Also, petition of the Congressional Union for Woman Suffrage and Woman Suffrage Party of Rhode Island, favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of the Beaman & Smith Co., of Providence, R. I., against the Wilson omnibus bill relative to exclusive agencies; to the Committee on the Judiciary.

By Mr. PETERS of Maine: Petition of sundry citizens of Maine, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Maine, against Sabbath observance bill; to the Committee on the District of Columbia.

By Mr. RAKER: Letters from 30 residents of California, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. RAUCH: Petitions of sundry citizens of Indiana, against national prohibition; to the Committee on the Judiciary.

By Mr. REED: Petitions of Clarence E. Kelley and students of the Nute High School, of Milton, N. H., and Ernest Fox Nichols and two others from Dartmouth College, Hanover, N. H., protesting against intervention by the United States in Mexico; to the Committee on Foreign Affairs.

By Mr. SELDOMRIDGE: Petitions of various churches, representing 302 citizens of Fruita, 50 citizens of Colorado Springs, 45 citizens of Simon, 400 citizens of Rocky Ford, 50 citizens of Romeo, 70 citizens of Redvale, 60 citizens of Alamosa, 15 citizens of the Elco Woman's Christian Temperance Union, of Boulder, and sundry citizens of Cortez, Monte Vista, Eagle, and Mesita, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Resolution of the Realty Board of Los Angeles, Cal., protesting against Hobson prohibition amendment to national Constitution; to the Committee on the Judiciary.

Also, resolution from S. L. Smith, secretary Epworth League of Los Angeles, Cal., representing 2,500 voters, favoring national prohibition; to the Committee on the Judiciary.

By Mr. TREADWAY: Petition of sundry citizens of Massachusetts, against national prohibition; to the Committee on the Judiciary.

By Mr WEAVER: Petition of sundry citizens of Yale, Okla., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Cigar Makers' Union No. 450, of Oklahoma City, Okla., against national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Papers to accompany a bill (H. R. 16670) granting an increase of pension to James D. Carr; to the Committee on Pensions.

Also, papers to accompany a bill (H. R. 16669) granting a pension to Ethel Culver; to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Petition of the First National Bank of Brooklyn, N. Y., against House bill 15657, relative to interlocking directorates of banks; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *May 20, 1914.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee day by day, knowing that human wisdom and human strength are not sufficient for human life. The great problems that confront us can never be solved in the light of common day. But Thou dost give to us to live our lives in a spiritual atmosphere, charged with tokens of Thy love and powers of Thy grace, and Thou dost come with Thy gentle ministry upon the hearts and minds of Thy people, leading them to fulfill a divine plan. Help us to-day to know the guidance of God and to submit our lives to Thy holy will, that we may fulfill all the commission that Thou hast put into our hands and measure up to the responsibilities of Christian statesmen. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

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

PRESIDENT PRO TEMPORE, UNITED STATES SENATE,
Washington, May 20, 1914.

To the Senate:

Being temporarily absent from the Senate I appoint Hon. GILBERT M. HITCHCOCK, a Senator from the State of Nebraska, to perform the duties of the chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. HITCHCOCK thereupon took the chair as Presiding Officer for the day.

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

INDIAN RESERVATION LANDS.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4632) for the relief of settlers on the Fort Berthold Indian Reservation, in the State of North Dakota, and the Cheyenne River and Standing Rock Indian Reservations, in the States of South Dakota and North Dakota, which were, on page 1, line 4, to strike out "and directed"; on page 2, line 3, after "effect," to insert "the act of Congress approved May 27, 1910, entitled 'An act to authorize the sale and disposition of the surplus and unallotted lands in Bennett County, in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation to carry the same into effect,' and the act approved May 30, 1910, entitled 'An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in Mellette and Washabaugh Counties, in the Rosebud Indian Reservation, in the State of South Dakota, and making appropriation and provision to carry the same into effect'"; on page 3, line 2, to strike out "said"; on page 3, line 2, after "lands," to insert "in said reservations"; and to amend the title so as to read: "An act for the relief of settlers on the Fort Berthold, Cheyenne River, Standing Rock, Rosebud, and Pine Ridge Indian Reservations, in the States of North and South Dakota."

Mr. CRAWFORD. I move that the Senate concur in the amendments of the House of Representatives. This is a bill in which my constituents are interested, as are also those of the Senator from North Dakota [Mr. MCCUMBER], and the amendments were made at the instance of the Representatives from those States.

The PRESIDING OFFICER. The question is on concurring in the amendments of the House of Representatives.

The amendments were concurred in.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 4096) to amend the act authorizing the National Academy of Sciences to receive and hold trust funds for the promotion of science, and for other purposes, which was, on page 2, after line 7, to insert:

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SUTHERLAND. I move that the Senate concur in the House amendment.

The motion was agreed to.

CONSTRUCTION OF REVENUE CUTTERS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the amendment of the House No. 3 to the bill (S. 4377) to provide for the construction of four revenue cutters, insisting upon its amendment to the title of the bill, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NELSON. I move that the Senate disagree to the amendments of the House of Representatives; insist upon its amendment to the amendment of the House No. 3; agree to the conference asked for by the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Presiding Officer appointed Mr. BANKHEAD, Mr. RANSDELL, and Mr. NELSON conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 5304. An act to increase the efficiency of the aviation service of the Army, and for other purposes; and

H. R. 9042. An act to permit sales by the supply departments of the Army to certain military schools and colleges.

The following bills were severally read twice by their titles and referred to the Committee on Indian Affairs:

H. R. 9899. An act to authorize the laying out and opening of public roads on the Winnebago, Omaha, Ponca, and Santee Sioux Indian Reservations in Nebraska; and

H. R. 10835. An act to authorize the Secretary of the Treasury to consolidate sundry funds from which unpaid Indian annuities or shares in the tribal trust funds are or may hereafter be due.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 14189. An act to authorize the construction of a bridge across the Missouri River near Kansas City; and

H. R. 14377. An act to amend section 4472 of the Revised Statutes.

H. R. 15190. An act to amend section 103 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act of Congress approved March 3, 1913, was read twice by its title and referred to the Committee on the Judiciary.

H. J. Res. 249. Joint resolution for the appointment of George Frederick Kunz as a member of the North American Indian Memorial Commission, was read twice by its title and referred to the Committee on the Library.

PANAMA CANAL TOLLS.

Mr. KERN rose.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Borah	Dillingham	Martin, Va.	Smith, Md.
Brady	Gallinger	Nelson	Smoot
Brandegee	Hitchcock	Norris	Sterling
Bristow	Hollis	O'Gorman	Sutherland
Bryan	Hughes	Overman	Swanson
Burleigh	James	Page	Thompson
Burton	Johnson	Perkins	Thornton
Catron	Jones	Pittman	Townsend
Chamberlain	Kenyon	Ransdell	Vardaman
Clapp	Kern	Robinson	Walsh
Clark, Wyo.	La Follette	Saulsbury	West
Crawford	Lane	Shafroth	Works
Culberson	Lea, Tenn.	Sheppard	
Cummins	McCumber	Smith, Ariz.	

Mr. LA FOLLETTE. I was requested to announce for the junior Senator from Missouri [Mr. REED] that he is absent from the Senate this morning on business of the Senate, conducting hearings before the Committee on Manufactures.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is absent on account of sickness.

Mr. SHAFROTH. I wish to announce the unavoidable absence of my colleague [Mr. THOMAS], and to state that he has a general pair with the senior Senator from New York [Mr. ROOT].

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present.

Mr. KERN. I ask unanimous consent for the following agreement.

The PRESIDING OFFICER. The Secretary will read the proposed agreement.

The Secretary read as follows:

It is agreed by unanimous consent that on Wednesday, May 27, 1914, immediately upon the conclusion of the remarks of Senator STERLING, the Senate will proceed to the consideration of the bill H. R. 14385, the Panama tolls bill, and that at not later than 4 o'clock p. m. on that calendar day the Senate will proceed, without further debate, to vote upon any amendment that may be pending and upon the bill—through the regular parliamentary stages—to its final disposition, and that no amendment offered later than Monday, May 25, will be considered.

Mr. KERN. Mr. President, it is the earnest desire of a number of Senators on both sides that I shall make a proposition for a unanimous-consent agreement this morning. The bill has already been very fully debated. The arguments on either side have been very able, exhaustive, and illuminating. I think no greater debate has occurred in this body in many years. It has seemed to many of us that everything that can be said on either side will have been said by the date named, and that to continue an indefinite debate would be inconsistent with the desire that everyone has for an early adjournment.

It is desired, if agreeable to a majority of the Senate, of course, that the meetings of the Senate should commence at 11 o'clock in the morning and be carried on until such time in the evening as would be necessary to give all Senators who might desire to speak full opportunity to be heard. Notices have been given for one speech on the 21st, one on the 22d, one on the 25th, one on the 26th, and another on the 27th. It is believed that the Senate can very well accommodate itself to at least three, four, or five speeches in a single day if they are not too long. I hope that we may be able to agree to vote at the time suggested.

Mr. GALLINGER. I was not in the Chamber when the request for a unanimous-consent agreement was submitted, and I rise simply to ask the Senator what date he has proposed?

Mr. KERN. The 27th of May, one week from to-day; no amendment to be considered that is offered after Monday.

Mr. McCUMBER. Mr. President, the time has not yet arrived to fix a definite date for a vote upon the bill. I therefore object to any unanimous-consent agreement at this time.

The PRESIDING OFFICER. Objection is made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 661) for the relief of the widow of Thomas B. McClintic, deceased, and had appointed Mr. POU, Mr. DIES, and Mr. MOTT managers at the conference on the part of the House.

The message also announced that the House had passed the bill (S. 5289) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Presiding Officer as Acting President pro tempore:

S. 65. An act to amend an act entitled "An act providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof," approved April 12, 1910;

S. 1243. An act directing the issuance of patent to John Russell;

S. 5066. An act to increase the authorization for a public building at Osage City, Kans.;

S. 5552. An act to amend an act entitled "An act for the relief of Gordon W. Nelson," approved May 9, 1914; and

S. J. Res. 139. Joint resolution to authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Government of China on works of conservation and public improvement.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER presented a petition of Local Union No. 1344, United Mine Workers of America, of Webster, Pa., praying that the Senate of the United States "use every means" to end the labor troubles in Colorado, which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Calais, Millersburg, Cincinnati, and Cambridge, in the State of Ohio; of Sparland, Winnebago, Ashmore, Elgin, and Kansas, in the State of Illinois; of Minneapolis and St. Paul, in the State of Minnesota; of Waukesha and Reedsburg, in the State of Wisconsin; of McCoysville, Newville, and Philadelphia, in the State of Pennsylvania; of Bennington, Kans.; of Sheridan, Wyo.; of Emmitsburg, Md.; of Marietta, Ga.; and of St. Louis, Mo., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

Mr. McCUMBER presented petitions of sundry citizens of North Dakota, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. POMERENE presented memorials of 500 citizens of Cleveland, East Liverpool, Canton, Hamilton, Dayton, and Toledo, and of 502 voters of Newark, all in the State of Ohio, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of 700 citizens of Cincinnati, 400 citizens of Loraine, 146 citizens of Conneaut, 53 citizens of Bainbridge, 35 citizens of Massillon, 40 citizens of Marion, 27 citizens of Warren, 45 citizens of Union, 13 citizens of Greenville, and 23 citizens of New Carlisle, all in the State or Ohio, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Branch No. 20, Glass Bottle Blowers' Association of the United States and Canada, of Zanesville, Ohio, approving the action of President Wilson in sending Federal troops into Colorado to restore peace and order in that State, which was referred to the Committee on Education and Labor.

Mr. KENYON. I present petitions signed by 10,000 members of the Burlington district of the Iowa Conference of the Methodist Episcopal Church, of Iowa, praying for national prohibition. I ask that the petitions may be received and referred to the Committee on the Judiciary.

The PRESIDING OFFICER. The petitions will be referred to the Committee on the Judiciary.

Mr. KENYON. I have a telegram in the nature of a petition from the mayor and committee of Beacon, Iowa, which I ask may be printed in the RECORD without reading.

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

BEACON, IOWA, *May 7, 1914.*

Hon. W. S. KENYON.
Senate Chamber, Washington, D. C.:

Whereas in the industrial strife that has existed for more than half a year in the State of Colorado, many men, women, and children have been slaughtered by hired assassins, upon whom have been conferred the power and authority of the State; and

Whereas the greedy and inhuman corporation that has been guilty of these atrocious crimes must be prevented from shedding more human blood; and

Whereas not only in the State of Colorado, but in every State in which thousands of unorganized men and women are employed, industrial conditions are as oppressive and unjust as were those that produced the world's bloody revolutions; and

Whereas we believe that the Federal Government should intervene in our industrial affairs for the purpose of safeguarding human rights: Therefore be it

Resolved, That we, citizens of Beacon, Iowa, urge Congress to enact a law requiring the operator of any industry in which 100 or more persons are employed to obtain a Federal charter under which all the workmen's rights, including the right to band themselves together in labor unions, would be protected. Forfeiture of such charter should be the penalty for violation of any of its provisions, and the Government should be authorized to take over and operate the forfeited industry until such time as the owner would bond himself to meet the requirements of the law; and be it further

Resolved, That we hereby petition Congress to pass the bill introduced by Senator MARTINE that prohibits blood-thirsty corporations from employing guards to murder workmen and their wives and children.

Respectfully submitted by

SOL MEEK,
Mayor and Chairman.
JOHN FREAM,
JOHN OWENS,
ALEX HUSSON,
Committee.

Mr. TOWNSEND presented memorials of sundry citizens of Michigan, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Michigan, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. ASHURST presented telegrams in the nature of memorials from sundry citizens of Arizona, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. NELSON presented memorials of sundry citizens of Detroit, Morgan, and Redwood Falls, all in the State of Minnesota, remonstrating against the enactment of legislation to compel the observance of Sunday as a day of rest in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Anoka, Morgan, and Redwood Falls, all in the State of Minnesota, praying for the adoption of certain amendments to the postal and civil-service laws, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Suffrage Parade Committee of Minneapolis, Minn., favoring the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented telegrams in the nature of memorials from sundry citizens of Minnesota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Minnesota, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the congregation of the Presbyterian Church of Grand Rapids, Minn., favoring the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of sundry citizens of Stockton, Cal., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of the San Francisco Chamber of Commerce, of California, praying for the enactment of legislation to provide for the control of floods and the improvement of navigation, which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Sacramento and San Francisco, in the State of California, remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Armijo Civic Center Association, of Suisun-Fairfield, Cal., praying for a peaceful settlement of the Mexican difficulties, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Riverside, Cal., praying for the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Socialist Party of Laytonville, Cal., praying for an investigation into conditions existing in the mining districts of Colorado, which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the Presbyterian Church of Palo Alto, Cal., praying for the enactment of legislation to regulate interstate commerce in the products of child labor, which was referred to the Committee on Education and Labor.

He also presented a petition of Typographical Local Union No. 576, of San Luis Obispo, Cal., praying for the enactment of legislation to make lawful certain agreements between employees and laborers and persons engaged in agriculture or horticulture, and to limit the issuing of injunctions in certain cases, and for other purposes, which was referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented a telegram in the nature of a petition from the congregation of the First Unitarian Church of Portland, Oreg., praying for a peaceful settlement of the Mexican difficulties, which was referred to the Committee on Foreign Relations.

Mr. DU PONT presented a petition of the Woman's Christian Temperance Union of Hokessin, Del., praying for the enactment of legislation providing for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented memorials of sundry citizens and organizations of the State of Delaware, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. SMITH of Michigan presented memorials of sundry citizens of Michigan; of Union No. 19, United Brotherhood of Carpenters and Joiners, of Detroit; of Electrotypers' Union No 54, of Detroit; of Union No. 105, Sheet Metal Workers' International Alliance, of Detroit; of Sanitary Wagon Drivers' Union, No. 37, of Detroit; of Upholsterers' Union No. 31, of Detroit; of Cigar Makers' Union No. 19, of Sault Ste Marie; of German Carpenters' Union, No. 303, of Detroit; and of Cigar Makers' Union No. 269, of Escanaba, all in the State of Michigan, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Exchange Club, of Detroit, Mich., praying for the adoption of 1-cent letter postage, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Burr Oak; of the congregations of the Stockbridge Avenue Methodist Episcopal Church, of Kalamazoo; the United Brethren Church of St. Johns; and of the Ladies of the Modern Maccabees of Grand Rapids, all in the State of Michigan, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PAGE presented the memorial of Patrick McGreevy, of Winooski, Vt., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

Mr. NORRIS presented petitions of sundry citizens of Nebraska, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of George G. Shute, secretary of Woodsville Division, No. 417, Order of Railway Conductors, of New Hampshire, praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. BRANDEGEE presented a petition of the Connecticut State Association of Letter Carriers, favoring the closing of first and second class post offices on Sundays, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Connecticut State Association of Letter Carriers, favoring the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. LODGE presented petitions of sundry citizens of Worcester, Fitchburg, West Dennis, Fairhaven, Osterville, New Bedford, West Boylston, and North Easton, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. SHIVELY presented memorials of W. F. Smith, C. R. Hubbard, Frank Dillard, C. Hazelbrig, M. Henderson, James Welch, and 130 other residents of Vigo County; and Robert Orr, Thomas Reed, C. R. Larkin, and 212 other residents of Indianapolis, all in the State of Indiana, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. WARREN presented memorials of sundry citizens of Laramie, Wyo., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

MEMORIAL TO MARINES KILLED AT VERA CRUZ.

Mr. SHAFROTH. Mr. President, I send to the desk resolutions adopted by the House of Representatives of the State of Colorado in special session assembled. I ask that the resolutions may be read and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were read and referred to the Committee on Foreign Relations, as follows:

[Certificate.]

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Colorado, ss:

I, James B. Pearce, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of the house resolution No. 9, by Mr. Mitchell, which was filed in this office the 15th day of May, A. D. 1914, at 12.44 o'clock p. m., and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado, at the city of Denver, this 15th day of May, A. D. 1914.

[SEAL.]

JAMES B. PEARCE,
Secretary of State.
By THOMAS F. DILLON, Jr.,
Deputy.

House resolution 9.

Whereas those who fell at Vera Cruz in the line of duty have to-day been brought back to American soil: Be it

Resolved, That the House of Representatives, in special session assembled, do now take a recess until the hour of 3 p. m. as a silent tribute to the memory of these patriotic dead, who, in devotion to the flag of our country, have laid down their lives that the Nation's honor might be vindicated and its principles of justice and humanity upheld before the civilized world; their names will be forever enshrined, not only in the history of our country, but in the hearts of all their countrymen; be it further

Resolved, That these resolutions be spread at large upon the journal of the House and that a copy thereof be forwarded to our Senators and Representatives in the National Congress.

J. H. SLATTERY,
Speaker of the House of Representatives.

Approved May 15, 1914, 12.12 p. m.

ELIAS M. AMMON,
Governor of the State of Colorado.

Indorsed: Filed in the office of the secretary of state of the State of Colorado on the 15th day of May, A. D. 1914, at 12.44 o'clock p. m. Recorded in book —, page —.

JAMES B. PEARCE,
Secretary of State.
By THOS. F. DILLON, Jr.,
Deputy.

Filing clerk, D., jr.

THE COLORADO STRIKE.

Mr. SHAFROTH. Mr. President, I send to the desk resolutions which have been passed by the General Assembly of the State of Colorado, and I ask that they may be read.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

[Certificate.]

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Colorado, ss:

I, James B. Pearce, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of the house joint resolution No. 3, by Mr. Fincher, which was filed in this office the 15th day of May, A. D. 1914, at 12.43 o'clock p. m., and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado, at the city of Denver, this 15th day of May, A. D. 1914.

[SEAL.]

JAMES B. PEARCE,
Secretary of State.
By THOMAS F. DILLON, Jr.,
Deputy.

House joint resolution 3.

Whereas the public mind, not only in Colorado but elsewhere throughout the country, has been agitated and unsettled through the publication and circulation of conflicting statements concerning the facts related with the unfortunate industrial strife prevailing in the coal fields of Colorado; and

Whereas by reason of such conflicting publications and statements the conditions attending the situation have been intensified and the good name and material interests of the State have greatly suffered: Be it

Resolved, That the general assembly, now in extraordinary session, declares that the people of Colorado, no less than the people of any other State in the Union, recognize that the first and highest duty of the citizen is to respect and render obedience to the law; that there can be no freedom, no justice, under any government where life and property are not safe and secure. That the people of the State of Colorado are firmly resolved to preserve law and order in this State and protect life and property therein and to punish those guilty of violation of law without regard to their association, condition, or position. That the general assembly, so convened in extraordinary session, hereby pledges the entire power and, if necessary, the entire resources of the State to the restoration of peace and order, the preservation of the sovereignty of the State, and the maintenance of the government under the Constitution and laws of the country; be it

Resolved, That this resolution be spread upon the journals of the house and senate and that a copy thereof be sent to the President of the United States; and be it further

Resolved, That a copy of these resolutions be forwarded to Members of the Colorado delegation in Congress.

J. H. SLATTERY,
Speaker of the House of Representatives.
STEPHEN R. FITZGERALD,
President of the Senate.

Approved May 15, 1914, 12.16 p. m.

ELIA M. AMMON,
Governor of the State of Colorado.

Indorsed: Filed in the office of the secretary of state of the State of Colorado on the 15th day of May, A. D. 1914, at 12.43 o'clock p. m. Recorded in book —, page —.

JAMES B. PEARCE,
Secretary of State,
By THOMAS F. DILLON, Jr.,
Deputy.

Filing clerk, D., Jr.

Mr. BORAH. I desire to ask the Senator from Colorado if the Legislature of the State of Colorado has adjourned?

Mr. SHAFROTH. Yes; I understand it adjourned on Saturday evening last.

Mr. BORAH. Did it take any steps to provide for taking care of the situation in Colorado?

Mr. SHAFROTH. It provided for the issuing of a million dollars in bonds for the purpose of raising money to pay the past expenses of the national guard of that State and also for other needs that may arise. The amount which has been expended up to this time is about $680,000, which leaves a surplus of $320,000 for expenditures in the future should it be needed.

Mr. BORAH. I understand the only act upon the part of the legislature, then, was to provide for the expenses of the militia forces of the State?

Mr. SHAFROTH. There was also passed a bill giving certain powers to the State with regard to the seizing of arms at any time the governor should make proclamation; an act was also passed giving to the State authorities the power absolutely to close saloons in times when troubles of this character exist. Those were the three bills passed.

There was also submitted a bill to provide for compulsory arbitration.

Mr. BORAH. That is what I was interested in.

Mr. SHAFROTH. That bill was defeated in the house and did not get to the senate. It seems that both sides were opposed to the bill—both the operators and the strikers. The result was that no headway could be made upon that.

Mr. BORAH. I should like to ask further if the difficulty there has been adjusted?

Mr. SHAFROTH. No; it has not been adjusted as yet. Of course, they are endeavoring to adjust it every day. The troops of the United States have been called in and are now upon the ground—not a great many, but it does not take many United States soldiers to preserve order. There is no hostility seemingly between the strikers and the United States troops. On that account very few are necessary. I think there are probably three or four hundred United States soldiers there, whereas there were perhaps fifteen or eighteen hundred of the militia there previous to that time.

REPORTS OF COMMITTEES.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 1269) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand-stamp patents, or otherwise, reported it with an amendment and submitted a report (No. 530) thereon.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 65) to amend Senate joint resolution

34, approved May 12, 1898, entitled "Joint resolution providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims against the United States," reported it with amendments and submitted a report (No. 531) thereon.

Mr. BRADY, from the Committee on Military Affairs, to which was referred the bill (S. 4221) for the relief of Charles L. Roe, reported adversely thereon, and the bill was postponed indefinitely.

Mr. ROBINSON, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 8893) for the relief of Mary E. Goodley (Rept. No. 535);

A bill (H. R. 10767) for the relief of John D. Baldwin (Rept. No. 532); and

A bill (H. R. 12166) for the relief of Jennie S. Sherman or her heirs (Rept. No. 533).

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 4077) for the relief of Mary E. Goodley, submitted an adverse report (No. 534) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. JOHNSON, from the Committee on Claims, to which was referred the bill (H. R. 12778) for the relief of W. D. Stoyer, administrator of the estate of Henry S. Stoyer, reported it without amendment and submitted a report (No. 536) thereon.

LIEUT. JAMES P. BARNEY.

Mr. BRISTOW. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 9147) to restore First Lieut. James P. Barney, retired, to the active list of the Army, and I submit a report (No. 529) thereon. I call the attention of the junior Senator from Virginia [Mr. SWANSON] to the bill.

Mr. SWANSON. I ask unanimous consent for the immediate consideration of the bill.

Mr. GALLINGER. Let the bill be read.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMOOT. I should like to have the Senator from Virginia state why it is necessary that the bill should be acted upon at this time.

Mr. SWANSON. Mr. President, this is a time when we need officers in the Army. The department has recommended that Lieut. Barney be restored to the active list of the Army. Some time ago upon examination he was found to be sick and was retired against his own wishes. His health has since been completely restored. He is now on the retired list receiving three-fourths pay, and this bill proposes to restore him to the active list of the Army. It seems to me that if the Government wants men in the present emergency it would be to the interest of the service to restore to the active list as promptly as it can be done this efficient and capable officer.

Mr. SMOOT. Yes; if the Government desires his services, there is no question about that at all.

Mr. SWANSON. We had better prepare for an emergency, in any event.

Mr. GALLINGER. The bill has not been read, I think.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Does the bill carry any additional pay to the officer during the time he has been retired?

Mr. SWANSON. I think not. He was retired on three-fourths pay.

Mr. GALLINGER. Then it does not carry any additional pay?

Mr. SWANSON. It does not carry any additional pay. He was retired, as I have said, against his own wishes, and his health has been entirely restored.

Mr. McCUMBER. Mr. President, I object to the present consideration of the bill.

The PRESIDING OFFICER. Objection is made.

Mr. SWANSON. Mr. President, I understood unanimous consent had been granted.

The PRESIDING OFFICER. It had not been granted. The Chair gave time for the purpose and understood that the Senator from New Hampshire [Mr. GALLINGER] was about to object, but he did not do so. The objection was made by the Senator from North Dakota [Mr. McCUMBER].

Mr. GALLINGER. I did not make objection, but I asked that the bill be read. The Secretary had only read the title, and I thought it proper that the bill should be read at length. I did not make objection at any point.

Mr. SWANSON. I think the RECORD will show that the Chair inquired if there was objection, and there was no objection made.

The PRESIDING OFFICER. The Chair had made no announcement, but recognized the Senator from North Dakota, who has objected to the consideration of the bill, and it will go to the calendar.

Mr. BRISTOW. Mr. President, there is a bill, S. 3404, covering the same subject matter as the House bill just reported by me, and which I report adversely from the Committee on Military Affairs, with the recommendation that it be indefinitely postponed, as that course will be necessary if the House bill is to be passed. I ask that the Senate bill go to the calendar with the House bill reported favorably.

The PRESIDING OFFICER. Does the Senator desire present action upon the report he is now submitting?

Mr. BRISTOW. No; I do not desire action upon it until the House bill has been passed.

The PRESIDING OFFICER. Does the Senator desire the Senate bill to be placed on the calendar?

Mr. BRISTOW. I desire it to go to the calendar until the House bill has been acted upon; then I shall move its indefinite postponement.

The PRESIDING OFFICER. The bill will be placed on the calendar.

SALT LAKE CITY (UTAH) WATER SUPPLY.

Mr. SMOOT. From the Committee on Public Lands I report back favorably, with an amendment, the bill (S. 4741) for the protection of the water supply of the city of Salt Lake City, Utah, and I submit a report (No. 537) thereon.

Mr. SUTHERLAND. Mr. President, this is a bill of local application only and is a matter of considerable importance to my home city of Salt Lake. I therefore ask unanimous consent for the immediate consideration of the bill. It is short and will take only a moment. I will also say that it has the approval of the Secretary of the Interior.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Let the bill be read first.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. The amendment of the Committee on Public Lands was, on page 3, after line 18, to strike out section 2, as follows:

SEC. 2. That the lands heretofore described and reserved for municipal water-supply purposes shall be administered by and at the expense of the city of Salt Lake City, under the supervision of the Secretary of Agriculture, for the purpose of storing, conserving, and protecting from pollution the water supply, and preserving the timber on said lands to more fully accomplish such purposes, and to that end said city shall have the right, subject to approval of the Secretary of Agriculture, to the use of any and all parts of the lands reserved for the storage and conveying of water and the construction and maintenance thereon of all improvements for such purposes.

And insert:

SEC. 2. That the lands heretofore described and reserved for municipal water-supply purposes shall be administered by the Secretary of Agriculture, at the expense of and in cooperation with the city of Salt Lake City, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands to more fully accomplish such purposes; and to that end said city shall have the right, subject to approval of the Secretary of Agriculture, to the use of any and all parts of the lands reserved for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes.

So as to make the bill read:

Be it enacted, etc., That the public lands within the several townships and subdivisions thereof hereinafter enumerated, situate in the county of Salt Lake, State of Utah, are hereby reserved from all forms of location, entry, or appropriation, whether under the mineral or non-mineral land laws of the United States, and set aside as a municipal water-supply reserve for the use and benefit of the city of Salt Lake City, a municipal corporation of the State of Utah, as follows, to wit: The south half of the south half of section 9; the south half of the southwest quarter and the southeast quarter of section 10; the south half of section 11; section 12; section 13; section 14; section 15; section 16; the northeast quarter and south half of section 17; the south half of the south half of section 18; section 19; section 20; section 21; section 22; section 23; section 24; section 25; section 26; section 27; section 28; the north half of section 29; the north half of the north half of section 33; the north half of the north half of section 34; section 35; section 36, in township 1 north, range 1 east, of Salt Lake base and meridian; all of township 1 north, range 2 east of Salt Lake base and meridian; the south half of section 32; the south half of section 33; the south half of the south half of section 34; the south half of section 35, in township 2 north, range 2 east of Salt Lake base and meridian; the south half of section 7; the west half of the west half of section 17; section 18; section 19; section 30; section 31, in township 1 north, range 3 east, of Salt Lake base and meridian; section 1; section 2; the northeast quarter of section 11; section 12; section 13; section 24, in township 1 south, range 1 east, of Salt Lake base and meridian; section 1; section 2; section 3; section 4; section 5; section 6; section 7; section 8; section 9; section 10; section 11; section 12; section 13; section 14; section 15; section 16; section 17; section 18; section 19; section 20; section

21; section 22; section 23; section 24; the north half of section 25, in township 1 south, range 2 east, of Salt Lake base and meridian; the west half and the southeast quarter of section 5; section 6; section 7; section 8; the west half of the west half of section 9; the west half of the west half of section 16; section 17; section 18; section 19; section 20; the west half and the southeast quarter of section 21; the west half of section 27; section 28; section 29; section 30; the north half of section 32; the north half of section 33; the northwest quarter of section 34, in township 1 south, range 3 east, of Salt Lake base and meridian.

SEC. 2. That the lands heretofore described and reserved for municipal water-supply purposes shall be administered by the Secretary of Agriculture at the expense of and in cooperation with the city of Salt Lake City, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands to more fully accomplish such purposes; and to that end said city shall have the right, subject to approval of the Secretary of Agriculture, to the use of any and all parts of the lands reserved, for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes.

SEC. 3. That in addition to the authority given the Secretary of Agriculture under the act of June 4, 1897 (30 Stats., p. 35), he is hereby authorized to prescribe and enforce such regulations as he may find necessary to carry out the purpose of this act, including the right to forbid persons other than forest officers and those authorized by the municipal authorities from entering or otherwise trespassing upon these lands, and any violation of this act or of regulations issued thereunder shall be punishable as is provided for in section 50 of the act entitled "An act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909" (35 Stats. L., p. 1098), as amended by the act of Congress approved June 25, 1910 (36 Stats. L., p. 857).

SEC. 4. That this act shall be subject to all legal rights heretofore acquired under any law of the United States, and the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

Mr. SHAFROTH. I should like to inquire how many acres of land are proposed to be set aside by this bill?

Mr. SUTHERLAND. I can not answer the Senator as to the precise number, because a very large portion of the land is already owned by the city of Salt Lake. I think more than half of it is owned by the city in fee. Probably three or four thousand acres, I should think, altogether are involved.

Mr. SHAFROTH. I have no objection to the consideration of the bill.

Mr. SMOOT. If the Senator from Colorado desires to know exactly, I will read the figures from the report accompanying the bill.

Mr. SHAFROTH. I do not care particularly about that. The information that three or four thousand acres are involved is sufficient.

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

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

Mr. SMOOT. I ask unanimous consent that the report on the bill prepared by me may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report referred to is as follows:

[Senate Report No. 537, Sixty-third Congress, second session.]

PROTECTION OF THE WATER SUPPLY OF THE CITY OF SALT LAKE CITY, UTAH.

Mr. SMOOT, from the Committee on Public Lands, submitted the following report, to accompany S. 4741:

The Committee on Public Lands, to which was referred the bill (S. 4741) for the protection of the water supply of the city of Salt Lake City, Utah, having had the same under consideration, beg leave to report it back to the Senate with the following amendment:

Pages 3 and 4, strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. That the lands heretofore described and reserved for municipal water-supply purposes shall be administered by the Secretary of Agriculture, at the expense of and in cooperation with the city of Salt Lake City, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands to more fully accomplish such purposes; and to that end said city shall have the right, subject to approval of the Secretary of Agriculture, to the use of any and all parts of the lands reserved, for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes."

As thus amended the committee recommend that the bill do pass.

The above bill contemplates the withdrawal of several townships and subdivisions of townships in the county of Salt Lake, State of Utah, so as to embrace the watersheds in the vicinity of the city of Salt Lake City, and thus afford protection to the water supply of said city.

The city of Salt Lake City at present owns upward of 20,000 acres of land situate in the drainage basins of the creeks from which it gets its water. Here and there all over these lands are little springs and water holes which help to feed the streams from which the city draws its water. Most of these watershed lands were bought from the Union Pacific Railroad Co. The patent to the railroad company, as well as the law making the grant, provides that mineral lands are excepted.

Under cover of mineral locations, squatters are seizing the favored spots in the city watersheds to get the springs thereon. The watersheds are not mineral land. No mine or quarry has been developed on any of them, and no mineral entry seems to be made in any place that does not contain a spring. However, a trace of mineral or limestone or anything else may serve as a pretext for a location to one who wants a spring.

The above bill has been drawn to prevent the contamination of the watersheds surrounding the city by locations made by squatters of a more or less speculative nature.

The land embraced in these watersheds is clearly of a nonmineral character, as set forth in the letter herewith of Mr. Edward R. Zalinski, mining engineer, Salt Lake City, Utah, and addressed to the mayor and commissioners of Salt Lake City.

SALT LAKE CITY, UTAH, *November 12, 1913.*

The MAYOR AND COMMISSIONERS,
Salt Lake City.

GENTLEMEN: In reply to your question as to the character of the lands within the watersheds of City Creek, Dry Creek, Red Butte Creek, Emigration Canyon Creek, and Parleys Creek—as included within the yellow lines on the watershed map of Salt Lake City, a copy of which was given me—I beg to say that in my opinion, based on familiarity with the ground for the past eight years and on a recent inspection of the same, the land has no value as mineral ground, except possibly in a broader sense, for limestone or other quarries, and gravel pits.

Regarding the geology, the country rocks are chiefly limestone and quartzite, with minor quantities of lime shale, sandstone, and conglomerate. There is also a relatively small amount of extrusive or volcanic rock.

The lands in question are classified by the United States Geological Survey, and are shown on the geologic map of North America—Professional Paper 71, plate 1C. This is the latest geologic map of this section, published in 1912, being more up to date than the earlier map of the fortieth parallel survey.

As shown on the latest map, these lands consist of: Carboniferous, undivided (blue, with horizontal hatching on map, symbol No. 14); also some Upper Cretaceous (color green, symbol No. 7, on map); Tertiary effusives (color red, symbol 25); besides these there are the Quaternary gravel beds of the lake benches (light yellow or cream color on map, symbol No. 1).

As to the occurrence of mineral, the beds for the greater part are moderately tilted, with relatively little bending or crumpling of the strata, such as is favorable for ore deposits. There is no important fissuring or faulting; the lands lie east of the Wasatch fault. There are no porphyry intrusions that the writer knows of. These usually accompany mineralization and are present in all of the mining camps of the State.

What might possibly be taken for porphyry is the extrusive or volcanic rock, mostly latite, an eruptive form of a monzonite magma. At Bingham this is later than the mineralization and is nowhere associated with the ore deposits.

This section is not in any recognized mineral district. There has been more or less prospecting, but in the last 50 years, since the fall of 1863, when mining was first started in Utah, no valuable mineral deposits have been discovered or developed.

To sum up, the land embraced within the watersheds is clearly nonmineral ground.

Yours, very truly, EDWARD R. ZALINSKI.

With respect to this withdrawal, the matter was submitted to the Department of the Interior, and in a letter from the Secretary thereof, filed herewith, it will be noted that special legislation is needed in order to accomplish the purpose sought by the city of Salt Lake City, Utah:

DEPARTMENT OF THE INTERIOR,
Washington, March 4, 1914.

Hon. GEORGE SUTHERLAND,
United States Senate.

MY DEAR SENATOR: In response to your request of December 30, 1913, for a report relative to the watershed desired by Salt Lake City to be withdrawn for a water-supply site, I have the honor to submit herewith a copy of a letter from the Director of the Geological Survey describing the land and stating its geographical character. With the papers submitted to you is a diagram showing the lands desired to be withdrawn inclosed in yellow lines. The lands therein colored red are designated on said map as "city land," and I assume that the most of it has been purchased from the Union Pacific Railroad Co. The records of the General Land Office show the total area of the land to be about 67,388.45 acres, of which there has been patented to the Union Pacific Railroad Co., upon its selections, 25,120.27 acres; that preemption patents cover 1,280 acres; patented homestead entries cover 5,277.11 acres; patented soldiers' additional homestead entries, 348.75 acres; approved State selections, 3,850.08; school lands granted to the State in sections 2, 16, 32, and 36, 5,423.30 acres; patented desert-land entries, 697.91 acres; patented timber-culture entries, 40 acres; and patented mineral entries, 1,018.90, making the total area of patented lands 43,057.22 acres, leaving an unpatented area of 24,331.23 acres.

There is also a pending mineral entry for 440 acres and a pending desert-land entry for 280 acres, and 160 acres have been reserved for ranger station and administration site for the Forest Service. One State selection is pending for 40 acres, and a reservation for Fort Douglas contains 200 acres. Permission has also been granted by the Forest Service to the Knight Power Co. for use of 80 acres. Omitting the last-mentioned tract, said pending selections, entries, and reserved land aggregate 1,120 acres.

It is stated in the director's letter that a withdrawal would not affect bona fide claims now in existence, but would prevent entries and selections under the nonmineral laws and the filing of additional claims under the laws applied to nonmetalliferous minerals, "but would not fully protect the city." It appears that a good portion of the unpatented area is covered by the forest reserve, and the withdrawal thereof for the national forest will protect the city, as to such lands, for the present, but, as stated by said director, "It is probable that special legislation will be required to accomplish the purposes of the city authorities."

It is therefore evident that special legislation will be required to fully accomplish the purposes sought by the city. Upon the presentation of a bill for that purpose covering said land, steps will be taken looking to the withdrawal of the land by Executive order from all forms of disposal, pending such legislation.

Your inclosures are herewith returned.

Respectfully, FRANKLIN K. LANE.

The bill has been submitted by the committee to the Department of Agriculture, because the legislation thereof affects the land within the Wasatch National Forest, and the report from the Secretary of the department approving the legislation is also hereto appended.

DEPARTMENT OF AGRICULTURE,
Washington, May 9, 1914.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands, United States Senate.

DEAR SIR: In further reply to your request for a report upon the bill (S. 4741) for the protection of the water supply of the city of Salt Lake City, Utah.

It is proposed in the bill that approximately 25,000 acres of Government land, nearly all within the Wasatch National Forest, be reserved from all forms of entry or appropriation and set aside as a municipal water-supply reserve for the use and benefit of the city of Salt Lake City. Section 2 of the bill proposes the manner in which the area shall be administered for the storage and conveyance of water for municipal purposes. Additional authority is given the Secretary of Agriculture in section 3 of the bill to prevent trespass, so as to preserve the purity of the water supply. All the legal rights of individuals heretofore acquired on the area are protected in section 4.

I inclose a map of the area showing graphically the national forest lands, State lands, municipal lands, and lands in private ownership, together with approximately one section of unreserved, unappropriated public land. From information of record in the Forest Service it appears that titles to these lands within the exterior boundaries of the proposed municipal water-supply reservation are held as follows:

	Acres.
National forest land	24,000
Unappropriated Government land	1,475
State land	2,040
City land	23,855
Railroad and private land	16,527

On the national forest areas there are some lode claims initiated under the mining laws, and there are several placer locations of quarries of smelter, building, and cement stone. Of the lode-mining claims none are being operated. The Emigration Stone Co. and the Portland Cement Co. of Utah are engaged in active operations at their quarries. The placer claims, covering the quarries of different kinds, amount to approximately 1,500 acres. Not more than a half dozen patents have been issued under the lode-mining laws within this area. It is assumed, however, that the Land Office will inform your committee more particularly in regard to the quantities and areas of alienations on the proposed reservation.

The cover of the area consists very largely of scrub oak and maple brush. The northern slope of City Creek Canyon had, however, at one time a good stand of timber. A good reproduction of this has sprung up since the watershed was protected. The south slope of City Creek Canyon is almost entirely oak brush. The next canyon in importance is Emigration, about half of the watershed there being covered with sagebrush and the other half with oak and maple brush. Parleys Canyon has about the same proportion; probably a little larger percentage is of oak and maple brush than of sagebrush. Lambs Fork, the main right fork of Parleys Canyon, has considerable good timber; however, this is largely in private ownership. The character of this land is steep and mountainous, ranging in elevation from 4,500 to 8,000 feet. None of the area is valuable for agriculture. Its chief value is for timber production and for municipal water-supply protection.

This department has always recognized the fact that one of the highest uses to which national forest land could be put is in the protection of water supplies needed for municipal purposes. In several instances cooperation between municipalities and the Forest Service has been arranged. Forms of cooperative agreement are now in force with many of these municipalities, among which are the city of Colorado Springs; the town of Manitou, Colo.; Portland, Oreg.; and Tacoma, Wash. Some of these agreements are entered into under the general authority of this department to cooperate with the municipalities and in other cases specific laws have been enacted by Congress to authorize agreements.

The wording of the bill now before me is quite similar to that used in the act establishing a reservation on the Pike National Forest for the city of Colorado Springs and the town of Manitou, approved February 27, 1913 (37 Stat., 685).

The plan outlined in the provisions of section 3 of that act, relating to the administration of the lands involved, has been found to be eminently practicable and satisfactory. It provides in part as follows:

"SEC. 3. That the lands heretofore described and reserved for municipal water-supply purposes shall be administered by the Secretary of Agriculture at the expense of and in cooperation with the city of Colorado Springs * * *."

Since the purpose of the present act is identical with this earlier enactment for the benefit of the city of Colorado Springs and the town of Manitou, and conditions are in no wise dissimilar, I respectfully suggest that the wording of the present act be slightly amended in order to conform thereto. The following substitute is offered for section 2 of the bill S. 4741:

"That the lands heretofore described and reserved for municipal water-supply purposes shall be administered by the Secretary of Agriculture at the expense of and in cooperation with the city of Salt Lake City, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands to more fully accomplish such purposes, and to that end said city shall have the right, subject to approval of the Secretary of Agriculture, to the use of any and all parts of the lands reserved, for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes."

If this amendment is adopted, this department has no objection to the passage of the bill.

Very truly, yours,

D. F. HOUSTON,
Secretary.

FRENCH SPOLIATION CLAIMS.

Mr. BRYAN. From the Committee on Claims I report a resolution, for which I ask present consideration.

There being no objection, the resolution (S. Res. 366) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That in compliance with the request of the assistant clerk of the Court of Claims, pursuant to an order of the court, under date of May 13, 1914, the Secretary of the Senate be, and he is hereby, instructed to return to the Court of Claims the dismissal of the French spoliation case of the schooner *Maria*, Charles Taylor, master, Nos. 2555, 2630, 4365, 633, contained in House Document No. 379, Sixty-third Congress, second session, and the said court is hereby authorized to proceed in said case as if no return therein had been made to the Congress.

CLAIMS AGAINST THE GOVERNMENT OF COLOMBIA.

Mr. POMERENE, from the Committee on Foreign Relations, reported the following resolution (S. Res. 367), which was read:

Resolved, That there be printed 500 copies each of parts 1 and 2, Senate Document No. 264, Fifty-seventh Congress, first session; Senate Document No. 123, Fifty-seventh Congress, second session; and Senate Document No. 199, Fifty-eighth Congress, second session, all relating to claims against the Government of Colombia, and stitched together in one pamphlet for the use of the Senate document room.

FORT M'HENRY MILITARY RESERVATION.

Mr. CHAMBERLAIN. I ask unanimous consent for the immediate consideration of House bill 12806, being Order of Business 460 on the calendar. My reason for making the request is that the bill has for its object the transferring to the city of Baltimore of the Fort McHenry Military Reservation, which is not used by the Government. It is not in the form of an absolute grant, but simply a permission to use it. The citizens of Baltimore are preparing to hold a celebration there on the 6th of September to honor not only the occasion of the battle fought there, but also the writing of the Star-Spangled Banner by Key. The bill is largely one of local interest, and it is in order to assist them in carrying out the purposes of the proposed celebration that I make this request.

Mr. McCUMBER. Mr. President, is the morning business closed?

The PRESIDING OFFICER. The morning business is not closed.

Mr. McCUMBER. I object to the consideration of any measure until the morning business is closed.

The PRESIDING OFFICER. Objection is made. If there are no further reports of committees, the introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

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

By Mr. STONE:

A bill (S. 5614) for the improvement of the foreign service; to the Committee on Foreign Relations.

By Mr. McCUMBER:

A bill (S. 5615) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes; to the Committee on Agriculture and Forestry.

A bill (S. 5616) to correct the military record of Samuel Barry; to the Committee on Military Affairs.

A bill (S. 5617) granting an increase of pension to William Quinlivan; and

A bill (S. 5618) granting a pension to James Kenyon (with accompanying papers); to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 5619) to transfer Capt. Frank E. Evans from the retired to the active list of the Marine Corps; to the Committee on Naval Affairs.

A bill (S. 5620) granting a pension to Henry Goodwin (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 5621) granting an increase of pension to James A. Sawyer; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 5622) granting an increase of pension to Samuel S. Adams; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5623) granting an increase of pension to Francis M. Drum (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 5624) granting an increase of pension to Z. S. Walker; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 5625) granting a pension to Matilda A. Cowgill (with accompanying paper);

A bill (S. 5626) granting an increase of pension to Marquis L. Waits (with accompanying papers); and

A bill (S. 5627) granting an increase of pension to Moses P. Roberts (with accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 5628) granting an increase of pension to Celia A. Davis; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908; to the Committee on Public Lands.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. JOHNSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

ARBITRATION TREATIES.

Mr. LODGE. Mr. President, when the treaties with France and England negotiated by President Taft were under consideration, I made a somewhat careful examination of the records to see when the Senate had first committed itself to the principle of arbitration. At that time I did not find anything earlier than the Sherman resolution of 1890, which I placed in the speech I made on those treaties. To-day I have come across an earlier resolution—16 years earlier—which was reported from the Committee on Foreign Relations by Mr. Hamlin, of Maine, on June 9, 1874. It is as follows:

Resolved, That the United States, having at heart the cause of peace everywhere, and hoping to help its permanent establishment between nations, hereby recommend the adoption of arbitration as a just and practical method for the determination of international differences, to be maintained sincerely and in good faith, so that war may cease to be regarded as a proper form of trial between nations.

This resolution was considered and agreed to without debate on the 23d of June, 1874. If there is no objection, I should like to have the Secretary order it reprinted, as I think this is the last copy. I also wish it to appear in what I have just said. It is interesting as showing that the Senate adopted the arbitration principle 40 years ago.

The PRESIDING OFFICER. In the absence of objection, the request of the Senator from Massachusetts will be complied with.

AFFAIRS IN MEXICO.

Mr. SMITH of Michigan. Mr. President, on the 21st of April, in speaking on the Mexican situation, I stated that Ambassador Wilson's recommendations for the recognition of the de facto Huerta government was in March last year. I was in error as to the time and I should like to correct it. I ask unanimous consent to have read and printed in the RECORD a letter from Mr. Wilson on that subject.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

INDIANAPOLIS, IND., *May 11, 1914.*

Hon. WILLIAM ALDEN SMITH,
Washington, D. C.

MY DEAR SENATOR: I have just been shown a copy of the CONGRESSIONAL RECORD of April 21 which contains a copy of the recommendations made by me to the President and afterwards read to the Committee on Foreign Relations of the Senate, with reference to the recognition of the present provisional government of Mexico. I detect no error in the wording of the recommendations. They were carefully considered at the time they were offered, and I think have been fully justified by events which have since occurred.

In the comments, however, which you had occasion to make at the time of submitting the recommendations you fell into the very natural error of assigning them chronologically to the month of March, 1913. I think it of some importance that it should be known that these recommendations were made to the President and afterwards read to the Senate Committee on Foreign Relations in the month of August, 1913, while I was in Washington under instructions from the Secretary of State and prior to the acceptance of my resignation.

Inasmuch as some overzealous supporters of the President's policies toward Mexico have with unfortunate haste commented upon the recommendations of August as being the sole and only solution of the difficult situation proposed by me, I feel that I am justified in saying that the records of the Department of State show conclusively that in the early months of the present administration—either April or May, I think—I recommended the unconditional recognition of the Huerta administration. If this is denied, I shall know how to demonstrate the truth. I made the same recommendations with reference to recognition to the Wilson administration that I had made to the Taft administration in February, and I may say here, without fear of contradiction, that the Taft administration recognized the legality of the installation of the Huerta government and withheld formal recognition only because of the delay of the new Mexican administration in adjusting certain long pending differences.

When I made the recommendations for unconditional recognition of the Huerta administration in the early days of the present administration, my position was justified by every consideration of interest and humanity; the revolution against Madero had been generally accepted throughout the country, foreign Governments were rapidly according recognition, and the present revolutionary movement was a cloud no larger than a man's hand on the horizon. Prompt action by our Government, if taken then, would, in my judgment, have averted all the horrors, sacrifices, odiums, and dangers which followed. Four months later, when I made the recommendations, which you have placed upon the records of the Senate, the situation had entirely changed. Our policy toward this unfortunate country had become the subject of severe criticism in European chancelleries, had excited profound distrust in Latin America, had alienated the friendly sentiments of the Mexican Government, and inspired the hopes and rallied the spirits of those in rebellion against the Government.

I was therefore obliged to consider three things in making the recommendations, which you have placed upon the Senate records, viz:

First. The best method of restoring our national prestige.

Second. The best method of affording protection to our nationals in northern Mexico, without being forced to go to war.

Third. The best method of meeting what I understood to be the views and of conforming to the announced policies of the present administration.

To accomplish the restoration of our national prestige I recommended the severe conditions to be imposed before according recognition; to protect our nationals in northern Mexico I recommended an agreement with the Mexican Government to the effect that in case of necessity we should be permitted to go as far south as the twenty-sixth parallel with its consent—below the twenty-sixth parallel there was no semblance of a revolution; to meet the views and to conform to the policies of the present administration, I made the recommendation for demanding guarantees for a constitutional election. At the time I made this recommendation, I knew that a constitutional election could not be held in Mexico, but I also believed that it would be impossible to carry this fact home to the minds of those in charge of the foreign affairs of this Nation. I hoped that some satisfactory process might be gone through which would result in the selection of a good man for President, who, without having been elected by constitutional methods, might nevertheless govern in accordance with democratic principles and endeavor to lay foundations upon which an intelligent and instructed suffrage might be built up.

The recommendations which I made in the first instance I still believe should have been acted upon, and those which I had occasion to offer later, and which are the subject of this letter, I am sure every disinterested person must believe were conceived in a spirit of devotion to the interests of this Government.

Very sincerely, yours, HENRY LANE WILSON.

Mr. STONE. Mr. President, this gentleman, who is a pretty well discredited ex-diplomat, sought opportunities to exploit himself through the public press, and availed himself of every opportunity presented until his fulminations became somewhat stale and the press ceased to be interested in him. I suppose he is endeavoring now to revive his drooping fortunes by "butting into" the CONGRESSIONAL RECORD.

Mr. SMITH of Michigan. Mr. President, I think the Senator from Missouri has departed from his usual sense of fairness in the rather hypercritical remarks he has just made about the former American ambassador. Surely the Senator from Missouri recognizes that during the many months—in fact, years—of his service in Mexico, Ambassador Wilson left no important duty unperformed. He stood at the head of the diplomatic corps during the siege and bombardment of the City of Mexico. He was courageous, careful, painstaking, and thorough in his protection of American life and property. He deserves and has received the praise of his countrymen for the services he rendered.

I can not permit this opportunity to pass without expressing my sincere regret that the honored Senator from Missouri should feel called upon to unkindly characterize the services of this faithful official.

Mr. STONE. I do not think, as my friend does, that Mr. Wilson is entitled to the grateful consideration of the American people for his services in Mexico. I think the secretary of that embassy, who, upon Mr. Wilson's somewhat enforced retirement, became the chargé d'affaires at that embassy, is deserving of great praise and the highest consideration for the performance of most delicate duties under circumstances of the greatest difficulty, and not unaccompanied with peril to himself. For myself I have very little consideration or respect for our former ambassador to the Republic of Mexico.

Mr. WILLIAMS. He was a source of embarrassment there.

Mr. SMITH of Michigan. Mr. President, just a word in response to what the Senator says about the "enforced retirement." Of course, anyone at all familiar with the facts which the records of the State Department will disclose must know that Ambassador Wilson tendered his resignation several times, and separated himself from the service voluntarily. He was, however, kept in the service long after his desire to retire, because of the exigencies of the Mexican situation and the desire of this Government to avail itself of his valuable services. That is a matter of easy demonstration.

I think wherever there is any credit or honor due to the American Government in the Mexican situation, it ought to be distributed with fairness. I concur in all the Senator says about the service of Mr. O'Shaughnessy. He certainly performed his duty with credit to himself and to the Government he represented; but it is not easy to ignore the ample proof upon the records of the State Department of Mr. Wilson's fidelity to duty, for which he has received the highest praise at home and abroad for his service in Mexico up to the time when he voluntarily withdrew from the service.

SHIPPING TRADE IN THE UNITED STATES.

Mr. O'GORMAN. Mr. President, Mr. Joseph N. Teal, of Portland, Oreg., was a witness recently before the Interoceanic Canals Committee. I have a brief letter from this gentleman in which he supplements certain views he then conveyed to the committee regarding the condition of the shipping trade in the United States. It is so short I ask that it may be read.

The PRESIDING OFFICER. Is there objection to the reading of the letter? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

PORTLAND, OREG., *May 12, 1914.*

Hon. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: It is possible the Panama debate may be closed before this letter reaches you, but in view of the fact at the hearings

before the committee it seemed to be the opinion of some Senators that the "tramp" and the irregular steamers were unimportant factors both from traffic handled as well as effect on rates, I thought you might be interested in the findings of the Interstate Commerce Commission in a recent case passing on violations of the fourth section (long-and-short-haul clause) in the Southeast. This case is entitled "Fourth section violations in the Southeast," and will be found in 30 I. C. C., 153. It is a very exhaustive report on the water situation between Atlantic ports, including, of course, the Carolinas and Georgia and all of the Gulf States. Under the heading "Water transportations from New York to south Atlantic ports," at page 169, after setting out the regular lines operating, at page 170 the commission uses the following *significant* language:

"In addition to the freight carried by the regular steamship companies, large and important quantities of low-grade commodities move into and out of the south Atlantic ports by tramp steamers and steamers belonging to lumber companies moving loaded out of the south Atlantic ports and returning empty except for such traffic as can be obtained. Considerable tonnage is handled by sailing vessels. Cement, coal, fertilizer materials, etc., move to the south Atlantic ports in large quantities by these irregular steamships on lower rates than are afforded by the regular steamship lines. The service of these tramp steamers, lumber steamers, sailing vessels, etc., constitutes a check upon the rates of the regular steamship lines, compelling low rates from them, particularly as to all classes of low-grade traffic which can be handled to advantage by the irregular steamers and sailing service."

Dealing with conditions at the city of Savannah, on the same page, the commission says:

"During the year 1911 Savannah handled over 2,500,000 bales of cotton and, next to Galveston, Tex., is the largest cotton market in the world. During the same year 404 irregular vessels, consisting of schooners, barks, and steamships, not including any vessels of the Ocean Steamship Co. or of the Merchants & Miners Transportation Co., entered Savannah. Such of these vessels as moved to and from eastern ports handled fertilizer material, salt, cement, plaster, coal, iron and steel articles, brick, oil, gravel, and hay from north Atlantic ports to Savannah, and lumber and crossties from Savannah to the north Atlantic ports. The approximate amount of traffic carried by these irregular vessels, exclusive of foreign traffic from the north Atlantic ports to Savannah, was 130,172 tons, and during the same period 50,000,000 board feet of lumber and crossties were shipped from Savannah by these vessels. These outside vessels brought into Savannah 10,938 tons of cement at a rate of approximately 97 cents a ton, as compared with the rate of the regular steamship companies of $1.50. The approximate rates charged by these irregular vessels from north Atlantic ports to Savannah are:

	Per ton.
Fertilizer	$1.50
Salt	1.25
Iron and steel articles	1.70
Plaster	.97
Coal	1.10
Brick	1.09
Hay	.90

Under the head of Brunswick and Jacksonville, page 171, the report shows the arrival and clearances in the coastwise trade for 1911 were 3,492 vessels. "The lumber tonnage alone amounted to 223,786,999 board measure."

The foregoing findings of fact by the commission show that my statement to the committee to the effect that there was a large number of outside vessels not in any trust or combine engaged in the trade between the north Atlantic and south Atlantic ports and also that the tramp vessels control the rates on the heavy commodities was correct. It further shows, as I stated, that tramp steamers loaded with lumber moving north make very low rates to secure tonnage southbound. It is perfectly apparent to me that to secure the fullest benefit of the canal for this country the tramps and independent steamers must be encouraged and not discouraged in their operation, and it is equally apparent that a toll will favor the regular liner reasonably sure of cargo both ways and operate to the detriment of the tramp steamer, which must keep moving in order to make a living and can not lay very long in port at any time awaiting cargo.

Sincerely, yours,

JOSEPH N. TEAL.

SIGNALS FOR VESSELS.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 5289) to provide for warning signals for vessels working on wrecks or engaged in dredging or other submarine work, which were, on page 2, lines 1 and 2, to strike out "marking a wreck or" and insert "dredges of all types and vessels working on wrecks by"; on page 2, line 11, after "ferryboats," to insert "barges, dredges, canal boats, vessels working on wrecks"; on page 2, line 13, after "vessels," to insert "barges, dredges, and boats," and to amend the title so as to read:

An act to provide for warning signals on vessels working on wrecks or engaged in dredging or other submarine work, and to amend section 2 of the act approved June 7, 1897, entitled "An act to adopt regulations for preventing collisions upon certain harbors, rivers, and inland waters of the United States."

Mr. PERKINS. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

IMPORTS AND EXPORTS.

The PRESIDING OFFICER. If there are no further concurrent or other resolutions the morning business is closed.

Mr. SMOOT. I ask unanimous consent for a few moments to present some figures in relation to the imports and exports of the United States for the month of April. It will not take more than a few moments.

The PRESIDING OFFICER. The Chair hears no objection, and the Senator from Utah will proceed.

Mr. SMOOT. Mr. President, the tariff law has been in force now some six months, and it can now be judged as to what the future result of the workings of that bill will be as affecting our commerce.

I am in receipt of the report from the Bureau of Foreign and Domestic Commerce, Department of Commerce, showing the total values of imports and exports of the United States for the month of April, 1914.

The question is often asked, What is the matter with business? I believe that this is a proper time to call the attention of the Senate and of the country to one of the great reasons for the unsettled and unsatisfactory state of business conditions in this country.

From the report it is shown that the merchandise exported for April aggregated a value of $162,368,852, as compared with $199,813,438 for the corresponding month of last year. This is a loss in exports of $37,444,586 in a single month.

Mr. GALLINGER. Will the Senator restate the figures?

Mr. SMOOT. The returns of the Department of Commerce show that the merchandise exports for April of this year amounted to $162,368,852, as compared with $199,813,438 for the corresponding month of last year under a protective tariff. This is, as I stated, a loss in exports of $37,444,586 in a single month.

The imports in April of this year were $172,640,724, as compared with $146,194,461 in April of last year, or a gain in imports for the month of $26,446,263. Taking the imports and exports together they show a total loss in money to the commerce of the United States of $63,890,849 in one month, or at the rate of $766,690,188 annually.

This, Mr. President, is the promised expansion of trade, and it shows the adverse balances against our country under the present tariff law. But it must be remembered that we are just beginning to experience the real effect of the Democratic law. It has not yet gone into effect to its full extent.

The duty on sugar was cut in March, but it will be some months yet before it takes full effect and thus wipe out the industry in this country. The imports exceeded exports in April by $10,271,872. Thus we are coming to a condition which has existed under former Democratic tariff laws, when distress everywhere prevailed. As I stated, these figures tell of that wonderful expansion of trade promised by our Democratic friends.

Mr. GALLINGER. Especially by Mr. Redfield.

Mr. SMOOT. Mr. President, another thing I want to call attention to is the quantities of goods that are manufactured ready for consumption imported into this country, and the increases of that class of goods. I have not yet the figures for April. It will be impossible to get them until about the beginning of next month. But I have the figures for February and for March of this year, and they can be compared with the figures for February and March, 1913. The imports of merchandise ready for consumption in March, 1914, compared with the imports in the same months of 1913, I ask may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Imports of merchandise ready for consumption in March, 1914, showing increase compared with imports in the same month in 1913.

Products.	1914 values.	1913 values.	Increase.	Increase.
				Per cent.
Aluminum, manufactures of	$168,000	$60,767	$107,233	176.4
Watches, and parts of	317,329	205,280	112,049	54.5
Cotton cloths	1,402,071	721,902	680,169	94.2
Stockings	417,473	241,455	176,018	72.8
Other knit goods	366,251	44,675	321,576	719.8
Linen yarns	95,248	55,958	39,290	70.1
Fruit and nuts	4,012,244	3,088,108	924,136	29.9
Glassware	708,349	498,674	209,675	54
Cutlery	272,460	146,979	125,481	85.3
Tin plate	185,130	23,298	161,832	694.6
Leather and tanned skins	1,556,342	635,669	920,673	144.8
Gloves	990,977	755,242	235,735	31.2
Paper, and manufactures of	2,529,933	1,783,048	746,885	41.8
Manufactures of silk	3,095,975	2,094,608	1,001,367	37.1
Vegetables	1,423,939	960,857	463,082	48.1
Wool:				
Class 1	5,253,229	2,681,544	2,571,685	95.9
Class 2	616,845	383,638	233,207	60.7
Class 3	2,066,013	1,197,512	868,501	72.6
Woolen cloths	1,396,910	328,974	1,067,936	324
Dress goods	740,928	225,973	514,955	227
Wearing apparel	170,480	165,087	5,393	3.2
All other manufactures of wool	772,544	95,617	676,927	707
Total	29,218,670	16,994,865	12,223,805	71.9

Mr. SMOOT. Mr. President, I am going to call attention to a few of the increases. For instance, on manufactures of alu-

minum the increase is 176.4 per cent. The increases on cotton cloths are 94.2 per cent.

Mr. SMITH of Michigan. The importations?

Mr. SMOOT. The importations. The increase on other knit goods is 719.8 per cent; on tin plate, 694.6 per cent.

Mr President, I noticed in the press a day or two ago one shipment of tin plate of 12,000 cases landed in the port of New York. So when we get our May returns the increase will be greater than 694.6 per cent.

On leather and tanned skins there is an increase of 144.8 per cent; on woolen cloths, an increase of 324 per cent; on wearing apparel, an increase of only 3.2 per cent; on dress goods, an increase of 227 per cent; on all other manufactures of wool, an increase of 707 per cent. The total average increase of goods ready for consumption during the month of March this year over the month of March, 1913, is 71.9 per cent. Then people wonder why so many of our mills are closed. People are asking why so many of our laboring men are out of employment. These figures tell the story, Mr. President. Instead of our laboring men making our goods, they are made by foreigners and shipped into this country.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Michigan?

Mr. SMOOT. I do.

Mr. SMITH of Michigan. Has the Senator the figures of the Department of Commerce for the six months of the operation of the new tariff law?

Mr. SMOOT. I have not them with me.

Mr. SMITH of Michigan. Will the Senator permit me to place in the RECORD the official figures?

Mr. SMOOT. I will be glad to have the Senator do that.

Mr. SMITH of Michigan. In the report of the Secretary of the Department of Commerce just made he states the value of the finished manufactures imported in six months. According to this report, there was imported in six months under the new tariff, from October 1 to April 1, of finished manufactures, $228,000,000 against $215,000,000 in the same period last year, an increase of $13,000,000, which would represent a loss to American labor of more than $2,000,000 a month in wages.

The value of manufacturers' material imported in the first six months of the new Democratic tariff law is $469,000,000 against $517,000,000 last year. In other words, our labor worked with $50,000,000 less raw material during the last six months than last year.

The value of the manufactures exported in the first six months of the new tariff law decreased from $582,000,000 to $541,000,000, a loss in American trade of $41,000,000 in the last six months, or a little less than $8,000,000 a month to American labor.

These startling figures illustrate the unwisdom of recent tariff changes and call loudly for a reassertion of the historic policy of protection to American industry and labor.

Mr. SMOOT. Taking the month of April, there was imported $26,446,263 worth of goods more than a year ago. I say, if the manufactured goods only required 50 per cent of their value in labor, there was a loss to the United States during the month of April to the laboring men of this country of over $13,000,000 from increased importations alone.

Mr. President, not only do these figures show an increase of importations and a falling off of exportations, but we must remember also that there is a falling off in consumption in this country. People are not purchasing as much. That decrease also falls upon the mill men of this country. I notice that in the month of May——

Mr. LANE. I do not understand the deduction of the Senator. He states that there has been a large importation, but a much less use of the articles after they import them. What do they do with them? Do they pile them up?

Mr. SMOOT. No; they are not piled up. The foreign goods come in and our mills are prevented from making the goods. The increased amount of importations were formerly purchased from our local mills.

Mr. LANE. Then they are used after they come here?

Mr. SMOOT. Certainly they are used.

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

Mr. SMOOT. These are importations, and every dollar of importations takes the place of a dollar's worth of goods manufactured in this country.

So far in the month of May, Mr. President, the same increase of importations has been repeated as in the month of April, for I notice that the receipts from customs for the month of April, 1913 and 1914, to the 17th of the month, notwithstanding the reduction in duties, amount to a little more this year than they did last year. It was freely admitted by Democrats that at the close of the fiscal year there would be from forty-five to fifty million dollars shortage in revenue from the collection of customs under the Democratic tariff law, but instead of there being at the end of this fiscal year a deficit of $50,000,000, I want to say to the Senate, there will not be a deficit of $30,000,000. So the tariff law has had the effect of increasing the imports even more than our Democratic friends contemplated that it would.

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. KERN. I rise to a parliamentary inquiry, Mr. President. What is the order of business before the Senate?

The PRESIDING OFFICER. Morning business has been closed, and the calender under Rule VIII is in order.

PANAMA CANAL TOLLS.

Mr. O'GORMAN. I ask unanimous consent that the Panama Canal tolls bill be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14385) to amend section 5 of an act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation of the Canal Zone, approved August 24, 1912.

Mr. HOLLIS obtained the floor.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Brandegee	Hollis	O'Gorman	Sterling
Bristow	Hughes	Page	Stone
Bryan	James	Perkins	Sutherland
Burleigh	Johnson	Pittman	Thompson
Burton	Jones	Poindexter	Tillman
Catron	Kenyon	Pomerene	Townsend
Chamberlain	Kern	Robinson	Vardaman
Chilton	Lane	Saulsbury	Walsh
Clapp	Lea, Tenn	Shafroth	Warren
Clark, Wyo.	Lodge	Sheppard	Weeks
Crawford	McCumber	Shively	West
Cummins	Martin, Va.	Smith, Ariz.	Williams
Gallinger	Nelson	Smith, Mich.	
Hitchcock	Norris	Smoot	

Mr. WALSH. The absence of my colleague [Mr. MYERS] is due to his illness.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum of the Senate is present. The Senator from New Hampshire.

Mr. HOLLIS. Mr. President, the Panama Canal, built, owned, and operated by the United States of America, constitutes the greatest public utility on earth.

The United States has dedicated that canal to the service of all mankind. She boasts that she holds it in trust for the peoples of the world. She throws wide its portals on easy terms to the commerce of all the nations. But by act of Congress, enacted August 24, 1912, she has exempted from payment of tolls vessels engaged in the coastwise trade of the United States. And since no other ships than those owned by her citizens are permitted to engage in the coastwise trade of the United States, she has thereby discriminated against the general public in favor of a certain class of her own citizens.

We are now asked to repeal the act of August 24, 1912, so that the ships of all nations may pass through the canal "without discrimination and on terms of entire equality." I favor such repeal, and as my reasons differ in some respects from any that have been disclosed in this debate, I venture to express them to my colleagues.

Good men, wise men, patriotic men, disagree over the treaty obligations and economic policies involved in the pending question. It is not difficult to make a strong argument on either side. There have been masterly arguments on both sides in the Senate in the past few weeks.

To speak with entire frankness, Senators seem to choose sides as a matter of feeling, or a matter of taste, or a matter of party loyalty, and then to marshal facts and figures and precedents to buttress their preconceived notions. And they find the task easy and diverting.

I confess to a prejudice against any form of discrimination in matters of transportation. I have never ridden on a pass in my life. For 10 years I fought the granting of passes by the railroads of New Hampshire, until special privileges of that kind were abolished. During that fight I learned that if one man was carried free some one else had to pay for his transportation, and it worked out in the long run so that those who paid, and who were least able to pay, were charged not only for their own passage, but also for the passage of those who could best afford to pay and who were favored with free passes.

I therefore approach this problem with a healthy prejudice against any special privilege in matters of transportation. I am aware also that any foreign citizen in this country pays

precisely the same rate for the transportation of his person and his property, by rail or by boat, that every American citizen pays. I know, further, that it is the enlightened policy of the age in transportation matters to serve all comers at reasonable rates and without discrimination. I happen, moreover, to be a radical along the lines of equal opportunity and in opposition to special privilege, so I am on the lookout for chances to extend rather than to restrict the doctrine.

And so when I learn that certain citizens of the United States have been exempted from the payment of tolls in transporting their ships through the Panama Canal I see the old problem arising under new conditions, and I have an instinctive feeling that here is the free-pass question again; that exemption of some from the payment of tolls will shift their burden to the shoulders of others, and that the shoulders on which that burden will ultimately rest will be the shoulders of the taxpayers.

I can easily demonstrate that all taxes are paid in the end by the ultimate consumer and that the great bulk of the ultimate consumers are the poor people of the land. And already are the burdens of the poor most grievous.

After frankly stating my prejudice against free passage of any sort, I think it is fair to say that that prejudice is more than overcome in my case by the plank in the Baltimore platform of 1912, pledging the Democratic Party in favor of tolls exemption at Panama. I freely admit that that plank should be sacredly regarded unless the exemption of American coastwise ships from tolls is contrary to our solemn treaty obligations. I assume that no one considers a platform declaration more binding than the provisions of a valid and existing treaty.

My argument, then, will be confined to the construction of the Hay-Pauncefote treaty, concluded in 1901 between the United States and Great Britain. Those who favor repeal hold, as a rule, that this treaty forbids any discrimination in favor of our coastwise shipping; those who oppose repeal hold, as a rule, that this treaty does not forbid discrimination, so far as American ships are concerned.

As is usual in cases of disputed construction, both sides have drawn lavishly in this debate from contemporaneous history and from current opinion. I now venture to direct the attention of the Senate to what the parties probably intended in the light of the common-law principles regarding transportation matters current in both countries at the time the treaty was concluded, for it is improbable that either country would have demanded from the other anything that was manifestly unfair in the light of the best current thought on transportation matters, and it is equally improbable that either country would have made a concession not required by the same enlightened thought.

We may exclude at the outset any application of common-law principles to war vessels and war measures, for these matters are conceded to be settled by the treaty; at least, they are not in controversy at this time. We are dealing with that part of the question which concerns vessels of commerce alone.

Let us first clearly indicate the duties which the common law imposes upon all who undertake a public calling, particularly the public calling which involves transportation in all its branches—by stage coach, turnpike, toll bridge, ferry, steamboat, pipe line, tramway, railroad, or canal.

The distinction between a private calling and a public calling is not always easy to describe, but it has been determined that all persons or corporations who hold themselves out to transport the public or the goods of the public are clearly engaged in a public calling. All persons who are so engaged are obliged to serve everyone who applies on equal terms.

Of the innkeeper it has been said that "when the weary traveler reaches the wayside inn in the gathering dusk, if the host turns him away, what shall he do? Go to the next inn? It is miles away, and the roads are infested with robbers." And so it is for the public interest that the innkeeper be obliged to accept every guest upon equal terms so long as he has accommodations.

The application of these principles to everyone who serves the traveling public, or the shipper of goods, was natural and inevitable, but the principles applicable to public callings have been carried much further.

In the leading case of Munn *v.* Illinois (94 U. S., 113), it was held that a grain elevator was a public business, obliged to serve all comers at reasonable rates, without discrimination, although the elevator stood upon land purchased by private treaty, although it had no privileges in the public streets, although it had no aid from the public treasury, and was not even incorporated. Justice Waite, of the United States Supreme Court, said in his opinion:

> This brings us to inquire as to the principles upon which this power of regulation rests, in order that we may determine what is within and what without its operative effect. Looking, then, to the common law, from whence came the right which the Constitution protects, we find that when private property is "affected with a public interest, it ceases to be *juris privati* only." This was said by Lord Chief Justice Hale more than 200 years ago in his treatise *De Portibus Maris*, and has been accepted without objection as an essential element in the law of property ever since. Property does become clothed with a public interest when used in a manner to make it of public consequence, and affect the community at large. When, therefore, one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use, and must submit to be controlled by the public for the common good to the extent of the interest he has thus created. He may withdraw his grant by discontinuing the use; but so long as he maintains the use, he must submit to the control.

In Nash *v.* Page (80 Ky., 531) tobacco warehouses were held to have a monopoly of the business, and hence to have undertaken a public calling, subject to the obligation to treat all comers alike.

In Inter Ocean Publishing Co. *v.* Associated Press (184 Ill., 438) the great news-gathering service of the country was held public, and discrimination was forbidden in these words:

> It has devoted its property to a public use, and has, in effect, granted to the public such an interest in its use that it must submit to be controlled by the public for the common good, to the extent of the interest it has thus created in the public in its private property.

And the same was held of the ticker service for stock quotations upon the ground of monopoly. Shepard *v.* Gold Stock & Telegraph Co. (38 Hun, 338).

So for many years it has been established, under the common law of this country and of England by the highest courts, that when a person or a corporation devotes his property to a use in which the public has an interest he thereby grants to the public an interest in that use and must submit to those common-law principles which exact reasonable rates and equal treatment to all comers, without discrimination. This doctrine is clearly laid down in the case of Munn against Illinois, already quoted, and it is a principle which stands above all others in our constitutional law.

As is said in Tift *v.* Southern Railway (138 Fed., 753), decided in 1905:

> "The administration of justice," said Webster, "is the chiefest concern of man upon earth." Within the scope of that function of government there is, perhaps, no single topic of greater magnitude or moment than controversies which arise in trade and commerce. Said Sir Walter Raleigh, "Whosoever commands the trade of the world commands the riches of the world, and consequently the world itself." In a material sense, and in our astonishing civilization, nothing is more important than the transportation of commodities sold or interchanged, and in transportation the stability and reasonable character of the rates charged therefor is scarcely less important than transportation itself. The three grand departments of government—legislative, executive, and judicial—are with steady and swerveless purpose enacting or enforcing laws to safeguard the rights of the general public, and as well that portion engaged in the business of transportation.

The query naturally arises as to the underlying reason why a person engaging in a public service should be subjected to obligations which guarantee equality, and the usual answer is that the obligations are imposed in exchange for the right of eminent domain, or, in other words, the right to take private property for a public use. But it is clear that the right of eminent domain follows and does not precede the obligations of public service.

A railway company or a canal may be granted the right of eminent domain only because it is the present or prospective servant of the public. And this is for the reason that private property can not be taken from its owners by eminent domain except for public use.

Another reason, which is sometimes given for the rule stated, is that the common carrier has received aid through taxation; but here again the effect is mistaken for the cause. Public taxation in aid of a project is only permissible when that project is intended for a public use. The right of taxation therefore follows and does not precede the obligation to treat all comers alike.

In Loan Association *v.* Topeka (20 Wall. (U. S.), 655, 658, Mr. Justice Miller says:

> It was said that roads, canals, bridges, navigable streams, and all other highways had in all times been matter of public concern; that such channels of travel and of the carrying business had always been established, improved, regulated by the State, and that the railroad had not lost this character because constructed by individual enterprise, aggregated into a corporation. We are not prepared to say that the latter view of it is not the true one, especially as there are other characteristics of a public nature conferred on these corporations, such as the power to obtain right of way, their subjection to the laws which govern common carriers, and the like, which seem to justify the proposition.

From the study of the cases it is clearly evident that the real basis for casting upon public servants the obligation of equal treatment to all comers rests in the establishment of *a monopoly*, more or less complete. When it is evident that a situation has arisen where there is but one place to which the customer may apply for reasonable service, then the application of equality

and the prohibition of discrimination attach. And the cases show that these obligations attach with inexorable force when the business has been established by the grant of an exclusive franchise.

If, then, a citizen of the United States, or of any other country, be it Russia, Japan, or Brazil, can show that a person or corporation has attained an exclusive franchise for the transportation of passengers and freight, he can enforce in the courts of this country his undoubted common-law right to have his person or his property transported at the same rates which are granted to others. No one will deny this right.

Nor will it be denied that citizens of all nations are entitled to exercise other public rights in the United States or any of its possessions. Any citizen from any land may ride upon our railroads or travel our highways, cross our toll bridges, avail himself of our water, gas, or electric service, use our sewers, or exercise any similar public right on the same terms as any citizen of the United States. And we, in common justice, must admit that citizens of the United States are accorded the same privileges in substantially every civilized quarter of the globe, and particularly in Great Britain and her dependencies.

At this point I beg the Senate to take note of a few definite facts at the time the Hay-Pauncefote treaty was concluded in 1901. The common-law principles we have been tracing were in force upon every railroad and canal in Great Britain and in the United States; the vessels of both nations were using the Welland Canal, on English soil, without discrimination and on equal terms; the vessels of both nations were using the Soo Canal, on American soil, without discrimination; the vessels of both nations were using the Suez Canal, on the soil of neither, in common with all other nations, without discrimination; the person and goods of any Englishman were being transported over every railroad and canal in America on equal terms with those of any American; the person and goods of any American were being transported over every railroad and canal in England on equal terms with those of any Englishman. The common law under which these privileges were enjoyed was the common inheritance of the two great Anglo-Saxon nations; it was the crystallized common sense, fairness, and justice of the two peoples.

What, then, would be expected by either of them if they should enter into a treaty which was to bestow on one of them an exclusive franchise to establish a transportation monopoly across the Isthmus of Panama? Would not the nation granting that monopoly naturally expect to require from the recipient of that monopoly franchise at least the same privileges and obligations imposed by both Governments on all railroads and canals within their borders? And why not?

Let us make no mistake about this. Let us fix firmly in our minds that every carrier by rail and water in the United States and in England is bound by the immutable principles of the common law under which both nations live, to carry all comers at reasonable rates, on equal terms, and *without discrimination.* And let us further remember that both nations enforce these obligations of entire equality and fair treatment in favor of prince and pauper, individual and corporation, citizen and foreigner, without discrimination or favor.

I hold it to be too plain for argument that that Nation to which we proudly give our allegiance would expect voluntarily to bind herself to observe those principles of justice and equality which she imposes upon others through her courts of justice.

It is true that there is no court in which these common-law obligations may be enforced, for the United States recognizes no higher power than herself, and there is therefore no authority to compel her obedience to the commonest decencies of international obligations. Even her treaties may be disregarded if she is deaf to the obligations of civilized mankind. But I know that every Senator of the United States, if he can discover and correctly apply the principles of justice and equality upon which our common-law obligations rest, will be zealous to have those principles observed by his country as well as by the humblest person, native or foreign.

But, strictly speaking, the question is not at this juncture what we ought to be willing to do, but what, in the light of the best current thought, we intended by the language we used in the treaty of 1901.

Is it, then, probable that the United States, in coming to an agreement with her neighbor, would voluntarily submit to the same common-law principles of equality and justice which she imposed through her highest courts upon her own citizens and the citizens of other lands? Or is it more probable that, because there is no sanction upon this planet for enforcing justice against her, she intended to stand above those principles of justice and equality which she demands from others and from her own citizens?

We have all observed that the application of morals and ethics ordinarily tends to grow more obscure as it becomes less personal. An upright citizen, who would scorn to take a mean advantage for his private purse, will perform acts which result in unjust enrichment to the corporation which he serves. An upright lawyer, who would not enforce his strict legal rights to the detriment of his neighbor, feels obliged to follow the instructions of his client in a case involving the same situation. Similarly, men will vote for national policies which they would be ashamed to invoke for their own private advantage. They seem to feel that there is a certain patriotism in overreaching for the benefit of their country, when a similar action for their own benefit would be described by a very different word.

I bespeak for the national honor, for the national interest, for the national benefit, the same application of common-law principles as our Nation enforces upon its own citizens and others within its borders—this and nothing more.

I do not feel it my duty as a Senator of the United States to assume that my country was any more grasping, any more selfish, any less just at the time the Hay-Pauncefote treaty was made than I should have been myself if I had been making a contract in behalf of a railroad corporation. I hope that no one else will have the bad taste, in a mistaken burst of patriotism, to invoke a less lively appreciation of what is fair and just.

Urging once more that we keep in mind the undisputed principles of the American and English common law, let us see what matter it was about which the two nations were about to treat in 1900 and 1901.

We are impressed at the outset with the glaring fact that the United States was about to establish a monopoly at Panama, and to do so through an exclusive franchise to be obtained by the common consent of the nations of the earth. Every schoolboy seeking to distract his mind from the hard facts of his geography lesson had drawn a lead-pencil canal through Panama on the map of the Western Hemisphere. Every nation which had any commerce had looked forward to the day when it might send its wares through the Panama Canal and avoid the dangers and the distance of a voyage around Cape Horn.

It was very plain that there would never be more than one canal across the Isthmus. In the first place, the construction of a second canal would be an unpardonable waste of time and money. In the second place, a single canal might be widened and deepened so as to serve all commerce which would ever offer itself for passage. The construction of the Panama Canal would establish a complete monopoly of traffic at or near that point. This could not be denied.

We come next to the character of the franchise to be enjoyed by the United States. It will be conceded that the United States had no exclusive or peculiar right to occupy the Isthmus of Panama when negotiations began among nations for the first canal treaties. It was unthinkable that the United States would permit any other nation to go there and construct a canal without a plain understanding as to the use of the canal by ships of the United States. No other nation engaged extensively in commerce would permit the United States to build a canal for the exclusive use of its own ships. To establish a monopoly for the sole use of United States ships would be a cause of war, promptly crushed by a combination of the world powers. But the United States made no claim to such right. As long ago as 1850 it had entered into a treaty with Great Britain on the subject, and through treaty and convention and international agreement and by universal consent among the nations, the United States was to obtain in 1900 an exclusive franchise to build and maintain the Panama Canal.

At this point I am not debating the rights acquired under the various treaties which have been so much discussed. I am merely calling attention to the fact that, through the assent of the civilized world, the United States was in 1901 about to obtain an exclusive franchise to maintain a canal monopoly across the Isthmus of Panama. And it would necessarily follow, under any fair application of the common-law principles to which I have already alluded, that the United States would expect voluntarily to assume the duties and obligations of a common carrier, and therefore would expect to treat all comers on equal terms, without discrimination.

At this point let us test the soundness of the rule of equality as applied to railroads, canals, and the like. Let us assume that it were possible for one man to possess himself of all the water fit for drinking purposes in the United States. The owner would be compelled to furnish water to all who applied on reasonable terms, and it is inconceivable that he would be permitted to sell to one person for half the price charged to others.

Or assume that one of the United States were divided by a range of mountains, passable through a single narrow canyon, with room for but one wagon track or railroad. Would any person or corporation be permitted to occupy the pass and to carry his friends at one rate and other citizens at a higher rate? And, in the same way and along the same lines of reasoning, was it fair or equitable or decent for one nation to possess itself of the Isthmus of Panama and undertake to discriminate between its own citizens and others, particularly when it prohibits railroads and canals within its borders from discriminating against anyone?

That the principles for which I am contending have been recognized with remarkable unanimity by American statesmen and officials in connection with the Isthmian canal project may be easily shown. Suffice it to say here that they were so recognized in public statements and documents by Henry Clay, then Secretary of State, in 1826; by a Senate resolution in 1835; by a resolution of the House of Representatives in 1839; in a treaty by the United States with New Granada in 1846; in President Polk's message to the Senate in 1847; by Lewis Cass, Secretary of State, in 1858; and by James G. Blaine, Secretary of State, in 1881. These documents and statements are admirably set forth in a pamphlet on Exemption from Panama Tolls, lately published by Prof. Eugene Wambaugh, of Harvard University.

A right understanding of our official utterances and of the common-law principles, which I have emphasized to an extent which is, I fear, unpardonable, leads inevitably to the conclusion that any two Anglo-Saxons would have them clearly in mind when about to make a contract concerning any transportation service; and such an understanding leads equally to the conclusion that any two Anglo-Saxon nations would have them clearly in mind when about to treat concerning a canal from one ocean to another which both nations would expect to use.

Knowing well that it is a fundamental law of common carriers that they must carry all who apply, on reasonable terms and without discrimination, both nations would realize that any treaty provisions *in conflict with this fundamental law*, common to both, must be so *clearly expressed that there could be no doubt of their meaning*. In other words, there would be a presumption that each nation intended to conform to the well-established rules of conduct applicable to the subject matter, *unless* that presumption should be unmistakably rebutted by words of the clearest import. The burden of proof would be on the party claiming a construction opposed to the settled principles involved in transportation by rail or water.

Unless, then, the words of the treaty of 1901 clearly and unmistakably import discrimination in favor of American ships, and the right to impose upon British vessels rates higher than those charged American ships, we must conclude that equality of rates was intended and discrimination prohibited.

We are now prepared to examine the documents in the case, approaching them in the light which encompassed the high contracting parties when their minds met in 1901.

There are only five treaties to be considered from first to last, and they may be briefly described as follows:

1. The Clayton-Bulwer treaty between the United States and Great Britain, April 19, 1850.

2. The first Hay-Pauncefote treaty between the United States and Great Britain, exchanged February 5, 1900, but never ratified.

3. The second Hay-Pauncefote treaty, entered into November 18, 1901, and ratified December 16, 1901.

4. The Hay-Herran treaty with Colombia, January 22, 1903.

5. The Hay-Bunau-Varilla treaty with Panama, November 18, 1903.

The treaties with Colombia and Panama may be dismissed with the single comment that they give to the United States the undoubted right to build the canal across the Isthmus of Panama, and to operate and maintain it "in conformity with all the stipulations of the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901." (Hay-Herran treaty, art. 16; Hay-Bunau-Varilla treaty, art. 18.)

Passing, then, to the discussion of the treaties with Great Britain, we find that the Clayton-Bulwer treaty purported to fix by a convention the views and intentions of the United States and Great Britain concerning the construction of a Nicaragua canal. The two Governments made various agreements regarding any attempt to gain an advantage in any part of Central America; but the principal agreements were three in number, as follows: First, that neither nation would ever obtain or maintain for itself any exclusive control over such canal; second, that neither nation would ever erect or maintain any fortifications commanding the canal or in its vicinity; third, that neither nation would take advantage of any connection with any State or Government through whose territory the canal might pass "for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which should not be offered *on the same terms to the citizens or subjects of the other*." (Art. I.)

Here at the outset was a plain recognition of the common-law principles which must necessarily attach to a canal monopoly such as was contemplated. No one would suppose that such a treaty would be necessary among civilized nations inheriting common-law principles founded upon equity and justice. But it is most satisfactory to find these principles clearly recognized at the beginning of the negotiations.

In Article VI the purpose of both nations is plainly stated to be that—

> of more effectually carrying out the great design of this convention, namely, that of constructing and maintaining the said canal as a ship communication between the two oceans *for the benefit of mankind, on equal terms to all*, and of protecting the same.

This is a noble and lofty purpose; and any citizen of the United States may congratulate himself that this "great design" was clearly stated at the outset, so that the whole world might understand the purpose of this country to serve mankind "on equal terms to all." Such was the intention of our country in 1850, and no one has suggested any reason why mankind in general should be treated in 1901 or in our day upon a less liberal and less enlightened scale. It may be claimed that one nation or another has at some time so conducted itself that we may be excused for making reprisal at this time. But surely nothing has occurred by which all mankind has forfeited its inherent right to equality of treatment.

In Article VIII it is stated that—

> the Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America, and especially to the inter-oceanic communications * * * by the way of Tehuantepec or Panama.

And Article VIII proceeds to state that—

> it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

We may well look back with pride to the high sense of national obligation so clearly recognized in the Clayton-Bulwer treaty. We have not, after all, made such tremendous advances in the past 60 years in our enlightened conception of what a common carrier owes the public. The spirit of justice and equality for which I have been contending breathes from one end of the document to the other. We find there the clearest recognition of the obligation of the canal builder, whoever it might be, to serve all comers at reasonable rates on terms of entire equality and without discrimination.

Some zealous patriots have seen fit to call the Clayton-Bulwer treaty an "egregious blunder." But, blunder or not, it was a binding treaty until it was superseded by the Hay-Pauncefote treaty of 1901, and when properly viewed in the light of common-law principles, it is a clear and statesmanlike recognition of what Anglo-Saxons at that time believed just and fair in matters of transportation.

We have, then, paving the way—or, to use a better figure, lighting the path—for the treaty of 1901 an express declaration of the common-law principles to which every international carrier should be subjected. I maintain that these far-shining principles of equality and fair dealing needed no declaration by treaty, convention, or international agreement to constitute them beacon lights along the path of progress pursued by the two enlightened nations whose minds met in the treaty of 1850 and again in the treaty of 1901.

But it is indeed a satisfaction to know that these red lights were entowered in 1850, and were not removed or bedimmed in the next 50 years at least. We approach the negotiations of 1900 and 1901, accordingly, in the steady light of their illumination, by which all may read that up to then it was the common understanding of the United States and Great Britain that any canal across the narrows of the American Continent should be open on equal terms to their citizens and subjects, without discrimination, and that all other nations might avail themselves of the same terms by undertaking equal responsibilities.

In order fully to realize the reasons which induced the United States and Great Britain to supersede the Clayton-Bulwer treaty we must bear in mind that with the end of the nineteenth cen-

tury there came to the United States enlarged responsibilities, among them the acquisition of the Philippine Islands, together with a sense of growing power among the nations of the earth, and a consciousness of possible trouble with the peoples of the East which might require the speedy transport of our fleet to the Pacific coast, and that the steady pressure of Great Britain's commerce and the care of her eastern dependencies made an early construction of the Panama Canal most desirable. It was evident that none but the Government of the United States would undertake the task.

But the Clayton-Bulwer treaty stood in the way. We had entered into that convention before we had embarked upon a policy of imperialism, and we had bound ourselves not to build the canal ourselves. We found it very inconvenient to be bound not to fortify the canal, not to exclude from it the ships of our enemy in time of war, not to fix the rate of tolls, not to control the canal and protect it by our own forces. And so we asked England, respectfully enough, to be so good as to release us from our treaty of 50 years' standing.

And England, in 1901, agreed to supersede the Clayton-Bulwer treaty and to make a new one, the Hay-Pauncefote treaty. In point of fact, England receded from nearly every point of vantage under the Clayton-Bulwer treaty. The United States was left free to acquire as much territory as she desired, to build the canal herself, to fortify and control it, to fix the tolls, to exclude her enemies' ships in time of war, and to treat the canal as her private property—just like any other corporation owning a public utility.

In return for all these concessions England received but two promises: First, that there should be no discrimination in tolls; second, that the canal must be open to the ships of war of all nations in war or in peace, except that the United States might exclude the ships of her enemy in time of war. It hardly seems probable that Great Britain intended to yield the right to equality of tolls between English and American ships. She had already yielded four-fifths of her rights without an adequate consideration. Why should she yield the remaining fifth for no return? This line of argument readily suggests itself, but it is comparatively unimportant. Most important it is to examine closely the language of the treaty of 1901 to see whether its terms are so clear and definite against equality and for discrimination as necessarily to preclude the rights of entire equality which would ordinarily be presumed.

Proceeding, then, to a careful examination of the language of the Hay-Pauncefote treaty, we find in the preamble the clearly expressed desire to facilitate the construction of the canal "without impairing the 'general principle' of neutralization" established in Article VIII of the Clayton-Bulwer treaty. Article VIII says nothing of war, as might be indicated by the term "neutralization," but expresses the "general principle" of equality to all nations in the use of any canal at Nicaragua, Tehuantepec, or Panama. Instead of clear language favoring discrimination and inequality, here is an express declaration of the intention, and a recognition of the duty, to preserve equality of use to all nations.

The regulation of the canal is provided for in Article II of the Hay-Pauncefote treaty, and here, again, instead of an explicit prohibition of equality, it is clearly stated that the basis of neutralization adopted is that provided for the navigation of the Suez Canal, where equal rates are guaranteed.

The first rule of Article III provides for vessels *of commerce and of war* of all nations; the other five rules apply only to *vessels of war* or to *acts of war*. It has been argued that because the last five rules apply to vessels of other nations, it must follow that the first rule applies to vessels of other nations, not to vessels of the United States; but it is readily seen that there is nothing in this argument, for the first rule stands clearly by itself in dealing with vessels of commerce as well as with vessels of war. And since this is the only place where vessels of commerce are mentioned in this treaty, they receive the treatment accorded by the words of this article, and none other.

Here, if at all, we should expect those unequivocal and necessary words in derogation of the common-law principles of equality, but once again we are left suspended in mid-air, for these words are clear, it is true, but clear in support of, not in opposition to, the red lights of equality and fair dealing:

> The canal shall be free and open to the vessels of commerce and of war *of all nations* observing these rules, on terms *of entire equality*, so that there shall be *no discrimination* against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

It is conceded that these words, standing by themselves, clearly prohibit any discrimination in favor of vessels engaged in the American coastwise trade. For my part I am willing to concede that a strong argument is made in favor of the right to discriminate by bringing to bear other parts of the treaty and the surrounding circumstances. But when we recall the recognized principles of the common law which create a presumption in favor of equality and against discrimination, we clearly see that there is entirely lacking that clear and convincing statement which is required to overcome that presumption.

Not only are clear and convincing terms lacking to overcome the presumption of the common-law principles, but, on the contrary, the terms employed show clearly that the first rule of Article III is a mere reenactment of the obligations which attach to all public undertakings. Every element is there; the canal is open to all comers without exception, on equal terms, and without discrimination, and the charges must be reasonable. Instead of clear terms to set aside the common law we have throughout a second declaration of the recognized principles of the common law.

As eminent a lawyer as Mr. Richard Olney says that the obligations of a common carrier do not fit this case because—

> the principle affects only the users of the public work and only prescribes entire equality as between them—it in no way prevents the owner of the work, or those for whom it holds the work in trust, from using it in any way and to any extent that the legal or beneficial owner or owners may determine. (Address before American Society of International Law, Apr. 25, 1913.)

But if it is conceded that "the principle affects only the *users* of the public work," our point is made. For the "users" are the public—Americans, English, Russians, and citizens of every nation—and for all such "users" entire equality is prescribed. The "owner" is the United States, and its Government vessels may be passed through the canal, everyone concedes, without charge, just as a railroad carries its own goods without payment of freight.

But when Mr. Olney says that "those for whom it holds the work in trust" may pass free, he falls into a plain error. A railroad holds its property in trust for its stockholders, but they can not be carried free, except to annual meetings or something of that sort. Because a man has bought a share of Pennsylvania Railroad stock he is not entitled to be carried free from here to Philadelphia.

Who are the beneficiaries for whom the United States holds the Panama Canal "in trust"? Surely not the owners of domestic ships. They have no more right to have their ships passed free than the owners of American ships engaged in foreign trade. If the Panama Canal is held in trust for any Americans, it is for all Americans, because all have been taxed for its construction. But no one contends that a man has a right to have his goods passed through the canal without charge because he is an American citizen.

The law is that a State or a nation, when it holds a public work in trust, holds it in trust for "the public," including all who come, foreign or domestic. Such is the law in New Hampshire, and in Mr. Olney's State of Massachusetts, regarding "great ponds," which are held in trust by the State for the use of "the public." (Concord *v.* Robertson, 66 N. H., 1; Watuppa *v.* Fall River, 147 Mass., 548.)

The authority cited by Mr. Olney to sustain his proposition (the *Avon*, 18 Int. Rev. Record, 165; III Moore, 268) goes merely to the point that "the nation which constructs an artificial channel may annex such conditions to its use as it pleases," falls short of saying that it may annex one condition for one country and another condition for another country. In the light of American and English common law, whatever conditions it annexes must apply to all on equal terms. Particularly must this be so when the canal occupies the only available place, establishes a monopoly, and is built under an exclusive franchise.

Rightly understood, the case of the *Avon*, supra, is an authority for my contention. It arose out of a collision in the Welland Canal between an American ship and a Canadian ship, in which the Canadian ship was at fault. Under the admiralty law of the United States the owner of the American vessel became the owner of a proprietary interest in the Canadian vessel, which would last until the damages suffered should be paid. The Canadian ship went into the hands of a new owner for value and without notice of the claim for damages. Subsequently the ship was seized in an American port by the American owner to answer for the damages inflicted. The case turned on the question what law should be applied. Under the Canadian law in force over the situs of the Welland Canal, the ship could not be held; under the general law of American admiralty it could be held.

Bear in mind that the Welland Canal is entirely artificial and constructed entirely on Canadian soil.

It was held, however, by the United States District Court that the general admiralty law prevailed just as much as if the collision had occurred on the high seas.

It thus appears that the Panama Canal, even though it is built on American soil by American money and is operated under American control, will be held for maritime purposes to be subject to the admiralty jurisdiction of the high seas.

Mr. Olney and Senator LODGE construct another argument on the proposition that the citizens of other nations are our "customers" in the use of the canal. They say:

> It can not reasonably be argued that in fixing terms for the use of its canal by customers the United States looked upon itself as one of the customers.

This is very true; the United States does not look upon itself as one of its own customers. It stands like a railroad company, and no one questions its right to pass free its Government vessels—ships of war, transports, revenue cutters, and the like—just as a railroad carries free its own freight and employees.

But when we come to the case of *citizens* of the United States as opposed to the *Government* of the United States, the railroad analogy holds. Citizens of the United States are "customers," just as foreign governments and foreign citizens are "customers," and just as stockholders of a railroad company are "customers." I still maintain that the United States has no more right to pass free through the canal ships belonging to its citizens than a railroad has to carry free the persons or property of its stockholders.

In 1912 the Congress of the United States passed a law exempting some of the Nation's "customers" from the payment of tolls. These "customers" are the owners of domestic coastwise ships. We have seen that such exemption was clearly contrary to the Hay-Pauncefote treaty and to the common-law obligations of the United States as the owner of the canal. The passage of the exemption law did not make the exemption an act of justice. Quite the contrary. It merely placed upon the statute books an unjust law; nay, more, an *invalid law*, contrary to our treaty obligations. That injustice it is now our right and our privilege to correct. We are about to repeal an unjust and an invalid law.

It does not appeal to my sense of fair play to refer the validity of this law to the courts of either of the high contracting parties. Imagine the storm of disapproval if *England* should propose to test the law in *its* courts.

It seems to me so plain that I need no court to warrant me in declaring it invalid. The majority of the Senators of the United States can safely be trusted to pass upon it fairly and intelligently. They can repeal it more effectively and more speedily than any court of law.

Referring once more to the declaration of the Democratic platform of 1912 in favor of exemption from tolls, it is clear that no plank in a party platform could make a wrong thing right, any more than could the passage of the exemption act by Congress in August, 1912. No one is bound by a party platform to persist in an immoral or illegal act. I can, moreover, truthfully say that nothing was made of this plank in the State of New Hampshire, and I do not believe that a single Democratic vote was cast on the strength of it. It was a legal mistake to include it in the platform. Good faith and the honor of a great Nation require that it be disregarded.

In his learned speech of May 12 Senator SMOOT, of Utah, was pleased to say that the position taken by the Democratic administration in this matter is—

> not worthy of the sons of the patriot fathers of the Revolution, who won for us by blood and sacrifice the blessings of liberty.

New Hampshire sends her compliments to the distinguished Senator from the great State of Utah. She is glad of his zeal and she glories in his patriotism. But she ventures to remind him that her sons fought the battles of the Revolution when his own State was a howling wilderness. She needs no lessons in brave deeds nor in patriotism. She was not afraid of England then; she is not afraid of England now.

New Hampshire bids me ask, Mr. President, how much her sons feared England in 1775, when they wrested from the British soldiers royal guns and ammunition in Fort William and Mary at Portsmouth and made the first armed resistance to King George, four months before the battle of Concord and Lexington and six months before the Battle of Bunker Hill? Was New Hampshire afraid of England when she built the *Ranger* in Portsmouth Harbor and sent her sailors over the broad Atlantic under John Paul Jones to capture a British man-of-war and receive the first salute ever given the Stars and Stripes by a foreign nation? How greatly did New Hampshire men shrink from their duty when her soldiers made up more than half the American troops at Bunker Hill and more than two-thirds of all the forces who won the Battle of Bennington under her own Gen. Stark? How much fear did the British see in the right wing of the advance guard at Trenton, when New Hampshire troops bore down upon them, led once more by Gen. Stark, under the command of Gen. Sullivan?

New Hampshire is not afraid of England; the United States is not afraid of England.

But there are things, Mr. President, of which my native State and my native country are very much afraid. They are afraid of yielding something of that jealous honor which befits one Christian gentleman when he deals with another; they are afraid to pose in the face of international opinion as a bully, who will grab a prize and hold it because he has the brute strength; they are afraid to submit to the judgment of the world the acute subtleties of a lawyer's argument in place of fulfilling their obligations. They are very much afraid, Mr. President, that the tradition of uprightness and good faith, received from their Revolutionary ancestors, may be transmitted to their descendants with an unworthy stain upon it; they are afraid to refuse to their neighbors the same principles of justice and equality which they impose upon all within their borders; they are afraid, Mr. President, that some other nation may outdo them in dealing thus with their neighbors and rob them of the privilege of being the first to establish the living reality of the Golden Rule among nations.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Before the Senator from Iowa proceeds, the Chair will suggest, on his own motion, the absence of a quorum.

Mr. KENYON. I wish the Chair would not do that. I was going to suggest to Senators who wish to retire that at the close of my remarks I will guard them by calling for a quorum, so that they can be present for any business which is to be transacted. I wish the Chair would not have the roll called.

The PRESIDING OFFICER. The Chair is advised that he has taken a step from which the rules do not permit him to recede. The Secretary will call the roll.

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

Borah	Gallinger	Martine, N. J.	Shields
Brandegee	Hitchcock	Norris	Shively
Bristow	Hollis	O'Gorman	Smith, Ariz.
Bryan	Hughes	Page	Smoot
Burleigh	James	Perkins	Stone
Burton	Johnson	Pittman	Sutherland
Catron	Kenyon	Poindexter	Thompson
Chamberlain	Kern	Pomerene	Tillman
Chilton	La Follette	Ransdell	Vardaman
Clark, Wyo.	Lane	Robinson	Walsh
Crawford	Lea, Tenn.	Saulsbury	Warren
Cummins	Lodge	Shafroth	West
Fall	Martin, Va.	Sheppard	Works

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Fifty-two Senators have answered to their names. A quorum of the Senate is present. The Senator from Iowa will proceed.

Mr. KENYON. Mr. President, I have listened very patiently to all the speeches made on this subject, save one, and I can contribute nothing new to this discussion. I am not going to spend very much time, Mr. President, on what I have to say.

I have this advantage over some of our Democratic friends at this time, that we are not compelled to enter into any defense of platforms or the failure to keep platform pledges.

In fact, our Democratic friends should not be seriously criticized for their failure to keep a platform pledge, because, if the figures submitted to-day by the distinguished Senator from Utah [Mr. SMOOT] are correct, it would be well if they had broken another one of their party pledges. I am not, however, concerned with that. I want to say a few words in explanation of my vote, and really shall say these words for the benefit of the people at home whom I represent in this body, but if any Senator should wander in, believing that the agricultural bill is before the Senate, of course I shall be pleased to have him listen to me. I desire the home folks to know my reasons for voting as I shall.

I know, Mr. President, that anyone who shall vote here for the repeal of the Panama Canal tolls act will be charged with being a railroad Senator and anyone who votes against repeal will be charged with being a coastwise-monopoly Senator. I have ceased to care what I am charged with being, so long as I am satisfied in my own mind that my position is the result of honest conviction.

Mr. President, anyone who asserts there is but one side to the Panama-toll question and that the construction of the Hay-Pauncefote treaty is easy, evidences an arrogance of mind and a paucity of intellectual fairness. The questions involved relative to the construction of the treaty are what lawyers would call close questions, and very difficult of determination.

The attitude of a large portion of our American people on this subject is a great tribute to their honesty. From all over the Nation have come demands that the clause in the Panama

act exempting coastwise vessels from toll be repealed. The mere charge or suggestion that we have violated treaty obligation has been enough in many instances, without any proof being furnished, to lead the American citizens to the demand that we keep our pledges. As a people we are honest; if we have made contracts we believe in keeping them. There is little sound judgment, however, in surrendering rights honestly acquired merely because the charge is made that to maintain those rights would be a breach of treaty or contract obligation.

Members of Congress, as was so well pointed out by the distinguished Senator from Utah [Mr. SUTHERLAND] a couple of days ago, are merely trustees. It is not in their power, if conscientious in the performance of their duties, to surrender the rights of those they represent if they believe the particular thing involved is a right or that there is a fair question of doubt with reference thereto.

While a canal across the Isthmus has been the subject of discussion for many years, the absolute necessity therefor had not become a fixed conviction with the American people until the trip of the *Oregon* around the Cape during the Spanish War. There was great trepidation in the minds of our people, a fear that the *Oregon* might meet the Spanish fleet and be sunken. It has been a matter of regret since that it did not meet the Spanish fleet, as undoubtedly the *Oregon*, single-handed and alone, would have destroyed the entire fleet. When it became apparent to the American people that a battleship could not carry coal enough to sail from our Atlantic seaboard to Honolulu and that the canal was necessary from a military standpoint there was no longer any question as to its construction. Commercial purposes were entirely secondary to military purposes. The American people wanted a canal constructed by the people of the United States; they wanted it for protection in times of war, and with the customary American spirit they proceeded along lines to bring it about.

HISTORY OF ISTHMUS.

It had been the dream of many a seafaring adventurer to find a western waterway from Europe to Cathay. Columbus above all others desired and dreamed it. Many attempts at colonization were made upon the Isthmus. As far back as 1671 it was an object of pillage and plunder. Nations of the world had their eyes on the proposition of a canal or some means of passing over the natural barrier between the oceans. Late in the eighteenth century a Spanish commission had explored the Nicaraguan route. Lord Nelson was at one time sent to the coast of Nicaragua to investigate the matter. They all found other discouraging problems besides the engineering ones. Climatic conditions were appalling and apparently unsurmountable.

The South American States were always willing to grant concessions for a liberal consideration. As early as 1830 the King of the Netherlands entered into an engagement with Nicaragua for the construction of a canal. In 1835 an agent of the United States was sent to the Governments of Central America and New Granada with reference to a canal proposition. In 1846 the United States negotiated its treaty with New Granada, evidencing a policy of "watchful waiting" even at that early period. The treaty with New Granada plays an important part in the further consideration of this question and in the evolution of conditions on the Isthmus.

In 1835 President Jackson sent Charles Biddle to Nicaragua. However, he went to New Granada and there obtained some concessions with reference to a canal across the Isthmus of Panama. He evidenced a very healthy personal interest in the matter by providing that two-thirds of the stock should be his property. His act was disavowed by our Government. Others were also sent, notably Eliza Hise, who negotiated a certain treaty with Nicaragua, which was likewise disavowed. Gen. Taylor sent Mr. E. G. Squire, who likewise concluded a treaty which was never ratified. The treaty with New Granada in 1846, before referred to, guaranteed to the Government of the United States that the right of way or transit across the Isthmus of Panama should be open and free to the Government and citizens of the United States. This was the first appearance on the Isthmus of the doctrine of the guarantee of neutrality.

In 1858 we find a French company intervening to secure concessions, and we find Cass declaring that this country would not tolerate interference in this affair by other nations.

In 1869 we find President Grant appointing the first interoceanic canal commission. The French company at Panama collapsed in 1888. It seemed impossible for other nations to do this great work. There was only one nation with the energy, courage, ability, and money to undertake this work, and that was the United States. When it was determined so to do it found itself confronted with the Clayton-Bulwer treaty. England at an early date had placed a "cocked hat" on an old Indian chief and hailed him as "King of the Mosquitos." They assumed through this some rights of sovereignty in the Mosquito territory and worked out a process by which they held the eastern end of what would be the Nicaraguan canal. This was the basis of England's right in the matter.

Our country had been through a Mexican war, and there did not seem to be a desire in this country to undertake the great work by itself. England had large territory on both oceans. It seemed wise to our Government that the canal be under joint supervision. Consequently we surrendered the Monroe doctrine and entered into the Clayton-Bulwer treaty. This undoubtedly prevented trouble with England, as she had taken possession of Tigre Island and was asserting rights in the Isthmus. It averted trouble then, but not now, and was an exhibition of that shortsighted national policy that looks only to the present day and sees not the future.

I desire briefly to sum up the arguments on both sides of this troublesome question.

ARGUMENTS FOR WHAT MAY BE CALLED THE ENGLISH THEORY OF THE TREATY CONSTRUCTION.

Whether by methods to be condemned or not, yet it is a fact that England had secured certain rights in the Central American States prior to the making of the Clayton-Bulwer treaty. This Nation was then willing to have Great Britain assist in the work of constructing a canal between the Atlantic and Pacific Oceans by way of Nicaragua. This had been embodied in the famous Clayton-Bulwer treaty. Article 8, which will become important hereafter in the discussion, is inserted at this point:

ART. 8. The Governments of the United States and Great Britain having not only desired in entering into this convention to accomplish a particular object but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the Isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

The preamble of the Hay-Pauncefote treaty refers in terms to the general principle of neutralization established in article 8 of the Clayton-Bulwer treaty. It may be argued with some degree of force that while article 8 itself is not incorporated in the Hay-Pauncefote treaty, yet the general principle of neutralization is equality in the use of the canal to the United States and Great Britain as expressed in said article. It may be argued that equal treatment was intended; that outside of treaties there is a broad reason for equality of treatment; that this canal was to be a connecting of the great oceans; that the oceans are and should be free without any limitation whatever; that equality is ideal justice; that whoever pierces the great Isthmus must do so for the benefit of all mankind; that the wedding of the oceans must be an international event.

The distinguished Senator from Ohio [Mr. BURTON] in his remarkable address yesterday pointed out and quoted from Thomas Jefferson, and I quote another part of Jefferson's writings, which I think the Senator from Ohio did not quote. Jefferson announced in 1792:

The ocean is free to all men and the rivers to all their inhabitants.

The United States has fought limitations on the freedom of the seas. Great Britain in early days exercised her search and seizure against which we ever protested. We have beheld in history the Barbary pirates holding the gates of the Mediterranean at the Straits of Gibraltar and levying toll upon all people desiring to use the sea. The Red Sea and the Persian Gulf have also been held by sea pirates in the centuries gone by.

The United States, in pursuit of its lofty ideals, has waged warfare against such practice. It sent its fleet into the Mediterranean and forced the Sultan of Morocco to negotiate, refusing to yield to tribute upon the seas. It was well said by Dr. Williams in his address before the American Society of International Law:

Where the flag flew, there the world began to know the freedom of the seas was asserted, and no land could claim more than another in the equal rights of all men to the world's waters.

The United States in 1852 demanded the freedom of the Amazon and ultimately the Amazon was free. So it may well be argued that for the peace of the waters, the great rivers of the world, where they invade more than one sovereignty, should be open on absolutely equal terms to the citizens of all nations; that the Panama Canal, as one of the great waters of the world, should be open and free to all nations; that it is a day of great things; that the mighty Republic of the West, by opening this canal on exactly the same terms to all the nations of the earth, is merely following the high ideals which have ever been a part of its national life. Such view is certainly idealistic.

It also is argued by those who favor what has been termed the England construction of this treaty as follows: England secured certain rights under the Clayton-Bulwer treaty, and admittedly gave up many of them in the Hay-Pauncefote treaty. Now, what did she secure in the way of privileges for the rights given up? What was the quid pro quo? And they answer, equality of treatment. Section 1 of article 3 is the one around which revolves the strong argument of those holding this view. This article is as follows:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

On reading this article in an ordinary, common-sense way, it would seem rather clear that the same terms as to the passage of vessels of commerce and of war through this canal should be extended to all nations.

Further, as reference is made in the treaty to the convention of Constantinople, and as the Suez Canal, provided for by said convention, is free and open to vessels of commerce and of war of all nations, additional weight is added to the argument.

Again, what is known as the Davis amendment, which is as follows:

It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections numbered one, two, three, four, and five of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order—

was adopted by the Senate when the first Hay-Pauncefote treaty was presented, and would seem to indicate that the Senate understood the provisions of various sections of article 3 to apply to the United States, otherwise no need of the Davis amendment.

Again, if, as stated by the senior Senator from Massachusetts [Mr. LODGE], sections 2, 3, 4, 5, and 6 of article 3 obviously do not apply to the United States, then why is a provision inserted in section 2:

The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

Certainly if this section did not apply to the United States there was no need for any such provision; the United States would have this right by virtue of its sovereignty.

Again, it may be argued that the minds of the parties did not meet on any such construction as this country two years ago gave to the treaty, and our attention must necessarily be invited to the correspondence between Mr. Choate, who was our ambassador to Great Britain at the time, and Secretary Hay. Mr. Choate's letter to Senator O'Gorman, of date April 13, 1914, is most interesting. I insert it as part of my remarks:

8 EAST SIXTY-THIRD STREET,
New York, April 3, 1914.

DEAR SENATOR O'GORMAN: As I am unavoidably prevented from accepting the courteous invitation of your Interoceanic Canals Committee for to-morrow, I avail myself of your kind permission to submit anything of mine not already published that might throw light on the pending question.

I accordingly, with the express permission of the Secretary of State, submit to your committee the inclosed copies of letters written by me to Secretary Hay between August 3 and October 12, 1901, giving step by step the negotiations between Lord Lansdowne and Lord Pauncefote and myself in regard to the Hay-Pauncefote treaty.

These, if carefully perused, will, I think, be found to confirm my views that the clause in the Panama Canal act exempting our coastwise shipping from tolls is a clear violation of the treaty.

With great respect, most truly, yours,

JOSEPH H. CHOATE.

Mr. White, the only other person living who has first-hand information, has testified before the committee. It may be gathered fairly from his testimony and his letters to Mr. Hay that he took the matter up with Lord Salisbury and that Lord Salisbury was favorable to a change in the treaty, provided the canal was to be open to the ships of all countries on equal terms. It is rather clear, I think, from Mr. White's testimony before the committee that the question of the coastwise shipping was never discussed or thought of with relation to this treaty. Again, much argument can be indulged in over the Bard amendment, which is as follows:

ART. 3. The United States reserves the right in the regulation and management of the canal to discriminate in respect of the charges of traffic in favor of vessels of its own citizens engaged in the coastwise trade.

Twenty-seven votes were cast for this, and 43 against. It is stated by Senator LODGE in his speech, and also by Senator Foraker, and in a letter by Mr. Bard himself, that the Bard amendment was voted down because it was considered unnecessary. Inasmuch as 27 votes were cast for it, it would seem that some Senators considered it necessary, and notwithstanding the statement of Mr. Bard, and of others, the voting down of the Bard amendment is fairly to be thrown into the scale in the determination of this question. Its weight as argument, however, is much lessened by the fact that it was proposed to the first Hay-Pauncefote and not to the second Hay-Pauncefote treaty. If open sessions had been held for the discussion of the Hay-Pauncefote treaty and the records preserved, we possibly would not have had all this trouble. If the Bard amendment had been adopted, the present discussion never would have occurred. Reading the correspondence preceding the Hay-Pauncefote treaty between the representatives of the various Governments, it is apparent that they did have in mind equal treatment and no discrimination. But the correspondence does not clear up the point as to whether such equal treatment was to be extended by the nation building the canal to all of the nations using it, including the builder, or whether that equal treatment was merely to be between the nations using the canal outside of the owner thereof.

It is a strong argument advanced that if the canal had been constructed by a corporation or individual the vessels of the United States would have to be treated the same as the vessels of any other nation. Likewise can the adherents of this view point to the general history preceding the Hay-Pauncefote treaty.

In 1857 Secretary Cass had said to Great Britain:

The United States, as I have before had occasion to assure your lordship, demand no exclusive privileges in these passages, but will always exert their influence to secure their free and unrestricted benefits, both in peace and war, to the commerce of the world.

Mr. Blaine said to Mr. Lowell in 1881, directing Mr. Lowell to propose to Great Britain the modification of the Clayton-Bulwer treaty:

The United States recognizes a proper guaranty of neutrality as essential to the construction and successful operation of any highway across the Isthmus of Panama, and in the last generation every step was taken by this Government that is deemed requisite in the premises. The necessity was foreseen and abundantly provided for long in advance of any possible call for the actual exercise of power * * *. Nor in time of peace does the United States seek to have any exclusive privileges accorded to American ships in respect to precedence or tolls through an interoceanic canal any more than it has sought like privileges for American goods in transit over the Panama Railway under the exclusive control of an American corporation. The extent of the privileges of American citizens and ships is measurable under the treaty of 1846 by those of Colombian citizens and ships. It would be our earnest desire and expectation to see the world's peaceful commerce enjoy the same just, liberal, and rational treatment.

Much of the language of Secretary Blaine might be quoted to the same effect; particularly his reference to the duty of the United States to Colombia under the treaty of 1846. Mr. Blaine assured Great Britain that:

There has never been the slightest doubt on the part of the United States as to the purpose or extent of the obligation then assumed, by which it became surety alike for the free transit of the world's commerce over whatever landway or waterway might be opened from sea to sea, and for the protection of the territorial rights of Colombia from aggression or interference of any kind. Nor has there ever been room to question the full extent of the advantages and benefits, naturally due to its geographical position and political relations on the Western Continent, which the United States obtained from the owner of the isthmian territory in exchange for that far-reaching and responsible guaranty.

Again it is argued that the Panama strip is not our territory except in trust, and that the treaty with Panama further provides in article 18:

The canal when constructed, and the entrances thereto, shall be neutral in perpetuity and shall be opened upon the terms provided for by section 1 of article 3, of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

And it can well be argued that we have taken the Canal Zone as a great trust for the maintenance of a canal and have recognized that it should be carried on in accordance with the Hay-Pauncefote treaty.

Other arguments can be advanced. I have tried briefly to summarize the leading ones.

ARGUMENTS IN FAVOR OF THE AMERICAN THEORY OF THE TREATY.

Many arguments can be presented on the other side of this controversy; among others—

That the canal has been built by the United States at an expense of $400,000,000 and a loss of many lives. It must be maintained by the United States; no other nation has any obligation either as to its maintenance or as to preserving the neutrality thereof. There is great expense attached to its maintenance. It is therefore unjust to expect England to have an equal voice or any voice in the administration of the affairs of the canal; that it is unfair for England to have equal benefits and not equal responsibilities.

That the United States is a sovereignty and has sovereign rights in the canal. Any nation seeking to impose a burden on its sovereignty assumes the burden of proof to make a clear case. Sovereignty carries with it the right to do as we please with our own.

Further, that the canal is the same as the Mississippi River—is a part of our great inland waterways.

Again, to the contrary, that it is an artificial channel, and being an artificial channel, according to the principles of international law, we may attach any conditions to it we please. In Moore's International Law, volume 3, page 268, it is written:

> While a natural thoroughfare, although wholly within the dominion of a Government, may be passed by commercial ships of right, yet the nation which constructs an artificial channel may attach such conditions to its use as it pleases.

That the Clayton-Bulwer treaty is no part of the Hay-Pauncefote treaty.

Also, attention is called to the two Hay-Pauncefote treaties. Article 1 of the treaty of 1901 provides:

> The high contracting parties agree that the present treaty shall supersede the aforementioned convention of the 19th of April, 1850.

That this article marks the end of the Clayton-Bulwer treaty.

The general principle of neutralization referred to in the preamble, it can well be argued, is the principle as set forth in extenso in article 3 of the Hay-Pauncefote treaty. Hence the advocates of the American theory strongly contend that we have nothing whatever to do with the Clayton-Bulwer treaty in this discussion. The differences in the first Hay-Pauncefote treaty, as submitted to the Senate, and the Hay-Pauncefote treaty, as adopted, can be studied with interest and profit. The first Hay-Pauncefote treaty, article 2, provided:

> The high contracting parties desiring to preserve and maintain the general principle of neutralization established in article 8 of the Clayton-Bulwer convention.

The second Hay-Pauncefote treaty, or the one adopted, provides:

> The United States adopts.

The first Hay-Pauncefote treaty provided:

> The canal shall be free and open in time of war as in time of peace.

That is stricken from the second treaty. Great Britain suggested with reference to the first treaty the following provision:

> The canal shall be free and open to the vessels of commerce and war of all nations which shall agree to observe these rules on terms of entire equality, so that there shall be no discrimination against any nation so agreeing.

The United States would not accept this proposition, so that in the final treaty the provision was changed to read:

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules.

And so forth.

If the suggestion of Great Britain had been adopted, we would have been under a contract obligation with all nations that might agree to observe these rules. This we were not willing to do.

That the term "all nations" does not mean the United States; that the treaty is merely an instrument by which the proprietor of a canal fixes and states the terms of use to its customers; that the United States does not regard itself as one of its customers; that five out of the six treaty rules for the use of the canal do not apply to the United States, and consequently it is a reasonable conclusion that the sixth also was not meant so to apply; that the reference to the basis of neutralization as embodied in the convention of Constantinople is not in point, because by that convention the rules apply to vessels using the Suez Canal in times of war or in times of peace without distinction of flag. Further, the rights of Turkey as a territorial power are reserved; and, further, attention is called to the reservation of Great Britain when it signed the convention providing for the free use of the Suez Canal, which reservation was as follows:

> The British delegates, in presenting this draft of a treaty as the definitive regulation intended to guarantee the free use of the Suez Canal, think it their duty to formulate a general reservation as to the application of these provisions in so far as they may not be compatible with the transitory and exceptional condition of things actually existing in Egypt, and may limit the freedom of action of their Government during the period of the occupation of Egypt by the forces of Her Britannic Majesty.

Under this reservation it would seem that Great Britain could use the Suez Canal for warlike operations, could blockade it in time of war, could disembark troops, munitions or materials of war therein.

It is further argued that when the United States was expecting to be merely one of the users of the canal it insisted upon certain equality of treatment and charges and did not concern itself about the rights of the canal owner; that when it became owner an entirely different situation was presented; that if rule 1 of article 3 is to receive the construction contended, then vessels of war must be treated the same as vessels of commerce; that we could not in case of war with Japan prevent a Japanese war vessel from passing through the canal, but must escort it through on its way to bombard New York or New Orleans; that this country could not embark or disembark troops or munitions of war in the canal; that any of our own vessels of war could not remain there over 24 hours and could not depart within 24 hours after the departure of the vessel of war of a belligerent nation. And all of this when we were keeping up the canal as an American institution. Of course, Mr. President, if we have agreed to place ourselves in this position we should abide by it, but we, acting as trustees of the people's rights, should be solemnly convinced of this before we abandon the point.

Again, that in our treaty with Panama we provided for the passage of the Panaman boats through the canal free and that this was not seriously objected to by England for nine years.

Again, in the Hay-Herran treaty, negotiated by Mr. Hay, it was provided:

> The canal when constructed, and the entrance thereto, shall be neutral in perpetuity, and shall be open upon the terms provided for by section 1 of article 3, in conformity with all the stipulations of the Hay-Pauncefote treaty.

The next article provided that the Government of Colombia shall have the right to transport over the canal its vessels, troops, and munitions of war at all times without paying charges of any kind. It would be hard to understand how Mr. Hay wrote this portion of the treaty if he did not believe the United States had greater rights in the canal than England, although the provision may perhaps be accounted for on the "favored-nation doctrine."

The insistence of the United States upon striking the prohibition against fortifications from the Hay-Pauncefote treaty and its insistence on the right to fortify was, as is set forth so clearly by Senator LODGE in his address on this subject, an assertion on the part of the United States of its absolute control of the canal in time of war.

That the Clayton-Bulwer treaty was considered obsolete in this country previous to the adoption of the Hay-Pauncefote treaty. In this connection it is important to note that the Committee on Foreign Relations of the Fifty-first Congress presented a review of the history of the Clayton-Bulwer treaty and reported to the Senate its conclusion that it had become obsolete, and—

> that the United States is at present under no obligations, measured either by the terms of the convention, the principles of public law, or good morals, to refrain from promoting in any way it may deem best for its own interests the construction of this canal without regard to anything contained in the convention of 1850.

Every member of the committee signed this report, including Messrs. Evarts and Sherman, who have held the office of Secretary of State in this country.

Further, that the British Government has never claimed that we have not the right to exempt our coastwise trade from the payment of tolls; that there is absolutely no discrimination against Great Britain, because Great Britain has no right to engage in our coastwise trade. There can be no discrimination in the exercise of a right as against a nation which does not enjoy that right, and our Supreme Court, in the case of Olsen *v.* Smith, has settled this question. I quote from the opinion (Olsen *v.* Smith, 195 U. S., 332, p. 344). It is said by the court:

> Nor is there merit in the contention that as the vessel in question was a British vessel coming from a foreign port the State laws concerning pilotage are in conflict with a treaty between Great Britain and the United States, providing that "no higher or other duties or charges shall be imposed in any ports of the United States on British vessels than those payable in the same ports by vessels of the United States." Neither the exemption of coastwise steam vessels from pilotage, resulting from the law of the United States, nor any lawful exemption of coastwise vessels created by the State law, concerns vessels in the foreign trade, and therefore any such exemptions do not operate to produce a discrimination against British vessels engaged in foreign trade and in favor of vessels of the United States in such trade. In substance the proposition but asserts that because by the law of the United States steam vessels in the coastwise trade have been exempt from pilotage regulations therefore there is no power to subject vessels in foreign trade to pilotage regulations, even although such regulations

apply without discrimination to all vessels engaged in such foreign trade, whether domestic or foreign.

That Great Britain has not interpreted her treaties in the way she seeks to compel the United States to interpret the Hay-Pauncefote treaty. In the treaty of 1815 it was provided:

No higher or other duties or charges shall be imposed in the ports of His Britannic Majesty's territories in Europe on the vessels of the United States than shall be payable in the same ports on British vessels.

Under that provision it has always been held by Great Britain that she could do as she pleased with her coastwise trade, and she has favored such vessels. On the other hand, the United States has held that "vessels of a nation," as used in treaties, do not embrace vessels engaged in the coastwise trade. For instance, the treaty between the United States and Denmark of 1826 had a provision in it as follows:

Nor shall higher or other charges of any kind be imposed in the ports of one party upon vessels of the other than are or shall be payable in the same ports by native vessels.

The United States has never hesitated under this to except its coastwise trade.

There may be summoned also to this controversy the words of many of our wisest men—ex-President Roosevelt, ex-President Taft, Secretary Knox, Richard Olney, and others who are on record as to the right of the Nation under the treaty to exempt coastwise vessels.

That the British representative, Mr. Innes, conceded in his note that bona fide coastwise vessels could pass through the canal free of toll without the same constituting a breach of the treaty, said note being as follows:

Chargé d'Affaires Innes to the Secretary of State.

BRITISH EMBASSY,
Kineo, Me., July 8, 1912.

SIR: The attention of His Majesty's Government has been called to the various proposals that have from time to time been made for the purpose of relieving American shipping from the burden of the tolls to be levied on vessels passing through the Panama Canal, and these proposals, together with the arguments that have been used to support them, have been carefully considered with a view to the bearing on them of the provisions of the treaty between the United States and Great Britain of November 18, 1901.

The proposals may be summed up as follows:

(1) To exempt all American shipping from the tolls.

(2) To refund to all American ships the tolls which they may have paid.

(3) To exempt American ships engaged in the coastwise trade.

(4) To repay the tolls to American ships engaged in the coastwise trade.

The proposal to exempt all American shipping from the payment of the tolls would, in the opinion of His Majesty's Government, involve an infraction of the treaty, nor is there in their opinion any difference in principle between charging tolls only to refund them and remitting tolls altogether. The result is the same in either case, and the adoption of the alternative method of refunding the tolls in preference to that of remitting them, while perhaps complying with the letter of the treaty, would still contravene its spirit.

It has been argued that a refund of the tolls would merely be equivalent to a subsidy and that there is nothing in the Hay-Pauncefote treaty which limits the right of the United States to subsidize its shipping. It is true that there is nothing in that treaty to prevent the United States from subsidizing its shipping, and if it granted a subsidy His Majesty's Government could not be in a position to complain. But there is a great distinction between a general subsidy, either to shipping at large or to shipping engaged in any given trade, and a subsidy calculated particularly with reference to the amount of user of the canal by the subsidized lines or vessels. If such a subsidy were granted it would not, in the opinion of His Majesty's Government, be in accordance with the obligations of the treaty.

As to the proposal that exemption shall be given to vessels engaged in the coastwise trade, a more difficult question arises. If the trade should be so regulated as to make it certain that only bona fide coastwise traffic which is reserved for United States vessels would be benefited by this exemption it may be that no objection could be taken. But it appears to my Government that it would be impossible to frame regulations which would prevent the exemption from resulting, in fact, in a preference to United States shipping and consequently in an infraction of the treaty.

I have, etc.,

A. MITCHELL INNES.

Weight must be given to the statements of Senator LODGE and ex-Senator Foraker, that they were members of the Foreign Relations Committee, and that it never was otherwise contended but that the United States should have the right to pass the coastwise vessels through free of tolls.

ANOTHER ARGUMENT ALONG A SLIGHTLY DIFFERENT LINE MAY WELL BE MADE.

That the explicit language of the Clayton-Bulwer convention in respect to equality of treatment was not employed in the Hay-Pauncefote treaty; that the Clayton-Bulwer treaty applied only to the Nicaraguan route; that while article 8 of the treaty obligated the parties to extend their protection by treaty stipulation to the Panama route or the Tehuantepec route, no such treaty stipulations were ever made.

That under the treaty obligations with New Granada the United States guaranteed the neutrality of the Isthmus of Panama so that at the time of the Clayton-Bulwer treaty and the Hay-Pauncefote treaty the United States was exercising a protectorate over the Isthmus of Panama and had certain well-defined rights growing out of its treaty with New Granada. That without material modification of the treaty with New Granada the Clayton-Bulwer convention could not have applied to Panama; and no such stipulations for the extension of the Clayton-Bulwer convention to the Panama route ever being effective, the Clayton-Bulwer convention had nothing whatever to do with the Panama route.

That the right held by the United States under the New Granada treaty was equivalent to an easement over the Isthmus of Panama, and that this easement ripened into a fee simple title when the treaty of Panama was made. That the United States has had rights in the Isthmus superior to those of England since 1846, by virtue of its treaty with New Granada; that even if Great Britain did surrender certain rights when she consented to the abrogation of the Clayton-Bulwer convention she was relieved of the joint obligation to promote the building of the canal and relieved from any obligation to assist in maintaining its neutrality.

That at the time of the adoption of the Hay-Pauncefote treaty public sentiment was such in the United States that in response thereto the Clayton-Bulwer treaty undoubtedly would have been abrogated.

That Great Britain will receive more benefit from the canal than any other nation on account of her great tonnage and her possessions in Asia and Australia; that she will likewise receive great benefit because it will enable her to have a naval basis in British America upon both oceans, practically doubling the efficiency of her navy.

That it is fair to assume that Great Britain took these matters into consideration in giving up whatever rights she may have had under the Clayton-Bulwer treaty.

That Great Britain has conceded the right of the United States to exercise belligerent rights for the protection of the canal in the noted protest of November 14, 1912, which says:

Now that the United States has become the practical sovereign of the canal, His Majesty's Government do not question its title to exercise belligerent rights for its protection.

That the language of the Washington treaty is not the same as the Hay-Pauncefote treaty, and that no help can be gathered therefrom, article 27 of said treaty providing that:

Great Britain will engage to urge upon the Canadian Government to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals on terms of equality with the inhabitants of the Dominion—

and the United States engaging that the subjects of Great Britain—

shall enjoy the use of the St. Clair Flats Canal on terms of equality with the inhabitants of the United States.

Quite different language. If such language had been employed in the Hay-Pauncefote treaty the present troubles would not have arisen.

That Lord Lansdowne's communication of October 23, 1901, to Lord Pauncefote tends quite strongly to show that England's desire was merely to obtain equality of treatment with other nations.

I have endeavored briefly to marshal some of the points in favor of the English contention and in favor of the contention of the United States. There is sufficient to show that it is a debatable proposition.

NEUTRALIZATION.

There is another point that appeals to a lawyer. It may be technical, but I am sure if any lawyer were presenting this matter to a court he would feel compelled in duty to urge it. It would have additional weight if we should adopt the rule Lord Clarendon applied against the United States in construing the Clayton-Bulwer treaty with relation to the Mosquito Indians when he said:

The true construction of a treaty must be deduced from the literal meaning of the words employed in the framing.

If this is to be done there is force, I think, in the argument that the neutralization referred to in the Hay-Pauncefote treaty relates only to times of war. Neutrality or neutralization is a war term. There can be no such thing as neutrality unless there are belligerents. We can only be neutral as between others. The United States made this canal neutral as between contending belligerent nations. Neutrality in peace is unheard of. The term "neutralization" is not employed by international law writers—save one—to apply to peace.

Article 3 of the Hay-Pauncefote treaty was for the purpose of laying down a set of rules to preserve the neutralization of a canal in times of war. Every rule, it is conceded, except rule 1, refers to war. The words in the first Hay-Pauncefote treaty in section 1, article 2, "in time of war as in time of peace," were stricken out, showing that there was a feeling then that neutrality related only to war.

Why can it not well be argued that the purpose of rule 1, article 3, was to have the canal free and open to the vessels of commerce and war of all nations observing these rules on terms of entire equality during times of war; that such conditions and charges of traffic shall be just and equitable during times of war? Article 2 gives the right to the United States to enjoy all the privileges incident to construction as well as the exclusive right of providing for the regulation and management of the canal; that is the provision that governs in times of peace and enables the United States to do as it pleases with its own commerce.

The general principle of neutralization that is spoken of in the preamble of the Hay-Pauncefote treaty relates back to article 8 of the Clayton-Bulwer treaty and does provide for equal terms to the citizens and subjects of the United States and Great Britain as to the canal which might be constructed or the railway. No complaint has been made as to discrimination on the railway in favor of the United States.

Of course, if the term "neutralization" is to mean impartial treatment in times of peace, as some contend, then the argument I am trying to make as to neutralization is destroyed. It is, however, a perverted use of the term and is absolutely without authority. I desire to cite some authorities on the proposition.

SOME AUTHORITIES ON THE PROPOSITION OF NEUTRALITY.

Speaking of the characteristics of international law, Phillimore says:

It is a matter for rejoicing that it has escaped the Procrustean treatment of positive legislation and has been allowed to grow to its fair proportions under the influence of that science which works out of conscience, reason, and experience the great problem of law or civil justice.

Dr. Oppenheim, in his work on international law, says:

Such States as do not take part in a war between other States are neutrals. The term "neutrality" derives from the Latin neuter. Neutrality may be defined as the attitude of impartiality toward belligerents adopted by third States and recognized by belligerents, such attitude creating rights and duties between the impartial States and the belligerents.

Again:

Neutrals must prevent belligerents from making use of their neutral territory and of their resources for military and naval purposes during the war.

Again:

Neutrality is a condition during a condition of war only; rights and duties deriving from neutrality do not exist before the outbreak of war.

Neutralization is defined in Murray's Dictionary (London, 1908) as "the action of making neutral in time of war."

Neutrality is considered by Westlake in his International Law, and, among other things, he says:

Neutrality enjoins abstinence from taking part in any operation of war and from interfering with any operation of war which is legitimate as between the belligerents, but not abstinence from anything merely because it strengthens a belligerent.

A neutral State must not permit either its subjects or a belligerent to make any such use of its territory as amounts to taking part in an operation of war.

Again, he says:

A State is neutral when there is a war and it is not in a state of war with either belligerent.

Again:

Neutrality is not morally justifiable unless intervention in the war is unlikely to promote justice or could do so only at a ruinous cost to the neutral.

Neutrals avoid acts of war because they decline to enter into war. From Vattel down to the present time I think it is safe to say that no authority holds that neutrality relates to anything other than war.

Jefferson wrote, in June, 1793:

It is the right of every nation to prohibit acts of sovereignty from being exercised from any other within its limit and the duty of a neutral nation to prohibit such as would injure one of the warring powers.

The United States has been one of the leaders in maintaining the principle of neutrality; it has thereby excited the commendation of other nations.

Mr. Canning, when secretary of state for foreign affairs, in urging upon his countrymen the example of the United States in a memorable speech in the House of Commons, April 16, 1823, used the following language:

I do not now pretend to argue in favor of a system of neutrality, but it being declared (by proclamation) that we intend to remain neutral. I call upon the House to abide by that declaration so long as it shall remain unaltered. * * * We have spent much time in teaching other powers the nature of a strict neutrality, and, generally speaking, we have found them most reluctant scholars. All I now call upon the House to do is to adopt the same course which it has recommended to neutral powers upon former occasions. If I wished for a guide in a system of neutrality, I should take that laid down by America in the days of the Presidency of Washington and the Secretaryship of Jefferson.

After giving a brief historical summary of that system and practice, he then added:

Here, sir, I contend, is the principle of neutrality upon which we ought to act. (Hansard, Parl. Deb., vol. viii, 1056.)

From these authorities it may well be argued with great force that the rules with relation to the neutralization of the canal have no reference whatever to times of peace.

CHANGE OF CONDITIONS GIVES RIGHT TO ABROGATE TREATY.

At the time of the adoption of the Hay-Pauncefote treaty it was not contemplated that the United States would own the land where the canal was to be constructed. It is true there was a provision with relation to change of sovereignty, but that evidently applied to unsettled conditions in the Central American States. Therefore, as conditions have changed by purchase of the land and the ownership thereof, whether in fee or in trust, passing to the United States, as a matter of international law the Hay-Pauncefote treaty is voidable and could be concluded and either party would have the right to notify the other that it regarded the treaty as abrogated. And that principle is sustained by authority, from Vattel's Law of Nations down to Hall on International Law. Dr. Oppenheim, in his work on international law, has said with reference to this subject:

It is an almost universally recognized fact that vital changes of circumstances may be of such a kind as to justify a party in notifying an unnotifiable treaty. The vast majority of publicists, as well as all the Governments of the members of the family of nations, agree that all treaties are concluded under the tacit condition rebus sic stantibus.

As eminent authority as Mr. Hannis Taylor has also advanced this view, as follows, in his treatise on international law:

So unstable are the conditions of international existence, and so difficult is it to enforce a contract between States after the state of facts upon which it was founded has substantially changed, that all such agreements are necessarily made subject to the general understanding that they shall cease to be obligatory so soon as the conditions upon which they were executed are essentially altered.

Sir Edward Grey, in his communication to Ambassador Bryce, November 14, 1912, stated:

At the date of the signature of the Hay-Pauncefote treaty the territory on which the Isthmian Canal was to be constructed did not belong to the United States, consequently there was no need to insert in the draft treaty provisions corresponding to those in articles 10 and 13 of the Suez Canal convention, which preserve the sovereign rights of Turkey and of Egypt, and stipulate that articles 4 and 5 shall not affect the right of Turkey, as the local sovereign, and of Egypt.

Seeming to imply that if it had been known or intended that the canal was to be built on American soil there would have been other provisions added to this treaty.

Further, it can be claimed with the voice of authority that if the act of Congress granting free tolls was a violation of the treaty it acted as an abrogation of said treaty.

If this case was one presented to a court of a number of members there would most certainly be a disagreement among the court. The best legal minds in the country have differed, honestly differed; men in this Chamber differ, honestly differ. Each one has tried to solve the question according to his ability and judgment. Were I compelled, in determining how my vote shall be cast, to determine it upon the treaty question, I should resolve the doubt I might have in favor of what may be termed the "American construction"; the great weight of the argument is on that side. The burden of proof is on Great Britain to make a clear case. The argument seems to me unanswerable—that there can be no discrimination in the coastwise trade as against Great Britain for the very clear reason that Great Britain is not entitled to engage in our coastwise trade.

The very fact that this is a debatable question, however, it seems to me calls upon us to submit the same to arbitration. We have a treaty now of arbitration which expressly covers disputes concerning a treaty.

I had placed in the RECORD some time ago a letter from Theodore Roosevelt to Dr. Lyman Abbott, of date January 7, 1913, in which he said:

I believe it to be the bounden duty of this Nation to arbitrate the question of the canal tolls under the provision of our arbitration treaty.

In the address of Hon. Richard Olney before the American Society of International Law, after sustaining by his argument the American side of the controversy, he said:

But to the English contention that the controversy should be referred to arbitration there seems to be no sufficient answer; both countries are firmly committed to arbitration as the best method for the settlement of international disputes.

If we believe in the principle of arbitration, we are now put to the test, and this Nation could advance the cause of universal peace in no surer way than to submit this question to a commission of arbitration, which need not be The Hague, but may be a commission composed of justices of our Supreme Court and of the high court of England. No one ought to object to such

a course, and I have been rather amazed that there is objection to it.

What do our arbitration treaties amount to if we are not ready to submit a question of tolls on a canal, if we take the position that this is a question of vital interest and a question of national honor? If it is, there is no question that could arise but what we could take the same position. Rather arrogant for one party to a contract to assume the right to decide what it means.

I have been earnestly for the amendment of the Senator from Nebraska and shall give it my hearty support. I am ready to arbitrate nearly any question. The amendment offered by the distinguished Senator from Mississippi [Mr. VARDAMAN] has great force and good common sense behind it.

Few would contend that we should arbitrate a question that went to the very life of the Nation, or an act against our national honor, or intended insult to our flag. I would not be one to favor arbitration in such case. But for the little disputes which arise between nations the same as disputes between individuals, it is equally as silly to go out with armies and navies and shoot and kill men and destroy cities as it is for individuals so to do when they are unable to agree. The misery, the sorrow, the desolation of war, outside of the great burden of taxation that it places upon the backs of the people, ought to be an unanswerable argument for arbitration.

My conviction as to arbitration was deepened a few days ago when I saw some of the fruits of war. The fruit of war is death. The glitter and pomp turn to ashes. As a member of a committee appointed by the Vice President, I attended at New York a week ago the exercises commemorative of the boys who lost their lives at Vera Cruz. The good ship *Montana* bore them home. A million people stood with bowed heads and tear-dimmed eyes as the sorrowful procession passed from the Battery up through the streets of New York, stopping at City Hall for a tribute from the mayor, and across the bridge to the Brooklyn Navy Yard. The President of the United States honored the dead heroes with his presence. The boxes inclosing the caskets were covered with the Old Flag and with beautiful flowers. Comrades in life acted as escorts for the dead. The chaplains prayed, the President of the United States with trembling voice spoke, the band played "Nearer My God to Thee," but the cold forms of somebody's boys in the caskets, sleeping the sleep that knows no waking, knew not of the great tribute a Nation was pouring out to their memory. As I looked at those 17 boxes lying side by side before the speaker's stand, I thought of other scenes, that somewhere there were 17 saddened homes; somewhere there were breaking mothers' hearts; somewhere sweethearts' sorrows, sisters' tears; somewhere a father with support of old age gone. And why all this? Why war? Why shoot down men made in the image of their God? Why bloody, mangled faces looking up from battlefields, dying in agony, to settle disputes in a Christian world? How can men want war? Why do they hesitate to do those things that may stop future wars? Why not lift from the backs of the people the great burden of war taxation; why not let vigorous youth live out their lives?

Mr. President, the day of universal peace must come; it must be true that some day "swords shall be beaten into plowshares, spears into pruning hooks." It may not be in your life time or in mine, but in God's good time it must be true that the principles of Him who, watching over Israel, slumbereth not nor sleeps, shall usher in that brighter day of Scotland's Bobby Burns:

Man to man the whole world o'er shall brothers be for a' that.

It shall not be many years until peace will come to her own. This would be a good time to set an example to the world, that the great Republic of the West is strong enough, and mighty enough, and fair enough to submit a question to arbitration, even if the majority of the nations of the world felt that the contention of the Republic was unsound. We would show the world that we were pursuing the things "which make for peace." To arbitrate is quite different from surrendering.

I desire to put in, as part of my remarks, a little article by Bert Morehouse on the subject of "Blessed are the peacemakers." It is short.

The matter referred to is as follows:

"BLESSED ARE THE PEACEMAKERS."

By Bert Morehouse.

The coming of another peace day, May 18, should serve to remind us that war is the greatest crime of the late centuries against home and Nation.

War murders multitudes of heroic men and squanders millions of dollars.

Since 1793 the total loss of life through war is more than 5,000,000 men; and war has placed the nations in debt for more than $23,000,000,000.

War and the preparation of war is the heaviest burden of the great nations of this modern day.

Our Civil War cost nearly half a million of lives and $5,000,000,000.

We sacrificed 20,000 lives and spent over $1,000,000,000 in our war with Spain.

Up to 1899 good will between nations was conspicuous by its absence. In that year the first Hague conference was held and adopted measures tending toward arbitration. In 1907 the Hague conference convened again and further advanced the cause of peace, finally resulting in 41 nations forming what is known as The Hague Tribunal.

The object of The Hague Tribunal is to arbitrate all matters of differences that may arise between these nations. It consists of a panel of 130 jurists appointed by the different countries, and has already heard and decided many important cases.

To-day, peace is coming into her own, and her advocates are many. There are peace organizations in all parts of the world.

Let us, then, think peace, talk peace, and act peace not only toward each other, but toward our fellow brothers and sisters in all the countries of the world.

"Blessed are the peacemakers, for they shall be called the children of God."

If this question can not go to arbitration then we are called upon to exercise our best judgment and I criticize no man for the vote he may cast on this very debatable and troublesome proposition, nor do I join in the criticism of the President over the fact that he has changed his mind. Consistency has been said to be the hobgoblin of small minds; if men never changed their minds we would have but little progress. There may be proper criticism directed at a party repudiating a plank of its platform after election.

I do not hesitate to change my vote upon any question where, upon study, I have reached a different conclusion or concluded that my former vote was wrong. I voted before for the exemption from toll of the coastwise vessels through the canal, as the same was provided for in the general Panama Canal act; nearly everyone in the Senate did. I did not consider as seriously as I have now the question of subsidy. In fact that question was little considered or discussed.

This canal has been built at an enormous expense; the carrying charges will be large. Prof. Johnson has estimated that it will require $19,250,000 to make the canal commercially self-supporting. This is made up as follows: $3,500,000 for operating and maintenance expense; $500,000 for sanitation and Zone government; $250,000, which is the annuity payable to Panama under the treaty of 1913; $11,250,000 to pay 3 per cent on the $375,000,000 invested in the canal; and $3,750,000 for an amortization fund of 1 per cent per annum upon cost of the canal. Why should not boats passing through this canal, engaged in the coastwise trade and deriving an immediate benefit from the canal, pay some part of the expense that is made necessary by their very passage? The canal will be of great benefit to them even then. Their route is shortened some 6,000 miles; the unloading on the Atlantic side, the reloading on the Pacific side, the railroad expense of transportation across the Isthmus, are all eliminated. Is there any good reason why they should not pay tolls? If not pay tolls, then why pay freight charges now across the Isthmus? The canal will be just as much benefit to mankind if it pays expenses.

This Nation has contributed the $400,000,000 expended in its construction to the welfare of the world that will never be repaid. It is doubtful if returns will pay expenses even if all boats pay tolls. We certainly can not be accused as a Nation of lacking in generosity in our attempts to benefit mankind. In fixing the tolls the President took into account the coastwise vessels that might pass through the canal. Great Britain was assured that there was no discrimination against her on tolls because she is not compelled to pay any more than would be paid by her if every coastwise vessel passing through the canal paid toll. Then, if the foreign vessels passing through are not carrying this burden, who is? Evidently the Treasury of the United States; those who pay taxes to support the Government carry this burden. Is there any good reason why they should? I have not been able to discern any. Call this what we will, it is the voting of a special privilege to those engaged in a certain line of business, namely, the coastwise shipping, who now enjoy a monopoly in that business under our law, in that foreign nations can not engage therein.

It is difficult to draw the line at just what can be considered a subsidy. It has been argued here that appropriations for farm-demonstration work, hog-cholera cure, etc., are all in the nature of subsidy; that the appropriations to improve our harbors and rivers are in the nature of subsidy; there are locks and dams in many of our inland rivers, boats pass through without any expense to them; boats pass through the Soo without any expense to them; large sums are voted for highways in this country, and there is no thought of charging the farmer toll for the use of the highway in bringing his produce to market. It is argued that very much of the general appropriations of the Government go to what may be termed subsidy.

I think there is a difference, however, between the Panama situation and these suggested. Appropriations for agriculture go to the general prosperity; likewise the highways. We can not have a Nation without highways; they are the means of communication, they enter into the very existence and life of the people, are the national arteries. Internal rivers are a part, likewise, of our national existence. The Panama Canal is different; we could get along without it—we have during all the years of our history; there are a thousand miles of foreign seacoast between our country and the canal; it is an extraordinary, unusual, and artificial thing—a connection between the great oceans of the world. I am strongly inclined to the belief that where we have locks and dams on our inland waterways where boats pass through, necessitating an expense, they should pay some part of the upkeep; I can see no reason why they should not. If the passing of the coastwise vessels through the Panama Canal without toll resulted in a general prosperity for the Nation, the free tolls could be justified. I can not bring myself to believe that the passing of these few boats free of toll through the canal will have any influence upon the question of general prosperity. The only effect I have heard argued is the effect on railroad rates. It is claimed that the policy of free tolls will be productive of great public welfare in that it will be a regulator of railroad rates, that it will reduce transcontinental rates, and that this reduction will be reflected in a general prosperity.

We have an Interstate Commerce Commission, which commands the full respect of the people; if transcontinental rates are exorbitant they have the power to regulate them and fix fair and reasonable rates.

If transcontinental rates are reduced, the railroads, having the right to reasonable returns, would have to look elsewhere than to the transcontinental rates for such returns. And while I do not want to take a narrow view or a sectional view of this question, I fear that the freight rates in the Middle West might be increased to make up for the loss in transcontinental rates. I fail to see how that would be of any benefit to the people of the great Middle West.

The situation is difficult for one who is against subsidy and believes that free tolls are subsidy, but who likewise is against what may be considered any surrender of our right of sovereignty in the canal. If no amendments were offered whatever to the bill, I should vote for it, placing in the record, as I now do, the statement that my vote is cast solely on the economic question, that I reserve the right to meet the treaty question when it may properly arise, and that my vote for repeal is not a precedent as to any future action by me as a Senator in voting on the proposition of the construction of the treaty, I now maintaining that the United States has the right, if it desires to do so, to exempt from toll coastwise vessels passing through this canal.

If amendments are offered to the bill setting forth the proposition that we do not surrender any part of our sovereignty or any right in the control of this canal by the repeal of the clause relating to coastwise traffic, I shall support them and, if they are adopted, shall vote for the bill as amended.

If such amendments are voted down and a vote for repeal—in the parliamentary situation then confronting us—must be construed as a vote in favor of the English theory of the treaty construction, then I shall be compelled to vote against the repeal. I trust such situation may not arise. I earnestly hope the Simmons amendment or the Norris or Works amendment may be adopted. My preference is rather for the Works amendment, viz:

Strike out the amendment reported by the committee and insert in lieu thereof the following: "*Provided*, That neither the passage of this act nor the imposition upon or collection of tolls from the ships of this country or its citizens for passing through the Panama Canal shall deprive the United States of the right as owner of said canal to exempt from the payment of such tolls any and all ships of the Government and its citizens at any future time, nor shall this act be construed as a waiver of such right or as an acceptance of or consent to such a construction of any treaty with a foreign country as will deny or abridge the same."

That is a clear-cut statement. Anyone in the future can understand what it means. Let us not have future generations quarreling and debating over what we mean when we repeal this clause in the law. If we are to repeal it because it is a violation of the treaty, let us say so; if it is to be repealed because we believe it a mistaken economic policy, let us say so. Let not the language of diplomacy that has made so much trouble in the Hay-Pauncefote treaty enter into the outcome of our present deliberations. We are victims now, as to this treaty, of too much diplomacy and too little common sense.

It is unfortunate, I think, that the President in his message made his strongest point in asking for repeal that the present law was a violation of the treaty. If he had placed it squarely on the economic ground, I believe it would have passed overwhelmingly.

I shall vote for repeal of the exemption clause in the Panama Canal act if the parliamentary situation when the vote is taken is such that said vote will not be a vote in favor of the English theory of construing the Hay-Pauncefote treaty. Such vote will be cast solely on the economic ground, viz: That the passage of coastwise vessels through the Panama Canal without toll is a special privilege to a favored class and is in the nature of a subsidy. However, if that vote shall help the President in the foreign policy of his administration, and shall assist him in dealing "with other matters of even greater delicacy and nearer consequence," it will be a matter not of regret to me but of very sincere gratification.

Mr. WILLIAMS. Mr. President, I have listened with a great deal of attention and profit, as we all did, to the speech just made by the junior Senator from Iowa [Mr. KENYON]. He is making, however, one very grave mistake, which runs throughout his entire argument. A vote to repeal this exemption is not a surrender of any position at anybody's temporary behest. It is not a surrender at all; it is merely a waiver for the time being.

If the Senator and I had a quarrel about a right of way which I contended that I had over his land, and if he came to me and said, "I deny your right of way through my place; I intend to contest it; I intend to litigate it; I intend to carry it to an impartial tribunal," and if I replied to a statement of that sort of thing by saying, "Very well, old fellow, there may be some doubt about it; at any rate, you are as fair a judge of the difference between us as I am; I will waive the exercise of what I contend to be my right until the right has been determined by an impartial tribunal," that would not be a surrender. It would be a waiver; it would be the ordinary, gentlemanly course of neighborly intercourse, which I contend ought to be pursued between nations as well as between individuals.

I can not too strongly emphasize, Mr. President, as far as I am concerned, my position and what I intend my vote to mean, and I recommend this to the Senator from Iowa, who has deserved and ought to have the applause of the Senate, and their congratulations, for many things which he has just said. What I intend to reflect by my vote is simply this: As long as this question is in dispute between the two high contracting parties, each one with an equal right to judge for itself, and neither with a complete right to judge for itself, I shall, by my vote, say that until some competent tribunal has decided the question of disputed interpretation I shall waive the enforcement of mine.

Now, it has been said that my attempt to enforce mine, or the attempt of the United States to enforce theirs, which is the real question, would not result in a war—in a great war; war with Great Britain—and that therefore we ought to go ahead and enforce it. Mr. President, that is a coward's plea. Everybody knows that the wise Government of Great Britain has written a law of international intercourse almost as invariable as the laws of the Medes and Persians, and that is that under no circumstances must Great Britain have war with the United States. Tory ministry, Liberal ministry, Conservative ministry, Whig ministry, all have followed that beaten path. It is as invariable a rule of international intercourse upon the part of whatsoever government exists in Great Britain as is the unwritten law of Russia to keep on toward Constantinople until they get there.

Now, men appeal to me and appeal to Senators to insist upon a certain course because the Government of Great Britain during recent years at any rate the most persistent friend this country has had internationally, whatever her former sins may have been, will not make war upon us in the enforcement of what she considers a treaty right, and therefore we should not make it the subject of negotiation, but go ahead and violate it and assert the right under the treaty, which we say we have the power to do and which we say, in a cowardly spirit, that we can all the more do because it will not be resisted.

I want to be distinctly understood in the vote which I am casting. I have made no speech upon this subject, and I do not intend to do so; but I want to be distinctly understood in saying that I am surrendering no right not only not at the behest of Great Britain, but not even at the behest of the President, not even at the behest of my own judgment. I am merely waiving pendente lite a right until that right has been determined, and determined by a competent tribunal, which must be a court of arbitration; and I shall gladly vote for any amendment properly worded which calls upon the President of the United States to enter into a treaty of arbitration with Great Britain for the submission to an impartial international tribunal of

the question of their interpretation and the alleged interpretation of the American people of this treaty.

Now, Mr. President, while I am on my feet there are a few more things that I want to refer to. Senators have argued this case all the way through as if the United States had gotten absolutely nothing out of the Panama Canal. If the United States have no right to exempt themselves, mark you, but American shipowners, from tolls, the exemption of American shipowners will not put a dollar in the Treasury. The ships passing toll free or taxed do not belong to the United States Government. The United States Government is not, as the Senator from Utah [Mr. SUTHERLAND] argued the other day, idly charging itself. It is charging John Smith and John Williams and Bill Jones, who own ships passing through the canal, just as it is charging Jean Valjean in France and Hermann Leftwitch in Germany, or somebody else, and there is no more identity of ownership with the United States Government of the ship in the one case than in the other.

Of course, the United States, as the owner of the canal, will not charge tolls to those ships which the United States Government owns—warships. It will, however, if it is wise, keep books on the subject. It will charge the Navy Department so much every time a ship passes through and will credit the canal operation with the same amount. But, of course, it would be thoroughly impossible for the owner of the canal to charge itself except by a process of bookkeeping.

The other day the Senator from Utah went on and made a long and a very able speech founded altogether upon the obvious double middle of regarding the United States in one case as the owner of the canal and in the other case as the owner of ships. As a Government, it does own the canal. As a Government, it has sovereignty over the American ships, but it does not own them.

But gentlemen would seem to think that we get nothing out of this. When we went into it we thought we were going to get a profit. I believe the first wise engineer's estimate was one hundred and sixty-odd million dollars, and we expected to get dividends by the operation of tolls that would constitute a very reasonable interest upon that amount, at much more than 2½ per cent, at which rate we as a Nation can borrow money.

Not only that, Mr. President, but the time will come when we can make a profit out of it. The first decade probably we will make none—there may be an annual deficit; I do not know—but the time will come, undoubtedly, when we will make a profit, and in consonance with the Hay-Pauncefote treaty we shall have all the profit and nobody else have any.

So much for that. It is a very small matter. I would not care much if the entire thing were charged up to profit and loss to-morrow and the whole commerce through the canal were opened and free of tolls to the entire world, in accordance with the amendment which has been offered by the Senator from Colorado [Mr. THOMAS]. In a large and broad sense it is very frequently wise for a great people to charge a great enterprise up to profit and loss and then go ahead and charge only what is necessary for the annual upkeep, or else, going still further, charge nothing.

Gentlemen must not forget that whatsoever profit there may be in it, whatsoever collection of tolls there may be in it, that collection of tolls goes to our Treasury.

Now, Mr. President, I am not altogether of the President's view regarding this matter. I have made that clear before and I shall not enter into it again. I am inclined to the belief that, considering the mere letter of the treaty independent of the res gestæ—the contemporaneous negotiations and the letters accompanying it, wording the opinions expressed by those who acted as our agents—if we are to take merely the letter of the treaty as it is now written independently of its spirit, we have a right to exempt coastwise ships upon the line of reasoning exhibited by the Supreme Court in the case of Smith versus Olsen. But the very fact that we are debating the point is proof positive of the fact that any interpretation of the instrument is ambiguous and doubtful, and the moment you admit that the interpretation is doubtful and the language of the instrument is ambiguous that moment you have lost all as a right to judge by your own case. You have regard to the comity of nations if you dare to say that we will be the sole judge in a case wherein we are one of the parties. And you have done worse than that if you go further and say the reason for it is that you know you will not have war then, and you have added cowardice to tyranny or to dogmatism, whichever you may call it.

I am not altogether of the President's view, but just at this moment I want to impress upon the Senate the President's view with the idea of defending him from certain charges that have been made by Democrats to Democrats in connection with the Democratic platform. The President is of the personal opinion that exempting coastwise ships from tolls is a violation of the treaty, and yet we hear Democrats on this floor criticizing the President because he is not keeping a plank in a partisan American platform. Will any man arise and so offend the moral sense of the American people as to say that a plank in a party platform in the United States is superior in obligation upon me as a Democrat or upon the President as a Democrat to that greatest of all obligations resting upon a nation, to wit, the obligation of observing inviolate the sanctity of solemn treaties?

I heard a Senator here the other day argue for three-quarters of an hour that this was a violation of the treaty, and then with lame impotence conclude his argument by saying that, "notwithstanding that fact, he felt bound and obligated by the plank in the Democratic platform."

I am a Bourbon Democrat, Mr. President. I belong to the class of Democrats who forget nothing Democratic and learn nothing un-Democratic, if I know it. But Bourbon Democrat as I am, there is something in this world a lot more sacred to me than a plank in a platform, and that is the Nation's faith, the Nation's honor, the Nation's word, which is the outward and visible sign of the inward grace of its owners. How the belief of the President of the United States that this is a violation of a solemn treaty can for one moment be criticized by any Democrat as violating a party plank in order to arrive at the observance of national faith is something which I can not understand. It is true I do not agree with the President that the exemption is a violation at all of the treaty; but if I did, I do not see how anyone could expect me to pay any attention to a plank in a party partisan platform purely touching the course of the nation as a nation and not prepared with any view of violating any treaty. It must be presumed that the men who adopted that platform thought that it did not violate a treaty, or else they would not have adopted it, or if they had known it and did consciously violate a treaty and adopted it anyhow, then the Democratic Party ought to be sent to the very narrowmost depth to which human contempt could precipitate it.

Mr. President, I have not intended to take up the time of the Senate. I got up mainly to have read an answer to some of the points made by the junior Senator from New York [Mr. O'GORMAN] the other day. As far as I am concerned, I am tired of this debate. You are tired of it, and, if you do not know it, I can tell you the country is tired of it. Men, women, and children are beginning to laugh at us. You are keeping it up a little bit too long. Day after day you are running over the same ground on one side and then on the other. There is, I take it, not one new thing to be said except that little thing about the profits of the canal, which at this moment has been stated. Each one of you knows how he is going to vote. You are just consuming the time of 90,000,000 people of the United States, and I am helping you to do it.

Mr. President, I ask that the Secretary read this from the desk. If not, I will read it myself; but it is an argument by Crammond Kennedy, who is, from what I gather, a lawyer here. It cites authorities to disprove various dicta which the Senator from New York made the other day—for example, that the word "commerce" relates only to international commerce, notwithstanding the clause of the Constitution which includes it all in one phrase, "commerce with foreign nations and between the States," and that "vessels" always mean vessels of the deep sea and never any other sort of vessels, and some other things and minor things hardly worth answering, yet well enough to be replied to, in order that the ears of the groundlings may be tickled while the minds of the judicious are made to grieve.

Mr. STONE. I wish to say to the Senator from Mississippi that yesterday or the day before, I forget which, I had that paper inserted in the RECORD.

Mr. WILLIAMS. Let me see if it is the one. There is another. There is another letter written some time ago. If it has been inserted in the RECORD, I will not have it inserted now.

Mr. STONE (after examining). It is the same article.

Mr. WILLIAMS. The Senator from Missouri has already had the article inserted in the RECORD, and I shall therefore not ask that it be again read.

Mr. O'GORMAN. I ask that the canal-tolls bill be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it will be so ordered.

AGRICULTURAL APPROPRIATION BILL.

Mr. GORE. I ask that the Agricultural appropriation bill be now laid before the Senate and proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13679)

making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915.

Mr. JAMES. Is there an amendment pending before the Senate now?

The PRESIDING OFFICER. There is. The pending question is on the amendment submitted by the Senator from Iowa [Mr. KENYON].

Mr. JAMES. I submitted an amendment several days ago, which is on the Secretary's desk. I should like to have it read after the pending amendment is disposed of.

The PRESIDING OFFICER. The Secretary will read the pending amendment.

Mr. JAMES. I see that the Senator from Iowa has just entered the Chamber. I was going to suggest the absence of a quorum.

The SECRETARY. On page 20, lines 18 and 19, strike out the words and figures "and for farm demonstration work, $400,000," and insert "$250,000."

On page 20, line 22, after the word "stock," insert:

For farm demonstration work outside of the cotton belt, $400,000.

Mr. JONES. Mr. President, I think we should have a quorum when the Senate proceeds to discuss this amendment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Hitchcock	Page	Sterling
Borah	Hollis	Perkins	Stone
Brady	James	Pittman	Sutherland
Bristow	Johnson	Pomerene	Swanson
Bryan	Jones	Ransdell	Thompson
Burleigh	Kenyon	Reed	Thornton
Burton	Kern	Robinson	Tillman
Catron	Lane	Saulsbury	Townsend
Chamberlain	Lodge	Shafroth	Vardaman
Chilton	McCumber	Sheppard	Walsh
Clark, Wyo.	Martin, Va.	Shields	Warren
Colt	Martine, N. J.	Shively	West
Cummins	Nelson	Smith, Ariz.	Williams
Dillingham	Norris	Smith, Mich.	Works
Fall	O'Gorman	Smith, S. C.	
Gore	Overman	Smoot	

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] and to state that he is paired with the senior Senator from New York [Mr. ROOT].

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. There is a quorum present. The question is on the amendment proposed by the Senator from Iowa [Mr. KENYON].

Mr. KENYON. Mr. President, I want to take just a moment or two in explaining this amendment. I rather think there will be little opposition to it when it is understood. This clause on page 20 seeks to provide for farm demonstration work in the North and in the South. On page 20 of the bill the provision with respect to what is termed by the chairman of the committee "work in the Northern States" is as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, and for farm demonstration work, $400,000.

The chairman of the committee, as I understand and as it is generally understood, states that sum to be for farm demonstration work in the North. I am not now going into the question of the merits or the demerits of the farm demonstration work. I think it is agreed by all to be a splendid thing. The next clause provides:

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, $628,240.

That is for farm demonstration work in the South, and it is so used and so regarded. I think there is no voice of discord on that.

Mr. President, I am not objecting to that large appropriation for the South. I think they ought to have more for this work than we in the North, because I think they possibly need it more than we need it; but as the bill is drawn the $400,000 which is to be used for the North and which my amendment contemplates shall be so used, as it now is in the bill is not used for the farm demonstration work in the North; that is, the entire amount is not so used.

I call the attention of the chairman of the committee to the hearings before the House committee. Of the $400,000 which the bill provides, the estimate for 1915 shows that out of that is to be used for administration, $23,935; for farm economics, $53,137; for special farm-management studies, $42,122; for farm management and field studies, $98,696; for utilization of cacti and other dry-land plants, $9,000. So out of the $400,000 there is to be used about $250,000, speaking not exactly accurately, in work that is not farm-demonstration work, and that applies equally to the South as well as to the North. I am sure that if that statement is true, the chairman of the committee would not feel that the balance of the appropriation—the estimate is made by Assistant Secretary Galloway—for farm-management demonstration, $138,430, is sufficient for this work in the North. I therefore in my amendment propose to strike out the $400,000 and the wording "for farm-demonstration work," and make it $250,000. That would cover the improved methods of farm management, farm practice, and the administration work, if it be determined that it should not come out of the demonstration money for the North, and then insert "$400,000 to be used in this demonstration work outside of the cotton-belt States."

Mr. President, this farm-demonstration work, I think it is agreed by everybody, is not a waste of money. Anything that helps to raise larger crops, to bring about prosperity of the agricultural classes, enters into the problem that we are all studying, the high cost of living, and redounds to the general prosperity of the Nation.

The Secretary of Agriculture sent out, in reply to inquiries, bulletins as to farm demonstration work and also sent out demonstrators to different counties. The expense of that work is borne partially by the counties and partially by the General Government. The best men, I think, receive about $2,400 a year, of which $100 a month is contributed by the county and $100 a month by the Government.

I have here a map, which I have had prepared, which shows the demands that are made from the various counties throughout the United States for these demonstrators. I can not put it into the RECORD, though I wish I might. In green here are indicated counties that have applied and can not have a demonstrator because of lack of funds, and in red the counties that have now a demonstrator. I find that in the State of Alabama, for instance, there is only one county in green. That means that there is only one county in the State of Alabama that does not have a farm demonstrator paid in part by the Government. The State of South Carolina—and I am sorry my distinguished agricultural friend from that State [Mr. SMITH] is not here—has one county in green; that is, only one county in that State has not a demonstrator paid in part by the Government. So the 15 Southern States have been very well taken care of in that respect, and I am glad of it; I am not raising any question about it at all. In the North anyone who will glance at this map will find that county after county in the various States in the North has applied for these farm demonstrators and have not been able to get them because there were no funds available for the purpose. I have letters here in my desk from various counties in my State, written to the Department of Agriculture, where they have organized their county associations, their rural clubs, their boys' and girls' clubs in the county, and yet have not been able to get a demonstrator.

In the 33 Northern and Western States there have been applications from 294 counties offering to contribute at the rate of $100 a month for a demonstrator, which would require $352,800. In the 33 Northern States there are now 125 demonstrators taken care of by this joint process between the county and the State and the United States Government. The amount necessary to carry on that work is $147,600.

Then there are a number of counties where the county organization is carrying on the work and the Government furnishing one dollar, so that the man may have the badge of governmental employment. To carry on the work in those 56 counties would require $67,200, making a total needed to carry on this work, which is now asked in the Northern States, of $537,600. I am not asking for that much, Mr. President, but am asking for $400,000.

Mr. POMERENE. Mr. President——

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

Mr. KENYON. I do.

Mr. POMERENE. Can the Senator inform us as to the number of farms in the Southern States that are now under the supervision of public demonstrators?

Mr. KENYON. I did not catch the Senator's question.

Mr. POMERENE. Can the Senator inform us as to the number of farms that are now under Federal supervision?

Mr. KENYON. I can not. I do not think they manage it by farms.

Mr. POMERENE. About two years ago, in a conversation I had with the former Secretary of Agriculture, he stated to me that at that time his department had in charge 60,000 farms in the South. There were at that time no farms, as I understand, in Ohio under the control of the Federal Agricultural Department.

Mr. KENYON. That may be true.

Mr. JONES. Will the Senator from Iowa permit me to interrupt him merely for a moment?

Mr. KENYON. Certainly.

Mr. JONES. I understood the Senator to say that it would require some five hundred and odd thousand dollars to carry on the work that has been applied for. That, as I understand, is aside from the money that would be necessary to be contributed by local authorities.

Mr. KENYON. Yes.

Mr. JONES. That would be the amount to be put up by the National Government?

Mr. KENYON. That would be the amount that the Government would contribute to this work.

Mr. JONES. Yes.

Mr. STONE. Mr. President——

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

Mr. KENYON. I do.

Mr. STONE. The Senator from Iowa speaks of 33 Northern States. In what group of States does he place Missouri?

Mr. KENYON. As one of the Northern States. I was not accurate perhaps in saying "Northern States"; I should have said the 15 Southern States that are taken are all under this particular appropriation. Then the balance of the country, the 33 States, includes New Mexico and Arizona, which would not be Northern States.

Mr. STONE. Missouri lies somewhat in the twilight zone between the North and the South, while we produce on our farms substantially the same character of crops as are produced in Iowa, Kansas, and other States of the North.

Mr. KENYON. Yes; but not so much of them.

Mr. STONE. Well, not so much of some of the crops. We do not produce as much corn, for example, as is produced in the Senator's State of Iowa, but we produce quite a good deal of cotton in my State. I do not know just where Missouri would be placed.

Mr. KENYON. The 15 States where this appropriation is now expended are the States of Maryland, West Virginia, Kentucky, Virginia, North Carolina, South Carolina, Tennessee, Georgia, Alabama, Florida, Mississippi, Arkansas, Louisiana, Oklahoma, and Texas. The balance are what I term "the Northern States." I want to say to the Senator from Missouri that there are applications on file from 13 counties in Missouri for such a demonstrator, and you have in Missouri 10 counties now that are supplied.

Mr. WEST. Mr. President, before the Senator proceeds, I should like to ask this question: In a great many of the States is it not possible that the counties do not have these demonstrators because of the fact that they are not willing to furnish their part of the money?

Mr. KENYON. I think not, Mr. President. The counties, so far as my observation goes, are all anxious to furnish the money. They are, I know, in my State.

Mr. JAMES. Mr. President, if the Senator from Iowa will yield to me, that is not the situation in Kentucky. While the Senator states that the 15 Southern States are very well taken care of so far as farm demonstration work is concerned in this appropriation of six hundred and forty-odd thousand dollars, that is not true as to Kentucky. There are more than 20 counties in Kentucky now that have the amount required and desire a demonstration agent, but the Government has not sufficient funds for the purpose. Assistant Secretary Galloway informed me that he thought this appropriation ought to be increased, so that Kentucky, Maryland, and West Virginia could have an additional amount, and I have an amendment here to increase the amount $50,000.

Mr. KENYON. I want to say to the Senator from Kentucky it is certainly true that Kentucky, West Virginia, and Maryland have fared very illy as compared with the remainder of the Southern States.

Mr. JAMES. There is no question about that. Kentucky has only a $20,000 appropriation, while some of the other States have an appropriation of forty or fifty thousand dollars.

Mr. WEST. Mr. President, the State of Georgia is not much more than half covered, is it?

Mr. KENYON. The State of Georgia has fared fairly well. It is just about half covered, I should judge.

Mr. JAMES. The State of Georgia now receives $49,000 under this appropriation while the State of Kentucky receives only $22,000, the State of West Virginia only $17,000, and the State of Maryland only $18,000.

Mr. OVERMAN. What has North Carolina?

Mr. JAMES. North Carolina has $38,000. I will say that I am not criticizing the amendment. I intend to support the amendment offered by the Senator from Iowa.

Mr. KENYON. I want the Senator to understand that my remarks are not in any spirit of criticism toward the appropriation for the South; the South ought to have it.

Mr. JAMES. I understand that.

Mr. KENYON. I want to put into the RECORD some figures at the present time. The State of Nebraska has applications on file from 32 counties for a farm-demonstration agent, which would require $38,400, at the rate of $100 per county per month. No funds are available.

The State of Indiana has applications from counties that would require an outlay of $22,800, and there are no funds available for that purpose; the State of Illinois has applications from counties, and it would require $44,400 to take care of their wants; the State of Missouri has applications from counties that would require $16,800.

Mr. KERN. Mr. President, I want to inquire——

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

Mr. KENYON. Yes.

Mr. KERN. I want to inquire whether this calculation implies that the appropriation of $100 a month is to continue throughout the 12 months of the year?

Mr. KENYON. Yes.

Mr. KERN. Is demonstration work done in the wintertime? I am only asking for information; I know nothing about the matter myself.

Mr. KENYON. Yes; the appropriation is made to carry on the work for such time as the Department of Agriculture may deem necessary. I think it is fixed on an average.

Mr. KERN. I wondered whether the Senator's estimate was not a little extravagant in that it seemed to contemplate a continuous service throughout the year at $100 a month.

Mr. KENYON. They do carry on a continuous service throughout the year in very many instances. Certainly some work can be done in winter as well as in summer, although that is not true as to all classes of work.

The State of Colorado has applications that would require $10,800; Kansas, $21,600; Iowa, $28,800; Michigan, $48,000; Pennsylvania, $27,600; New York, $22,800; Connecticut, $7,200.

Mr. BURTON. What has Ohio?

Mr. KENYON. Ohio has applications pending that would require $8,400.

Now, Mr. President, I have the amount available for the 15 Southern States tabulated here. The tabulation is in error only as relating to the amendment adopted a few days ago reducing the amount to $50,000 instead of $100,000, but that would give us funds available for demonstration work in the 15 Southern States of $928,240, less the $50,000, by which the appropriation was reduced, which would be an average per State of $61,883; while for the demonstration work of the 33 Northern States the estimate submitted by the Secretary of Agriculture is $138,430, which the House increased by $34,480; for demonstration on reclamation projects, $50,000; funds available through Smith-Lever bill $330,000, making $552,910, or an average per State of $16,754.85.

I ask to have this tabulation made a part of my remarks without fully going into it.

The PRESIDING OFFICER. In the absence of objection, permission to do so is granted.

The table referred to is as follows:

Funds available for demonstration work in the United States Department of Agriculture for the fiscal year 1915.

FOR 15 SOUTHERN STATES.

(Maryland, Virginia, West Virginia, Kentucky, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Arkansas, Louisiana, Oklahoma, and Texas.)

Farmers' cooperative demonstration work and a study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil. (See H. R. 13679, introduced in the Senate of the United States Mar. 16, 1914, p. 20, lines 23, 24, 25)	$628,240.00
For live-stock demonstration work in areas freed of the southern cattle tick. (See H. R. 13679, p. 12, lines 8–21)	50,000.00
For experiments and demonstrations in live-stock production in the cane-sugar and cotton districts of the United States. (See H. R. 13679, p. 70, lines 7–25; p. 71, lines 1–9)	100,000.00
Funds available through the Smith-Lever cooperative extension bill, 15 States, $10,000 each	150,000.00
Total for 15 States	928,240.00
Average per State	61,883.00

FOR DEMONSTRATION WORK IN 33 NORTHERN AND WESTERN STATES.

Estimates submitted by the Secretary of Agriculture. (See hearings before the Agricultural Committee, House of Representatives, p. 179)	$138,430.00
Increase given by the House of Representatives. (See report Agricultural Committee, House of Representatives, p. 21, end of first paragraph)	34,480.00

For demonstration on reclamation projects. (See H. R. 13679, as reported in Senate, p. 68, lines 16–23)	50,000.00
Funds available through the Smith-Lever cooperative extension bill, 33 States, at $10,000 per State	330,000.00
Total for 33 States	552,910.00
Average per State	16,754.85

Mr. McCUMBER. Mr. President, will the Senator from Iowa again explain what the green markings on his map indicate?

Mr. KENYON. The green markings on the map which I have at my desk are the counties which have made application to the Department of Agriculture for a farm demonstrator. The red markings with a "1" drawn in them are the counties where $1 is paid by the Government. The counties entirely in red are where the Government furnishes one-half or a substantial amount of the sum expended.

Mr. McCUMBER. What does the Senator say with reference to $1 being paid by the Government?

Mr. KENYON. I say that in many instances the Government, not having sufficient funds to pay one-half of the expense, contributes $1. There are, I think, 56 counties in the 33 Northern States where $1 is contributed by the Government.

Mr. McCUMBER. How is that indicated on the map?

Mr. KENYON. In red with a black line drawn through it.

Mr. WARREN. For what purpose do they contribute the $1?

Mr. KENYON. In the State of the Senator from North Dakota there are eight counties where the Government pays $1 and the county organization pays the balance. There are certain benefits that come to them from that payment.

Mr. McCUMBER. In other words, out of this appropriation my entire State gets $8, does it?

Mr. KENYON. The Senator's State gets $8 plus.

Mr. McCUMBER. Plus what?

Mr. KENYON. Plus nine counties where the Government pays $100 per month.

Mr. McCUMBER. That is, then, $908. And how much does Alabama receive?

Mr. KENYON. Every county except one receives such aid there.

Mr. McCUMBER. How much does it amount to in appropriations?

Mr. KENYON. I can not count all of those counties, unless the Senator will wait.

Mr. McCUMBER. I thought the Senator had the figures there.

Mr. KENYON. These are only the figures for the Northern States. Every county in Alabama except one has a county agent some substantial part of whose salary is paid by the Government, although not in every instance $100 a month.

Mr. McCUMBER. I could not help but note, Mr. President, as I looked over the map, the special coloring to indicate that while, as stated by the Senator, the State of North Dakota, which is agricultural throughout and has more acres of agricultural land, perhaps four times over, than any one of those Southern States, gets $908, while the Southern States get from fifty to sixty thousand dollars. It is along the same line as the vote that was given the other day upon a matter that was very interesting to the people of my State.

Mr. KENYON. The Senator is a trifle in error. I dislike to spoil his argument, but the $908 would be per month, so the Senator will have to multiply that by 12, making $10,896.

Mr. McCUMBER. I think he would have to multiply it by 3 and not by 12.

Mr. JAMES. Mr. President, it ought also to be stated that the amount used by the Southern States is used not only for farm demonstration work but for the purpose of destroying the boll weevil in the cotton fields.

Mr. KENYON. I should like to ask the Senator from Kentucky, because I have tried to get at that heretofore, is any part of that appropriation used for the eradication of the boll weevil? In the discussion in the House it seems to have been accepted that none of it was used as to the boll weevil, but that the entire appropriation was to be used in farm demonstration work. The demonstrator teaches the farmer to raise more potatoes, more cotton, more of everything that comes from the soil, and does not in any way devote himself to combating the boll weevil. That is as I understand it. I do not know as to that; I have been trying to find out.

Mr. OVERMAN. Mr. President, I will ask the Senator if most of the money so used in the Southern States does not come from what is known as the southern educational board?

Mr. KENYON. Two hundred and fifty thousand dollars does come from that board; but an amendment has been adopted here to prevent that.

Mr. OVERMAN. That is what I understand.

Mr. KENYON. And the appropriation has been increased $250,000.

Mr. OVERMAN. For that purpose; to take the place of that heretofore received from the southern educational board.

Mr. KENYON. Yes.

Mr. OVERMAN. The Senator from North Dakota was complaining that there was more money spent in the States of the South than was spent in his State. That money has been derived principally from the fund supplied by the southern educational board, as I understand.

Mr. KENYON. Yes; that money has come from the Rockefeller interests and some of the trusts in an attempt to untaint their money.

Mr. McCUMBER. I desire to correct the Senator from North Carolina. I was not complaining at all; I have become used to that treatment, and have no complaint to make.

Mr. JAMES. The provision in the bill states that this fund is to be used, among other things, for the purpose of demonstrating "the best methods of meeting the ravages of the cotton-boll weevil." My understanding is that it has been used to a great extent for that purpose.

Mr. KENYON. I think the Senator will find that a very small part of it has been so used.

Mr. JAMES. I personally know nothing about it; I merely give my information.

Mr. POMERENE. Mr. President——

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

Mr. KENYON. I do.

Mr. POMERENE. The Senator has indicated that many applications have been made for demonstration work which have not been honored because of lack of funds.

Mr. KENYON. Yes.

Mr. POMERENE. Now, I ask the Senator what rule is adopted by the Agricultural Department for the distribution of this fund when it is not sufficient to meet the requirements of all the applicants?

Mr. KENYON. As I understand, it rests entirely in the good judgment and wise discretion of the Secretary of Agriculture. My State has only been able to have six demonstrators, not including one to whom the Government pays $1.

Mr. POMERENE. By what principle is the department controlled in distributing this fund?

Mr. KENYON. I can not tell the Senator.

Mr. STONE. It is complimentary to the States of Iowa and Ohio that they are so well advanced that they do not so much need instruction.

Mr. KENYON. We have not applied for so much as Missouri; that is true.

Mr. KERN. Mr. President——

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

Mr. KENYON. I do.

Mr. KERN. There is undoubtedly much truth in what has been suggested by the Senator from Missouri [Mr. STONE]. I observe from the map referred to by the Senator from Iowa that my native county in Indiana, which is up to date and abreast of the times in all agricultural movements, has not made application and has received nothing. I understand why that is. It has soil that is naturally rich and inexhaustible, the farmers are up to date, and do not need any farm demonstration. By and by, when their lands become impoverished and the young generation has forgotten the principles of agriculture, they may apply for aid. I think that is true of the State of North Dakota and the new States. With their inexhaustible virgin soil they do not need farm demonstration as much as the older States, where the soil is worn out.

Mr. KENYON. I entirely agree with the Senator; but even in those States there is a great work being done along the line proposed. I wish to read a portion of a letter I received a few days ago from the State of Iowa with reference to this matter. I will ask the Senator from Indiana to listen to this letter; it is really a good letter, and I think the Senator will enjoy it. It has reference to this work and to what they are doing in the new States, as he terms them. I will not read it all, but will read a part of it, as follows:

Our county agent, Prof. Wise—

He was paid by the county; there were no funds from the Government—

Our county agent, Prof. L. O. Wise, has accomplished a great deal in the county during the year, far more than we had expected. He is in a position now, because of his acquaintance with the farmers and with the needs of the community, and because of the work done, and because of the work to be done, to put the work on a permanent basis and demonstrate the value of organized effort in the matter of bettering

farm-life conditions and the making for better country homes, in the development of a rural social life that will permit of intelligent interest and community growth.

* * * * * * *

Through this department a keener interest has been aroused in better farming, better rural organization, better country schools, better live stock and grain, better roads, and better country churches. Much work has been done along the lines of increasing the use and growth of alfalfa and clover. Extended efforts have been put forth in beautifying the farm home and properly environing the child life of the rural communities.

This department vaccinated over 6,000 hogs, gave material assistance to several veterinarians, thus saving large numbers of hogs to the farmers of the county and giving actual demonstration of the benefits of the serum treatment.

Mr. Wise, through our association, conducted a series of farmers' short courses, in which was given careful and thoughtful instruction in the principles underlying successful farm practices and home making. About 900 men and boys received this instruction, and about 200 women. Four good working rural-life clubs were organized during these short courses in addition to those that were already organized. An interest in rural community life has been aroused, the influence of which will have a wholesome effect upon the lives of the people in the community.

So the Senator can see that this farm-demonstration work, even in the newer States, goes to the question of better homes and better schools and better churches and better citizenship, and is a splendid work for the Government to help on.

Mr. KERN. Mr. President, I wish to add that I was only trying to suggest a reason why applications have not been made from certain quarters.

Mr. KENYON. I agree with the Senator.

Mr. BRADY. Mr. President——

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

Mr. KENYON. I do.

Mr. BRADY. I wish to ask the Senator to name the counties shown in different colors on the map, and let us know why they are colored differently, and what their position is relative to this work. The Senator can just hold up the map so that other Senators can see it, if he will.

Mr. KENYON. I can not put the map in the RECORD; but if my distinguished friend from North Carolina [Mr. OVERMAN] will hold one end of the map, I shall endeavor to explain it.

Mr. OVERMAN. I shall be glad to do so.

Mr. KENYON. The unit is a county. The green areas are the counties where application has been made for a county demonstrator.

Mr. STONE. But not granted.

Mr. KENYON. But where there are no funds to pay one and the application has not been granted. The red areas with the black lines through them are the counties where applications have been made and the agent has been sent to these counties, but is paid $1 by the Government and the balance by the county organization. The counties in red are where the agent is sent by the Government upon application, and the cost of that is divided between the Government and the county in some ratio which the Secretary of Agriculture may determine, not always the same. Is that clear to the Senator?

Mr. BRADY. The explanation is entirely satisfactory; but I notice the coloring on the State of Indiana. Does that indicate that counties of that State have made application, or that they are using funds now?

Mr. KENYON. Indiana, I think, is about evenly divided. The green area indicates the counties where they have applied for this agent, but there are no funds; while the red area, with the black line through it, indicates that a large number of counties in Indiana have a Government agent paid $1 by the Government and the balance by the county organization. In fact, Indiana has no agent to which the Government contributes any substantial part of his salary.

Mr. WEST. And the white area is where no application has been made?

Mr. KENYON. Where no application has been made.

Mr. BRADY. The counties in green are those where the Government pays $1 and the counties have made application, as I understand, for this fund?

Mr. KENYON. The Senator is right.

Mr. WEST. Mr. President, why is it that Alabama and South Carolina have had such abundant use of this fund over almost every other State?

Mr. KENYON. Because they were just a little more alert, I think, than Georgia. I know of no other reason.

Mr. JAMES. Because they have had good members on the Agricultural Committee.

Mr. KERN. Mr. President——

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

Mr. KENYON. I do.

Mr. KERN. I should like to see if we can get a clear understanding of the purpose of the Senator's amendment. I understand that because $628,240 is appropriated for the study and demonstration of the best methods of meeting the ravages of the boll weevil, therefore the use of the $400,000 that is provided to investigate and encourage the adoption of improved methods of farm management, and so forth, should be confined to the States outside the cotton belt?

Mr. KENYON. If the Senator will permit me, the $628,240 is money that is used for farm demonstration work in the boll-weevil States. It is not used to exterminate the boll weevil. In the Senator will read the hearings in the House, he will discover that that is true. That amount of $628,240 is to be used for farm demonstration work in these 15 States, and that is according to the policy of the department.

Mr. KERN. I call the Senator's attention, however, to the difference in the language. The language referring to the 15 States is:

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton boll weevil, $628,240.

The language of the other section, which applies to the Northern States, is:

To investigate and encourage the adoption of improved methods of farm management and farm practice, and for farm demonstration work, $400,000.

I call the Senator's attention to the fact that no provision is made, in the appropriation for the cotton States, for the investigation and encouragement of improved methods of farm management and farm practice.

Mr. KENYON. Why, no. That comes out of the $400,000 just as much for the Southern States as for the Northern States. That is the exact point I was trying to make.

Mr. KERN. How is that provided? What is the language of the Senator's amendment?

Mr. KENYON. I strike out, by my amendment, in lines 18 and 19, "and for farm demonstration work, $400,000" and insert "$250,000." Then, at the close of the paragraph, at the end of line 22, I insert "for farm demonstration work outside of the cotton-belt States, $400,000."

Mr. GORE. Mr President——

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

Mr. KENYON. I do, if the Senator from Indiana is through.

Mr. GORE. I wish to say, in that connection, that only $32,000 of this $400,000 appropriation is expended in the Southern States. The rest goes to other States. I thought that statement ought to go into the RECORD at this time.

Mr. KENYON. The Senator is correct in part. In the hearings before the House committee the $33,000 of which he speaks was shown as spent in the Southern States; but $23,935 of that $400,000 goes for administration. Now, what is that for? It is spent here in Washington, but it is spent for the South as well as for the North. For farm economics, $53,000 is expended; for special farm studies, $42,000; for farm-management field studies, $98,000. That is spent in the South just as much as it is in the North.

Mr. GORE. Of course the South would be chargeable with its ratable share of the administration expenses, something like between two and three thousand dollars.

Mr. KENYON. The point I am making—and I do not think the Senator and I disagree about it—is that in the estimate of Dr. Galloway, which was submitted for farm-management demonstration, out of this $400,000 he estimates $138,430, and that is all there is to use for farm demonstration work in the North, in the 33 States.

Mr. GORE, Mr. WORKS, and Mr. JAMES addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I yield first to the Senator from Oklahoma.

Mr. GORE. I should like to complete the statement at that juncture. The House added $34,000 to that.

Mr. KENYON. Yes; that is correct.

Mr. GORE. Raising it to $170,000.

Mr. KENYON. That is correct. I omitted to say that.

I now yield to the Senator from California.

Mr. WORKS. I should like to ask the Senator from Iowa how much is being expended or is authorized now for farm demonstration work by existing statutes, independent of the appropriation bills?

Mr. KENYON. The allotment for 1914 in the Northern States, which included a number of things I have suggested that are not used for farm demonstration work, is $375,000. In the South, as I understand, it was approximately $378,000, carried by the Agricultural appropriation bill. I am not absolutely certain of that, however.

Mr. WORKS. The Senator is now referring to previous appropriation bills. I was referring to independent statutes.

Mr. WARREN. If the Senator will permit me, there are no permanent statutes that carry anything for demonstration as understood there. The permanent appropriations provided by statutes, such as the Morrill and Hatch bills, go in certain amounts to each State and are for experimental colleges and work; but that money is not expended like this. This money is expended in conjunction with the county authorities in each county, and it is only provided for from time to time in each appropriation bill.

Mr. WORKS. I was not asking how it was expended. I was trying to get at the amount of money that the Government is expending now for this purpose. I remember that not very long ago a bill passed the Senate, which, I think, had already passed the House, authorizing the expenditure of some $3,000,000 a year for farm demonstration work.

Mr. GORE. Mr. President——

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

Mr. KENYON. I do.

Mr. GORE. That was not identical with this appropriation, nor was it devoted entirely to the same purpose. It was to be used in connection with the agricultural and mechanical colleges of the several States. Of course none of that money has been utilized as yet. That is the farm extension work in connection with the agricultural colleges. I think, however, it will soon supersede the work provided for under this appropriation.

Mr. WORKS. I think if this bill is examined it will be found that there are about four different appropriations in the bill, in different forms, for farm demonstration work, and we have independent statutes here providing for the same thing. It does not make very much difference how it is expended, whether it is under the direction of colleges or in some other way; it is all being expended for the same purpose.

Mr. JAMES. Mr. President——

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

Mr. KENYON. I do.

Mr. JAMES. I notice that the Senator's amendment reads:

For farm-demonstration work outside of the cotton belt, $400,000.

What does the Senator mean by "the cotton belt"?

Mr. KENYON. I am leaving that to the Secretary of Agriculture. I assume that he will have no trouble in knowing what we mean. My own thought is that that covers the States outside of those in which the appropriation is used for the extermination of the boll weevil.

Mr. JAMES. Cotton is grown in Kentucky in the southwestern part of the State.

Mr. KENYON. I think Kentucky would be in the cotton belt. The 15 States that are now considered by the Secretary in expending the appropriation for farm-demonstration work that is made especially for exterminating the boll weevil are the States that would be included in the cotton belt. I am content, however, to leave that to the Secretary of Agriculture.

Mr. STONE. We grow as much cotton in Missouri as they do in some other States.

Mr. KENYON. Oh, there is everything in Missouri.

Mr. OVERMAN. The State of Missouri raises 1,000 bales, and we raise 1,000,000.

Mr. WEST. Mr. President, I wish to state, for the information of the Senator——

Mr. STONE. If the Senator will pardon me a moment before I take my seat, would that place Missouri in the cotton belt?

Mr. KENYON. No; it would place Missouri in the 33 States that will use this appropriation.

Mr. WEST. I wish to state to the Senator from Iowa that, according to the last statistics, that I noticed Missouri, in proportion to acreage, raised more cotton than any other State in the Union.

Mr. JAMES. That was not true according to the other census, because Kentucky did that. We have very fertile land down there on the Mississippi River.

Mr. WEST. I am simply citing the last statistics I know of.

Mr. OVERMAN. The last statistics show that North Carolina raises more cotton to the acre than any other State of the Union.

Mr. GORE. I would suggest Missouri, North Carolina, and Kentucky.

Mr. JAMES. Let us include Oklahoma.

Mr. WORKS. Mr. President——

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

Mr. KENYON. I do.

Mr. WORKS. I wish to remind the Senate that the State of California is growing the best cotton that is raised at the present time, and more of it to the acre than any other State in the Union.

Mr. KENYON. Mr. President, I just want to place a couple of matters in the RECORD, and then I will cease. I have tried to make myself clear. I do not know that I have.

Mr. STONE. Mr. President, if the Senator will allow me a moment, the matter is not clear to me. I am speaking now in the utmost seriousness. I understand an appropriation is provided in this bill of six hundred and odd thousand dollars to be used for the eradication of the boll weevil.

Mr. KENYON. For farm demonstration work and the eradication of the boll weevil, and that fund is used for farm-demonstration work in the boll weevil territory, the method of exterminating the boll weevil being considered a part of the farm-demonstration work.

Mr. STONE. Six hundred and odd thousand dollars, then, is assigned to the cotton States?

Mr. KENYON. To 15 States.

Mr. STONE. Fifteen States for farm-demonstration work, which embraces the boll-weevil inquiry?

Mr. KENYON. That is correct.

Mr. STONE. In addition to that, according to the Senator's amendment, he would set apart $250,000 for farm-demonstration work?

Mr. KENYON. No; the Senator is in error there; not for farm-demonstration work.

Mr. STONE. What for?

Mr. KENYON. For the same things that now are taken out of the $400,000, which are these: Administration—that is, the expenses of the work here in Washington—farm economics, special farm studies, study of farm management, field studies, and utilization of cacti and other dry-land plants.

That is all taken out of the original $400,000. I want to have enough money to cover that and have it separate and distinct from the farm demonstration. That is where we get confused. The $250,000 covers all that. That is used North and South alike. Then the $400,000 is to be used in the 33 States of the Union outside of the 15 States where the $628,000 is used.

Is it clear to the Senator now?

Mr. STONE. I think I understand it.

Mr. THOMPSON. Mr. President——

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

Mr. KENYON. I do.

Mr. THOMPSON. The Senator's amendment does not contemplate disturbing the $628,000?

Mr. KENYON. Not at all.

Mr. JAMES. I have an amendment to increase it.

Mr. KENYON. I do not want to be understood as saying a word against that appropriation.

Mr. THOMPSON. In short, then, it simply embraces an increase of $250,000?

Mr. KENYON. Two hundred and fifty thousand dollars.

Mr. THOMPSON. For the special work which the Senator has in mind for the Northern States?

Mr. KENYON. Yes; it gives to these 33 States the use of $400,000 for farm-demonstration work and gives $250.000 to the department, which will be used in all this other work, and $628.000 to these 15 Southern States for their farm-demonstration work and the boll-weevil work.

I ask to place in the RECORD a summary, which I send to the desk, and also a plan of farm-demonstration work in the Northern and Western States, which was prepared by the Department of Agriculture and which I think may be of interest to those who will read the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENYON. That is all I have to say.

The matter referred to is as follows:

Character of investigations conducted under the authorization contained in the Agricultural bill in the following language (see p. 20, lines 17 and 18, of H. R. 13679, as presented to Senate, 1914): "To investigate and encourage the adoption of improved methods of farm management and farm practice."

1. Investigations on the cost of production of all classes of farm products.

2. Investigation of the profits from farming in the various agricultural sections of the country and from the various types of farming and on farms of different sizes.

3. The working out of systems of farm organization that will result in increased production and increased profits in farming.

4. Determining the factors that affect the yield of crops.

5. Determining the various sections of the country in which economic conditions are most favorable to the production of the various crops and types of live stock.

6. Determining the best types of farms for every section of the country and working out the most efficient organization for each of these types of farming for farms of different sizes.

7. Determining the character and cost of adequate equipment on farms of different types.

8. Determining the amount of labor required in the management of properly organized farms and farm households.

PLAN OF DEMONSTRATION WORK IN THE NORTHERN AND WESTERN STATES.

The demonstration work as carried on by the Office of Farm Management in the Northern and Western States is carried on (1) with adults and (2) with boys and girls through club work.

In the adult work men thoroughly trained in both the science and practice of agriculture are located permanently in areas the size of a county, where they cooperate with the farmers of the county in the study of the agricultural problems and their solution. These men are known as county agricultural agents. The agent brings to the farmer on his own farm the results of scientific investigations in agriculture and the experiences of successful farmers, and helps the farmer put them into practice. His prime mission is to secure to the farmers a greater net income at the end of the year, while at the same time maintaining the integrity of the soil, the proper standard of living, and the consequent betterment of the social life of the county.

The thought uppermost in the demonstration work is to get as many farmers as possible to undertake some line of agricultural improvement on their own farms, and thus learn better agriculture by actually doing it.

LOCAL STUDIES.

In taking up work in a county the agent familiarizes himself with the kinds of soil and types of farming that are being carried on in each section of the county, the income that farmers are getting, and the crops, stock, and farm organization that seem to be best adapted to the various sections of the county. The agent first finds out what the agriculture of the county really is and what the farmers need before he undertakes any extensive demonstration work for the improvement of agricultural conditions.

With such studies as these for a basis the agent is fortified to take up advisory and demonstration work with the farmers along the lines that promise greatest helpfulness.

AGENT COORDINATES LOCAL AGRICULTURAL AGENCIES.

In nearly every county the agent finds a number of agricultural agencies, such as the grange, cow-testing association, good-roads associations, farmers' clubs, cooperative purchasing and selling organizations, and the like, already organized. If possible, these various forces are coordinated so that all may work unitedly and progressively for the betterment of the agriculture of the county. Furthermore, the agent helps to organize such additional clubs, associations, and the like as may be required to meet specific agricultural needs of the county here and there. The aim is to have every farmer in the county working with others in groups for the upbuilding of the agriculture of the county. Individuals within these organizations are solicited to undertake definite lines of agricultural improvement on their own farms.

AGENT DEVELOPS LOCAL LEADERSHIP.

One of the largest functions of the county agent is to develop local leadership. The task of improving the agriculture of an entire county is so great that the agent has a very large function to perform as an executive or administrator. It is his duty to inspire leadership and accept the help of voluntary assistants in the work. Only in this way can he hope effectively to reach the farmers of the entire county.

TAKES FARM PROBLEMS TO SCIENTISTS.

The agent also acts as the connecting link between the scientific or research work of the State and Nation and the farmer, not only presenting the results of investigations in such a way that they may be useful to the farmers, but calling the attention of research institutions to the local agricultural problems of the county and soliciting the assistance of scientists in helping solve the local problems. The agent has an important function to perform in suggesting and helping make efficient any research work that may be undertaken by the State or Nation in the county.

COMMON CARRIER OF IDEAS.

The agent, through his visits to farmers throughout the county, soon learns the most successful practices of the county and spreads the knowledge of these to all farmers. He is sometimes referred to as a common carrier of ideas.

AGENT ACTS AS ADVISER.

The agent's previous training, together with his local studies, enables him to advise with farmers helpfully along the lines of spraying, seed treatment, fertilizers, control of insect pests, cultural and stock practices, and other miscellaneous matters, and it is along these lines that he is usually first called upon for assistance in the county. But his primary value to the county follows as a result of his analytical studies of the farming of the county, his coordinating and organizing ability, his inspiration, development of local leadership, and his advocacy of lines of agriculture which local study shows are sound for the county.

In getting the results of the agent's studies and conclusions before the agricultural interests of the county, free use is made of the local press, lectures, institutes, circulars, short courses of instruction, and personal interviews.

BOYS' AND GIRLS' CLUB WORK.

The boys' and girls' club work is carried on in cooperation with the schools of the county, with the assistance of the State and county superintendents and the principals and teachers in public schools. The aim in this work is to teach the boys and girls the best known practices in agriculture on a limited area of ground, with the idea of interesting them in farm and home opportunities and achievements. The boys and girls are taught to do a concrete piece of constructive work throughout an entire season and keep a correct financial record of the cost and returns. Emphasis in the girls' garden and canning club work is placed on the utilization of the waste products of the farm by means of preserving and canning by modern processes, and thus contributing directly to the welfare of the household and the pocket money of the boys and girls who undertake it.

Mr. BRADY. Mr. President, I desire to offer an amendment to the amendment, which I hope the Senator from Iowa will accept. On line 5 of the amendment, after the words "for farm demonstration work," I move to insert "and for conducting boys' and girls' clubs." This will enable the department, if they so desire, to use part of this money for boys' and girls' clubs. In many places the work is conducted by the men who do the demonstration work.

In this connection I wish to have printed in the RECORD the annual report for the fiscal year beginning July 1, 1912, and ending June 30, 1913, for the Northern, Central, and Western States. It is a report made by the superintendent in charge. This report contains valuable information, which I think will be beneficial to Senators.

As an illustration, in the State of Idaho we had no clubs whatever in 1911, and to-day there are 15,000 members in the boys' and girls' clubs of Idaho. The report shows the splendid work that is being done in this department.

The PRESIDING OFFICER. In the absence of objection, the matter submitted by the Senator from Idaho will be printed in the RECORD.

The matter referred to is as follows:

BOYS' AND GIRLS' CLUB WORK.

(Annual report for the fiscal year beginning July 1, 1912, and ending June 30, 1913, for the Northern, Central, and Western States.)

SECTION OF FIELD STUDIES AND DEMONSTRATIONS, OFFICE OF FARM MANAGEMENT.

During the past year we have employed six State cooperative agents in charge of club work and have had the assistance of five collaborators in the conduct of the club work. Owing to the lack of funds to meet the demand for the boys' and girls' club work, it has been necessary to seek both direct and indirect cooperation through the public-school teachers, county superintendents, State superintendents of public instruction, federated women's clubs, chambers of commerce, granges, and other kindred organizations for the purpose of getting the boys and girls organized and locally supervised during the year.

At the present time six additional States have made application for financial aid in order that they might put into the field a State cooperative agent in charge of club work. The greatest need of the boys' and girls' club work is definite leadership and some one to do the "follow-up" work in each State. Success in club work depends almost entirely upon a carefully planned system of printed "follow-up" instruction and personal leadership, field meetings, visitations, etc.

The State, district, and county agents in the demonstration work have given considerable cooperation and valuable help in this work, but so little of the territory is properly equipped with these State, district, and local leaders we must depend almost entirely upon the unpaid leadership through the schools.

At the close of the cropping season of 1912 we had a total enrollment of 22,000 boys and girls in our territory. At the close of the fiscal year ending June 30, 1913, we had a total enrollment of 60,000. About 25,000 of these are handled directly from the Office of Farm Management. The remainder are handled through the State leaders and through the extension departments of the colleges of agriculture. We furnish from the Office of Farm Management on the average eight pieces of specially prepared "follow-up" instructions to each club member enrolled during the season, thus making a total of approximately 640,000 sheet circulars or bulletins of instruction furnished in a year's time to the club membership.

The following club activities have been systematically organized and promoted during the fiscal year: Boys' corn clubs on the acre basis; girls' garden and canning clubs, based upon one-tenth of an acre of tomatoes and the canning of the surplus products; potato clubs, requiring the growing of one-eighth acre of potatoes, selecting seed potatoes from the hill, grading and crating seed potatoes, grading and crating market potatoes, and reducing the culls to potato starch; vacation canning and marketing clubs, which have to do especially with the elimination of the wastes of garden, orchard, and field by means of the little portable home canners, and teaching the club members how to find a market for their surplus products, both fresh and canned (in this arrangements are now under way to cooperate with the Bureau of Markets in the furnishing of suitable instructions on marketing); sugar-beet clubs, based upon the growing of an acre of sugar beets as applied especially to the irrigated lands of the West. Poultry clubs, vegetable-garden clubs, good-road clubs, etc., are being conducted in cooperation with the office and State departments whose special function it is to promote these activities.

Wherever the garden and canning-club interests were promoted an effort was made to always interest the mother with the daughter in the canning activities. At one school of instruction in Colorado in the interest of canning through the garden and canning-club work 380 women were present to take the instruction with the girls.

The agriculturist in charge of club work has delivered 126 public addresses, 21 canning demonstrations, and 14 field meetings in the States during the year. All canning demonstrations were conducted for the direct benefit of the club members, but a general invitation was extended to the public; the "cold pack" method of canning by use of the five distinct types of home portable canners was used to demonstrate the use of all types of containers in the canning of corn, greens, fruits, and vegetables; time and labor saving as well as efficiency were important factors in the work.

In all States where cooperative arrangements have been perfected for the promotion and conduct of the club work the cooperating agency furnishes one-half of salary and expenses and the Bureau of Plant Industry, through the Office of Farm Management, furnishes the other half.

The spirit of cooperation as well as the real understanding of teamwork between the State officials and institutions is growing daily. When the work was first started in the North every one of the cooperating institutions objected to suggestions, instructions, helps, etc., from this office. None of them cared to make reports or furnish our office with club enrollments. At the present time their attitude has been completely changed, and all are making reports, not only asking for help and instructions but urging us to come into the States to assist them in doing the "job." During the fiscal year we have only been able to fill about 10 per cent of the requests for help and instructions which have come in from the States.

The need for a broad, constructive club work in the Northern, Central, and Western States is certainly urgent and the opportunity fully as large as it has been in the cotton States of the South.

The total amount expended by the Office of Farm Management for club work in the 33 Northern States during the fiscal year was $12,000, and a smaller amount is available for the new fiscal year. Eight new States have made application for financial cooperation in the conduct of club work, and have already met all requirements, financial and otherwise, but lack of funds prevents this office from giving them the necessary assistance. No branch of agricultural work is in greater need of definite leadership in the States. Lack of leadership means defeat to the work and no definite results. We would recommend that a State agent in charge of club work, with a lady assistant, be provided for in cooperation with the State organization as soon as possible.

Fifty-two circulars, outlines, and special sheets of instruction were prepared and sent out to the club enrollment from time to time as a system of follow-up instruction, bearing directly upon the conduct and management of crops in their club work. The instructions were prepared in cooperation with the various departments, offices, and State institutions in charge of and interested in the special subjects under consideration.

All money expended for the encouragement of the boys' and girls' club work by way of prizes, premiums, and awards are furnished by the local people, and in no case does the Office of Farm Management furnish the funds for this purpose.

With proper encouragement the boys' and girls' clubs of the Northern, Central, and Western States will at least double their enrollment during the year 1914.

Mr. BRADY. This report demonstrates what has been done; and with this added appropriation there is no question but that the club memberships in the Northern, Central, and Western States can be doubled during the year 1914.

I hope the Senator from Iowa will not object to this amendment, giving the boys and girls' clubs the advantage of this appropriation. It means much to the Northern, Central, and Western States.

Mr. KENYON. I have no objection to the amendment. I think that is work that is embraced within the general farm-demonstration work.

Mr. BRADY. But it should be specified here also, for the reason that in this way the boys and girls' clubs can use this money if the department desires to have them do so.

Mr. KENYON. I have no objection to that. I accept the amendment as an amendment to the one offered by me.

There is just one thing more I should like to put in the RECORD, and that is a statement showing the different counties and States which have applied for aid, and what they have received, and the general amounts that will be necessary to grant what they desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

	1		2			3
	Number counties in green.	Funds applied for; appropriation exhausted.	Number counties in red.	Amount paid by Government as per agreement.	Number counties in red 1.	Amount received annually allowing aid from department.	This amount needed to take care of department's share appropriation.
Washington	7	$8,400	1	$1,200	5	$5	$6,000
Oregon	3	3,600	2	2,400	1	1	1,200
California	2	2,400			1	1	1,200
Idaho	3	3,600	1	1,200	1	1	1,200
Montana	2	2,400					
Utah			6	7,200			
Arizona	1	1,200					
Wyoming	2	2,400	2	2,400			
Colorado	9	10,800	7	8,400			
New Mexico	1	1,200					
Kansas	18	21,600	5	6,000			
Nebraska	32	38,400	3	3,600	1	1	1,200
South Dakota	6	7,200	2	2,400	1	1	1,200
North Dakota			9	10,800	8	8	9,600
Minnesota	8	9,600	22	26,400	1	1	1,200
Iowa	24	28,800	6	7,200	1	1	1,200
Missouri	14	16,800	10	12,000			
Illinois	37	44,400	6	7,200			
Wisconsin	5	6,000	4	4,800	1	1	1,200
Michigan	40	48,000	10	12,000	2	2	2,400
Indiana	19	22,800	1	1,200	21	21	25,200
Ohio	7	8,400	1	1,200	1	1	1,200
Pennsylvania	23	27,600	7	8,400	2	2	2,400
New York	19	22,800	11	13,200	7	7	8,400
New Jersey	2	2,400	2	2,400			
Connecticut	6	7,200					
Massachusetts	1	1,200			1	1	1,200
Vermont	2	2,400	5	6,000			
New Hampshire	1	1,200			1	1	1,200
Total	294	352,800	123	147,600	56	56	67,200

Column 1 shows the number of counties in the different 33 Northern States having made application for funds and complied with the regulations laid down by the department, but the department has no funds available to take care of these requests. Amount necessary for these counties at the rate of $100 per month $352,800

Column 2 shows the number of counties in the 33 Northern States that are now being taken care of by the Department of Agriculture. Amount necessary to carry on this work 147,600

Column 3 shows the number of counties in the 33 Northern States that are now furnished $1 per year. These counties made application in the regular way for $100 per month, but there were no funds available for this purpose. Amount needed to take care of this work 67,200

Total amount now needed to take care of counties having made application for funds and who have complied with the regulations laid down by the department 567,600

Mr. GORE. Mr. President, I am sure the Senator did not intend that his remarks should be viewed in any sectional light and that he did not intend to give any sectional cast to the different appropriations contained in the bill. I am a little afraid, however, that the language used by some Senators might possibly be liable to that misconstruction. Therefore I feel that I ought to say a few words in regard to the history of this farm demonstration.

It originated some 12 or 14 years ago as a result of the invasion and ravages of the Mexican boll weevil. It came into the State of Texas from the Republic of Mexico, and in many counties, covering large sections, the production of cotton was reduced some 75 or 80 per cent. It gave rise to an exigency in the agricultural situation in that section. In order to meet that emergency a modest appropriation was made by Congress to enable the department to study the habits, history, and ravages of the boll weevil, and, if possible, to devise ways and means to counteract its ravages.

I think the first appropriation for the purpose was something like $75,000 or $100,000. Cultural methods were employed, and proved remarkably successful. The methods were so advantageous that it was decided to extend them to other States in anticipation of the coming of the boll weevil, to enable the farmers to adopt cultural methods by which they could meet and counteract the ravages of the boll weevil when he should make his advent, in case he should do so.

The system was extended throughout the entire cotton belt. It has proven of the most advantageous service not only in counteracting the boll weevil where he actually exists but in stimulating improved agriculture in the other Southern States where the boll weevil to this day has not come. The work proved so beneficial that it was afterwards decided to extend it to Northern States, although the crisis did not exist in the North and there was no acute emergency. Notwithstanding improved agriculture was practiced on a much more extended scale throughout the Northern States, it was hoped that these methods might nevertheless prove serviceable to that section.

During the last three or four years this work has been extended into the Northern States and other States than those situated in the cotton belt. It has been a matter of slow growth, a matter of evolution. It has not been the result of any disposition on the part of anyone to discriminate as between the different sections. I think that statement will be abundantly justified by simply recollecting the fact that this entire policy originated under a former administration—if I may say so, under a Republican administration. The first appropriations for the extermination of the boll weevil in the Southern States were generously made by a Congress that was Republican in both branches. The policy was introduced and extended by Secretary of Agriculture Wilson, from the State of the Senator from Iowa, and it is now being gradually extended throughout the entire Union. I regard it as a most valuable service. Indeed, I think it is one of the greatest services that the General Government renders to the private citizen.

This bill as it passed the House carried an appropriation of $400,000 for these different services in the North and West less $32,000, or, in other words, it carried an appropriation of $378,000 for demonstration and other work in the North, East, and West. The bill as it passed the House carried $378,000 for demonstration work in the Southern States. The appropriations were approximately the same. The Senate decided to divorce the General Government from the General Education Board. This required an additional appropriation in the Senate of $250,000.

It is largely the misfortune of the South that this appropriation was needed in that section. As the need was greater there the appropriation was greater there, just as we recently appropriated half a million dollars to counteract the ravages of hog cholera in the State of Ohio and the State of Iowa. Half a million dollars was appropriated owing to the misfortunes, the calamities, of those States, and not because of any disposition on anyone's part to show favoritism toward the State of Ohio or the State of Iowa.

I may say that $256,000 is carried by the pending bill for the extermination of many pests in New England; $246,000 is carried by it for the study of diseases and insects affecting cereals, largely grain, in the North and in the West.

When all these appropriations are considered it will be obvious to anyone that there has not only been no disposition to discriminate between different parts of the country, but there has actually been no discrimination practiced by the bill.

I felt that I ought to say this in justification of the committee and in vindication of the bill itself.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa as modified.

The amendment was agreed to.

Mr. JAMES. I call up the amendment I introduced, on page 20.

The PRESIDING OFFICER. The Senator from Kentucky moves to reconsider the vote by which the committee amendment, on line 25, page 20, was agreed to.

Mr. JAMES. It is to increase the appropriation $50,000 for the 15 Southern States. I do that for the reason that Kentucky, West Virginia, and Maryland have apportioned to them only the following sums: Eighteen thousand dollars to Maryland, $17,000 to West Virginia, and $22,000 to Kentucky, whereas Virginia has $38,000; North Carolina, $38,000; Georgia, $49,000; and Mississippi, $45,000.

Mr. SMOOT. Mr. President, would it not be better to have the Secretary of Agriculture reapportion the amounts?

Mr. JAMES. I was just going to refer to that. I talked with the Assistant Secretary of Agriculture, Dr. Galloway, who handles this fund, and he stated that this amount allotted to the Southern States was absolutely needed, but there was need for this additional sum, which, if allowed, would be allotted to these States. I know that in my own State of Kentucky, instead of six counties, as is shown by the map there, I was informed by the secretary of agriculture of our State, who came in to see me, that more than 20 counties now had raised the required amount of money to pay their half in connection with the half allotted by the Federal Government for the purpose of having a demonstration agent. Our State has now 15,000 boys and 1,000 girls in these canning clubs, and yet the State gets less than any other State in the South.

Dr. Galloway says this amount is needed, and I hope the Senate will adopt the amendment.

The PRESIDING OFFICER. By unanimous consent, the vote whereby the committee amendment was agreed to will be reconsidered.

Mr. SMOOT. Would it not be just as well, then, to have an amendment increasing whatever amount they want for Kentucky, and to state specifically just what it is for?

Mr. JAMES. I just raise the amount $50,000, and of course I rely upon their good judgment and what they have already stated should be done, and that is that this is to be allotted to these three States. It is not the custom to allot by the bill itself money to the various States. For that reason I did not propose it. Of course that would be preferable, but that is not the custom and I have not asked that it be done. By my amendment I make a lump increase of $50,000, and feel sure that out of this sum Kentucky will be given a sufficient amount to carry on this work—in fact, Dr. Galloway assured me of this—and as no appropriation for farm demonstration work particularizes any State, I have not done so here.

Mr. McCUMBER. Mr. President, I want to ask some Senator who is acquainted with this work of what this demonstration consists?

Mr. GORE. Mr. President, it consists in an effort to take to the farmers the results and benefits of scientific agriculture. I may say the Senator from Ohio [Mr. POMERENE] stated a few minutes ago he had seen a statement two or three years ago to the effect that there were some 60,000 farms in the South in the charge of the Government. The Senator was not accurate in his language. There are no farms in charge of the Government. In my own State we have one general superintendent of this farm demonstration work throughout the State. In some 40 or 50 counties out of the 77 counties they have selected a practical farmer who uses his own farm for demonstration purposes. They have this year succeeded in securing some 3,000 farmers to cultivate their entire farms according to methods prescribed by the department, or, in other words, upon the principles of improved agriculture, and some 12,000 other practical farmers have agreed to cultivate more or less of their farms in accordance with those principles. It is an effort to introduce upon the farms the information and the application of those principles which have been known in the department and in the colleges for a number of years. It is the one link necessary to complete the circuit in order to make scientific agriculture an actual fact and not a mere figure of speech in this country.

Mr. McCUMBER. Mr. President, of all the sops that were ever dished out for the American farmer, this demonstration sop is practically the worst. There is little or no benefit whatever to be derived from it. It is a waste of the money, the greater portion of which is paid by the farmers themselves.

I do not think there is an application from my State to have a demonstrator sent out there. I am glad to note it, because in all this Agricultural appropriation bill you are treating the American farmer as though he did not have as much sense as a 6-year-old child, and that you must have a demonstrator standing over him telling him how he is to plow his land, how he is to hitch his horses to the plow, how he is to stand behind the handles, how deep he is to plow, how he is to harrow, and how he is to cultivate it and thrash it.

If there is anything gained in the matter of scientific farming at all, it is in every one of our agricultural schools in our States. The Government is sending out an immense amount of literature upon the cultivation of every kind of plant and shrub known, describing how it should be cultivated, how it should be cared for in this State and in that State, in the dry country and in the arid and in the semiarid country. All the information any demonstrator could possibly give to any farmer is conveyed to him through these farmers' bulletins. There is not a farmer in my State who can not read and write, and there is not one who is not able to apply that knowledge, and if he has not the sense and the capacity to apply it, he will never have the sense and the capacity to follow the directions that are given him by any demonstrator.

I am not a bit surprised, Mr. President, that under the circumstances we should apply ourselves to seek the many devious ways by which we can spend money to benefit the farmer to offset the injury that we are doing him year in and year out without any attempt to give him any benefit whatever. The thing that is most interesting to the farmer is not how I can raise a crop, but what I can get for it after I have raised it; and when you open the floodgates of all the products of the entire world and turn them freely into the United States you are doing more damage to the American farmer than you would accomplish in good in ten thousand years with any such methods as you are here seeking to benefit him.

You had here before you testimony taken by volumes showing the losses the farmers are sustaining in the grades to their grain by reason of the inefficient and the unjust system by which the grain is handled. The farmers in my State alone will lose by their grades in a single year from three to four million dollars. Yet when they appeal to you for some practical benefit you are in your rooms outside of the Senate Chamber and refuse to listen to a single word; and then you come in finally, when you are called in upon a call of the Senate for a quorum, and you proceed to vote, giving him no benefit whatever, and then you turn over to him this thin sop to compensate him for the injury that you are committing against him.

I want to protest in the name of the western farmers, the intelligent farmers of the United States, that they are not blind to this action. They may not be able to see their remedy. Being unorganized and scattered promiscuously over the entire country and not addicted to writing letters or acting through an organized society, it may take them some time before they will be able to understand fully the cause of their discomfiture at your hands, but I believe, as sure as the God of truth reigns, that they will come to understand it fully some day and you will right the wrongs that you are committing against the American farmer.

Mr. President, there will be practically no benefit obtained out of these demonstrations. Send a little pamphlet out to any farmer in my State telling him the results of the experiments of the Agricultural Department of the United States and of the several agricultural colleges in the States as to the character of soils and the cultivation of this and that species of cereals and he does not need your demonstrator. The chances are 10 to 1 that he knows more about how to raise those crops and get the very best there is out of his soil than the demonstrator whom you send to him.

I know what this demonstration means. It means a great deal of human labor applied to the cultivation and the handling of the grain they are attempting to demonstrate. The Government has any amount of funds back of it, and it can hoe and plow and harrow as many times as it sees fit, but the average farmer, at the rate he has to pay for labor up in the Northwest, can not get the labor to do the work. If he could obtain labor at wages that he could afford to pay, dependent upon the price he would get for his products, he would ask nothing at your hands. You can subserve his interest in a hundred differ-

ent ways that will be valuable to him. You are doing nothing practical for his benefit in these half a hundred little appropriations, such as one to send out some one to teach children how to plant onions.

Mr. GORE. Mr. President, I wish to congratulate not only the Senator, but his State and the farmers of his State, upon the high degree of agricultural education which prevails there. I might say there are a good many farmers in the South who make no pretentions to the same degree of education or efficiency as the average North Dakota farmer. I refer to the colored race in the South.

But I may say to the Senator that he is mistaken, even as to his own State. The Agricultural Department expends a little over $5,000 a year in the State of North Dakota toward demonstration work, and the farmers of his State contribute $60,000 a year to cooperate with the farm demonstrators representing the Government of the United States. Each county in the State contributes $3,800 a year in the promotion of this work.

I say to the Senator that while this expenditure on the part of the North Dakota farmer may be unnecessary it is not unnecessary in many portions of the South. In many parts of the South, including Texas, Mississippi, and Louisiana, it has practically revolutionized agriculture. The suggestion was made last season that the demonstration work be discontinued in Oklahoma, and it raised a very storm of protest. No service rendered by the General Government in States, counties, and communities is more highly appreciated or is more serviceable than this farm-demonstration work. I should regard it as a calamity to see it discontinued.

I may add as a mark of credit to the State of North Dakota that its contribution exceeds that of any other State in the Union to this service.

Mr. VARDAMAN. Mr. President, I share the feeling expressed by the Senator from Oklahoma [Mr. GORE] when he congratulates the Senator from North Dakota upon the excellent condition of the farmers of his State. Fortunate, indeed, is that country whose farmers are prosperous.

I do not think that any public measure has met with such universal approval among the farmers of my State as the law which puts these agencies at work for the betterment of the condition of the agriculturists of the entire country.

When the proposition was made to limit the work to be done to the appropriation carried in this section of the bill a perfect cyclone of protests came to me from the State of Mississippi. As I said upon the floor of this Chamber several days ago, not 20 per cent of the money expended in this demonstration work was paid by the General Government. Not only the farmers contributed to it, but the merchant, the lawyer, the doctor, the manufacturer, every class and condition of our citizenship contributed to it for the very good reason that upon the products of the farm all enduring prosperity rests. Their contributions to this great work was but the expression of that spirit of altruistic selfishness which underlies all intelligent cooperation. Everything we eat and wear originates with the soil. Propitious seasons and intelligent cultivation bring abundant yield. When the farmer prospers the looms run full time, the rolling stock of the railroads is kept moving, the factories find a market for their fabrics, the mechanic gets his wages for six days in the week, the children of the toiler enjoy the advantages of the school, the credit man collects his accounts, the lawyer's clients are able to pay his fees, the doctor gets his toll, and the preacher is properly clothed and fed, receiving his earthly reward for labors done in the vineyard of the Lord, the smile of joy is upon the happy face of the patient housewife, the merry laughter of children fills the home with light, hope springs eternal in the human breast, and plenty is scattered over a smiling land. But let the farmer fail, let misfortune attend his efforts, let the fates withhold from him propitious seasons, let the blight fall upon his crop, and the chilling winds of adversity will sweep over the land like the withering simoon of the desert. Hope, the propelling force of success in all the walks of life, will leave the heart, the rose of health will fade from the cheek, pallor, the shadow of want, will becloud the countenance, sorrow dim the eye, and despair will freeze the genial current of the soul. In other words, all that is sweet in life, all that works for the uplift of humanity, all that promises good from which hope for the future welfare of the race springs will pass away and the entire superstructure of commerce will crumble and fall.

No, Mr. President, this money is not imprudently or injudiciously invested. The United States Government and the governments of the States have not in the past devoted as much money as they should have done to the development and to the improvement of agriculture. The farmer is now being taught the constituent elements of the soil. He is taught by the demonstrator the proper fertilizer that is necessary to produce the largest and best crops. He is taught as to how his crop should be cultivated, and he is also taught how best it should be harvested. A great work is being done, monumental achievements wrought. Progress is being promoted. The whole country is benefited.

I do not believe a dollar could be appropriated by Congress, I do not believe the United States Government could make an investment that would bring as large a return to all the people as a dollar judiciously invested in the improvement of the system of agriculture in this country.

It is not a question of section; it is not class legislation. All the States and all the people without regard to vocation are interested. The people in the State of my friend the Senator from North Dakota are more fortunate, I judge from his statement, than in some other States of the Union. They have made greater progress; they may not need this assistance; but I dare say if he will go to the farmers who have conferred with these men skilled and learned in the art of intensive farming, men who are familiar with the growth of plants, men who are familiar with the character of the soil, men who understand all the economies of the farm, he will find that this money is not being squandered nor is it a sop thrown to the farmer. The farmers are about the only class of people, Mr. President, in the United States who have not some special agent here looking after their interest.

I wish we could double the appropriation for this work. I wish we could multiply the men who are doing this particular service to humanity.

Mr. McCUMBER. Mr. President, I appreciate many of the things that the Senator from Mississippi [Mr. VARDAMAN] has just said, and especially do I appreciate the misfortune of an unpropitious season as affecting the prosperity of the farmer. But there is a worse thing than an unpropitious season, and that is an unpropitious administration. That can do him more harm in a single year than the eccentricities of the season may do in 10 or 15 years.

We are suffering to-day not so much because of a lack of ability to produce enough farm products, but we are suffering because we can not get prices for what we do produce sufficient to pay the cost of labor that is producing it. When Senators will understand that condition and look at farm conditions as they are, we will get rid of a great many of these fancy thrills, and we will be able to introduce and pass legislation that will be for the real benefit of the American farmer.

Now, I have not objected in the slightest degree to these demonstration farmers both by the Agriculture Department and by the several agricultural colleges in the States. They are doing a great deal of good in experimenting, because the farmer can not individually spend money in making experimentations like the Government can. But I want to tell the Senator from Mississippi, and I say it with all sincerity and candor, there is not a single one of your farm demonstrators or experts who could go out to-day and buy a farm and apply his processes and make a living. He would have to have the Government back of him to pay the expenses and the deficiency at the end of the year.

Mr. VARDAMAN. Mr. President, if the Senator will just yield for a moment.

Mr. McCUMBER. Certainly, Mr. President.

Mr. VARDAMAN. I will say to the Senator that I have personal acquaintance with a number of young men who went to the Agricultural and Mechanical College of the State of Mississippi, who worked their way through the college, who learned the lessons taught there and have gone upon farms which they themselves bought, and by applying the lessons that they learned in that college have succeeded and are now prosperous farmers. I know those men. The influence of their lives has acted as a very great benefaction to everybody living in the community in which their excellent work has been done; and I can say to the Senator, speaking from personal knowledge, that greater progress has been made in my State in that regard in the last 10 or 15 years than was made for a half century prior thereto; and the good work has scarcely begun. Really that which has been accomplished is but an earnest of the much greater things that shall be done in the near future.

There is no question before the American people to-day in which the farmers are more interested, about which they are more enthusiastic, than they are in this question of improved agriculture; and when the Senator from North Dakota throws anything in the way or puts any sort of a damper on the ardor and the enthusiasm of those people, he is not only injuring the individual man, but he is injuring the citizens of the entire Republic, because, as I said a moment ago, the whole superstructure of commerce rests upon the production of the farm.

Mr. McCUMBER. Mr. President, I was brought up on a farm; I have farmed all my life; I think I know something about farming; and I want to tell the Senator from Mississippi that if he wants to make the farmer enthusiastic the way to do so is to give him a good price for the things he produces.

Mr. VARDAMAN. I am entirely in favor of that.

Mr. McCUMBER. There is the fundamental of all the enthusiasm we shall get on the farm.

Mr. VARDAMAN. I am entirely in accord with the Senator from North Dakota on that proposition. I am in favor of any plan, scheme, or measure that will improve agriculture and promote the legitimate interests of the farmer, because I realize that when I help the farmer I contribute to the prosperity of the world.

Mr. McCUMBER. I am glad to know that, Mr. President.

Mr. STONE. Let us have a vote.

Mr. McCUMBER. Yes; we will have it. The only way, however, that you can give the farmer the price is to do just the same as you do as to other lines of business in the United States—give him the market which belongs to him, a market that he has builded up by his labor, by his toil, by his sacrifices, and by his willingness to pay considerably better prices for the things that he buys, in order that he may make your cities populous, in order that he may give work to your laborers, in order that he may make all of the manufacturing cities of the United States smile with the element of prosperity. The farmer feels that beyond that he is entitled to some consideration on his own part, and that consideration is not being given to him. You protect everything else. In order that you might get a foreign market for the meat product of the packers some years ago you provided for the expenditure of $3,000,000 a year out of the Treasury of the United States to inspect their meats, so that Germany would be satisfied to buy them upon a national inspection. You did that for merely a few hundred packers.

When something similar is requested for the benefit of the producer in the Northwest, to protect him against fraud and imposition, so that he may be allowed even to pay for his own inspection, but that it may be done under Federal auspices and upon a Federal standard, we are unable to get any consideration whatever from you. That would be a benefit. We could estimate our losses with a great degree of accuracy—and they amount to millions of dollars in a single State—but we could get no consideration for that which would be of real benefit to the farmer.

I know there are good boys who go to the agricultural colleges. They come back to the farm and they do accomplish something. There is no question but that the education they get there does them some good. As I was saying, the demonstrations by agricultural colleges and the demonstrations by the Agricultural Department itself have been very beneficial. After all, however, those boys, of whom the Senator from Mississippi speaks, who are making a success of farming—if the Senator will follow them down in their everyday life, he will find that the basis of their success is in their industry and in their economy. Practicing that policy down to bedrock they are able to make a reasonable success in some instances. That is the way the farmers are living to-day.

Those of us who are operating farms, as I myself am doing, pay our losses out of our income from some other source, although every one of us is following the latest fads in the matter of agriculture. I do not know of any one of these agriculturists who is making expenses out of his farm.

Mr. VARDAMAN. Mr. President——

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

Mr. McCUMBER. Certainly.

Mr. VARDAMAN. To follow the Senator's argument to its logical conclusion, he is of the opinion that it is an unwarranted prodigality of cash, then, to maintain these agricultural colleges.

Mr. McCUMBER. Oh, no, Mr. President; I have not said to the Senator anything that would indicate that.

Mr. VARDAMAN. But that is the inference that one would naturally draw from what the Senator did say.

I want the Senator from North Dakota to understand that I would not, for any consideration, throw anything in the way of teaching people how to sell their products or to devise suitable means to enable them to get what their products were worth. There may be a difference of opinion, however, amongst Senators and farmers and other men as to the best remedy for the trouble. We all admit the existence of the disease, but there may be a difference of opinion as to the remedy for the evil. I do not, however, want the Senator to understand that I would throw anything in the way of the consummation of the splendid Utopian scheme he has in mind. I have never said anything against it. I wish him Godspeed in his efforts to secure for the farmer every dollar that he is entitled to from the product of his honest toil.

Mr. McCUMBER. Mr. President, I am seeking the accomplishment of no Utopian project at all. I know enough about farming conditions in this country to know that farmers may never expect anything of that kind. I am simply hoping, and have been laboring here at all times, to benefit that class whose earning capacity is less than that of any other class of American citizens; who live more carefully, who live more economically, and who have to live that way in order to eke out an existence at all, and I have been laboring to secure for them such legislation as would enhance the value of their products.

It is the enhancement of the value of the product rather than in instruction how to raise more of the products for which the farmer can scarcely get prices enough now to pay the expenses of raising them to which I am trying to direct the attention of the Senate, and to point out how there may be provided by legislation some real benefit to the American farmer.

Mr. President, some little good may come from this work; I have no doubt that some little good will accrue to the farming class; but when there is such great good that can be given to the American farmer it seems almost sacrilegious to throw out this crumb to him when we could throw out loaves.

The PRESIDING OFFICER. Without objection, the motion to reconsider offered by the Senator from Kentucky [Mr. JAMES] will be considered as adopted, and the question is on agreeing to the amendment proposed by the Senator from Kentucky, which the Secretary will state.

The SECRETARY. On page 20, line 25, it is proposed to strike out "$628,240" and insert "$678,240."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Kentucky to the amendment of the committee.

Mr. REED. Mr. President, the Senator from North Dakota utters a wail over the fact that the farmers do not get reasonable prices, and states that what the farmer needs is good prices. One would draw the conclusion from his remarks that the farmer's products are being sold at beggarly prices. I am not going to reply to those remarks any further than to read the market quotations of to-day:

Chicago—Hogs, receipts, 10,000; steady. Bulk of sales, $8.50 to $8.60; light, $8.35 to $8.60. Cattle, receipts, 25,000; steady. Beeves, $7.50 to $9.30; steers, $7.10 to $8.20; stockers and feeders, $6.40 to $8.55.

Cincinnati—Hogs, receipts, 1,500; market steady; common to choice, $6 to $8. Cattle, receipts, 200; market steady; heifers, $5.75 to $8.50; calves active, $6.50 to $11. Sheep, receipts, 1,400; market steady; lambs steady.

The prices are not given for sheep. Just one other illustration.

Kansas City, Mo.—Hogs, receipts, 15,000; steady. Bulk, $8.30 to $8.50; heavy, $8.45 to $8.50; packers and butchers, $8.35 to $8.50. Cattle, receipts, 7,000, including 100 southerns; steady. Prime fed steers, $8.50 to $9.05; dressed beef steers, $7.50 to $8.40; western steers, $7.25 to $8.65—

The figures given are the prices per hundred, of course. The quotations for cotton are as follows:

Middling upland, 13⅛ cents.
Middling gulf, 13⅜ cents.

On May 18 last year middling upland was 12 cents and middling gulf was 12¼ cents.

Wheat prices—

I read from the New York Herald of to-day—

Wheat prices at new high record—

I am reading the headline—

Many reports received of damage in winter belt by Hessian fly—Trading active.

July wheat opened at 96⅞, ran to 97⅛, and its low price was 96⅝.

May closed at $1.04½.

In the local cash market No. 2 hard winter wheat was quoted at $1.06 c. i. f. New York; No. 2 red, $1.07¼; * * * No. 1 northern, Duluth, $1.05¼; * * * No. 1 northern, Manitoba, $1.05.

Mr. President, in view of those prices and in view of the fact that they are greatly in advance of the prices of a few years ago, the wail from Jericho is a little out of place.

Mr. McCUMBER. Mr. President, the Senator has presented to us one side of the ledger, but he does not show us the balance. I want to see what it costs to raise the steer. The Senator speaks of a steer the price of which will range from $7 to $7.50. We will suppose that it is a thousand-pound steer, 4 years old. Its value, then, would be $75. Very well. What did it cost to raise that steer? First, the farmer had to buy his land, and, as is shown by the statistics, he gave a mortgage on three-fourths of his natural life before that farm became his. That is the first proposition. Then he had to plow the land; he had to seed it; he had to raise his corn or grain and his hay; he had to

build a barn; he and his children had to wait on that steer for four years; they had to water it; they had to feed it; they had to care for it and shelter it; and after those four years of labor at the highest price he could get, his family realized $75 from that steer.

We have a report from the Agricultural Department which shows that last year the average earning capacity of the farmer, his wife, and adult children throughout the United States amounted to 20 cents a day. That is what the farmer got for his labor; and that is what that steer netted that farmer—an average return for 16 hours of labor of 20 cents a day. That is what his prosperity means.

I could take all the other things of which the Senator speaks in the same way. It is true that those are better prices than we have had in some years; but does the Senator know that it now costs four times as much to buy a farm as it did 20 years ago, and that the labor costs from two to two and a half times as much as it did 20 years ago?

Mr. REED. Mr. President——

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

Mr. McCUMBER. I yield.

Mr. REED. The Senator's statement is a complete demolition of his argument. When he says that American farms are worth four times as much as they were a few years ago, it is absolute proof that the farmer does not work for 20 cents a day; for if that were all the profit he obtained, his land would not be worth four times as much as it was a few years ago, but would be worth one-fourth as much as it was a few years ago.

The Senator may make these startling statements here in the Senate, but the farmers of the United States know that they make more than 20 cents a day, and a great deal more than 20 cents a day, and that they are in a reasonably prosperous condition.

Mr. McCUMBER. Yes, Mr. President; I have had some occasion to look over the mortgages on their farms, and I know something about their prosperity. Of course, I never would attempt to convince the Senator from Missouri of anything. I simply take my statement from the report of the Secretary of Agriculture. He is supposed to have been a reasonably good Secretary and to make a fair estimate. The estimate which I gave was that made by the Secretary of Agriculture, and he shows exactly how he arrived at it. Now, he may be in error. I do not think he is in error, however.

The farmer, of course, can live pretty cheaply on his farm. He has no rent to pay, and he and his children do not get an opportunity to spend their money in theaters or anywhere else. They save, possibly, everything they make. There is no waste, and they get along; but those are the figures that were given me by the Department of Agriculture, published about a year ago.

Mr. REED. I challenge the Senator from North Dakota to produce any report of the Agricultural Department which states that the farmers of the United States, on the average, make only 20 cents a day.

Mr. McCUMBER. I gave it in an address some time ago. I am not going back to look over the address and give it to the Senator again, challenge or no challenge.

Mr. REED. There is no such report.

Mr. McCUMBER. If the Senator knows anything about the price of land in the United States, owing to its scarcity since the public lands have all been taken up, he knows that he can go out into Montana or Idaho or any of these States and find land that you could have bought 20 years ago for a dollar and a half an acre that you can not buy now for $20 an acre, and similar changes have taken place to a great extent all over the country. It is not that the land is more valuable, not that it will produce more, but people have to live somewhere, and there are a great many people who were brought up as farmers who still would cling to the farm even though they could make five times as much in the city.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield to me for a question?

Mr. McCUMBER. I yield.

Mr. MARTINE of New Jersey. Did I understand the Senator from North Dakota to say that the farmer had to wait on the steer 16 hours out of the 24? Did he say that? If so, I am a little interested to know just what breed of steer it is that demands that amount of waiting on. The steers in my part of the world are quite self-helpful, and generally wait upon themselves for the greater part of the year.

I ask the question seriously. I should like to know what class or breed of steer it is that you raise in North Dakota? They must be tenderfeet, indeed.

Mr. McCUMBER. They are not Jersey steers, of course.

Mr. MARTINE of New Jersey. That is their misfortune. They are not only not Jersey steers, but they have not Jerseymen's help. If they had, they would have been more prosperous.

Our farmers do not get rich; but, including the fact that they have their homes and the comfortable and almost luxurious living which the average farmer has, I think it amounts to more than 20 cents a day. I think the Senator could not have intended to convey the idea that it meant only 20 cents a day. He did not calculate the thousand and one comforts that come to a farmer. There are many comforts that come to a farmer beyond the matter of mere money.

Mr. McCUMBER. Oh, Mr. President, I think the Senator will not follow that line of argument to any great extent. I take my statements, as I said, from the Agricultural Department reports. I know something about farming conditions in my country. If the Senator raises down in his State steers that take care of themselves the year around, take themselves to slaughter and convert themselves into meat without any labor on the part of the farmer, he can get whatever he can out of that kind of an argument.

Mr. MARTINE of New Jersey. Oh, I never made any suggestion or proposition of that kind. I did feel, however, that the Senator's statement was a little extravagant; and in the interests of better agriculture I thought I should like to know the breed and class of steer to which the Senator referred.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. JAMES] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. JAMES. There is a proviso there in regard to the use of the money. It provides that no part of the fund appropriated shall be used in connection with any appropriations from the Rockefeller fund. That amount ought to be corrected so as to read "$678,240" instead of "$623,240."

Mr. GORE. I ask that the correction be made to conform to the amount appropriated.

Mr. JAMES. Just so as to make it conform to the amendment.

The PRESIDING OFFICER. Without objection, the proviso will be amended so as to conform to the amendment that has been adopted.

Mr. GORE. Mr. President, I am directed by the Committee on Agriculture and Forestry to propose the amendment which I send to the desk. I present the amendment on behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 70, line 14, it is proposed to strike out "$50,000" and insert "$100,000."

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

Mr. KENYON. Let us know what it is, Mr. President.

Mr. RANSDELL. I will make the explanation. It is the item in regard to experiments and demonstrations in live-stock production in the cane-sugar and cotton districts of the United States.

Mr. KENYON. Was not that voted out?

Mr. RANSDELL. The House gave $50,000 for that work, and the Senate added $50,000 more, making a total of $100,000. A point of order was made against the item because it contained what was considered new legislation. It is on page 70 of the bill, if the Senator would like to find it. It went out on a point of order.

Mr. KENYON. How does it get in now?

Mr. RANSDELL. The Senator from Oklahoma, by instruction of the committee, changes the item, strikes out the proviso that was obnoxious to the rule, and simply asks to increase the amount to $100,000. It is clearly needed. The objectionable part is stricken out.

Mr. SMOOT. Mr. President, I did not hear what the Senator had to say in relation to the amendment. I will ask that the amendment be stated.

The SECRETARY. On page 70, line 14, it is proposed to strike out "$50,000" and insert in lieu thereof "$100,000."

Mr. RANSDELL. I will say to the Senator that the clauses to which he objected the other day are not included. They are stricken out. The amount is simply raised, so that it will not be subject to a point of order.

Mr. SMOOT. Of course, that is subject to the same point of order that the other part of the amendment was, on the ground that it increases an item in an appropriation bill without an estimate being made for it by the department.

Mr. RANSDELL. I hope the Senator will not raise the point of order. The House put in an appropriation for $50,000 in

accordance with the recommendation of the Secretary of Agriculture. The Senate raised that to $100,000. In testifying before the Senate committee the Secretary of Agriculture said that this additional amount was necessary, and the increase is made in accordance with the recommendation of the Senate Committee on Agriculture. It seems to me it comes clearly within the rule, and I hope it will be agreed to.

Mr. SMOOT. I should like to ask the Senator if this is a committee amendment.

Mr. RANSDELL. Yes, sir.

Mr. SMOOT. The Senator offers it as a committee amendment?

Mr. RANSDELL. It is submitted as a committee amendment by the chairman of the committee, by instruction of the committee.

Mr. SMOOT. I do not understand that this item has been estimated for.

The PRESIDING OFFICER. The Chair understands that is not necessary where it is a committee amendment.

Mr. RANSDELL. I did not understand what the Senator said.

Mr. SMOOT. I said I did not understand that it had been estimated for by the Treasury Department.

Mr. RANSDELL. I can not say that it was officially estimated for in advance. It was estimated for while the bill was being prepared. I do not consider that it is necessary when it is introduced as a committee amendment. It was moved by a standing committee of the Senate, and it was estimated for by the head of the department. It is in strict accordance with the rule.

Mr. McCUMBER. What has been done with the amendment of the committee following line 16?

The PRESIDING OFFICER. It went out on a point of order.

Mr. RANSDELL. It went out on a point of order, and I am willing to leave it out.

Mr. McCUMBER. Will the Senator explain to me why we have still got to have another $100,000 to be expended, not generally, but in just one State?

Mr. RANSDELL. If the Senator would like to have me repeat the speech I made several days ago, I shall be very glad to tell him that it is because of the situation the people are in now in the sugar section of Louisiana. They find it impossible to make sugar profitably. They find it necessary to engage in some other kind of agriculture. They have been making sugar there for over a hundred years. They are not familiar with stock raising, the raising of hogs, cattle, and things of that kind. It was thought by friends of the State and by the Agricultural Department that if a live-stock farm were established down there those people might be taught by practical demonstration to engage in the successful raising of live stock, particularly cattle and hogs. That is the purpose of it.

I may say that the people there have suffered very heavy losses. A gentleman was here three days ago, Mr. Matthews, who told me that three years ago he was offered $1,000,000 for his plantation, and now he could not sell it for $200,000.

The losses that have occurred to the people down there are almost incalculable. They are really in a desperate situation. The purpose of this amendment is to try to help them to help themselves, to do something with those lands.

I shall be glad to answer any further questions that may be asked.

Mr. McCUMBER. I want to suggest that a great many years, on account of hot winds in the Northwest, whole States, nearly, areas equivalent to the entire State of Louisiana, will lose their entire crop, so that they get no benefit whatever from it. Would the Senator in those cases provide an appropriation of $100,000 for each one of those States to teach them how to develop live stock?

Mr. RANSDELL. I should be delighted to appropriate whatever the Agricultural Department says is needed for the development of live stock or any other industry in States which are stricken as hard as the case stated by the Senator from North Dakota.

Mr. McCUMBER. Would there not be a much easier and a better method of taking care of the cane industry down there in some other way, so that the cane industry may be profitable?

Mr. RANSDELL. If the Senator can suggest any practical method, I shall be very glad to have him do so. He will thereby confer a wonderful boon on those people.

Mr. McCUMBER. All right: I will suggest one. I suggest a tariff of a dollar and a half a hundred on sugar.

Mr. RANSDELL. I will ask the Senator if that is a practical suggestion at this time?

Mr. McCUMBER. I do not know. That depends on the other side of the Chamber.

Mr. SMITH of Michigan. It looks more favorable all the time.

Mr. RANSDELL. If the Senator wishes to offer that as an amendment to this bill, I for one shall not make a point of order against it. I will assure him of that.

Mr. McCUMBER. I am afraid some of the Senator's colleagues would. I want to ask the Senator again, however, because of the language of this particular provision, "for the development of live-stock production in the cane-sugar and cotton districts of the United States," whether it requires a different kind of demonstration to produce live stock in the cane-sugar and in the cotton districts of the United States than in other districts?

Mr. RANSDELL. I do not know that it requires any different kind, but we do need it down there very badly. If the Senator needs it very badly up in his State and will demonstrate it to us, he can get my vote for it, and I believe he can get the votes of the majority.

Mr. McCUMBER. I think the beet industry will suffer quite a little, as well as the cane industry. Would the Senator have any objection to inserting the word "beet-sugar" there, so as to read "cane-sugar, beet-sugar, and cotton districts of the United States"?

Mr. RANSDELL. I will say to the Senator that there is another provision here appropriating, if I mistake not, about $41,000 for the beet-sugar section of the country. I will say furthermore, that when this measure was before the House and before the Senate no complaints were made in behalf of the beet-sugar section. We were not asked there to give anything to afford them special relief. Complaints were made with regard to the sugar section of Louisiana; evidence was introduced to show the desperate condition of those people and their great need.

I want to say to the Senator that every agricultural need presented to the Senate Committee on Agriculture and Forestry was provided for. I will ask the Senator now if he appeared before the Agricultural Committee and made any request for an appropriation to develop the live-stock industry in the beet-sugar sections of the United States, or if anyone else did, so far as he knows?

Mr. McCUMBER. No; but I appeared before the Agricultural Committee, and got the Agricultural Committee to report unanimously a bill for the relief of the industry in my State, and the Senator promptly voted against it, as did the majority of the Senators on that side, so I would have very little encouragement if I were to go before that committee on any other matter. I do not think it would amount to a great deal, because in that instance I had the unanimous report of the Committee on Agriculture and Forestry, and I had almost the unanimous vote of the Senators on that side against the provision reported unanimously by their committee. There does not seem to be much relation between the report of the committee and the action of the Senate on the report, unless, of course, they see fit to follow it.

Mr. RANSDELL. May I ask if that was an item on the agricultural appropriation bill or a separate and distinct measure?

Mr. McCUMBER. That was a separate and distinct bill. I assumed, however, that the principle would be about the same.

Mr. RANSDELL. I think the committee has stood religiously by the appropriations carried in the bill.

Mr. McCUMBER. The Senator has considerable facility, and, as I notice, all have upon the other side. One reading this would think that the whole bill was intended for the cotton industry in some way. If the Senator will bear with me, he will find that this is for development of live-stock production in the cane-sugar sections—that is, in the Senator's section, where the cane-sugar industry has been destroyed by a late law passed by his colleagues. But it proceeds to state also "and the cotton districts of the United States." Now, what has happened to cotton that it is necessary to teach people how to develop live stock in the cotton section? Has that been destroyed, too? When taking care of the boll weevil, the only enemy to cotton, by an appropriation of about a million dollars, why is it necessary that we should proceed now to appropriate $100,000 for demonstrations in connection with the development of live-stock production in the cotton districts of the United States? Why should we differentiate the cotton districts from the rest of the United States in the matter of information concerning stock raising?

Mr. RANSDELL. The Senator has indulged in a good deal of good-natured scolding of the Members of the Senate, especially those on this side of the Chamber, for not staying here and listening to speeches by himself and others on different bills that have been up lately. I say to him if he had been here

during the debate on this item several days ago he would not have asked that question. It was very clearly brought out then that the purpose of this amendment is to furnish money to develop by demonstration work the live-stock industry in the sugar sections of the United States. But it is not confined to Louisiana. There is a considerable amount of cane sugar raised in Texas. It was plainly shown at that time——

Mr. McCUMBER. The Senator assumed that I was not here, and I wish to correct him.

Mr. RANSDELL. I will ask the Senator if he was satisfied with the explanation. I hope I am not one of those who wish to repeat.

Mr. McCUMBER. I want to get down to cotton. I will not say that I am satisfied, but I understand——

Mr. RANSDELL. As was stated several days ago, there is considerable area in the State of Louisiana which was formerly in cotton. When the boll weevil came and drove cotton from the lower portion of the belt into the northern portion of the State, and also did very great damage not only there but in other States, the sugar industry moved northward and a considerable area was planted in cane within the last seven or eight years that formerly had been planted in cotton. The weevil drove out the cotton and the tariff has driven out the cane, and those people are between the devil and the deep blue sea. They have got to do something. They are asking the National Government to help them to go into the live-stock business. It is that portion of the cotton belt of the South, and only that portion, I may say, where this demonstration farm work is to be carried on.

Mr. BORAH. The Senator says they are between the devil and the deep blue sea. I suppose the Senator means that they are between the weevil and the tariff.

Mr. RANSDELL. Well, that is a very good way of putting it, and I accept the amendment.

Mr. McCUMBER. Yet, Mr. President, I confess I can not understand why it is necessary to get an expert and to spend $100,000 to inform people how to develop live stock. Live stock is a matter of breeding. Any farmer who has a Jersey cow knows how to raise a Jersey, and he knows how to raise Chester pigs, and he knows how to raise different breeds of horses. For the life of me, I can not see why it is necessary to throw $100,000 into that State for the purpose of teaching farmers how to develop a stock industry, which development, of course, means raising stock. I assume the farmer knows how to feed them; I assume he knows how to breed them. If he wants them, I can not see why he can not own them and produce them the same as is done in other sections of the United States, and doubly, if there is anything at all in it, I can not see why we should make a Mason and Dixon's line out of this matter. In three-fourths of these appropriations we are trying to crowd everything into the cotton-raising belt. Why could not the Senators send down copies of the book on diseases of the horse, and the publication on the different breeds of horses, and so forth, gotten up by the Agricultural Department, and say to the farmers, "Go to this; here is your information"?

Mr. RANSDELL. Mr. President, I believe a good many hogs are raised out in the Senator's State. I hope so. We had recently before the Senate a bill appropriating half a million dollars for the eradication and prevention and cure of hog cholera. I did everything I could for the immediate passage of that law. I think it a wise law. I believe I reported the bill. It was not for my part of the country. Unfortunately, we have very few hogs down there. We are trying to persuade the people of Louisiana to go into the hog business. We are trying to persuade them to go into the cattle business. We are trying to persuade them to adopt the wise system of diversified farming indulged in in the State of the Senator from North Dakota, and indulged in by the farmers in most of the Northern and Western States. You have not followed a system of one crop alone, as they have done in Louisiana, unfortunately, to their great sorrow at this time.

Mr. McCUMBER. May I ask the Senator——

Mr. RANSDELL. Let me answer the question, if you please.

Mr. McCUMBER. Certainly.

Mr. RANSDELL. We are trying now to get this instruction to people who know nothing but sugar, who do not understand how to breed cattle and to feed cattle and to breed hogs and to raise hogs, because they have never done it. You can not teach a man a new business in a few weeks or a few months. Where they have been in the habit of raising cattle and hogs and sheep and horses and mules it can be done successfully; but in that section of the South where there are large plantations occupied in many instances by several hundred and in some places by thousands of laborers and employees, where they do not raise cattle at all, where their entire attention has for a century or more been given to raising cane to be converted into sugar, you can understand, it seems to me, that to go into this industry is something new, something entirely strange to them, something that they must be taught to do and encouraged to do and shown to do. This demonstration farm can bring in some varieties of cattle and different varieties of hogs and show those people how to raise corn and oats and hay and all the proper varieties to feed hogs and cattle. It can help them and encourage them; and that is the idea of it.

I will say to the Senator that I am sorry they do not know how to do it as well as his people, but they are not as intelligent as the people of his State. I admit that they are ignorant on this subject and need help. I hope the Senator will be generous enough to vote for this provision without any further discussion of it. I assure him that I will support any measure that he can produce looking to the relief of his section if his section needs it and he can show that it is needed.

Mr. McCUMBER. I got fooled on that once, and I do not think I will take another chance.

Mr. RANSDELL. I will say to the Senator in response to his taunt that they were not at all agreed in his own section of country on his bill. If the people of the North and the Northwest, the grain sections, had been at all agreed, we would have voted for your measure; but many of the very best men of the grain section disagreed with the Senator, and that is why his bill did not pass.

Mr. McCUMBER. Yes; the Senator found one man. I am waiting for the Senator to complete his remarks.

Mr. RANSDELL. I have completed my remarks, unless the Senator wants to ask me a question.

Mr. McCUMBER. I may be in error, but I am certainly sincere in the belief that although the farmers in the Senator's State have been in the habit of raising cane, nevertheless they will know how to raise a mule, and we do not need to appropriate $100,000 to tell them how to develop a mule or how to feed a mule or how to take care of a mule.

The Senator spoke of the appropriations that were made for the hog cholera. You did not divide up that appropriation by States and say this appropriation is to be used, for example, in the States of Ohio and Indiana. It is general legislation covering the entire country. But here you say this appropriation is to be used in the cotton belt, although you have provided half a hundred other items where the money is to be used in the cotton belt.

Although we do not raise many hogs in our State, I did not object to the provision that was thought necessary to check the hog cholera; but what I do object to is that part of the Union getting the hog end of everything in this bill, as is clearly evident in every line and every sentence of it. Appropriations are made that to me seem to be absolutely ridiculous, based upon the assumption that the farmers do not know how to feed stock or to raise stock or to do anything. I admit that the farmers in the Senator's State are just as intelligent as they are in mine; I made no invidious distinction; but I would think it was hunting for an excuse to appropriate the money of the Government.

Mr. WILLIAMS. Mr. President——

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

Mr. McCUMBER. I yield the floor, Mr. President.

Mr. WILLIAMS. I wish to suggest to the Senator from Louisiana that he yield to me for the purpose of moving an executive session.

Mr. RANSDELL. I would yield to the Senator, but in just one moment we can vote. I think the debate is now through.

Mr. WILLIAMS. It is now 10 minutes after 5 o'clock.

Mr. RANSDELL. I hope the Senator will not press that motion. The matter has been here two or three times, and we can vote on it now, I believe, without any more discussion. I ask the Senator to defer the motion.

Mr. WILLIAMS. We can not vote on it without further discussion.

Mr. RANSDELL. I do not believe there will be further discussion. Let us see, at any rate, whether we can vote on it or not.

Mr. GORE. I will say to the Senator from Mississippi that I hope to finish the bill in a few minutes. There is only one other amendment.

Mr. WILLIAMS. The Senator could not possibly finish the bill in a few minutes.

Mr. GORE. I ask the Senator to let us try it out.

Mr. WILLIAMS. I will wait five minutes, Mr. President, before I make the motion.

Mr. RANSDELL. I ask that a vote be taken.

The PRESIDING OFFICER. The question is on the amendment offered by the committee.

Mr. SMOOT. Mr. President, I wish to say to the Senator that before the bill goes into the Senate I shall reserve the right to offer at least three amendments in the Senate.

I ask attention in relation to the point of order to Rule XVI, paragraph 2:

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations—

And so forth.

Of course, this was not referred to the Committee on Appropriations. It was offered as an amendment upon the floor of the Senate. It was not offered by the Senator as an amendment. It was never printed. It was never referred to the Committee on Appropriations. It never has been reported from that committee. I, of course, think that a point of order should lie against the amendment. But I want to say to the Senator from Louisiana that that same question was overruled, notwithstanding that was the position taken by the Chair the other day, and I am not going to invoke that rule against his amendment at this time

Of course, Mr. President, I am still of the same opinion that I was when I spoke on this subject the other day. I do not believe this appropriation is going to do the good people of Louisiana any good whatever, with the single exception that there will be that much Government money to spend within the borders of the State; and to me, Mr. President, that is a very poor sop to offer to that great State for the destruction of its principal industry.

I said to the Senator the other day that I was not going to make an objection to it, but seeing all the other items that have gone in, every sort of an appropriation, for everything that could be imagined, I must say that I have been in the Senate some 11 years and I have watched appropriation bills pretty closely, and there never has been an appropriation bill reported to the Senate in that time filled with so many items that never should appear in an appropriation bill.

Mr. KERN. Mr. President, I wish to make a motion about the hour of meeting to-morrow, if the Senator will yield to me for that purpose.

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

Mr. KERN. I move that when the Senate adjourns to-day it be to meet to-morrow morning at 11 o'clock.

The motion was agreed to.

Mr. RANSDELL. If there is to be no further debate, I ask for a vote on the amendment.

The PRESIDING OFFICER. Does the Senator from Utah yield the floor?

Mr. RANSDELL. I thought the Senator was through.

Mr. SMOOT. Yes; I have finished what I have to say now.

Mr. RANSDELL. If there is to be no further debate, I ask for a vote.

Mr. McCUMBER. Mr. President, I make the point of order that the amendment adds new items of appropriation, and that it was not, at least one day before it was considered, referred to the Committee on Appropriations as an amendment.

The PRESIDING OFFICER. The Chair has held that the expression "Committee on Appropriations" refers in this case to the Committee on Agriculture and Forestry, which is the Committee on Appropriations for the pending bill.

Mr. McCUMBER. The Chair may have the information, and I may be in error; but I ask the Chair whether this was an amendment which was submitted and referred to the Committee on Agriculture and Forestry?

Mr. RANSDELL. It was introduced and submitted to the Committee on Agriculture for the appropriation of $100,000, as set forth in the proviso. The particular amendment just introduced was prepared to-day and introduced here by instructions of the committee, but the amendment appropriating $100,000 was prepared and introduced in the Senate and submitted to the Committee on Agriculture when the bill was before that committee.

Mr. SMOOT. I think the Senator is mistaken. I do not believe the Senator introduced that amendment in the Senate and had it referred to the Committee on Agriculture in one day.

Mr. RANSDELL. I said emphatically to the Senator that I did not introduce it to-day; that the amendment was introduced some time ago, when the bill was before the Committee on Agriculture, and it was the specific item of $100,000.

Mr. SMOOT. I say, Mr. President, that the amendment before the Senate to-day to increase the appropriation of $50,000 to $100,000 has not been offered to the Senate nor has it been referred by the Senate to any committee.

The PRESIDING OFFICER. The Chair will state the case as it stands at this time. The present occupant of the chair ruled on the point of order made by the Senator from Utah that the amendment presented by the Committee on Agriculture was out of order. The committee has since that time reframed the amendment, retaining the same appropriation, and, in the opinion of the Chair, that complies with the spirit of the rule which requires an amendment to be printed and referred to the committee.

Mr. SMOOT. I do not so understand it.

The PRESIDING OFFICER. The pending amendment is substantially the same as the amendment heretofore printed, except that the portions which rendered it obnoxious to the point of order have been omitted.

Mr. SMOOT. Then, I misunderstand what the amendment is. I understood the Senator's amendment to be to simply strike out "$50,000" and to insert "$100,000." Am I correct?

Mr. RANSDELL. The Senator certainly is correct.

The PRESIDING OFFICER. The Senator is correct, in substance.

Mr. RANSDELL. And it was for the purpose set forth in the original House bill. The others were simply clauses enlarging it.

Mr. SMOOT. Then, if I am correct, there is not any question that paragraph 2 of Rule XVI applies to this amendment. This is not the same amendment that was offered heretofore. I wish also to say that the original amendment was never presented to this body and referred to the committee. It was reported from the committee, as stated by the Senator here the other day, but it was never referred to the committee by the Senate.

Mr. RANSDELL. The Senator is mistaken. The amendment was referred to the Agricultural Committee.

EXECUTIVE SESSION.

Mr. WILLIAMS. Mr. President, it is nearly half past 5 o'clock, and I think it is impossible to finish the consideration of the bill to-night. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 20 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 36 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 21, 1914, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 20, 1914.

UNITED STATES ATTORNEY.

Edward C. Knotts to be United States attorney for the southern district of Illinois.

POSTMASTERS.

MAINE.

Edward C. Bridges, York Village.
F. S. Doyle, Caribou.
Clinton S. Eastman, Westbrook.
George S. Pitts, Harrison.

MASSACHUSETTS.

Merton Z. Woodward, Shelburne Falls.

TENNESSEE.

W. B. Hale, Rogersville.
John E. Helms, Morristown.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *May 20, 1914.*

The House met at 12 o'clock noon.

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

Almighty and most merciful Father, in whose sacred presence we dwell and under whose providence we have been brought through prosperity and adversity, sunshine, and storms to the present hour, and hast placed us foremost among the great nations of the earth. Thou hast taught us by Thy revealed word and through the experiences of the past "that righteousness exalteth a nation, but sin is a reproach to any people." Help us therefore, we beseech Thee, to do justly, to love mercy, and walk humbly with Thee our God; that the genius of our Republic may more and more obtain that we may become a beacon light leading on to peace and righteousness in all the earth. Through Jesus Christ our Lord. Amen.

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