practiced in civilized countries and is therefore unusual; Therefore be it

Resolved, That the President of the United States and the Attorney General of the United States are hereby authorized and directed to cause to be brought in the Federal courts an injunction proceeding against the State of Delaware, or the officials and employees of such State who may be responsible for the condition of affairs above set forth, or that the President and Attorney General take such other action as in their judgment may be proper to enforce the provisions of the Federal Constitution and prevent the infliction of this cruel and unusual punishment upon these prisoners on Saturday next, November 15, and to prevent the practice of such cruelties hereafter in said State of Delaware or elsewhere in the United States of America.

It will be observed from the above dispatch that it is alleged that the punishment imposed upon the men in question was by the court divided for fear the victims could not endure the penalty all at once. The resolution was based very largely upon the statements contained in that dispatch. I know it is now denied that the punishment inflicted upon these and other men in the State of Delaware is a cruel punishment, but I submit that any punishment must be cruel if it be necessary in inflicting that punishment that it be divided into two parts because in the opinion of the court the victims could not stand all the punishment inflicted at one time. If it be said that it is not unusual, then I suggest that any punishment is unusual if it be a punishment inflicted by one State only and not inflicted by any other civilized country. It must of necessity be unusual.

Believing, therefore, that this punishment was both cruel and unusual, I introduced the resolution as above set forth. When it was ascertained that no action could be or would be taken by the House on the passage of this resolution because of the absence of a quorum; and believing firmly in the merit of my contention that something should be done to stop and stay the hand that was within four days again to lay stripes upon the backs of two human beings, I appealed to the Attorney General of the United States, calling his attention to the matter of the introduction of the resolution and of its temporary disposition, and asked that he take such steps as in his judgment the matter merited. The Attorney General advised me that it was his understanding that the courts had decided that the eighth amendment to the Constitution of the United States, providing against the infliction of cruel and unusual punishment, applied to the Federal courts and not the State courts, and that he therefore felt there was no action he could take in the premises. So far as I am concerned, I am perfectly willing to abide by the decision of the Attorney General, and I have no doubt he is correct in his views on the subject. Notwithstanding that, I still feel that somewhere, at some time, a remedy will be found which will forever put a stop to the practice of the courts of Delaware, which are so realistically described in an article by Mr. Bond P. Geddes, that I take the liberty of reading it in full:

NEWCASTLE COUNTY WORKHOUSE,
Wilmington, Del., November 15.

(By Bond P. Geddes, staff correspondent of the United Press.)

Pinioned to a "whipping post," with backs bared to freezing winds, two prisoners were publicly flogged here to-day. Each was grilled with 20 lashes. There were 20 last Saturday; 20 more to-day. Thus was the "peace and dignity of the State of Delaware" upheld.

The flagellation was the refinement of "modern medievalism." It was the twentieth century observance of Puritanical punishment. The flogging was "for men only." It was "guaranteed bloodless."

The guaranty was kept by Warden Leonard Crawford, whose hand has flogged a hundred men, according to his own account, within a few years. With scant ceremony—almost in haste—the backs of the two prisoners were beaten until they clung in silent anguish to the "posts" to which they were fastened, with arms upraised and flesh quivering, writhing convulsively.

A feeble moan from one of the victims was the only outward sign of their torture. Their faces were distorted, their fingers clutched convulsively, but they attempted to bear the pain stoically.

A tiny courtyard, with walls of gray stone 15 feet high, was the scene of the scourging. The "stockade" is its official name. Its victims call it the "torture pen." Scarcely 20 feet square, with two iron doors, one for spectators and one for the victims of the "cat," a stone walk to-day divided two dozen spectators and the actors in the grim penance.

The "shrine" of Delaware's penal code was the "whipping post" and a pillory—both heirlooms of a century ago—but both newly built. Both were under a wide roof projecting over one corner. They were painted drab, the post alone showing evidence of use, the pillory having been in disuse for a decade.

Forty seconds of excruciating pain was the toll taken by the "post" to-day. William Reason and James Bayard, colored burglars, were its victims. Each received 20 lashes. Less than seven minutes were required for the floggings. Reason was led into the yard at 10.20. At 10.27 Warden Crawford turned to the morbid group of spectators as Bayard was led away with a half apologetic smile and said, "All over."

Assured that all newspaper men were present, Warden Crawford gave the signal for the public punishment. The two men had been brought to the stockade by two bailiffs from the workhouse, 50 yards away. A silent sign was given. A turnkey walked in with Reason, the first victim. His hands were shackled. His bare back was covered with a rough blanket. With faltering, shuffling steps he was led before the post.

The man's face blanched visibly as he straddled the post. At an unspoken order from the turnkey he raised his hands outstretched above his head to two iron manacles fastened on either side of the wooden pillar. The refinement of cruelty was the placing of two heavy woolen gloves on his knuckles to keep the heavy iron hasps from biting in.

The turnkey whisked the blanket from his shoulders, exposing his nakedness to the waist. Not until then did the man flinch. He bowed his head and leaned heavily for support upon his fettered wrists, while the turnkey stood off and read the sentence of the court that he be flogged. Behind his back Warden Crawford held the "cat." It had nine leather thongs, 2 feet in length, attached to a slim hickory handle as long as the thongs.

"One," the turnkey began counting, and the whip whisked through the air. It landed across the small of the prisoner's shoulders. Livid marks, turning to a filmy, smoky white against the skin, were its records.

"Two," said the turnkey, and with monotonous counting, about one second apart, the warden flayed the quivering, cringing torso. Reason's hand clenched at each blow. He seemed to shrink, with escape impossible, from each stroke.

At the count of "twenty" the prisoner sighed. The blanket, replaced on his shoulders, shut out the grim work of white lashes from the fangs of the "cat," with which he was covered from neck to waist. The warden apparently exercised care to distribute the lashes over the man's back, but the whole back was a net work of whip marks when he concluded.

Bayard was led in immediately. He showed less "gameness," jail attachés said, than Reason. Bayard showed faint traces of the 20 lashes he had received a week ago. He also showed a deeper recollection of his former ordeal. His eyes remained in a spasm of mental fear when he entered the stockade. He leaned heavily upon the turnkey when his eyes turned to the "post." He almost fell when his hands were being shackled to the pillory. After the reading of the flogging sentence by the turnkey, the man frantically hugged the post, awaiting the count of "one."

As the lash fell his shoulders contorted his whole back into a writhing mass of twitching muscles. At each stroke his shoulder blades met, opening when the lash was swishing through the air and meeting,

like clockwork, when it fell. The first stroke hit over his kidneys; the second lapped his neck.

At the final count of "twenty" from his lips came a long, low moan—a hissing sigh—his whole body relaxed and he wilted wearily and heavily, suspended by his pinioned wrists.

Neither man made an outcry. But both were half bent when they left the stockade. Reason was able to walk alone. Bayard leaned upon the turnkey's arm. The "straight-arm" stroke was used by Warden Crawford. He said the law prohibited "brutal beating" of men sentenced to the "post." His arm was not flexed. It was outstretched, with the goad applied lightly but firmly. That the warden did not use the force to-day that has often been used before was the statement of several spectators who claimed to be "repeaters" at Delaware floggings.

"It's a farce to-day," one said. Although the warden denied that his touch was lighter to-day because of the agitation in Congress and elsewhere for abolishment of the whipping post, and because a larger crowd of spectators and newspaper reporters than usual were present, some spectators insisted that the floggings to-day lacked their usual "punch."

Like all floggings, those to-day were public, except that women and cameras were barred. Just 27 men, including a half dozen newspaper men, saw the punishment to-day. Among them were a bunch of actors playing at a local theater.

"It's an old story to the people of Delaware; they don't have any interest in it, and don't turn out any more," said Warden Crawford.

In addition to the flogging for their crimes, Bayard must serve 14 years in prison and Reason 11.

Least it be suggested that I am assuming an air of "holier than thou" or I am attempting to make some invidious comparison between the State of Delaware and some other State, permit me to say that at no time during this discussion has anyone heard me utter one harsh word or one word bearing the slightest spirit of vindictiveness or asperity toward the State of Delaware. The State of Delaware was one of the original thirteen States. She has furnished her quota of men when great problems and crises have arisen in this country. She does not need any defense from me, and she does not need any defense from any other man. Her own deeds are her best defenses. But notwithstanding all the great things the State of Delaware has done, there are millions of people who feel that there is one thing she has left undone which does not add to her credit, and that is her failure to keep abreast of the times and abolish the last relic of cruelty incorporated in her laws before even the adoption of the Constitution of the United States.

In a discussion of this question a few days ago by the gentleman from Delaware [Mr. BROCKSON] he assumed to discuss the matter, not upon the high plane of whether or not the great State of Delaware was inflicting cruel and unusual punishment in the execution of its penal laws, but rather discussed the question of whether or not the particular victims of that law were guilty of the offense of which they were charged, and even suggested that they were guilty not only of the offense of burglary, of which they were charged, but were guilty of an offense against the womanhood of the State of Delaware. All that appeals to me to be but a begging of the question. It is immaterial whether these individual men were guilty or not, or of what they were guilty. The question is, Does the State violate the fundamental law of the land when it inflicts corporal punishment for any offense committed? I recall that in the discussion of this matter by the gentleman from Delaware he made the statement that corporal punishment is never inflicted upon a woman in that State.

Now, I submit the question, Why is a woman not flogged in Delaware? If the fundamental law of the land is correct, that all men are equal before the law, and using the term "men" in its generic sense, why should not a woman be flogged if a man be flogged? And the answer comes back immediately: To flog a woman would be cruel, so cruel that the good citizens of Delaware would not sit complacently by and permit it. All of which appeals to me to prove that corporal punishment as inflicted in the great State of Delaware is cruel and in direct violation of the best sentiments of the country, whether the eighth amendment to the Constitution applies only to the Federal Government or applies to all the people of the Federal Government.

During the past week I have received scores of letters commenting upon the whipping post, and I beg to quote from one of these letters. It reads:

You are entirely right in protesting against the brutal whipping post in Delaware. It would make your blood boil if I were to tell you of some of the cruel whippings I have witnessed. I have lived in Delaware for 43 years and have seen the brutal lash wielded many times. One time I recall a young negro was manacled to the post. He was whipped with 20 lashes. The first time the sheriff struck him he screamed in agony; the second stroke the poor victim pulled himself up as far as his clasped hands would allow and kicked both feet at the sheriff. That gentleman (?)—the sheriff—jumped to one side, and then getting on his tiptoes struck the helpless creature 18 times more with all the brutal strength he could master. The negro was almost in a state of collapse as he was led from the post. The sheriff who did the whipping was a man who at that time weighed 250 pounds. He died a few years ago.

This is the comment of a man who informs me that he is a business man in the State of Delaware, where he has resided for 43 years; and yet it is suggested that to mention the matter

of whipping in that State is to give evidence of the fact that some one is for the time being afflicted with a spasm of virtue.

Since this agitation was begun the press of the country generally has commented upon the whipping post, and most of the papers have characterized this instrument of torture as a relic of barbarism now entirely outgrown by civilized countries. I find, however, some exceptions, the most notable one that has come under my observation being the Philadelphia Inquirer, which, under date of November 13, spoke editorially as follows:

DELAWARE'S WHIPPING POST.

[From the Philadelphia Inquirer, November 13, 1913.]

It was certainly very kind and humane for a Member of Congress from Montana to show such interest in Delaware as to introduce a bill to abolish the whipping post, the time-honored institution of the three counties below us. His interest in the Constitution is commendable. His idea is that the whipping post comes under the constitutional prohibition of "cruel and unusual punishments." It is much to be regretted that the gentleman from Montana is not better versed in history.

When the Constitution was adopted the whipping post, stocks, and other methods of punishment now forgotten were quite usual, and none of them was considered cruel. What the Constitution aimed at was dismemberment—as of the hand for theft—and other choice methods which were usual but cruel, and it was provided that no unusual methods should be devised to replace them. The whipping post is not cruel or unusual under the Constitution, and its survival in Delaware is due to peculiar geographical circumstances. Many efforts have been made to abolish this form of punishment, and they would have succeeded were it not for the fact that the northern part of Delaware contained first the highways and later the railways which form the trunk line of travel from New York and Philadelphia to Baltimore and Washington. Along this line every year travel thousands of tramps and crooks of various kinds, who occasionally commit crime and "make a getaway," but the truth is most of them give Wilmington and Newark a wide berth, because they fear the whipping post more than any other punishment.

As a fact, the whippings of ordinary offenders are generally innocuous. It is only when a rank offender, especially one from outside the State, bares his back to the sheriff that he feels the rigors of the cat-o-nine-tails, and he rarely gets more than he deserves. The whipping post is simply Delaware's warning to criminals to keep out, and usually they keep out. More whipping posts in the country for certain criminals would be desirable. The gentleman from Montana should rest his soul in peace.

The author of this editorial, speaking for the great city of Philadelphia and for the people of Pennsylvania, tells us that the reason why they do not abolish the whipping post in Delaware is because Wilmington is on the great highway of travel from New York to Washington, and therefore they can not abolish it. Well, I thought that Philadelphia was on the highway, too. I have heard that Philadelphia was very quiet sometimes, but I supposed it was at least on the highway, and if for that reason they needed a whipping post at Wilmington they surely needed it in Philadelphia, where the Inquirer is published. That does not seem to be an argument at all on the whipping post. It is begging the question to say that the whipping post is retained because Delaware is on the line of railway and the line of travel.

In contrast with the utterances of the Inquirer, the Philadelphia Public Ledger, likewise published in the City of Brotherly Love, makes the following comment:

[From the Philadelphia Ledger, Nov. 12, 1913.]

DELAWARE AND THE WHIPPING POST.

If Congressman EVANS, of Montana, shall persist in his attack in the House upon the Delaware whipping post as a punishment for her prisoners, he may force the Diamond State to abolish that relic of a bygone age and civilization.

Mr. EVANS offered a resolution directing Attorney General McReynolds to enjoin the authorities of the Commonwealth from lashing her culprits on the bare back with a knout, on the ground that the whipping post violates the prohibition in the Federal Constitution against "cruel and unusual punishments."

Several hundred years ago flogging was not unusual and was not deemed cruel; in earlier days the use of the thumbscrew and the rack and breaking upon the wheel were not unusual, and there was a time when the untamed instincts of the world tolerated the drawing and quartering of felons and traitors, but the world has moved along. The cat-o-nine-tails has had its day, physical suffering and cruelty are not accepted means of correction or punishment, yet Delaware clings tenaciously to the ancient practices.

The State should abolish its anachronistic device. It does not reform prisoners, it degrades them. It does not uplift the community; it shames and brutalizes it. The whipping post is a relic of barbarism more adapted to the civilization of Russia than to that of the United States.

The question naturally arises, What punishment should be visited upon the petty offender? And I confess that I am not prepared to say. But I do feel confident that progress is not being made by clinging to a system which has been repudiated and abandoned for a hundred years by other States. The great problem of penology is one of the questions now engaging the master minds of the country, and I have no doubt will in time be solved. I give it as my personal conviction that much more progress is being made in the solution of this question by some of the newer States of the West, such as Oregon, California, and Colorado, than is being made in the East.

A man is a human being, whether he be a criminal or an honest, law-abiding citizen, and in the judgment of men who are to-day making a success in the handling of criminals of the country, those criminals must be treated as human beings regardless of what laws they have violated. In the State of Mon-

tana four or five guards control 160 prisoners building roads through the mountains of that State. These prisoners consist of men serving terms all the way from a few months to life, and yet comparatively no trouble is encountered with them, not 1 per cent of them attempting to escape. They are treated like human beings. They know the penalty of an effort to escape, and they know that so long as they obey they will be treated like human beings. How long, in the judgment of any Member of this House, do you think five men would have control over 160 criminals if for some offense one of those criminals was manacled to a post and lashed in the presence of his comrades? In my judgment, only long enough for the helpless victim to shriek with pain when the first lash was laid upon his back, when the animal instinct would be aroused in every man within the sound of his voice. That shriek would simply be a "call of the wild."

Mr. Wines, in his excellent work on Punishment and Reformation, says:

The basis of legal punishment may be reduced to a single principle, that of the protection of society. Society is protected, first, by the removal and isolation of the offender, who is thus disarmed and made a prisoner of war, hors de combat; second, by the exemplary and deterrent influence upon others exerted by the spectacle of his disfigurement and suffering; but the third, and most effective, way in which this result can be obtained is his reformation, which converts an enemy into a friend, and a destructive into a constructive social force. The right of society to defend itself is indubitable, yet it is not without limits. Might is not always right, and the will of the majority is not always just. The individual has rights, and his immolation upon the altar of a supposed public exigency may react against the majority in the same way in which disregard for the rights of the community by an individual reacts against the individual. . . . The history of criminal jurisprudence is the reflection in miniature of the history of the human intellect and conscience. With advancing morality, measures indispensable in a former age become repugnant to the popular sense of right, and therefore obsolete. . . . The criminal law is, when it is rational and equitable, and is administered with intelligence and humanity, designed and adapted to effect the amendment of those subjected to its afflictive penalties. The model of human government is found in the divine order, in which we are chastened to our profit. The judgments of God are designed to lead us to repentance.

The whipping post degrades not only its victim but society that exacts such punishment. Humanity never has been reformed by a punishment that tends to degrade the victim of the law. When you manacle a man to a post and beat him across the back you make of him an enemy to society. You have degraded him and you degrade society. Malice and hatred toward all the world are sown in his heart, and sooner or later the seed must bear fruit.

If there is any justification for the whipping post to-day, is there not equal justification for the pillory, the stocks, the rack, and a hundred other devices formerly used as instruments of torture? You will all readily recall that men were punished by branding, mutilating, disemboweling; that they were staked upon the sands of the sea that they might be drowned by the slowly rising tide; and that every means known to the human mind were employed for the purpose of inflicting pain upon the helpless victim who was so unfortunate as to fall within the pale of the law. But as our civilization advanced, all these cruel forms have been discarded, and we find to-day only one of all that host of medieval relics of barbarism remaining, and that is the whipping post in the neighboring State of Delaware.

To resort to the whipping post in this the twentieth century is simply a "call of the wild." It is the brute instinct again taking possession of our people. No crime was ever deterred by the commission of another crime. To take a helpless human being, bind him to a post, and beat him to the extremity of human endurance is revolting to all the finer feelings and passions of humanity and must of necessity degrade both the helpless victim, the man who applies the lash, the mob who look upon the crime, and the State or Nation that sits idly by and does nothing to prevent its commission. [Applause.]

Mr. BROCKSON. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes in reply to the gentleman from Montana [Mr. EVANS].

Mr. DONOVAN. I am going to object, Mr. Speaker.

THE SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] objects.

ADJOURNMENT UNTIL NEXT WEDNESDAY.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Wednesday next.

THE SPEAKER. The gentleman from Missouri [Mr. RUSSELL] asks unanimous consent that when the House adjourns to-day it adjourn to meet on Wednesday next. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Will the gentleman from Missouri [Mr. RUSSELL] reserve his motion to adjourn for a moment?

Mr. RUSSELL. I will.

The SPEAKER. The Chair desires to correct a ruling that he made on Thursday, November 20. On that day the gentleman from Kentucky [Mr. THOMAS] offered the following privileged resolution:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 22d day of November, 1913, at 1 o'clock p. m.

In answer to a parliamentary inquiry, the Chair ruled that the resolution was debatable. That ruling was made hurriedly, without opportunity to examine the authorities and without time for reflection, and the question had never been raised before during the 19 years in which the present occupant of the chair has been in the House.

It turns out that on March 23, 1871, Mr. Speaker Blaine held a similar resolution to be not debatable. That is the only decision on the point that the Chair has been able to find after thorough investigation, but that decision of Mr. Speaker Blaine has been accepted by the House for 42 years. But aside from that decision, upon mature reflection and reasoning from analogy, the Chair thinks the resolution is not debatable, because if declared debatable such resolutions might be converted into instruments of troublesome filibustering, just as a motion to recess was used until deprived of its privileged character. Therefore the decision of Mr. Speaker Blaine is affirmed.

Mr. CLARK of Florida. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Florida. I would like to know, Mr. Speaker, in view of the Speaker's ruling that the resolution is not debatable, whether it is not in order to put the resolution to a vote.

The SPEAKER. Nobody had asked to put it to a vote—

Mr. CLARK of Florida. I do now—

The SPEAKER. And the gentleman from Missouri [Mr. RUSSELL] had moved to adjourn, and withheld his motion for the accommodation of the Chair.

Mr. CLARK of Florida. Mr. Speaker, one further parliamentary inquiry. Does a simple motion to adjourn take precedence of a concurrent resolution to adjourn at a certain day?

The SPEAKER. The concurrent resolution is not pending.

Mr. CLARK of Florida. I thought it was unfinished business.

Mr. MANN. It is pending as unfinished business, but the other motion takes precedence.

The SPEAKER. There is no use in discussing whether it is unfinished business. The Chair has been investigating to see if there can not be some substantial fixed limits to unfinished business; but the motion to adjourn was made, and the resolution which the gentleman refers to is not before the House.

Mr. CLARK of Florida. If it is unfinished business, it is pending.

The SPEAKER. Not necessarily.

Mr. RUSSELL. Mr. Speaker, other business has intervened since that resolution was before the House.

Mr. CLARK of Florida. The gentleman from Kentucky was here this morning to call it up.

The SPEAKER. He could not call it up this morning, under the ruling of the Chair—whether right or wrong—that these gentlemen had the right under the special order to first address the House.

Mr. CLARK of Florida. I noticed that the Speaker said that as soon as these speeches were finished the resolution would be in order.

The SPEAKER. That is true, but the gentleman from Missouri [Mr. RUSSELL] has moved to adjourn, and his motion is pending.

Mr. CLARK of Florida. But is not the resolution in order under the ruling of the Chair this morning, that the House having made the special order for addresses of these gentlemen, as soon as they had finished the Speaker would recognize the concurrent resolution?

The SPEAKER. The Chair said that he would recognize the gentleman from Kentucky to call it up.

Mr. CLARK of Florida. Does not his attempt to call it up make it unfinished business?

The SPEAKER. No. There are two or three resolutions now pending in exactly the same parliamentary status as the one the gentleman refers to and which have been pending longer.

Mr. MANN. I have one pending which is a privileged resolution.

The SPEAKER. Yes; and the gentleman from Missouri [Mr. HENSLEY] has one in the same situation.

Mr. DONOVAN. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is the question on the motion to adjourn.

Mr. MURRAY of Oklahoma. Mr. Speaker, I wish the gentleman from Missouri would withhold his motion for a minute.

Mr. RUSSELL. I will withhold it if the gentleman wishes to ask unanimous consent.

Mr. MURRAY of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for not exceeding 10 minutes.

Mr. RUSSELL. I can not consent to that. I thought the gentleman was going to ask unanimous consent to extend his remarks.

Mr. BROWNING. Will the gentleman from Missouri withhold his motion for me to ask unanimous consent to insert something in the RECORD?

Mr. RUSSELL. I will.

MATERIAL FOR CONSTRUCTION OF SHIPS OF WAR.

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to insert in the RECORD a short article from the Army and Navy Register, dealing with economy in the administration of Army and Navy affairs, a subject of deep interest to the multitude of men who earn their living in the navy yards and in the ship-building plants of the country. The article referred to is instructive as well as illuminating.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RUSSELL. Mr. Speaker, I now renew my motion to adjourn.

The SPEAKER. The gentleman from Missouri moves to adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 34 minutes p. m.) the House, under its order previously agreed to, adjourned until Wednesday, November 26, 1913, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 3260) granting an increase of pension to John McMahon, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FRENCH: A bill (H. R. 9393) to protect the rights of women citizens of the United States to register and vote for Senators of the United States and for Members of the House of Representatives; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. LEVY: A bill (H. R. 9394) to amend section 6 of the act entitled "An act to regulate commerce," approved February 4, 1887, and amendments thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 9395) providing for an appropriation for the extermination of jack rabbits, ground squirrels, and prairie dogs; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 9396) granting an increase of pension to Mary Ann Elson; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 9397) granting an increase of pension to Harriet C. Price; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 9398) granting an increase of pension to James Brown; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 9399) granting an increase of pension to Lucinda Kennedy; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 9400) granting a pension to Frank M. Frey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9401) granting a pension to Anna E. Hetherington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9402) granting an increase of pension to Elizabeth Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9403) granting an increase of pension to George W. Weaver; to the Committee on Invalid Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 9404) granting an increase of pension to Emily L. Barnes; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 9405) granting a pension to Johanna Miller; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 9406) granting a pension to Winona Hawthorne Buck; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Memorial of Lake Michigan Steamboat Line, protesting against the passage of the La Follette seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. CURLEY: Petition of the Boston Central Labor Union, favoring congressional investigation of conditions in the mining district of Colorado; to the Committee on the Judiciary.

By Mr. CURRY: Memorial of the Sacramento Federated Trades Council, favoring the passage of House bill 7207, relative to water rights of the Hetch Hetchy Lake; to the Committee on the Public Lands.

By Mr. DALE: Petitions of Hull, Crippen & Co. and H. F. Hadden, of New York, N. Y., protesting against the passage of the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. LA FOLLETTE: Memorial of the Spokane Chamber of Commerce, Spokane, Wash., favoring the recommendation of military officials for the strengthening of the United States Army; to the Committee on Military Affairs.

By Mr. REILLY of Connecticut: Petition of the New Haven Political Equality Club, of New Haven, Conn., protesting against the action of the Russian Government in the ritual murder charge; to the Committee on Foreign Affairs.

By Mr. SUTHERLAND: Papers in support of House bill 5567, for the relief of the estate of John Snyder; to the Committee on War Claims.

SENATE.

MONDAY, November 24, 1913.

Rev. H. H. Hoss, D. D., of Nashville, Tenn., bishop of the Methodist Episcopal Church South, offered the following prayer:

Oh, gracious God, our heavenly Father, Thou art enthroned in the heavens. Thy sway extends over all things, material and immaterial, in Thy wide universe. Thou art of all men and of all nations. We give Thee sincere and hearty thanks for the providence which Thou hast had over us as a nation and a people, for the fact of Thy intervention in history, for the fact of Thy sustaining power in the great crises which have come and gone in the years that are past.

And now we invoke Thy continued blessing upon us. May Thy great grace rest upon this body of legislators, sent here by sovereign States for the enactment of laws and the framing of policies that shall control and govern our future destiny. Give to them the wisdom that cometh from above, simple minds, a clear vision, the open heart, the patriotic purpose.

And let Thy blessing, we earnestly beseech Thee, abide upon us this day and all the days. As Thou hast been with us in the past be with us in the years that are to come, so that through whatever experience we may be called upon to pass, whatever difficulties we may have to encounter, we shall be sure of Thy providential aid.

Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, in earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

EDWIN C. BURLEIGH, a Senator from the State of Maine, appeared in his seat to-day.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, November 24, 1913.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN RANDOLPH THORNTON, a Senator from the State of Louisiana, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. THORNTON thereupon took the chair as Presiding Officer and directed that the Secretary read the Journal of the proceedings of the last legislative day.

THE JOURNAL.

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

SAN FRANCISCO WATER SUPPLY.

Mr. GALLINGER presented the memorial of Lucius Waterman, rector of St. Thomas Church, Hanover, N. H., remonstrating against the enactment of legislation granting to the city of San Francisco the use of the waters of Hetch Hetchy Valley, which was ordered to lie on the table.

MISSISSIPPI RIVER BRIDGE.

Mr. SHERMAN. I present a telegram in the nature of a petition from sundry citizens of Hamilton, Ill., opposite Keokuk, Iowa. It relates to granting additional bridge facilities between these two cities and concerns a bill that is pending before the Committee on Commerce. I ask that the telegram be printed in the RECORD and referred to the Committee on Commerce.

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

HAMILTON, ILL., November 20, 1913.

Senator L. Y. SHERMAN,
Washington, D. C.:

Senate bill No. 1618 is up for hearing this morning before Senate Committee on Commerce. Will you please attend that meeting and, if possible, secure the attendance of Senator LEWIS and do all you properly can to bring about a favorable report on the bill, because we think our community sorely needs additional bridge facilities. Along in the latter sixties the Keokuk & Hamilton Bridge Co. obtained from Congress a grant to build a bridge across the Mississippi River between Keokuk and Hamilton. They are not contending that their charter gave "the exclusive right, privilege, and power between the city of Warsaw and the city of Nauvoo, in the county of Hancock and State of Illinois, to build, construct, and maintain a bridge or bridges for railroad and other purposes on the Mississippi River to the State of Iowa." That the franchise of this company is exclusive we deny, and as our present and future development will be seriously interfered with unless we have greater bridge facilities, we favor a bridge across the power dam, which dam now extends across the Mississippi River from Hamilton, Ill., to Keokuk, Iowa. The facts are that this bridge was not designed to carry present day railroad equipment, and for about 15 years has refused passage to the heavier locomotives used by the Toledo, Peoria & Western Railroad Co. The heavy equipment for the power house was not shipped until the dam was completed and the tracks laid from the Hamilton depot up to the Illinois end of the dam and across on the dam. The reason stated was that it was unsafe to ship this heavy tonnage over the old bridge. Even granting that this bridge could carry present equipment, we would still have great need for a second bridge, because this bridge is not designed to carry railroad trains or interurban and wagon traffic at same time; and under the present schedule it is in the service of the railroads and interurbans and closed to wagon traffic a large part of the time. You are at liberty and we will be glad to have you bring this telegram to attention of Senator LEWIS, Senator CUMMINS, and Senator KENTON, and to Congressman TAPPAN and Congressman KENNEDY, and to use it in any way that seems proper to you or them.

HAMILTON BUSINESS CLUB,
By J. A. GORDON, President,
By H. E. RAYBURN, Secretary.

BANKING AND CURRENCY.

Mr. SHERMAN. I present a telegram, in the nature of a petition, from W. T. Fenton, vice president of the National Bank of the Republic, of Chicago, Ill., which I ask to have referred to the Committee on Banking and Currency and to be printed in the RECORD.

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

CHICAGO, ILL., October 15, 1913.

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The Boston meeting of bankers was not a called convention. It was the annual meeting of the American Bankers' Association, an organization which has had a consecutive existence for nearly 40 years. The date and place of meeting for the year 1913 was fixed by the executive committee before the national presidential election last year. It is a well-known fact, and the names on its executive committee will show, that the association has been controlled and dominated for the last 10 or 15 years by bankers outside of reserve cities. The subject of the currency bill was a natural one, as was the indorsement of the action of the Chicago conference, which conference in its preamble recognized the earnestness of the administration in its efforts to bring about currency reform and offered its cooperation. It is not true that the bankers are opposing legislation. On the contrary, they themselves have brought about the demand for currency reform, and there has been, and is now, a general apathy on the part of the public on this question. The Chicago conference recommended certain amendments by unanimous action and the meeting at Boston simply indorsed the Chicago recommendations unanimously. Where there is so much misunderstanding, I think this explanation due both to the bankers and the Members of Congress, believing that a spirit of fairness on both sides is essential at this time.

W. T. FENTON,
Vice President, National Bank of the Republic, Chicago, Ill.
LANDS, IN IDAHO.

Mr. BRADY. I present resolutions adopted by the Farmers' Educational and Cooperative Union of Nez Perce, Lewis, and