PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ALEXANDER: A bill (H. R. 19079) granting an increase of pension to William A. Graham; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 19080) for the relief of John Hoffman; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 19081) granting an increase of pension to William Rech; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 19082) granting an increase of pension to Henry H. Smith; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 19083) granting a pension to William H. Peary; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19084) granting an increase of pension to Mary J. White; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 19085) to remove the charge of absence without leave from the military record of John E. Hubbard; to the Committee on Military Affairs.

By Mr. KEY of Ohio: A bill (H. R. 19086) granting a pension to Adolph Dirmyer; to the Committee on Pensions.

Also, a bill (H. R. 19087) granting an increase of pension to George W. Smith; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 19088) granting a pension to Edward H. Brown; to the Committee on Pensions.

By Mr. RUCKER: A bill (H. R. 19089) granting an increase of pension to James T. Darnell; to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 19090) to reimburse the officers and enlisted men of the Revenue-Cutter Service and Public Health Service for losses sustained in the wreck of the revenue cutter *Tahoma*; to the Committee on Claims.

By Mr. SMITH of Minnesota: A bill (H. R. 19091) granting a pension to Malissa E. Bovee; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 19092) granting a pension to Frank Stires; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19093) granting an increase of pension to Henry Engle; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By the SPEAKER (by request): Memorial of various merchants, bankers, and farmers of Jefferson County, Okla., favoring a tax of $5 per bale on each bale of cotton raised in excess of 25 bales in 1915; to the Committee on Ways and Means.

Also (by request), petition of Harry S. McCartney, of Chicago, Ill., proposing that the United States Congress send a memorial to all nations engaged in war, relative to a cessation of hostilities; to the Committee on Foreign Affairs.

Also (by request), memorial of the American Truth Society of New York, deploring the crippling of American commerce by the European war and petitioning for relief; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Kansas City (Mo.) Branch Railway Mail Service, relative to admitting railway postal clerks to Army and Navy Hospital on same basis as enlisted men; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: Petition of various members of the Woman's Home Missionary Society of the Methodist Episcopal Church of Mayville, Mich., protesting against House bill 16904, for railroad tracks opposite Sibley Hospital in Washington, D. C.; to the Committee on the District of Columbia.

By Mr. FAISON: Petition of sundry citizens of Salemburg, N. C., favoring Henry cotton bill; to the Committee on Banking and Currency.

By Mr. GILMORE: Petition of sundry citizens of Randolph, Mass., and the Thacher Brotherhood of Milton, Mass., favoring national prohibition; to the Committee on Rules.

Also, petition of the Taunton (Mass.) Chamber of Commerce, favoring a revision of the patent laws; to the Committee on Patents.

By Mr. GRAHAM of Illinois: Petition of 56 citizens of Springfield, Ill., against tax on cigars; to the Committee on Ways and Means.

Also, petition of 228 citizens of Iowa, Illinois, and Wisconsin, favoring national prohibition; to the Committee on Rules.

By Mr. HOWELL: Petition of the Thatcher Bros. Banking Co. and other banks of Logan, Utah, against tax on banks; to the Committee on Ways and Means.

Also, petition of the Utah State Federation of Labor, favoring House bill 10735, to create a bureau of safety in the Department of Labor; to the Committee on Labor.

By Mr. LONERGAN: Petition of the Court of Common Council of Hartford, Conn., favoring the passage of the Hamill bill; to the Committee on Reform in the Civil Service.

By Mr. McCLELLAN: Petition of Clyde H. Proper, of Schoharie, N. Y., and W. B. Van Alstyne, of Kinderbrook, N. Y., against legislation to prevent the purchasing of stamped envelopes with address thereon from post offices; to the Committee on the Post Office and Post Roads.

Also, protest of George Peck, of Martindale, N. Y., manager of Gayety Theater, Washington, D. C., against special tax on theaters; to the Committee on Ways and Means.

Also, protest of Jordan Philip, cashier First National Bank of Hudson, N. Y., against taxation of capital stock and surplus of banks; to the Committee on Ways and Means.

By Mr. RAKER: Memorial of Lodge No. 360, Fraternal Brotherhood of Maple Leaf, and the Chamber of Commerce of Oakland, Cal., favoring the Hamill bill (H. R. 15139) relative to retirement of aged civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolutions of the San Francisco Labor Council, of San Francisco, Cal., protesting against the landing in the United States of alien Chinese seamen; to the Committee on the Merchant Marine and Fisheries.

By Mr. REILLY of Wisconsin: Petition signed by numerous citizens of Chilton, Wis., of different nationalities, protesting against the attempt by certain papers to create prejudice in the minds of the American people against Germany and Germany's cause in the pending European contest; to the Committee on Foreign Affairs.

By Mr. SLOAN: Petition of numerous merchants and citizens of Wilber, Clatonia, Plymouth, Exeter, Valparaiso, Touhy, Memphis, Ashland, Cortland, Pickrell, Ithaca, Weston, Diller, Jansen, Harbine, Bee, Hebron, Bruno, Geneva, Ohiowa, Swanton, Fairmont, Daykin, Tobias, Friend, Milford, Pleasant Dale, Dorchester, Seward, all of the fourth congressional district of Nebraska, favoring support of House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. WINSLOW: Petition of the Christian Endeavor Union of Worcester County, Mass., favoring national prohibition; to the Committee on Rules.

SENATE.

SATURDAY, *October 3, 1914.*

(Legislative day of Monday, September 28, 1914.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

EMERGENCY REVENUE LEGISLATION.

The VICE PRESIDENT. The Chair lays before the Senate certain communications, which will be noted in the RECORD and referred to the Committee on Finance. They have to do with the pending revenue measure.

The communications were referred to the Committee on Finance, as follows:

[Telegram.]

INDIANAPOLIS, IND., *October 2, 1914.*

Hon. THOMAS R. MARSHALL,
Washington, D. C.:

Proposed selling tax of $1 per horsepower on automobile manufacturers is the greatest menace to the industry in its history, owing to the contracts existing with dealers. Tax can not be passed on to consumers, and will fall as an unjustifiable burden principally upon the States of Michigan and Indiana. Automobile manufacturing is one of the few industries that has kept the spark of industrialism alive in the United States during the long depression the country has been passing through. The automobile manufacturing industry as a whole is in no condition to stand this discriminatory tax. Please get in touch with your colleagues, calling their attention to the gravity of the situation before irreparable injury is done.

NORDYKE & MARMON CO.

[Telegram.]

INDIANAPOLIS, IND., *October 2, 1914.*

Hon. THOMAS R. MARSHALL,
Washington, D. C.:

As representative of a State now depending upon the automobile industry for a great part of her commercial success, the proposed tax on automobile manufacturers should appeal to you as a most damaging and ruinous act. The burden of the tax would fall on Indiana and Michigan, and we are depending upon you as our representative to prevent any such discriminating legislation. We are confident you will do all in your power to prevent the enactment of this law, which would mean ruination to the most flourishing industry of our State.

STUTZ MOTOR CAR CO.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

[Telegram.]

OIL CITY, PA., *October 1, 1914.*

Vice President THOMAS MARSHALL,
President of the Senate, Washington, D. C.:

The Woman's Christian Temperance Union of Pennsylvania, in annual convention assembled, respectfully protests against the passage of the bill to increase the revenue on intoxicating liquors and tobacco, or in any way meeting the present financial stress by measures which result in the destruction of our national life.

ELLA M. GEORGE,
President.
ADDIE B. PARSELS,
Vice President.
SYLVIA B. NORRISH,
Corresponding Secretary.
MARGARET F. IRVIN,
Recording Secretary.
LEAH COBB MARION,
Treasurer.

Mr. SMITH of Michigan. Mr. President, I adverted last evening to the indisposition upon the part of the Finance Committee not to take the public into its confidence regarding the work of formulating the deficiency revenue bill, so called, and I criticized somewhat this method of procedure.

Mr. FLETCHER. May I interrupt the Senator for just a moment?

Mr. SMITH of Michigan. I am going to take no time. I will finish in just a few moments.

For the committee to proceed behind closed doors to place a burden upon the industries of the country without giving the people affected an opportunity to be heard strikes me as a most exceptional method of procedure and one inviting the sharpest condemnation. As I stated last night, even my Republican associates are forbidden to enter the committee room of the Committee on Finance while this work of devastation is going on.

Mr. President, I want to protest in very vigorous language to this method of procedure. This is the only place where a Senator can protest. We are not welcome at the committee room of the Committee on Finance; we are forbidden to attend the meeting of the Democratic members of the committee, who are now proceeding behind closed doors. It is regrettable that only through the public prints are the people to be affected apprised of the nature of this proposed Democratic tax.

I received a telegram this morning from Pontiac, Mich., dated yesterday, reading as follows:

PONTIAC, MICH., *October 2, 1914.*

Senator WILLIAM ALDEN SMITH,
Washington, D. C.:

Senate committee's recommendation taxing owners and manufacturers of automobiles is the most serious blow that could be dealt this industry. We appeal to you to use all honorable means to save Michigan's greatest industry. Also request hearing of manufacturers before Senate committee.

C. W. NASH,
President Buick Motor Co.

I also have a telegram similarly addressed dated Detroit, October 2, as follows:

DETROIT, MICH., *October 2, 1914.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

We respectfully protest against the proposed action taxing owners 25 cents and manufacturers $1 per horsepower of automobiles to use. This seems to be vicious class legislation. No other industry has been singled out for such drastic and confiscatory action. The automobile must be recognized as a public necessity and convenience instead of a mere luxury. The hundreds of thousands of users of automobiles in the United States are entitled to the same fair and just treatment that should be applied to all other owners of property. We urge you to use every effort to prevent the enaction of this legislation.

HUPP MOTOR CAR CO.

I have a similar telegram, which I ask may be printed in the RECORD, without reading, similarly addressed from the Chalmers Motor Co., of Detroit.

The telegram referred to is as follows:

DETROIT, MICH., *October 2, 1914.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

We are vitally interested in the proposed bill of $1 per horsepower tax against automobile manufacturers. We have already been forced to make a reduction in the price of our cars, due to conditions existing abroad, and a tax of $40 per car would reduce the profit to a point where the successful operation of our company would be seriously impaired. We will appreciate your earnest efforts to prevent the passage of this bill.

CHALMERS MOTOR CO.

Mr. SMITH of Michigan. I have also a telegram from the following automobile manufacturers, who join in sending the following message:

DETROIT, MICH., *October 2, 1914.*

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

The following automobile manufacturers indorse and join with us in sending this message:

Abbott Motor Car Co.; Anderson Electric Car Co.; Briggs Detroiter Co.; Cadillac Motor Car Co.; Chalmers Motor Car Co.; Commerce Motor Car Co.; Cricket Cycle Car Co.; Day Automobile Co.; Dodge Bros.; Federal Motor Truck Co.; Ford Motor Co.; Grinnell Electric Car Co.; Hudson Motor Car Co.; Hupp Motor Car Co.; Krit Motor Car Co.; Packard Motor Car Co.; R. C. H. Corporation; Regal Motor Car Co.; Saxon Motor Co.; Signal Motor Truck Co.; Wagenhauls Motor Co.; Wahl Motor Co., Detroit; Public Motor Truck Co., Alma; Buick Motor Co., Flint; Cartercar Co., Pontiac; Durant Dort Carriage Co., Flint; General Motors Truck Co., Pontiac; Havers Motor Car Co., Port Huron; Jackson Auto Co., Jackson; National Motor Truck Co., Bay City; Oakland Motor Car Co., Pontiac; Olds Motor Works, Lansing; Reo Motor Car Co., Lansing.

The proposed special tax upon manufacturers of $1 per horsepower on each automobile manufactured and a 25 cents per horsepower tax upon each automobile owner is intensely disturbing to the entire automobile industry. It immediately threatens the existence of numerous companies and the consequent elimination of income to many thousands of employees. Such an overwhelming blow to the automobile industry at this critical time would positively introduce wide disaster, as many manufacturers are now having serious trouble in marketing their product. The fluctuating nature of this industry and the deterrent effect upon sales if this tax were imposed would prevent a realization of the amount anticipated and required by the Government. There are approximately 1,548,350 automobiles owned in the United States, whose owners already pay property and State taxes. The majority of these cars are owned by persons in moderate circumstances, and the use of these cars largely for business purposes makes them practically a necessity. The imposition of a third tax on motor cars and automobile owners is a positive burden amounting to discrimination, and is more than any single constructive and beneficial business should be expected to bear. It is confiscation. The gravity of this proposed step and its far-reaching influences, which, in our opinion, can not have been adequately and thoroughly reviewed, make a hearing in conference on this subject of vital importance, and we respectfully request an early opportunity to lay before you important facts in connection with your proposed plan.

THE STUDEBAKER CORPORATION OF AMERICA.

I also have telegrams from the Cadillac Motor Co., which I ask to have printed, similarly addressed, protesting against this legislation, from the Federal Motor Truck Co., the Maxwell Motor Co., and the Krit Motor Car Co., all of Michigan.

The telegrams referred to are as follows:

DETROIT, MICH., *October 3, 1914.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

Congress surely does not appreciate what would be the effect upon the entire automobile industry if proposed impost were forced. Michigan, in particular, would suffer a staggering blow. The automobile has become a commercial necessity for the whole country, and its manufacture should be encouraged and not crushed. Michigan now depends largely upon the automobile industry for employment, and thousands of Michigan workmen would be injured by such an unjust tax. We earnestly ask you to protect the interest of your home State by vigorously opposing any such legislation.

CADILLAC MOTOR CAR CO.

—

DETROIT, MICH, *October 2, 1914.*

Senator WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

New proposed tax of $1 per horsepower for motor-truck manufacturers means suicide. Truck manufacturers in America to date have not made a dollar. Trucks are not a luxury; are sold on cost of installation and operation. Any additional tax will have bad effect on truck industry.

FEDERAL MOTOR TRUCK CO.

—

DETROIT, MICH., *October 3, 1914.*

Hon. WILLIAM ALDEN SMITH,
United States Senate, Washington, D. C.:

We vigorously protest proposed tax of $1 per horsepower on manufacturers of automobiles. We should like an opportunity to be heard before the committee.

MAXWELL MOTOR CO. (INC).

—

DETROIT, MICH, *October 2, 1914.*

Senator W. A. SMITH,
Washington, D. C.:

We vigorously protest against proposed tax on automobile manufacturers as very drastic and practically confiscatory. Far as we are concerned, this would add $22.50 to our cost per car, and present margin of profits so close we could not continue business unless we raise list price. Earnestly urge you oppose this ruinous legislation.

KRIT MOTOR CAR CO.

Mr. SMITH of Michigan. Mr. President, last night I said that this method of perfecting legislation, which will put an additional burden upon the industry of the country, was to be deplored, and that a broader policy should actuate the Government than the one seemingly adopted in caucus and proceeded with in secret.

These Michigan companies employ thousands of men at good wages. If some one must bear the results of your folly, why not distribute the burden equitably? Why should the automobile industry be selected for this further experimental test of Democracy? Why should that industry be called upon to pay $16,000,000 as a tribute to Underwoodism? In my judgment there is no occasion whatever for resorting to this method of taxation. If the money now subject to Treasury order was actually in the Treasury and not in the hands of administration favorites, the necessity for this legislation would not exist.

Plainly the Underwood-Simmons Tariff Act has failed to produce the revenue expected by the authors of that measure, just as we predicted, and the income tax is a sad disappointment to those who expected better results from that inquisitorial method of raising revenue. I think in the western part of Mich-

igan not over 1,400 people were caught in the dragnet of the income tax, and less than 100 pay more than half of it. It has turned out to be a species of class legislation not in harmony with the spirit of our institutions.

I protest against this secret star-chamber attempt to put upon the industries of the country an additional and unnecessary burden. The Committee on Finance should open its doors, put up its window shades, and let the sunlight penetrate the fiscal gloom. Your great party leader who sits at the other end of Pennsylvania Avenue as the head of State before he was elected President expressed his opinion about committees that work behind closed doors, where the public are not admitted, and where access to their plans and purposes is denied. In the sharpest possible way he condemned this practice, as you upon the other side of the Chamber had been wont to do before you accidentally came into full possession of the Government.

To single out a few industries seemingly prosperous and fix a new levy upon them in order to make up a deficit, due to your recklessness and profligacy, will not impress the country favorably.

When your party entered upon the government of this country a year and a half ago it found the Treasury full to overflowing. Factories were humming with the rattle of busy looms, forges glowed with furnace fires, and the ports of our commerce stirred with the pulses of enlarged trade, and improvement in city, town, and hamlet added to the beauty and utility of the land. You struck it down by the same false doctrines that have brought about disaster and ruin and nonemployment whenever they have been the subject of practical application. You found the Treasury full to overflowing and the credit of the country at its highest point.

Yesterday some of my colleagues upon this side of the Chamber pointed to the courage of Mr. Cleveland who, when the Wilson-Gorman Act failed to bring the necessary revenue to meet the expenses of the Government and inspire confidence or stimulate industry, had the courage to issue bonds of the Government to augment the income. You have bonds of the Government lying in your vaults in the Treasury, all prepared and ready for the market. You have seriously considered the question of marketing these bonds to replenish the revenue which you have so recklessly and generously expended.

But, Mr. President, the reason why those bonds are not used in this emergency is because the credit of the Government has been impaired, and it is seriously doubted whether those bonds would sell at such a price as would be creditable to the administration now in power.

Therefore you single out here and there a few of the remaining evidences of prosperity for special attack. You have gone through the whole field of industrial enterprise with a fine-tooth comb in search of a victim. You have swept the horizon with your field glass from the valley of despair, and finally have been obliged to use the microscope to find a prosperous industry that you may lay your hands on in this emergency, and Michigan has been selected for the sacrifice. Why not North Carolina as well? You have singled out one of the great industries in my State in preference to the equally great industries in your States, and by the rankest kind of discrimination you now propose to make what few prosperous concerns remain in the country pay for this Democratic deficit.

When your party came into power there was to the credit of the American laboring men enough money in the savings banks of this country to pay more than half of the combined national debts of the 50 leading countries of the earth. This vast sum to the credit of labor enlivened new industries, where new labor was employed at good wages. Now the hundreds of thousands of idle men and diminishing deposits of labor in the banks of the country warn you that there is danger ahead; that your plan has failed. Instead of having the courage to back up and take a new start, reimposing the duty upon sugar, which Mr. Wilson, a free trader of West Virginia, the author of the Wilson-Gorman bill, characterized as the most appropriate product in our country for customs duties—instead of backing up and giving confidence to that industry, so seriously menaced by your legislation in the interests of foreigners and aliens who live beyond our borders, you go madly on; instead of backing up and putting a duty upon iron ore, you prefer to let the products of Cuba—sugar and iron ore—come in unrestrained, while manufacturers and farmers of other lands prey at will upon our commerce.

Mr. President and Senators, this is wrong; it is unjust; it is unfair; but before you perpetrate this wrong upon the country you should at least raise the curtains of your committee room, open the doors, and allow those who are to be penalized for their enterprise to come in and be heard in their own behalf.

The telegrams which I have read into the RECORD disclose the apprehensions of enterprising people all over m-- State regarding this proposed legislation. I share their apprehension; I voice their indignation; I sympathize with their solicitude. This proposed legislation is un-American; it is intensely partisan; it is sectional in its character; it is unworthy of our American traditions; and I beg the members of the Committee on Finance, I ask my honored friend from North Dakota [Mr. MCCUMBER], who is a minority member of the committee, and the Senator from Utah [Mr. SMOOT], who is also a minority member of the committee, to plead with their associates on that committee to give the industries so vitally affected by this legislation an opportunity to be heard.

I desire, Mr. President, to read into the RECORD another telegram, from another concern, addressed to me, and dated Detroit, October 2. It is as follows:

DETROIT, MICH., *October 2, 1914.*

Senator WILLIAM ALDEN SMITH,
Care United States Senate Chamber, Washington, D. C.:

In behalf of the Detroit life underwriters who represent their clients, the Michigan policyholders of old-line life insurance companies, may I request that you urge Chairman SIMMONS, of the Finance Committee, to eliminate proposed stamp tax on life insurance. The people who are providing for their own through life insurance in old-line companies already bear a heavy share of the tax for governmental purposes and any additional tax of this nature must also be borne by them. A documentary tax on new life insurance is a blow at the seed before the plant has begun to grow. It places a burden upon the spirit of protection and saving that becomes operative coincident with its inception. We understand that the proposed tax excludes fraternal companies and mutual fire companies. If this is true, it gives it the color of class legislation. No European Government has imposed any tax on life insurance; then why should this Government, which is not at war, do so?

M. H. ZACHARIAS, *President.*

Our entire fiscal embarrassment is due to miscalculation and poor judgment. The practical lines which have hitherto been pursued have yielded abundantly the revenue required to conduct the affairs of the Government, but these experimental makeshifts, intended to conceal the real truth, are temporary in their character, and as misleading as they are unwise and unjust, and deserve the condemnation of the country.

Mr. TOWNSEND. Mr. President, I have received many telegrams along the line suggested by my colleague [Mr. SMITH of Michigan], asking that the industries represented shall be heard. They have asked me on many occasions to present their case to the Committee on Finance. It has been my humiliating duty to report that the hearings on this bill were being secretly conducted by the Democratic members of the Finance Committee only; that it had not been possible for me thus far to obtain a hearing from them on a matter which, according to their statements, is a matter of life and death to them financially I have felt, and I still feel, that this is such an important matter that it ought to have all the light possible cast upon it, and that the bill presented to the Senate and by it submitted to the committee is immature, and that it has been improperly considered will appear to any Senator who will read that measure carefully.

Let me call your attention to one instance. The bill provides that a tax of $1 shall be assessed against all passenger tickets between ports in the United States and foreign countries; that is, all tickets costing not to exceed $30 shall pay $1 tax and tickets costing more than $30 shall pay a larger tax. Between the United States and Canada there are boundary waters. There are thriving cities on both sides of those waters and passenger boats ply between them. Take, for instance, the city of Port Huron, across the river from Sarnia. Boats go back and forth between these cities every 20 minutes, I believe—or every little while, at any rate—and the fare is 5 cents. Between Detroit and Windsor the fare is 5 cents for the round trip. I do not exactly recall the rate of fare between Lewiston and Toronto and between other points, but the proposition in the bill is to tax the buyer of a ticket costing 5 cents $1. That is such a monstrous proposition it seems as though it would have attracted the attention even of a Democratic House caucus; that they would have discovered what that meant. I have called attention to this case simply as an example of one of the many, many things in this bill which require the fullest, freest, and most intelligent attention.

Mr. CLARK of Wyoming. Mr. President, will the Senator yield for a question?

Mr. TOWNSEND. I yield.

Mr. CLARK of Wyoming. I ask the Senator if it is a fact that the bill passed the House with that provision in it?

Mr. TOWNSEND. It did pass the House with that provision in it, and it is now before the Senate in that condition.

Mr. President, I think the people of the United States are willing at all times to pay whatever tax is necessary for the support of the Government, but they do want to know that it is necessary and equitable, and they do object to unjust taxes,

and especially those that are levied without any proper consideration as to the purpose for which the money is to be used and as to the source from which it is to be obtained. Michigan is hard, and to my mind unjustly, hit in the pending bill. She is willing now, as she has been willing at all times, to pay her just portion of the proper and necessary expenses of government, but, sir, she will not submit to rank injustice, and when this secret-made measure makes its appearance in the Senate I shall defend my State against any injustice which may be imposed upon her. At this time I ask, Mr. President, without much hope, however, that they will ever reach the ears or the eyes of the Committee on Finance, that these telegrams may be printed in the RECORD, so far as they may be different from those submitted by my colleague, as I do not care to have any duplications printed in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The telegrams are as follows:

DETROIT, MICH., *October 2, 1914.*

Senator CHARLES E. TOWNSEND,
Washington, D. C.:

Proposed additional tax on manufacturers is unfair and inequitable in the extreme. We now pay in taxes $35 on every vehicle we ship. Proposed tax would increase taxation to $75 each, an impossible, burdensome taxation. Please oppose vigorously.

HENRY B. JOY,
President Packard Motor Car Co.

—

NEW YORK, *October 2, 1914.*

Hon. CHARLES E. TOWNSEND,
Senate Office Building, Washington, D. C.:

Auto manufacturers throughout the country protest against tax on autos. Automobiles pay now three taxes. More taxes will destroy industry. National Automobile Chamber of Commerce wants opportunity for hearing. Representative will be at your office in the morning.

CHARLES THADDEUS TERRY,
General Counsel National Auto Chamber of Commerce.

—

JACKSON, MICH., *October 2, 1914.*

Hon. C. E. TOWNSEND,
United States Senate, Washington, D. C.:

We enter most earnest protest against the proposed tax on automobile owners and manufacturers. It is most unjust and would result in crippling the automobile industry incalculably, for many will be forced out of business, as their machines, having prices established for present season, will not yield a gross profit equivalent to the proposed tax. The measure amounts to confiscation and should be defeated.

JACKSON AUTO CO.

—

JACKSON, MICH., *October 2, 1914.*

Hon. CHARLES E. TOWNSEND,
Senate, Washington, D. C.:

We earnestly protest against emergency revenue tax of 25 cents on owners and $1 to manufacturers per horsepower on automobiles produced; many automobiles are sold at no greater profit than $30 each; average profit 30-horsepower cars selling at less than $800, not over $60 to $70. Dealers and consumers will demand that manufacturers stand tax, and as prices are now made for 1915 season, the result will be endless confusion and negotiations, especially as to manufacturers' tax; if subcommittee's recommendation becomes law, will practically put us out of business. We are now employing in Jackson over 600 men and would have to close up. Please do what you can to prevent this iniquitous class legislation; personally have thought gasoline tax of 2 cents, as talked, was the best method. If motor industry is to be singled out for special taxation, hundreds of thousands of stationary motors would then bear their proportion.

BRESCOE MOTOR CO. (INC.),
BENJAMIN BRESCOE.

—

JACKSON, MICH., *October 3, 1914.*

Hon. C. E. TOWNSEND,
United States Senate, Washington, D. C.:

If the proposed deficiency tax bill becomes a law you will ruin every automobile manufacturer in America. Taxing us $1 per horsepower takes away over one-third our profits, as we already have outstanding contracts for 90 per cent of our 1915 production and have no possible redress to cover a portion of this unjust burden. This bill is surely a confiscatory attempt to single out the automobile manufacturer to bear the burden of all. All American manufactured goods should be taxed equal and the individual burden made bearable. We request your earnest cooperation to quash this bill at once.

IMPERIAL AUTOMOBILE CO.,
T. A. CAMPBELL, *General Manager.*

Mr. VARDAMAN. Mr. President, I wish unanimous consent to introduce, out of order, a resolution asking for some information from the Secretary of the Treasury, if it can be done without displacing the unfinished business. It will take but a few moments. I dare say, to act upon the resolution, as I apprehend there will be no discussion of it, except some remarks consuming about three minutes, which I desire to make.

The VICE PRESIDENT. Is there any objection?

Mr. CULBERSON. Mr. President, I should like to ask if that would have the effect of displacing the unfinished business?

The VICE PRESIDENT. Oh, no; it would not have the effect of displacing the unfinished business unless it continued until the close of the legislative day.

Mr. SMOOT. Did I understand the Senator to say that it was a resolution he wanted to offer?

Mr. VARDAMAN. A resolution asking for some information from the Secretary of the Treasury.

Mr. SMOOT. Has the Senator sent the resolution to the desk?

Mr. CULBERSON. Will it lead to debate, I will ask the Senator from Mississippi?

Mr. VARDAMAN. I think not, except simply a few observations which I myself desire to submit.

Mr. SMOOT. I ask that the resolution be read before unanimous consent is given.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 460), as follows:

Resolved, That the Secretary of the Treasury be requested and directed to transmit to the Senate, as soon as practicable, a statement showing the amount of money that would be saved to the Government by withholding for one year from the salaries of officers and employees of the Government, as follows: On salaries of $7,500 and over, 10 per cent; on salaries of $5,000 and up to $7,500, 8 per cent; on salaries of $3,000 and up to $5,000, 6 per cent; on salaries of $2,500 and up to $3,000, 5 per cent; on salaries of $1,500 and up to $2,500, 3 per cent; and on salaries of $900 and up to $1,500, 2 per cent.

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

Mr. SMITH of Michigan. Mr. President, I merely want to say a word about this matter. The purpose of my friend from Mississippi is evidently to distribute the burdens of government generally throughout the country. In that respect his resolution aims at a different situation than the one I have just described, where the people in one city of my State will be penalized nearly $14,000,000 by this proposed deficiency raid upon the industries of the country. I have no objection to the present consideration of the resolution.

Mr. VARDAMAN. I do not think anything in the resolution will penalize the constituents of my good friend the Senator from Michigan. I want to say, Mr. President, in support of the resolution, that I am asking for this information for the purpose of ascertaining just how much would be saved to the Government if the per cent of the salaries mentioned in the resolution should be retained in the Treasury for 12 months. The high cost of living, the depression in business, and the general demoralization of trade throughout the entire country should cause the Congress to hesitate before taking action and to consider carefully what the effect upon the already overburdened taxpayers will be if this additional tax shall be levied.

The Congress has already appropriated more money than it should have appropriated. Little regard has been shown for the Democratic platform promises on the subject of economy. The only possible justification for the large appropriations that have been made to date is that at the time the appropriations were made the country was enjoying an era of unparalleled prosperity. No one anticipated the exigency which has arisen since that time. The war in Europe came as unexpectedly, with all of its horrors and soul-chilling sorrows, as a devastating cyclone from the calm atmosphere of a fleckless sky. But it is not too late for the mistake to be corrected. I think that the appropriations made ought to be cut down just as much as possible, with due regard, of course, for the public service. We all know that a reduction of 10 or 15 per cent in a great many of these enterprises and projects will not materially retard or interfere with the working out and the ultimate completion of the projects.

Of course, each Senator and Representative would like to have his pet project carried to completion. The element of self-interest is always potential in such matters. Many of us felt that way when the rivers and harbors bill was before the Congress; but the emergent condition, the extraordinary situation in which we found ourselves, led us to do the prudent and provident thing of reducing the appropriation something like $35,000,000.

Now, it has been estimated that the deficit in the Treasury will approximate $105,000,000. The reduction in the appropriation for rivers and harbors is nearly one-third of that amount. How easy and simple it would be, how prudent and wise it would be, how greatly it would lighten the burden which now bears so heavily upon the stooped and tired backs of the toilers of this country if we could reduce these appropriations, or, rather, suspend the payment of, say, 10 or 15 per cent of them, and withhold from the officers and employees of the Government a percentage of their salaries for one year in an amount sufficient to save the Treasury from the depletion which this extraordinary war measure is intended to supply.

It has been urged that the officers and employees of the Government do not receive any more salary than they are entitled to and that this reduction would work a hardship upon them. Mr. President, it is not my purpose or desire to reduce their salaries. I do not intend to take from them any more than that

which is paid by other people whose toil supports the Government. The laborer in the field, the mechanic in the shop, the artisan, the factory hand, and all the great army of workers in private enterprises are suffering losses on account of the depression in business. The farmers of the South—those patient, untiring tillers of the soil whose labor feeds and clothes the world, maintains its commerce in time of peace, and fights its battles in time of war; that part of the great army of wealth producers who compose 90 per cent of the constituency that I have the honor to represent in this Chamber—have suffered a temporary loss on account of the war in Europe which amounts to more than 50 per cent of the value of their product. The sacrifice is universal and nation-wide, and each should bear his part uncomplainingly. I believe it is the patriotic duty of every officeholder, from the President down to the man whose salary is as much as $900 a year, to make some concession, suffer some sacrifice, for the good of the Republic.

The plan which I propose, Mr. President, is in the nature of a loan to the Government for 12 months by these servants of the Government. I believe the war in Europe will have ceased its devastations and its cruel ravages will be over within that time, and the normal condition restored. There is one thing certain—we can not afford to put any more tax upon the people.

It may be urged by some that the Constitution prohibits a reduction in the salary of the President and of the judiciary of the country. My answer to that is that this is not a reduction. They will be paid their full salaries, but they will be paid at a time when the Government can make the payment without imposing an additional hardship upon those who are least able at this time to bear it.

I think the man who is so devoid of love of country and patriotism as to object to making this contribution to the Nation's welfare in its hour of stress is not fit to hold a public place, and the good of the service would be promoted by the elimination of such a person from the public service. I believe that the officers and employees of the Government will cheerfully make the sacrifice. I do not believe patriotism is dead. I believe they share the spirit embodied in the immortal lines of England's inspired bard:

No easy hopes or lies
  Shall bring us to our goal,
But iron sacrifice
  Of body, will, and soul.

There's but one task for all;
  For each, one life to give.
Who stands if freedom fall?
  Who dies if England live?

Mr. President, I hope the resolution may be adopted. The information sought may open the way to a just and satisfactory solution of the problem which confronts us. I can not consent to further taxation. It is not necessary, and I should feel that I had betrayed the people who commissioned me to represent them in this body if I should with my vote add to the burden of taxation which already presses, oh, so heavily, upon the wealth producers of this country.

In this exigent situation the Democracy has an opportunity to show its devotion to the public interests and its solicitude for the welfare of the individual citizen. To me the proper course is clear. Our duty may lead us to undo some of the things we have done; but we should not hesitate to undo what we have done if in the undoing we best serve the American people. Let us—

Stand to our work and be wise—
  Certain of sword and pen;
We are neither children nor gods,
  But men in a world of men.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. OVERMAN. What is the resolution, Mr. President?

The VICE PRESIDENT. The resolution will be stated.

The Secretary again stated the resolution.

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

The resolution was agreed to.

Mr. MARTINE of New Jersey. Mr. President, I am prompted to offer a telegram I have received. I am prompted to do it because of the telegrams presented by the Senator from Michigan regarding the proposed tax on automobiles. My telegram does not refer to automobiles, but it refers to the proposed taxing of gasoline. It reads as follows:

HOBOKEN DEPOT, N. J., *October 2, 1914.*

Hon. J. H. MARTINE,
United States Senate, Washington, D. C.:

Gasoline should not be taxed for manufacturing and technical use. Price too high already. We use it in quantities for dry cleaning.

A. D. EYRE & CO.

My friend from Michigan is standing up for the automobile, and the friend who telegraphs me is standing up for gasoline, so we will have the machine stagnated, butting in at both ends, if this is adopted.

I am opposed to a tax on gasoline, for the use of gasoline is not confined to automobiles, of which my wealthy friend from Michigan is the fortunate possessor. I have none. Gasoline enters into manufacturing. It enters into the operations of almost every farm. A little gasoline engine, costing from $40 to $60, is pulled up alongside of a stack of wheat and does the threshing; it does the pumping, the churning, the wood sawing, and a million other things. So I think gasoline should stand a little better chance before the Senate than automobiles.

While I am not here to tinker with the present tax on automobiles, yet I think an automobile could stand it very well.

I think my friend from Michigan wants to be fair, however. He is a very delightful and companionable and genial gentleman. I love his pugnaciousness. I know he must feel better now, since he has gotten this campaign speech off his mind and out of his system. He will feel better over Sunday on account of it. He could not let the opportunity go by. We are to have an election in a few weeks, and he had to get in his campaign speech about the tariff, claiming that we had instituted a tariff which failed to produce the results anticipated. Of course it did. We did not have war in Europe then. He was not fair enough to tell the Senate that the imports were stifled and shut off through the unfortunate situation that exists abroad. Oh, no; he told you nothing about that, but simply the fact that our tariff had failed to produce revenue. He went on to tell you that when we came into power here the factories were busy, they were humming all over; and yet we had the uncanny and horrible strike in Lawrence, Mass., under your administration and under your infernal system of tariff taxation. We had strikes all around. The Senator does not say anything about that.

We are not the authors of this necessity, however. We did not make this war, and God knows we all wish it might be stayed and stopped. We are not the authors of it in any sense whatever; but it is apparent, and every fair-minded Senator on the other side will admit, that there is a need of revenue for no reason of our own making. We must not put it on automobiles, oh, no, for some multimillionaire who rides in a lavish one might have to pay a dollar or two a year. How is that going to affect you people in Michigan? Not a bit. You are an ingenious, thrifty set of manufacturers and business men up there. Every dollar we put on automobiles you will charge up to the consumer, the man who buys the automobile. Of course the Senator from Michigan, having two, would have to pay a little more than some poor devil who did not have any.

It is also said that we must not put it on whisky. Now, I am in favor of putting it on luxuries—putting it on whisky, on wine, on beer, on tobacco. But we find rebellion at each of these points. The whisky men write me, on lavish letterheads: "Now, don't think of imposing any more tax on whisky. God knows we have burdens enough."

Two or three brewers come from my State and say: "Oh, don't think of putting it on beer, for beer is the poor man's drink." I think it poor at that, but that is their proposition.

Then we come to the wine producers. The wine producers of Ohio say: "Oh, unholy the thought of taxing wine, for our Savior, you know, dealt out wine, and let it be as free as water." My New Jersey friends tell me it will be ruinous to put it on wine. My New York friends, up at Penn Yan and around there, tell me that it will not do to put it on wine there, because they produce those wines.

I come to my southern, warm, genial-hearted, liberal friends who raise tobacco, and they say: "Do not put it on tobacco." "Why?" "Why, it is the poor man's luxury. He smokes tobacco." Then another man from the South says: "Do not put it on tobacco, because we export tobacco, and we are already hard hit on the cotton question. In God's name, do not put it on cotton and do not put it on tobacco."

In all reason, Mr. President, let us be rational and fair over this proposition. If there is any one group of luxuries that it should be put upon, I say it is wine, whisky, beer, and tobacco. I think no fair-minded man could rebel against that, and I believe we can secure quite enough revenue from that source to satisfy the needs of our Government. If, however, it should become necessary to exact even more, I should not hesitate to impose a stamp tax on checks, bonds, mortgages, deeds, and the like. I believe this would be acquiesced in by the mass of our fellow citizens without any dissatisfaction or any rebellion.

As to the automobile proposition, I say that a machine used for commercial purposes—a dray or a vehicle of that kind—might well be exempt; but a luxurious, splendid equipment in

the way of a carriage, such as an automobile is, might fairly and decently and justly have a fair levy of tax.

But I think my friend from Michigan is unjust in his attacks. This horrid financial condition and chaos exists the world over, not here alone. We have weathered the storm, and stand par excellence before the world. The world over, almost to every nation, is in chaos, driven to straits unparalleled and unknown before; and, naturally, as each year advances and as our civilization has gone on nations come closer in touch, and it is not unnatural or unreasonable that we should feel the effects of their strife. But, thank Heaven, we shall weather the storm. The hundred millions of people that make up America, prompted by the holy thought of right and justice, guided and directed to-day by the hand of the President of the United States, Woodrow Wilson, who has but one purpose, and that is justice and fairness to all mankind, will bring us out of this cloud and lift us to a brighter and holier sunshine in the near future that will bless Republican, Democrat, Jew, and Gentile alike.

Mr. SMITH of Michigan. Mr. President, of course I am interested in what the Senator from New Jersey has said about what should be done to remedy the deplorable condition of the American Treasury; but is it true that the commercial and industrial stringency is due to the war in Europe? Let us see about that.

I hold in my hand a letter written by a very prominent North Carolinian under date of July 22, 1914. This was before the war in Europe or any rumors of war in Europe, and this is the way he describes the business situation in his own State:

> As a matter of fact, the cotton-mill business has never been in as bad shape in the last 20 years as it is now.

This was on July 22. He said that his chief "chain of mills had been shut down and would be forced to close later unless there was a change for the better; that unless the Democratic leaders ceased their unjustified attacks on business and gave it a rest the administration in Washington would receive a terrible rebuke from the people."

Further on he says:

> The truth of the matter is that the South did not begin to feel the business depression until the last four or five months, but since then business has been falling off good and strong in all lines. The cotton-mill industry has been struggling along, trying to keep its wheels turning, hoping against hope that there would be a turn in the tide for the better, with the result that every available warehouse is filled with manufactured product; but there is no demand for the goods, and it looks like the month of August will find an enforced closing down of our mills.
>
> I am not sufficiently wise to say where the trouble lies, nor am I fool enough to believe that it just happens that hard times fall under the Democratic administration; so I am forced to the conclusion that the policies of the Wilson administration are largely responsible for the present business depression.

Mr. OVERMAN. Mr. President, will the Senator tell me who that gentleman is?

Mr. SMITH of Michigan. I will tell the Senator whose mills were referred to. I do not know that I am at liberty to give the name of the author of this letter, although I am sure the Senator would know him. The mills to which he refers are the mills of Mr. J. A. Long, of Roxboro. Does the Senator know him?

Mr. OVERMAN. I do. He did not write that letter.

Mr. SMITH of Michigan. Is he an upright man?

Mr. OVERMAN. Yes; but he never wrote that letter. I will wager that J. A. Long never wrote that letter.

Mr. SMITH of Michigan. I will ask the Senator from North Carolina if Mr. Long ever wrote him a letter of similar import?

Mr. OVERMAN. He never did, and I will declare again that I do not think he wrote that letter.

Mr. SMITH of Michigan. I did not say he did.

Mr. OVERMAN. No; of course the Senator did not say he did.

Mr. SMITH of Michigan. But I said it was his mills that were closed.

Mr. OVERMAN. Mr. Long has never said so. I should like to know the gentleman who wrote the letter.

Mr. SMITH of Michigan. Unfortunately, the letter is marked "Personal." I do not know that I am at liberty to give the name of the writer.

Mr. OVERMAN. I would not ask the Senator to give the name under those circumstances.

Mr. SMITH of Michigan. Then, again, it refers very slightingly to some remarks of one of my honored colleagues on the other side of the Chamber, and I do not want that statement to go into the RECORD.

I will say, however, to my distinguished friend from North Carolina who now addresses me that I did not refer to him.

Mr. OVERMAN. I am very glad to hear that, and I will not insist on the name, of course, but I was satisfied that Hon. J. A. Long, one of the leading men in my State and one of the leading cotton-mill men, never wrote that letter. In fact, I know he did not write it, because if he had written it, it would not have been true, and he is an honest man. I want to say to the Senator——

Mr. SMITH of Michigan. Let me ask my friend from North Carolina if he has ever received a letter of similar import from Gen. Julian S. Carr?

Mr. OVERMAN. No, sir; I have not.

Mr. SMITH of Michigan. Do you know Gen. Julian S. Carr to be an honorable, upright man?

Mr. OVERMAN. I know Gen. Carr, and he is an upright and an honorable man.

Mr. SMITH of Michigan. Now, Mr. President——

Mr. OVERMAN. I want to say this——

Mr. SMITH of Michigan. I have reason to believe that the statements made in this letter are true. I was authorized to make use of this information. I have not seen fit to do so except in reply to the very general statement of the Senator from New Jersey [Mr. MARTINE].

Mr. OVERMAN. I want to say to the Senator, if he will permit me further——

Mr. SMITH of Michigan. Certainly.

Mr. OVERMAN. I was down home about that time of the year. I live in a cotton-mill section. The town in which I reside the Senator knows. He has been to my town. He made a very great speech there and impressed our people greatly. They were highly pleased with him and were glad to entertain him and glad to see him there. The Senator knows that I live in that section of the State, and I want to say that when I was there in July I never saw our people as prosperous and as happy as they were at that time. I inquired particularly all around how they were getting on. Everybody said things were prosperous and the people satisfied, and there had not been a better time in the whole history of the State. There was a little cotton mill that was situated in my county that for years had not made any money. I held $500 of the stock. The 1st day of July it paid 6 per cent dividend. That was in my county. I do not know what this gentleman is talking about. He may be a credible and honorable man, and I have no doubt he is, but it may have been that in some of the counties there may have been some bad management in a certain mill.

The Senator talks about J. A. Long's mill. I do not say that mill was not closed down. I do not say he is not telling the truth. It may have been closed at that particular time in order that the hands might take a rest. In July and August frequently the cotton mills shut down for two or three weeks in order to give their employees a rest. They take a picnic and go off on a holiday.

Mr. SMITH of Michigan. I know it is the custom with the mill owners in North Carolina and elsewhere, whenever the times are hard and Democrats are in power, to give their employees a rest, usually at the expense of the workman.

Mr. OVERMAN. No, Mr. President; the time when the Republicans were in power and when the times were very hard was in 1907, when the cotton mills could not sell anything, and even in the most prosperous times, when they paid big dividends, it has been the custom to shut down during the month of July or August. The cotton mills do it in hard times and in the most prosperous times. It is the custom for the cotton mills to shut down two or three weeks to give their employees a little picnic. They demand it and they ought to have it. They go out and visit their friends in the country where they came from, and they give picnics in the country, and sometimes take a band of music with them and have a good time. It may be that a mill will shut down in July for a week or two, but that is not any criterion to go by.

Mr. SMITH of Michigan. This letter does not indicate that it is any picnic that the employees of the cotton mills of North Carolina are enjoying. It indicates that they have not in 20 years been as hard up as they were the four months preceding the war in Europe.

Mr. OVERMAN. I think in 1907 there were no dividends paid by the cotton mills. That is my recollection about it. I know the cotton mills down there have been paying regular dividends during the last year or two years.

Mr. SMITH of Michigan. They were hit pretty hard in the four or five months preceding the European war, but there was nothing to lay it to but Democratic ascendency, and they kept quiet.

Mr. OVERMAN. That is not my information.

Mr. SMITH of Michigan. They were hit pretty hard, and if there is any desire to ascertain the exact situation I have an impression in my mind that somewhere in the North Carolina delegation the Senator from North Carolina can find a letter

detailing this distress from Gen. Julius S. Carr and Mr. J. A. Long, who, in addition to being a prominent mill owner and banker, has been a State senator in that State.

Mr. OVERMAN. Yes; he is one of the most prominent men we have, and one of the best men in the State.

Mr. SMITH of Michigan. He has, I think, protested to certain members of the North Carolina delegation that the assertion that there was any prosperity in the cotton-mill business of North Carolina was an error, and he has carried his protest to Secretary Daniels, also a North Carolinian, the present Secretary of the Navy, and he has written President Wilson and, I think, other prominent officials to the same effect.

Mr. OVERMAN. J. A. Long is a great friend of mine. He has supported me always for the Senate. I think he probably would have written to me if he had written to anybody. He is one of the best friends I have in the State. I have no better friend there.

Mr. SMITH of Michigan. I ask my friend from North Carolina, who is a very frank, manly man, for whom I have the highest respect, if he will look through his correspondence and see if he can not find a letter from Gen. Carr, supplemented by a letter from Mr. Long, dated about the 20th of July, or thereabouts, in which is set forth specifically and in detail the unfortunate business depression in the cotton business of North Carolina.

Mr. OVERMAN. I would remember it if I had such a letter as that.

Mr. SMITH of Michigan. Will the Senator look for it?

Mr. OVERMAN. I will be glad to look for it, but there is no use for me to look.

Mr. SMITH of Michigan. If the Senator finds it, he will do me the courtesy of bringing it here?

Mr. OVERMAN. I will hand it to the Senator. I have files of letters from cotton-mill owners, and if the letter is there the Senator shall have it.

Mr. SMITH of Michigan. I should deplore any difference of opinion between the Senator from North Carolina and myself regarding this matter.

Mr. OVERMAN. There can be no difference between us on a question of fact, but the Senator looks at it from one viewpoint and I from another. I speak from personal knowledge.

Mr. SMITH of Michigan. To say that any industry in North Carolina has prospered under the Underwood-Simmons tariff law and that prosperity prevails throughout the South and did prevail prior to the war in Europe is to make a very bold and, in my judgment, a very questionable assertion.

Mr. OVERMAN. I can only speak as to the mills in my immediate section. Of course, if he wrote such a letter he believed what he wrote to be true, if the Senator has such a letter.

Mr. SMITH of Michigan. The distinguished gentlemen are not responsible for my statement. I have no letters from them, but I was informed that certain distinguished representatives from North Carolina did receive some letters of this character.

Mr. OVERMAN. I can not answer for anybody but myself, of course.

Mr. SMITH of Michigan. I hope the Senator will be able to find the letter and that the Senate may know its contents.

Mr. SMOOT. I will say to the Senator from Michigan that this question arose at the time the senior Senator from North Carolina [Mr. SIMMONS] made the statement that every mill in North Carolina was running full and that they were never more prosperous in the world than they were at that time. That happened in a discussion in the Senate.

Mr. OVERMAN. I was not present then.

Mr. SMOOT. At the time I called the attention of the senior Senator from North Carolina to the fact that certain letters had been put in the RECORD in the House showing that that was not the case. After that, I want to say to the junior Senator from North Carolina, I received a number of letters from cotton manufacturers of the South along the line just mentioned by the Senator from Michigan.

Mr. OVERMAN. Did the Senator receive any from my State?

Mr. SMOOT. They were all from North Carolina, because they were in answer to what had been said in that discussion.

Mr. OVERMAN. How many letters did the Senator get from North Carolina?

Mr. SMOOT. Some four or five.

Mr. OVERMAN. Will the Senator show them to me?

Mr. SMOOT. I will be glad to show them to the Senator.

Mr. SMITH of Michigan. Mr. President, I am not going to prolong the discussion. I feel that when the Senator from North Carolina has looked through his mail carefully he will be able to find some correspondence which will bear out the statement which I have made, that the business conditions in North Carolina were deplorable before the European war began, and that that condition was due entirely to the enactment of a free-trade customs bill, for which his party is responsible.

Mr. OVERMAN. I know the Senator is very candid, and when he makes the statement he must have some information to the effect that I have such a letter. Why does the Senator state that I have such a letter in my files?

Mr. SMITH of Michigan. Because I have been so advised.

Mr. OVERMAN. If I have received such a letter, I will look it up, and I will put it in the RECORD.

Mr. SMITH of Michigan. I am informed the Senator was fully advised regarding these deplorable conditions.

Mr. OVERMAN. No; the Senator was not.

Mr. SMITH of Michigan. The Senator gets so much mail this letter may have escaped his attention.

Mr. OVERMAN. I have no recollection of it; but if I have it, the Senator shall have it.

Mr. SMITH of Michigan. I am obliged to the Senator.

FORTIFICATION OF SWEET WINES.

Mr. POMERENE. Mr. President, I send to the desk the following resolution, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 461), as follows:

Resolved, That the Secretary of the Treasury be directed to send to the Senate a statement containing the names and addresses of the manufacturers of sweet wine who use wine spirits or grape brandy in the fortification of sweet wines, together with the number of gallons of wine spirits or grape brandy used by each of said manufacturers in said process of fortification for the fiscal year ending June 30, 1914.

Also a statement showing the amount of revenue received by the Government during said period from said wine spirits or grape brandy, and the amount of revenue the Government would have received provided the wine spirits or grape brandy so used had been charged for at the rate of $1.10 per gallon, which is the tax other users thereof are required to pay therefor.

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

Mr. CULBERSON. I will not object if it does not displace the unfinished business.

The VICE PRESIDENT. The Chair has already ruled that if the unfinished business shall be taken up before the conclusion of this legislative day it still remains the unfinished business. If anything shall be taken up and the Senate shall adjourn during the consideration of that pending question, that would become the unfinished business.

Mr. CULBERSON. I desire to give notice that I shall object to any other resolution or anything that shall take the Senate away from the consideration of the unfinished business after this is disposed of.

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

Mr. TOWNSEND. Mr. President, I can not quite understand the solicitude of the Senator from Texas over the displacement of the unfinished business. There is no disposition in the Senate to displace that business, and it can be put back upon motion at any time; the Senate would indorse it.

I have no objection to the resolution offered by the junior Senator from Ohio. I think it is entirely proper. I myself presented a resolution yesterday, which the senior Senator from Texas objected to, as he informed me, because of the absence of the chairman of the Committee on Post Offices and Post Roads. I spoke to the chairman of that committee, who does not happen to be present now, and he said he has no objection to it. That resolution can lead to no debate. It is simply a request for information which I regard of considerable importance, and I should like very much to have that resolution adopted, in order that the information can be prepared and submitted to the Senate for purposes entirely proper; it is information which the Senate is entitled to receive.

I should like to have the Senator from Texas withdraw the statement he made that he will object to anything further along this line, and that my resolution may also be considered.

Mr. CULBERSON. There are two or three Senators present in the Chamber ready to speak on the unfinished business. We have been in session since 12 o'clock, for an hour and a quarter, listening to matters foreign to the unfinished business, and I must insist on the regular order after the pending resolution is adopted.

The VICE PRESIDENT. Is there objection to the request for the consideration of the resolution offered by the Senator from Ohio? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (H. J. Res. 361) to correct certain errors in H. R. 12045, H. R. 12914, H. R. 13542, H. R. 14234, H. R. 14738, H. R. 15692, and H. R. 16294, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 6440) to authorize the Chicago, Milwaukee & St. Paul Railway Co. and the Chicago, St. Paul, Minneapolis & Omaha Railway Co. to construct a bridge across the Mississippi River at St. Paul, Minn., and it was thereupon signed by the Vice President.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 361. Joint resolution to correct certain errors in H. R. 12045, H. R. 12914, H. R. 13542, H. R. 14234, H. R. 14738, H. R. 15692, and H. R. 16294 was read twice by its title and referred to the Committee on Pensions.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 15657) to supplement existing laws against unlawful restraints and monopolies, and for other purposes.

Mr. JONES. Mr. President, after the election two years ago I announced publicly that I proposed to do everything that I possibly could to make this administration a success. I believed in the integrity of purpose and the lofty patriotism of the President and of the purposes of the Democratic Party to legislate for the best interest of the country as they saw it, and I announced that every measure which appealed to my judgment as a good measure would have my support. I have tried to follow that course during the last 18 months. I have supported quite a number of measures proposed by the administration. Those that did not appeal to me I opposed. I expect to continue that course.

I hoped to be able to support the present bill known as the Clayton bill. I voted for the measure when it passed the Senate. I do not consider it in any sense a party measure. It, to my mind, has no element of partisanship in it, or at least it should have none. I voted for the measure when it came up in the Senate for reasons that have been given already by several of the speakers. I was not satisfied with it. I voted for it with very great reluctance. Many good things—that is, to my mind—were left out of it. Some good things were put in it. Some things that I was in favor of were not put in it, but I voted for the measure, hoping that when it went to conference the good provisions that we put out would be put back, and the good things that we put in would be left in it—the bad omitted—and that we would get a good measure.

What I had hoped, to my mind has not been done. The good things that we cut out have not been restored. Many of the good things that we put in have been left out, and some bad things that we cut out have been restored. So I find that it is impossible for me to vote for the conference report.

This measure also, in my judgment, violates the Democratic platform and gives the lie to their campaign of denunciation. That is not a reason for my voting against it, however. This feature of it was pointed out very clearly on yesterday by the Senator from Nebraska [Mr. NORRIS]. He called attention to the declarations of the Democratic platform denouncing the Republican administration for not enforcing the criminal features of the Sherman law, and yet in this conference report the criminal provisions have been eliminated entirely, so that it will not be a question of the enforcement of the criminal provisions of the law, but it is a question of eliminating those provisions.

Mr. OVERMAN. Will the Senator yield to me?

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Washington yield to the Senator from North Carolina?

Mr. JONES. Yes; although——

Mr. OVERMAN. I know the Senator does not mean to be unfair in his statement; but it is not true, and I want to set him right. The Senator was talking about the Sherman law and said all the penalties had been extracted from it.

Mr. JONES. Oh, no; not the penalties extracted from that law, but I said that the penalties were extracted from the Clayton bill. I say that we cut out a great many good things that I hoped would come back in conference.

Mr. OVERMAN. I simply wanted to correct the Senator, because I understood the Senator to say that the conference report had stricken out the penalties of the Sherman antitrust law.

Mr. JONES. No; I am very glad, if the Senator understood me that way, that he interrupted me, because I did not intend that at all.

In my judgment the conference report, if enacted into law, will multiply litigation, render uncertain the Sherman law, and furnish a harbor of refuge to those interests seeking to hamper and destroy honest competition and honest business.

I do not know as to the invisible government, to which the junior Senator from Minnesota so eloquently and impressively refers; but I do know that somewhere, somehow, something controls and directs legislation as never before for the benefit and protection of those elements in our national life against which the country and political parties have been crying out.

I agree fully with the Senator in his eloquent and earnest plea against one-man power and for independence in legislative action. I am not sure but that I agree with him that the President does not know the effect of this legislation as proposed in this conference report. I do believe, however, that the President can be justly criticized for assuming to know what is in it and putting the seal of his approval upon it before it is considered and discussed in the legislative branch. Never in the history of the country have such legislative methods been pursued as during this Congress. Legislative measures of the greatest importance have been prepared in secret and in a partisan way and then submitted to the Executive. They are then bottled and sealed with the Executive approval and passed through another body, which I must not mention here, under "gag" rule and without opportunity for amendment and presented to us in the original package. This legislation has taken that very course. It had the approval of the President when it passed another body. It was amended here. Some good things were taken out; some good things were put in. The bill went to conference. Many good things were taken out; others were left out; and some bad things were inserted. It was then submitted to the President, bottled up and sealed with his approval, and presented here for action. The trouble with these methods is that approval is given to proposed legislation before discussion instead of after discussion. If the discussion of this conference report could have been had before the Executive approval, I have so much confidence in the President as to believe that he would not approve it. For not taking this course he is justly subject to severe criticism. It is well enough for the President, as the leader of his party, to point out the objectionable features of pending legislation that may come to his attention, but as President of the United States he should not approve proposed legislation in its details before consideration, discussion, and action by the legislative branch of the Government.

The Executive fiat, "This is good legislation," will not satisfy the people, especially when such legislation is condemned by men whose honesty and integrity can not be questioned and who have given the best years of their lives to the study of the questions involved. Good intentions and honest purposes will not excuse the perpetration of such a fraud upon the people and honest business as this legislation will be. Its specific defects have been so fully and clearly pointed out that I am not going to take the time of the Senate further, but shall proceed to consider briefly some other matters to which I desire to refer.

Mr. President, this administration is nearly half over. Congress has been in continuous session for more than 16 months. When we adjourn, if we ever do, the President, in classical diction and elegant phrase, will felicitate the people upon the things done by his party and assure them of the great benefits that have come and will come to them through the laws passed. The mind treatment will be given. The laws passed will be declared good, and this will be held sufficient, no matter what the effects may really be. The jobless man, the marketless farmer, and the bankrupt business man will be told in all seriousness that they are only in a "psychological" state and to be of good cheer; all is well.

When the people voted for a change they expected something better than they were then enjoying. What has been the result? What has been done? What promises have been fulfilled? Who has received any real benefit? What ills have been cured? Has suffering been relieved? Have those who really needed help been helped? To whom has come relief from the high cost of living? Has more employment come to labor? Have better wages been paid? Is the farmer's home more comfortable? Has he a better market, and does he receive better prices for his products? Are we better governed? Has economy been practiced? Have useless offices been lopped off? Has merit been better rewarded? Have crimes been more swiftly and surely punished? Has justice been meted out more certainly and equitably? Are conditions better than they were? Are they, in fact, as good as they were before the change? The

answers to almost if not all of these questions come from each one's actual experience or are within the knowledge of all, and from them will come the people's verdict.

The administration says, "We have done well." Self-commendation is easy, but it is not convincing or conclusive. Let us look at the record. What has been done and its results, actual or probable, will determine whether all is well or not. The last administration was charged with violating its platform promises, although no President insisted more strenuously upon the fulfillment of platform promises than Mr. Wilson's predecessor, and the last Democratic platform closed in these words:

Our pledges are made to be kept when in office as well as relied upon during the campaign.

On August 15, 1912, during the campaign, the President said:

Our platform is not molasses to catch flies. It means business; it means what it says. It is the utterance of earnest and honest men who intend to do business along those lines and who are not waiting to see whether they can catch votes with those promises before they determine whether they are going to act upon them or not * * * and they who talk one way and vote another are going to be retired to a very quiet and private retreat.

These were brave words. They have the right ring. They were no doubt uttered honestly and sincerely. The people relied upon them and had a right to do so, but if they have been mere words, if the deeds done do not square with them, then the people will be fully justified in retiring the Democratic Party "to a very quiet and private retreat."

You promised to revise the tariff, and you have done it; but you promised that in revising it you would not hurt or injure any legitimate industry, and that you would increase prosperity, destroy the trusts, and reduce the cost of living. Not one of these benefits has come from your revision, and, to be fair, I shall have in mind and apply my statements to the period before the commencement of the war in Europe and the abnormal conditions which that has brought about. Your tariff policy had been in effect long enough when that broke out to show what it would do and teach the people what they might expect from it. It helped no one except the importer and the foreigner who was selling more freely in our markets. You added nothing to the worker's wage, nor did you decrease the cost of his necessities. Many were deprived of work, and their ability to purchase the necessaries of life was diminished. You brought no better prices to the farmer for his products, but in many instances they were actually reduced. His markets were diminished by curtailment abroad and by foreign competition at home. Merchants saw their sales decrease and their profits vanish. Railroads lost their business, were threatened with receiverships, and sought permission from the Interstate Commerce Commission to increase their freight charges in order to avert industrial disaster. According to the Bureau of Railway Economics, the operating income of 35 eastern railways for the fiscal year ended June 30, 1914—long before any war was thought of—was $74,002,581 less than for 1913. What was the matter? Lack of business. Imports of foreign goods and farm products steadily increased and exports steadily decreased.

During the first seven months of the year 1914 our imports under the Underwood tariff law were $122,445,540 more than for the corresponding period in 1913 under the Payne tariff law. Much of these imports could have been produced here by our labor and from our resources, and by reason of their importation American labor and American products were displaced. During the same seven months in 1914 we exported $126,347,697 less of our goods than for the same period in 1913. In other words, our home market was invaded by foreign goods, and at the same time we lost much of our foreign market. There was a total loss under the Democratic tariff in our foreign trade—before the war, mark you—of $248,793,237, compared with a similar period under a Republican tariff, notwithstanding its alleged imperfections. No wonder industry was halting; no wonder business was depressed; no wonder labor was idle prior to the outbreak of the war. It follows as the night follows the day that you can not purchase the products of foreign labor and foreign farms without injury to your own labor and your own farmers. And it takes no great degree of intelligence to know that if our sales abroad decrease it must bring injury to our laborers and producers. Government revenues decreased over $32,000,000 in our customs receipts before the war interfered with normal conditions. The customs receipts for the last nine months of the Payne tariff law were $238,730,196.45, and for the first nine months of the Underwood law $206,533,913.18, or a decrease of $32,196,283.27. With revenues decreasing and appropriations increasing with peace throughout the world, no wonder we must begin to tax the people directly to run the Government. These are the results of your tariff revision. It is no prophecy, but a fair statement of the facts known to all. These conditions are not what you promised; they are not what the people expected and not what they desired, and, in my judgment, they will change the law under and by which they were brought about at the very first opportunity.

Your platform expressed regret that court decisions had deprived the Sherman law of most of its efficiency, but you have done nothing in your much-heralded antitrust measures to amend or strengthen it. You have now concluded that the law is strong and efficient, and you have tried only to supplement it, and have done that very weakly and imperfectly. You have been careful to declare that nothing in the laws passed shall be construed to affect or impair the Sherman law. And yet, Mr. President, the conference report that we have now before us will, in my judgment, if adopted, weaken the Sherman law and make its application and meaning hereafter uncertain, only to be determined at the end of years of litigation.

Your platform declared for an amendment to the Constitution limiting the President to one term and pledged your candidate to this principle. A resolution for such an amendment passed a Republican Senate last Congress, but neither you nor your President has done a single thing toward fulfilling that promise.

Your platform denounced the appropriations made by the Republicans as lavish, and demanded a return to simplicity and economy. You have not only failed to keep that pledge, but you have not tried to keep it, and the appropriations made by this Congress will exceed by many millions those of any other Congress in the history of the Republic, while many urgent Government needs have been neglected and the estimates of the departments urged as absolutely necessary have been arbitrarily rejected while needless and unnecessary appropriations have been made.

As just one example, Mr. President, I want to state here that the Department of Commerce urged the very great necessity of a $30,000 appropriation for a drag in the waters of Alaska in order to protect life and property from the dangers that exist in some of those channels of trade. That was denied, and yet we appropriated without a murmur over $400,000 to secure additional land for the public-building site in the city of Richmond.

The fiscal year ending June 30, 1912, was the last year appropriated for by a Congress and administration wholly Republican, and, exclusive of the river and harbor bill, the appropriations amounted to $995,799,462.72, while for the fiscal year ending June 30, 1915, notwithstanding your denunciation of the Republicans and your promises of economy, you have already appropriated, exclusive of the river and harbor bill, $1,089,408,777.26, and more to follow.

With pension appropriations decreased by $11,500,000 by reason of the decrease in the number of the Nation's defenders, with appropriations for the Panama Canal much less by reason of the completion of that great work, still the appropriations by this Democratic administration exceed that last made when the Republicans were in full control by over $100,000,000, and a river and harbor bill and other appropriations are still to follow. With a decrease of over $32,000,000 in customs revenues during the nine months following the passage of the Underwood tariff law, and a probable increase of $150,000,000 in the annual appropriations, it is no wonder that $100,000,000 additional taxes must be collected from the people. This or an issue of bonds was inevitable without any war in Europe, and demonstrates the incapacity of the Democratic Party to administer this Government in the interest of the people.

Your platform demanded a reduction in useless offices with salaries that drain the substance of the people. You not only find no useless offices, but you have created a multitude of new ones. Salaries have been increased, and the legislation you have passed will require an army of officials, spies, sleuths, inspectors, and Government agents, who must be supported at the people's expense. No Congress in the history of the Republic has created so many new offices as this one.

Your platform promised a wise, systematic, and comprehensive system for the improvement of the waterways of the country, but in whatever you have done you have followed the old system in a much worse form than ever before, and the bill you have presented is more vicious than any of its predecessors.

As a confession of your incapacity you propose to place $20,000,000 in the hands of the Secretary of War to distribute as he sees fit under the stress of the great political pressure that will be brought to bear upon him, and such a measure has been passed.

Your platform promised to foster the growth of the merchant marine, but your administration refuses to enforce the little step taken by Congress in the tariff law for this purpose, and you have deprived our merchant marine of any advantages that

should have come to it from the building of the Panama Canal. Your emergency legislation is a mere makeshift and liable to involve us in trouble with warring nations.

Your platform approved and pledged you to the civil-service system, to the end that merit and ability shall be the standard for appointment. You have attacked that system at every opportunity. Deputy marshals, income-tax collectors, commercial attachés, and other Government officials have been by law expressly exempted from the operation of the civil service, and a determined effort has been made to exempt all post-office employees, in order that this great service might be made the prey of politics and the spoils system.

Your platform pledged the people of Alaska and the District of Columbia that their offices should be filled by bona fide residents. This promise has been repeatedly and flagrantly violated.

Admitting the misuse of delegated power a wrong, you have surrendered to the secret caucus, adopted and practiced alleged Cannonism in its worst form, stifled individual opinion, forsaken independent representative action, and followed grudgingly, but nevertheless fully and submissively, the Executive will and mandate rather than the people you were selected to represent, and enforced it by "gag" rules, adopted more frequently than by all the preceding Congresses.

Your platform declared that every American citizen residing or having property in a foreign country must be given the full protection of the United States Government, and that his constitutional rights should go with him and protect him throughout the world, but you have seen American citizens wantonly murdered and their property destroyed, and the only relief suggested to those surviving was to leave their homes and their property and come back to the country that apparently could afford no protection to its citizens beyond its borders.

Your platform promised that coastwise ships should go through the Panama Canal free from tolls, but you expressly repudiated that promise, and at the instance of the transcontinental railroad lines and to secure the good will of nations having no cause of complaint against us, you repealed the law which a preceding Congress had enacted, and proclaimed to the world our national perfidy and dishonor.

This, Mr. President, is a part of your record when in office on the platform that was not "molasses to catch flies."

For 20 years the Democratic Party has been the special friend of the farmer. It has sought his favor and support, bewailed his hard lot, assured him of the beneficence of its policies, and denounced the Republican Party as his enemy and oppressor. In the last campaign it appealed to the farmer most effectively from the stump and by positive and specific platform promises. The object of special solicitude then, the farmer has been its special victim of attack and neglect. This is no idle statement. It is an indisputable fact. It was sought to reduce the cost of living. How? Avowedly by reducing the price of the farmer's products. The Simmons-Underwood tariff law ruthlessly neglected and sacrificed his interests. While a moderate reduction was made on manufactured products in the hope of preserving industry, the whole tariff was taken off many of the products of the farm regardless of effects. He was told to "root, hog, or die." When he had just reached the point where he could see a fair return for his toil and effort and risk competition was encouraged from Belgium, Canada, Argentina, Australia, Germany, China, and other countries, and under the normal workings of that tariff law up to the first of last August and before the war the prices for his hay, butter, potatoes, wheat, corn, oats, barley, hogs, cattle, sheep, horses, beets, eggs, poultry, and other products had been held down or greatly reduced by competition from other countries, and he read in the figures of imports of farm products longer hours of toil for himself, diminished markets for his products, and fewer comforts for himself and family. The Democrats always told him that the tariff gave him no protection. When he sees corn from Argentina, potatoes from Bermuda, barley, oats, and wheat from Canada, eggs from China, dairy products from New Zealand, Australia, and Belgium, and other farm products from these and other countries coming in now when they never did before and in such quantities as never before, he knows that the tariff did and does protect him directly as well as indirectly.

In this connection I saw in an editorial in the Washington Post this morning the following statement of imports of farm products:

> Compared with 1913, when the Payne-Aldrich law was in effect, the increases in imports for the 11 months of the fiscal year 1914 were as follows: Cattle, $11,968,347; corn, $9,774,179; oats, $7,984,053; meat and dairy products, $30,453,388; vegetables, $4,791,525; wool, $30,136,171; and wheat $1,473,040.

Those figures support in detail the general statements I have just made.

In the campaign the free use of the Panama Canal by our coastwise shipping was held out as a great boon to the farmer. He was told it would bring him cheaper transportation, and of course that would be a substantial benefit. President Wilson, in one of his speeches, referring to this matter, said:

> We do not want the railroads to compete with themselves, because we understand that kind of competition. We want water carriage to compete with land carriage, so as to be perfectly sure that you—farmers—are going to get better rates around the canal than you would across the continent. * * * and what I am most desirous to see is the farmers of the country coming forward as partners in the great national undertaking. * * * Everything that is done in the interest of cheap transportation is done directly for the farmer as well as for other men.

Mr. Wilson was right in his campaign. A free and unfettered waterway would be of great benefit to the farmers whose products must be hauled by land as well as by water. It would mean lower freight rates by rail as well as by ship. Stump speeches and platform promises were forgotten and the repeal of the toll-exemption provision was ordered. Congress obeyed, and the canal instead of being an unfettered competitor of the railroads was burdened in their interest. Transcontinental railroads have been protected at the expense of the farmer and other producers of the country, and the Panama Canal instead of being a regulator of freight rates has been made an instrument by which the railroads of the country will increase the burden of taxation not only upon the farmer but upon all the people.

The farmer's produce is carried to market largely by the railroads. An increase in the freight rates increases his burden. The railroads of a large section of the country a short time ago sought permission of the Interstate Commerce Commission to raise their rates. Pressure from every source was brought to bear to bring this about. An early decision was urged so that if the increase was granted it would be imposed upon the large crop of the present year. What was the attitude of the President? Was he for the farmers and producers of the country or was he for permitting the railroads to increase the taxes upon the people? The press of the country, under date of June 1, carried an account of the general weekly meeting of the correspondents with the President, at which he talks freely with them, and in it this statement was made:

> President Wilson indicated to-day that he would not be dissatisfied if the Interstate Commerce Commission allowed the railroads the 5 per cent freight rate increase they are seeking. * * * Mr. Wilson left no doubt in the minds of those who talked to him that he was in favor of the increase.

And, Mr. President, this occurred long before the war was ever thought of.

This was not the treatment the farmers had a right to expect from a Democratic administration. Instead of an increase in railroad rates, if any change were to be made, they had a right to expect a decrease. In its platform the Democratic Party said:

> We favor legislation which will assure such reductions in transportation rates as conditions will permit.

Of course this did not promise reductions, but this was the impression it was intended to convey, and the times and conditions then under Republican policies would warrant a decrease rather than an increase, and it was only after a Democratic administration was assured that conditions began to change so as to threaten the railroads with the necessity for an increase. All lines of business had become depressed, and it was hardly fair that the railroads should be permitted to shift their burden entirely upon the farmers and the rest of the people. Efforts have not ceased to secure this raise. War has come across the water. The distress that had come to the railroads prior to June 30 may be aggravated as is the distress in other lines of business. They are taking advantage of the situation. A few days ago several railroad officials called on the President. They impressed him with their need. He wrote a letter expressing his sympathy and now, armed with this, they have applied to the Interstate Commerce Commission for a rehearing. And this administration, pledged to the people's interest, seems to be willing that when all industries are depressed the railroads may insure their prosperity by taxing the people by increasing freight rates. Surely farmers and business men did not expect this when they voted the Democratic ticket two years ago. Nor can this situation be blamed to the war. It was on us before, and is the result of Democratic legislation.

Special hope was held out to the farmers in the last campaign by the Democratic Party in a matter of great consequence to the farmers. One of his great needs is long-time loans at a low rate of interest. Systems of rural credit have been adopted in other countries that have resulted in great good, and our

farmers were getting interested in that subject. Recognizing this the Democratic Party said in its platform:

Of equal importance with the question of currency reform is the question of rural credits or agricultural finance.

And the President, in his message of December 2, 1913, said, in addressing Congress:

I present to you in addition the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country. * * * What they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint, concerted local action in their own behalf in getting the capital they must use. It is to this we should now address ourselves. * * * We must add the means by which the farmer may make his credit constantly and easily available, and command when he will the capital by which to support and expand his business. We lag behind many other great countries of the modern world in attempting to do this. Systems of rural credit have been studied and developed on the other side of the water while we left our farmers to shift for themselves in the ordinary money market. You have but to look about you in any rural district to see the result, the handicap and embarrassment which have been put upon those who produce our food.

Legislation of this kind would be of real substantial benefit to the farmers, collectively and individually. The currency act was passed. What has been done on this question "of equal importance with the question of currency reform"? Under a Republican President a commission was appointed to go to Europe and study the systems and conditions there. It made its investigation and submitted its report. All the data necessary for the solution of the question were available. If the Republicans had continued in control, the question would have been taken up and legislation worked out. Nothing has been done. Why was this question not settled in the currency act? That would have been the time to take it up. When we were caring for the bankers it would have been well to help the farmers. Nothing was done except to permit the banker to loan money to the farmer on his real estate at a high rate of interest. Nothing more was done because the President opposed it. He did not want a rural-credit provision put in the currency act, and assured Members of the House, through Representative UNDERWOOD, that if it were not put in this bill he would do all in his power to have it passed this session, pursuant to the platform promise. After the passage of the currency act the Democratic members of the House and Senate committees got together, held hearings, considered the report of the commission, and agreed upon a bill which it was hoped would establish a rural-credit system under which the resources of the farmers might be made available for improvement and development. Did the President favor its passage? Did he urge early action? Did he use in behalf of the farmer the great power which he has so freely used in behalf of finance and big business? Not at all. He killed the bill. The bill prepared and introduced on behalf of the subcommittee did not suit him, and the Democratic caucus, which has been the pliant instrument to insure the execution of the Executive will, rejected this as a part of the legislative program.

In the Washington Post of May 13 appeared an article headed:

House under whip—Caucus heeds the President and writes program—Antitrust bill dominant—Prohibition and woman suffrage barred for this session—Representative RAGSDALE charges Chief Executive with bad faith in refusing to accept rural-credits legislation on schedule—Meeting is one of stormiest ever seen in Capitol—UNDERWOOD promises to bring in gag rules—Democrats of the House in caucus last night, at the bidding of the President, adopted a program for the rest of the session which practically obligates them to devote their time exclusively to antitrust legislation and the annual appropriation bills.

In this article was the following:

RAGSDALE ASSAILS PRESIDENT.

While many individual Democrats sought to be heard last night, the most obstreperous of all was Representative RAGSDALE, a member of the Banking and Currency Committee, who had his heart set on rural-credits legislation at this session. He made an impassioned speech, in which he said the President had refused to accept the rural-credits bill because the subcommittee of the Banking and Currency Committee would not draft it according to the President's dictation. The President, he said, demanded the withdrawal of all governmental aid from rural-credit banks and the subcommittee insisted upon the Government sponsoring the banks.

"The President would not include the bill in the program because the subcommittee did not do his bidding," said Mr. RAGSDALE. "We were promised when the currency bill passed that rural-credits legislation would be put through at this session. The farmer has lost out, as I expected."

The press at this time was full of similar reports, and there is no question that the foregoing is a correct statement of the situation. The bill was shelved. No further attempts were made to pass it. The legislation was dropped and another plank in the platform that was not "molasses to catch flies" was disregarded after it had served its purpose. If the President had said the word, it would have been taken up, considered, amended, put in proper shape, and passed. Every effort is made to aid "big business," to remove its fears, dispel its dangers, and tide it over feared and threatened troubles by emergency measures passed under whip and spur, but no relief, no assistance is given to the farmer. He must be satisfied with the "psychological" treatment.

The farmer is interested in good roads. Their importance is more and more realized. They would be of substantial benefit to every consumer and every producer. Money spent by which larger loads can be hauled to or from market at greater speed means money in the pockets of the men who do more than any others in the production of the wealth of the country and in supplying its necessities. It means more schoolhouses, better churches, more comfortable homes, and more contented and patriotic citizens. The Democrats recognized the sentiment for good roads, and in their platform promised national aid in the improvement and maintenance of the post roads of the country. An 18 months' session of Congress is about to close, and no relief is in sight. No message has come urging this important matter. It is no part of the program. A bill did pass the House, a sort of makeshift, and went to the Senate committee. That committee reported only a short time ago and presents an entirely new proposition, one permitting the States to borrow money and expend it for good roads. Whatever the merits of this proposition, it is plain that nothing is to be done. No attempt is being made to pass it this session, and it will be easy to kill it next session. What reason is given for not enacting some legislation of this kind? Some of the friends of the President who are interested in this legislation have been told that there is no money. That is the plea offered to many meritorious measures, while others neither urgent nor necessary are passed.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES. I do not like to refuse to yield, but I should really prefer to conclude these remarks.

Mr. THOMAS. I merely wish to say this: The Senator has just given us the comforting assurance that after an 18 months' session the Senate is about to adjourn. I am delighted to hear that statement, and I could not forbear interrupting to ask the basis of it.

Mr. JONES. The Senator evidently was not here when I began, because I said "when we adjourn, if we ever do"; I have no assurance about it.

The people want economy, but they do not count that economy which by withholding a few thousands imposes a burden of hundreds of thousands. Again, the farmer sees a platform promise made in his interest neglected and disregarded. A Republican Congress will take the reports of the commission of the Sixty-second Congress and work out this problem for the benefit of all.

What has this administration done for the farmers? Nothing; but it has done much to them, as they all know. A mere "sop" was thrown to them in the Clayton Act when it was declared that the existence of agricultural organizations for mutual help and not for profit and lawfully acting to carry out its legitimate objects should not be held or construed to be contrary to the Sherman law. The farmers never asked any such declaration. They did not need it, and they will not be fooled by it. It was the law before the act was passed, and no court ever has held or would hold otherwise.

There is a strong feeling among our people that our immigration laws should be made much more stringent. While we sympathize with the poor and needy of every land, we must look to our own preservation and the preservation of our own institutions and ideals, and, as a matter of self-defense, we must protect ourselves from those of other nations whose mode of living, aspirations, ideas of government, ideals, and beliefs are inimical to those which have made us great. While recognizing that ignorance is not necessarily a badge of dishonesty, viciousness, or undesirability, our people are satisfied that on the whole the higher the average of education and intelligence of our people the better for their happiness, stability, and progress. Our farmers and our laborers especially have strongly urged the passage of more stringent immigration laws. In the Sixty-second Congress a bill was passed meeting the sentiment of the country, but it was vetoed by the President, and became quite an issue in the campaign of 1912. It was thought the views of Mr. Wilson were certain and well known. In his History of the American People, volume 5, page 212, he says:

The census of 1890 showed the population of the country increased to 62,622,250, an addition of 12,456,467 within the decade. Immigrants poured steadily in as before, but with an alteration of stock which students of affairs marked with uneasiness. Throughout the century men of the sturdy stocks of the north of Europe had made up the main strain of foreign blood which was every year added to the vital working force of the country, or else men of the Latin-Gallic stocks of France and northern Italy; but now there came multitudes of men of the lowest class from the south of Italy and men of the meaner sort

out of Hungary and Poland—men out of the ranks where there was neither skill nor energy nor any initiative of quick intelligence—and they came in numbers which increased from year to year, as if the countries of the south of Europe were disburdening themselves of the more sordid and hapless elements of their population, the men whose standards of life and of work were such as American workmen had never dreamed of hitherto. The people of the Pacific coast had clamored these many years against the admission of immigrants out of China, and in May, 1892, got at last what they wanted—a Federal statute which practically excluded from the United States all Chinese who had not already acquired the right of residence; and yet the Chinese were more to be desired, as workmen, if not as citizens, than most of the coarse crew that came crowding in every year at the eastern ports.

On September 5, 1912, after his nomination for the Presidency, he is reported in the papers to have said, in an address before the Association of Foreign Language Newspapers in New York City, September 4:

I am speaking to you as also Americans with myself, and just as much American as myself, and if we all take the American point of view, namely, that we want American life kept to its standards, and that only the standards of American life shall be standards of restriction then we are all upon a common ground, not of those who criticize immigration, but those who declare themselves Americans. * * * Of course, if the immigrants are allowed to come in uninstructed hosts and to stop at the ports where they enter and there to compete in an oversupplied labor market, there is going to be unhappiness; there is going to be deterioration; there is going to be everything that will be detrimental to the immigrant.

From these statements the people had a right to believe that the President was in sympathy with the sentiment of the country and with the bill which had passed Congress and which the Immigration Commission and practically every disinterested and thoughtful student of the question believed would accomplish the very result which he says should be accomplished by restriction and without injury to any specially deserving people. What is his attitude now? A bill passed the House and came to the Senate and was referred to a committee which, after much delay, reported it favorably. Rumors were heard and statements made from time to time that the President was opposed to the bill and that it would not become a law. The Washington Post on February 17 contained an article headed:

WILSON TO VETO IT—HE DOOMS THE LITERACY TEST IN AN IMMIGRATION LAW, BUT CONGRESS GOES AHEAD.

The article says:

President Wilson will veto the Burnett immigration bill if it comes to him for signature with the so-called literacy test contained in it. * * * Prospects are that the bill will pass the Senate as reported from the committee, but the measure never will become law, according to close friends of the President.

The Boston Transcript has an article in its issue of February 17, relating to the immigration bill, in which it is said:

Prospects are that the bill will pass the Senate as reported from the committee, but the measure never will become law, according to close friends of the President.

Other newspaper statements of the same date could be quoted to the same effect, and it has been suggested in several articles that the Democrats in Congress have been urging other legislation to prevent a vote on the immigration bill.

The New York Tribune of June 8 had a dispatch under a Washington date line of June 7, as follows:

The haste with which the Democratic members of the Interstate Commerce Committee launched the administration antitrust legislation in the Senate by reporting the bill for a trade commission has led to the suspicion that the President and some, if not most, of his followers are trying to evade the dilemma presented by the immigration bill.

And in another body, in the consideration of a provision in the appropriation bill for the Immigration Service, it was said that it is "of vast importance to prevent the Immigration Service from being cramped, even if we are forced to allow the cold hand of death to be laid by order of the President on the immigration bill."

No efforts have been made to pass it. The President's will is law and it will not be passed. No such legislation can be hoped for through the Democratic Party. The farmers and laborers who expected this legislation through that party have trusted in a "broken reed."

Mr. President, with reference to this particular matter, I have some data of considerable interest. The labor organizations, farmers' organizations, various patriotic societies, and so forth, are very anxious about this measure. They do not understand why it has been pending here in the Senate with a favorable report and nothing done. They do not know what the attitude of the President is. They have seen the newspaper reports to which I have referred, and they do not know whether to believe them or not. They have been endeavoring to learn from an authoritative source the attitude of the President with reference to this very important measure.

I have here a copy of a letter, under date of June 22, 1914, sent to the President by Mr. H. M. Walker, chairman of the Brotherhood of Locomotive Firemen and Engineers' Joint Protective Board, New York, New Haven & Hartford Railroad, calling attention to these reports in the papers, and asking the President, if possible, for a statement with reference to his attitude regarding this measure. I ask that I may print it in the RECORD without reading.

The PRESIDING OFFICER. In the absence of objection, that order will be made.

The letter is as follows:

DORCHESTER, MASS., *June 22, 1914.*

President WILSON,
The White House, Washington, D. C.

Mr. PRESIDENT: The "press" reports being more or less conflicting about your attitude toward the immigration bill gives us some apprehension over the outcome of the bill if the Senate passes it unamended with the illiteracy test in the same form as the bill passed the House on the 4th of February. Our organization, in convention held June, 1914, in Washington, D. C., officially indorsed this bill, and its representatives have appeared personally before the House Committee on Immigration and urged the passage of the bill with the illiteracy test in it.

Organized labor generally has advocated the need of placing some restrictions upon immigration. Competition between the employed and unemployed grows fiercer year by year, and we believe that the time has arrived when our Government must close its doors against the influx of illiterate immigrants until such time, at least, as our Nation's educational institutions may be able to educate the illiterates now within its dominion. One of labor's "corner stones" is education, and its attitude on this question must be inflexible if our social stability is to be preserved.

You are quoted as saying that you favored "reasonable restriction," and in behalf of the members of this organization and labor in general, I respectfully urge you to construe the illiteracy test as being the most reasonable restriction to be put upon immigration and to use every honorable effort to make the bill a law.

Very respectfully, yours,

H. M. WALKER,
Chairman B. of L. F. & E. Joint Protective Board,
N. Y., N. H. & H. Railroad.

Mr. JONES. I have here also a copy of another letter sent to the President, which was called forth by an advertisement, of which the following is a copy:

Licensed and bonded. EDWARD HORVATH LABOR AGENCY,
New York, October 4, 1913.

S. E. & H. L. SHEPERD CO., *Rockport, Me.*

GENTLEMEN: Foreign laborers are now available in this city for less wages than you can secure men for in your State.

Are you in need of any? If so, we can offer for immediate shipment any number of them of any desired nationality. Trusting to hear from you, we are,

Very truly, yours, M. ENGEL, *Manager.*

As I say, this advertisement led to communications being sent to the President with reference to this important measure, and I ask that I may insert them in the RECORD without reading.

The PRESIDING OFFICER. That will be done in the absence of objection.

The letter is as follows:

President WOODROW WILSON,
The White House, Washington, D. C.

Mr. PRESIDENT: It is reported that you are holding up the 60-page immigration bill containing legislation recommended by the Congressional Immigration Commission, after four years' searching investigation and so ably argued for by President Gompers, Secretary Morrison, John Mitchell, and others.

The 40-volume report of the Immigration Commission completely corroborated organized labor's contention that the present enormous influx of illiterates lowered wages, lengthened hours, increased insanitation, multiplied mine explosions and industrial accidents, and seriously interfered with the uplift work trade-unionism is doing.

Last year 1,427,227 aliens entered this country. Only 18,000 of these were "farmers." Such a number, when they could not speak our language, and a large part could not read any, was bound to injure the working people already here, whether native or foreign. It is no wonder labor agencies advertise workers "of any nationality" at "less wages" and for longer hours than any workers here will work for. Mr. President, the working people and their families need this legislation. It is needed for the protection of the aliens inveigled to come as well as us. You said during the campaign that the "standards of American life should be the standards of restriction" and that we must look at the question "from the standpoint of Americans." On behalf of a large number of workers and an organization with a considerable membership, I earnestly urge that you help put this needed illiteracy test law, that the American Federation of Labor has indorsed so often and our officials have so unanswerably argued for, upon the statute books this session, for we were led to believe by your friendliness and that of your party and your own words that you were in favor of such legislation.

Very truly, ——— ———.

P. S.—Inclosed please find resolution adopted by our organization.

Mr. JONES. The only acknowledgment received by these parties of these various letters and telegrams which they sent to the President was an acknowledgment from the Secretary to the President, merely stating that if the bill comes before the President for official action it will have his very careful consideration. I ask to print in full that letter.

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

The letter is as follows:

WHITE HOUSE,
Washington, May 13, 1914.

Mr. G. G. SHUMWAY,
Falls City, Nebr.

MY DEAR SIR: Permit me to acknowledge the receipt of your telegram of May 12, and to assure you that if the bill to which you refer comes before the President for official action it will have very careful consideration.

Very truly, yours, J. P. TUMULTY,
Secretary to the President.

Mr. JONES. It seems that these letters were finally referred to the Department of Labor, and upon a printed form the Acting Commissioner General acknowledged receipt of one under date of April 22, 1914:

DEPARTMENT OF LABOR,
BUREAU OF IMMIGRATION,
Washington, April 22, 1914.

Mr. THEODORE B. WARDWELL,
Secretary-Treasurer Worcester Div. 64, B. of L. E.,
11½ Hammond Street, Worcester, Mass.

SIR: The receipt of your letter dated April 16, 1914, addressed to the President, in relation to the Burnett immigration bill, is hereby acknowledged.

Respectfully,
F. H. LARNED,
Acting Commissioner General.

Under date of May 1, 1914, on a carbon written letter, apparently a carbon copy, made when other letters were written, I presume in the interest of economy—the saving of something to the Government—carbon copies were used in answering these communications, acknowledgment of one of these letters to the President was made by the Department of Labor. The letter is signed by the Acting Commissioner General of Immigration. I ask that it may be inserted in the RECORD.

The PRESIDING OFFICER (Mr. MYERS in the chair). Without objection, it is so ordered.

The letter referred to is as follows:

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF IMMIGRATION,
Washington, May 1, 1914.

Mr. E. L. BEAN,
1156 Jefferson Street, Paducah, Ky.

DEAR SIR: The bureau is in receipt of your letter dated April 14, addressed to the President, in relation to the Burnett immigration bill, and has placed the same in file, with other papers relating to the same subject.

Very truly, yours,
F. H. LARNED,
Acting Commissioner General.

Mr. JONES. In this connection I also desire to call the attention of the Senate to an interview in the Cincinnati Times-Star of September 19, written by Gus J. Karger, staff correspondent, and purporting to give a statement made by the junior Senator from South Carolina [Mr. SMITH], who is the chairman of the Committee on Immigration. I will not read all of this article; it is not all a quotation from the Senator from South Carolina.

The correspondent goes on to say the general impression seems to be that because of the breaking out of hostilities in Europe this will solve the immigration question, and we will not need any legislation; but he says:

SMITH WILL PUSH BILL.

But with the return of Senator SMITH a different view has been presented. During his absence Congressman JOHN L. BURNETT, of Alabama, chairman of the House Committee on Immigration, tried in vain to interest the Senate in the pending bill. The House passed it more than six months ago, the Senate committee has approved it, but the Senate itself, taken up with other measures, some of them of an alleged emergency character, declined to take the measure from the calendar. The pending Burnett-Smith immigration bill is pretty much the same as the one that passed Congress when William H. Taft was President. Mr. Taft vetoed it because of the literacy test it provided. There has been a good deal of speculation as to whether President Wilson wouldn't take the same attitude, his private utterances and many of his writings before he became President of the United States, lending themselves to speculation of that character. In the Congress the opposition to the measure has been of decidedly uncompromising character and all over the country sentiment with regard to it has been sharply divided. Leaders of Congress were quick, therefore, to interpret the European situation as obviating the necessity of action at this session of Congress. The bill was "loaded," politically, and they would cheerfully avail themselves of any pretext for postponing its further consideration.

But Senator SMITH declares that they must meet the issue, and that they must meet it before adjournment of this session of Congress. He disagrees entirely with the interpretation of the immigration situation which has been adopted by these students of conditions that are to result from the war in Europe "As soon as peace has been restored," he argues, "Europe will dump untold thousands of her people on the United States. Nor will the best elements of European society be attracted here. Much of the riffraff will seek admission to this country. We must be on the qui vive now, as we never were before. There will not be much immigration to this country while the war is in progress, but once it is terminated the rush will be bigger than ever, and we must be prepared to exercise restrictive measures.' And Congressman BURNETT fully agrees with him.

WILL HOLD UP OTHER LEGISLATION.

"Therefore," said Senator SMITH, "you may serve notice on the country that I shall push for consideration of the immigration bill *at this session of Congress. I will not be denied. I shall insist that the Senate act on it, and if I am opposed, I shall, if necessary, hold up everything else until this most momentous question is taken up for consideration."*

Mr. OVERMAN. What is the date of that interview?

Mr. JONES. September 19—over half a month ago. Then the correspondent makes a quotation from Commissioner of Immigration Caminetti, which I ask may be inserted in the RECORD without reading.

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

The matter referred to is as follows:

Although general opinion seems to have leaned toward the theory that the war, for a good many years, will curtail European immigration, Mr. Anthony Caminetti, Commissioner of Immigration, is of other opinion, supporting the views of Senator SMITH and Congressman BURNETT, heretofore referred to. "When peace is declared," he said, "the flow of immigrants to this country from Europe will be very much quickened. After the war business depression will continue, and it will drive many of the poorer classes to seek refuge here. Many of the thousands of foreigners who left the United States to take part in the war will return. The normal flow of immigrants prior to the war was about 90,000 a month. After the war this figure will not only be exceeded, in my opinion, but the immigration that may be expected will break all known and established records. In immigration we have had our six banner years since 1900. Since 1820, when we first began to compile immigration records, the number of immigrants admitted in the course of one year has exceeded 1,000,000 six times. The year 1907 was the greatest immigration year in our history, 1,285,349 aliens being admitted. Last year the number was above 1,218,000. During the other four years in question immigration fluctuated between 1,000,000 and 1,198,000. Perhaps, even with a quickened flow of immigration, the record will not be exceeded, but we must prepare to meet all eventualities. It is just possible that the resumption of agriculture and commerce in Europe following the establishment of peace will keep a great number at home who otherwise would come to the United States."

Mr. JONES. Mr. President, the record will show that absolutely nothing has been done and no efforts have been made to take up this bill. If the junior Senator from South Carolina is correctly quoted, he will need to get busy very soon, because, I understand, the rumor is that the program is expected to be completed with the Clayton bill and the tax-revenue bill, so that there will be nothing to hold us here after those are disposed of, and nothing for him to hold up; and it looks like there will be no opportunity for the passage of this legislation at the present session.

I wish to say, Mr. President, that I am very reliably informed that those interested in this legislation have letters from 73 of the Senators of the present Congress assuring those interested of their favor and of their support for this legislation. There is only one inference that can be drawn from this fact and from the fact that nothing has been done, and that is that there is a power beyond and outside of this body which prevents the consideration and passage of such legislation and that the statements in the paper as to opposition to the bill are correct.

Mr. OVERMAN. Will the Senator yield to me there?

Mr. JONES. Certainly.

Mr. OVERMAN. Does the Senator think we ought to stay and pass that bill?

Mr. JONES. I think we ought to have passed it a long time ago.

Mr. OVERMAN. But after we get through with the Clayton bill and the tax bill does the Senator think we ought to stay here and pass that bill?

Mr. JONES. I think it would be better.

Mr. OVERMAN. The Senator thinks it would be better to stay here?

Mr. JONES. Yes; what is the use of going away now?

Mr. OVERMAN. A great many Senators want to go away, as the Senator knows.

Mr. JONES. I should like to have gone away some time ago, but if you do not adjourn until the 15th or 20th, it will take me a week to get home, and I could not get around much in that time.

Mr. OVERMAN. The Senator, I understand, is perfectly willing to stay here to pass that bill?

Mr. JONES. I am; but I do not expect to have very many of the 73 Senators with me, and I think I can very safely express that desire. I do not think the proposed immigration law will keep us here. We may stay here, but it will not be that bill which will keep us.

Then, Mr. President, we have passed during this session, as I figure it, something over 70 laws of a general character, and not a single law has been placed upon the statute books for the benefit of labor. That is significant in view of the Democratic professions on behalf of labor. There are some provisions in the conference report now pending that were accepted by the Senate without any division, and they are thrown to labor as a sort of sop, but labor understands this legislation. It understands that what is done in the Clayton antitrust bill is nothing more nor less than a declaration of the law as now construed and declared by the courts, and that if it does anything it may throw these questions again into the courts and allow them to remain there in an uncertain state possibly for years. So there is nothing in that.

Labor would like to have a seaman's bill passed. Not only the laboring people but the people of the country generally are asking for such a measure in the interest of those who tread the seas. It passed the Senate, it came back to the Senate with a substitute, and the substitute, I understand, has gone to the

committee, and is "sleeping the sleep," and no action, apparently, is contemplated on this important measure.

Then, labor has been asking for an amendment to the boiler-inspection law. The Republican administration passed laws of this kind, but some amendments have been considered necessary. They have been pending, and yet no action has been taken upon them.

Then they are very anxious for a law to prohibit convict-made goods from passing from one State to another or from being imported into the country. Yet no legislation of that kind is enacted.

Then they want a workmen's compensation act. Mr. President, I have to apologize to the people of my State with reference to that proposition. In the campaign of 1912 I told the people that the compensation measure was not a party measure; that Republicans and Democrats both were in favor of it, and that, in my judgment, before the close of the short session of the Congress the compensation bill that was pending would be passed and enacted into law. That was not done, and the failure to do it was due to the Democratic opposition on the floor of the Senate in the closing hours of that session, when a filibuster was threatened against that measure, and it had to be abandoned after a conference committee had adjusted the difference between the two Houses and reported.

What has been done with reference to a compensation law for labor during this session of Congress? Absolutely nothing. There has not even been a committee report in favor of the proposition.

Mr. OVERMAN. The Senator knows that the laboring people of the country in their convention changed their minds in regard to that bill. After resolving for it a year or more ago when it was before the Senate they have since that time passed a resolution protesting against the passage of that bill. Does not the Senator know that fact?

Mr. JONES. They may have done it as to that particular bill; I do not know; but they have not protested against legislation of that character. Must we drop the whole general system because there is opposition to a particular bill? We should take up the bill and, if possible, meet their objections. They want the legislation. They are urging such legislation, and, in my judgment, the great majority of the labor organizations of the country would prefer even that bill to no legislation at all. We are derelict in our duty if we do not try to frame legislation that will meet the situation. It is of the greatest importance. It is just and humane legislation and would be of great benefit to labor and their families.

Mr. OVERMAN. I wish to say to the Senator that the bill is pending before the Judiciary Committee, and the Senator knows the condition of business on our calendar, and the labor people are not agitating it as much as they did before.

Mr. JONES. I know the bill is pending. The bills have been introduced, and we have not even a committee report upon this very important measure. I consider this measure and some of the measures referred to as far more important than the legislation that we have enacted or that we are attempting to enact.

Mr. President, none of the legislation in which labor is really interested has yet become a law, and none that will give it rights it does not now possess or that will bring it any additional benefits will be passed at this session.

Mr. President, aside from the act extending the time for payments under the reclamation law, this Congress has passed no legislation that will be of any direct, real benefit to any needy individual. Its whole time has been given to legislation primarily in the interest and for the benefit of the strong, the powerful, and the wealthy, leaving whatever benefit there may be to the people to come indirectly. The evils of the tariff law have fallen heaviest upon the poor and the weak. While for some reason that I can not understand labor or its leaders have favored the Democratic tariff policy, they have now had an object lesson which, it seems to me, should outweigh all theories or preconceived notions. During the first seven months of this year labor saw the products of foreign toil placed in our markets by the millions of dollars' worth, and he has been without work. He has seen our industries depressed and his wages or hours of employment reduced. This is the inevitable result of buying abroad. When we buy goods made abroad that can be made at home we employ foreign labor and our own labor is idle. This means poverty, suffering, distress, and "skimping" in the home. If he wants this to continue and get worse, he will vote to continue a policy that furnishes employment for the foreigner and brings idleness to himself. If he wants it to cease, he will vote for the policy that furnishes him employment and good wages.

Our currency law is primarily for the capitalist, the moneyed man, and the banker. No poor man can get a loan any easier or at a less rate of interest than before. I fear the system gives the money power a greater control over the finances of the country than ever before. When directors of the International Harvester Trust and members of Wall Street railroad-wrecking firms are placed on the Federal Reserve Board there is little hope that this great system will be operated to the advantage of the farmer, the laborer, or the man of small means.

The Panama tolls exemption was in the interest of every shipper and consumer in the land; its repeal will benefit only the transcontinental railroads and place a burden and a tax upon all our people.

The Trade Commission act deals only with those engaged in interstate commerce. The poor man does not do this. Only the rich and comparatively powerful carry on this business. This legislation is to protect strong interests from each other. It is all right, as far as it goes, but the ordinary citizen, the individual farmer, laborer, and merchant will pay the taxes necessary to defray the cost of the expensive machinery provided and will never be able to discover any benefits from it. And so it is with the other legislation. No ordinary citizen in the ordinary business pursuits and daily walks of life can say "this or that helps me." After all is said and done, but little of the legislation that we have passed will bring a single joy to a sorrowing home, make life easier to a single overburdened toiler. It brings no ray of hope to the propertyless or jobless man. If we would spend some of our time in making it possible for the farmless man to use his honesty, industry, and frugality in getting some land and making him a home; if we would put forth some effort to make it possible for the man who works for a daily or monthly wage to secure a house and a home for himself and family, then we would help where help is needed, add to the sum of human happiness, and perform one of the highest and most beneficent functions of human government.

Contrast the character of this legislation with that of the last Republican administration. The Interstate Commerce Commission was given authority to determine and fix reasonable rates over common carriers This directly benefits the masses of the people, individual producers and consumers alike. A postal savings-bank system was provided. This is of special benefit to the men and women of small savings. It furnishes them a safe place for their savings at a small rate of interest and insures them their hard-earned money whenever they want it. The individual is helped and benefited. A Parcel Post System was put in operation and can be used by the humblest citizen. It will eventually be made one of the most effective agencies to bring closer together the producer and the consumer, and reduce the cost of living without reducing the price to the producer, but making it less to the consumer. A resolution for a constitutional amendment was passed and the amendment adopted, under which the people elect their Senators directly, thus giving to each individual voter more direct participation in the selection of the representatives of his State in the greatest deliberative body on earth. Another resolution was passed submitting an amendment, which was also adopted, under which it has been possible for a valid income tax to be levied against the wealth of the country. A Department of Labor was created, to look after and promote the needs and interests of labor individually and collectively. A Bureau of Mines was established, for the special purpose principally of promoting the welfare and safety of the individual miners. A Children's Bureau was formed, with the special object of conserving and making more pleasant child life The "white-slave law" was passed, for the protection of the home and the sanctity of womanhood. A workmen's compensation bill passed both Houses, but was defeated by Democratic opposition through a filibuster at the close of the Congress. This was a bill for the benefit of the individual and in the interest of his family, and, strange to say, no steps have been taken by the majority to pass such a measure this session. I must apologize to the people of my State. I said this bill would be passed, but it was not. These are but a few of the important measures passed. They are measures with heart and humanity in them; they are measures that make life better and happier for the individual; and such legislation the Republican Party can be depended upon to enact.

Mr. President, for years the Democracy has denounced the Republican doctrine of protection as robbery of the many for the benefit of the few. They have sought to destroy it, and in the Underwood tariff law they have gone a long way toward doing so. They have contended that if our people can not compete by their wit, industry, and efficiency in any line of production with the cheap labor of other countries they should cease their efforts in such industry and confine their labors to those

industries in which they can compete. The conditions brought about by the war in Europe conclusively demonstrates the wisdom of the Republican policy and the folly of the Democratic theory.

Day after day special legislation is asked to meet the direful conditions in the cotton section. The fact that it is a one-crop section is given as the reason for its great distress and dire need. This is true. What they need to insure them against such great emergencies is diversity of crops and industry. If through protection the industries of the North and East and West had not been diversified, if during the last 50 years we had been following the Democratic theory of free trade and had confined our efforts to certain lines of industry, the conditions in the entire country to-day would have been simply appalling. By protection, however, our industries have been diversified and developed until we are practically self-supporting, and if protection had not been taken away we would have but little distress, little unemployment, and little fluctuation in prices. Protection to American industry and American labor is a great national necessity and not a purely private benefit.

We abandoned the policy of protection as to our merchant marine; we went for the cheapest transportation and allowed it to go into the hands and under the control of others. We have hundreds of millions of products for foreign markets and no way to get them there, and as a consequence our industries are threatened with stagnation and destruction, and our people will suffer almost incalculable loss. A merchant marine under our own flag is a national necessity. If we had built it up, even this war would have disturbed us but little. Our products would have been carried to market and revenues would have been kept up by imports. No frantically suggested and illy prepared legislation inviting foreign-built and foreign-manned ships to sail under our flag would have been necessary.

It was stated a few moments ago that our present condition is the result of the war in Europe Mr. President, whatever results come to us from the war in Europe in a business way come largely because of our neglect formerly to provide the means of transportation by which we would be independent of foreign countries in taking our products to market and bringing other products here. It lies further back than the war, Mr. President, and rests upon the very principle of protection to American industries and the diversification of our various lines of industry and employment.

The situation as to sugar demonstrates the necessity of the policy of protection and the fact that it is more for the public good than private advantage. The tariff on sugar has been the subject of special attack. It has been denounced as the robbery of the poor man for the benefit of the rich sugar barons. Provision has been made to take off the entire tax. What is the situation? The poor man, who consumes as much if not more sugar than the rich man, bears the burden of a tremendously increased price of sugar. He is paying much more for it or he is doing without. Why? Because we are dependent upon a foreign supply to satisfy our needs and because, under the legislation passed, the industry at home is being destroyed. We can not get from abroad, and our own people are going out of the business. We can produce, we ought to produce, and with proper encouragement we will produce all the sugar we need for our own use, and it will be supplied at low and reasonable rates. When the poor man does without sugar or pays for it 7 and 10 cents a pound, and remembers how he used to get it under protection at 4 and 5 cents per pound, he will ask for protected sugar and desire its production at home encouraged, not only that he may have cheaper sugar but also that American industry may be developed and stability brought to American enterprise.

Senators from the cotton States are almost frantic at the conditions that confront them. Not only do they want emergency legislation by Congress, but they are urging all sorts of unheard-of action by their people. Production must be curtailed, cotton must be bought and held from trade. The President, Senators, and Representatives are besought to buy a bale of cotton and hold it to keep it out of consumption. Men everywhere are beseeched to buy one bale of cotton and leave it in storage in order to help out. The people are being urged to diversify their crops in order to insure permanent stability, and everywhere is heard the slogan, "Buy home-made goods." These are but expressions of the essence of the principle of protection. If we will apply that principle now in our legislation, so that the people will know what to depend upon, countless new industries will be developed here while this war goes on that will continue after it closes, bringing happiness, wealth, employment, and prosperity to our people. Will we neglect this great opportunity because of a party fetich? We may do it in Congress, but the people of this country will not endure long any such unwise, unstatesmanlike, unpatriotic, and indefensible action. There are many important questions confronting our people, but this is the great, urgent, pressing question now. Settle it right, renew confidence, restore prosperity, bring employment, reinstate business stability, and then we can turn our attention to those social problems that need the undivided and patriotic attention of our lawmakers.

In his dealings with foreign nations I am with the President, right or wrong. As long as there may be danger of complications that might lead us into war, no word of criticism from me shall embarrass him in his dealings with foreign nations or foreign questions. Nor shall I seek party advantage from any mistakes that may have been made. His representatives seek party advantage from what he has done. They seek to turn patriotism into partisanship. In these things, however, he speaks for the Nation and not for any party or party policy, and behind him should be the Nation until his acts can be passed upon by our people without disturbing foreign relations.

In domestic matters I will support him when I think he is right and oppose him when I think he is wrong.

The party slogan now seems to be "Stand by the President." Our Democratic friends seem to be driven from everything else, feeling that their policies and legislation have been a failure, and knowing that throughout the country there is high respect for the President and for his intelligence and patriotism, they think they can win on that slogan. They are appealing to the people to stand by the President, when, as a matter of fact, the President is not involved in this contest, but Democratic candidates and Democratic policies.

Mr. President, I want to stand by the President, not, however, as an automaton, not as the bouncing figure of a Punch and Judy show, manipulated, moved, put into activity by some concealed, hidden hand. I want to stand by the President whenever I think and believe, with reference to domestic policies, that he is right but I will not stand by him upon domestic policies when I believe he is wrong. The people will stand by him when he is right. They do not want their representatives, no matter what party they belong to, to stand by the President in domestic policies, right or wrong. Representatives are sent here to represent the people and certain policies, not the President. If they are to represent him regardless of the people or whether he is right or wrong, why not send him a certificate to vote them as he sees fit, and save all their salaries, instead of a mere bagatelle, as proposed by some?

That he and his party are fundamentally wrong upon the great question of protection to American labor and American industry, and that they are incapable of dealing with the great questions of domestic concern in the interest of the people, I most firmly believe has been absolutely demonstrated during the last 18 months.

I have here a matter of interest, to Republicans at any rate, probably even to our Democratic friends. It is a copy of the platform prepared at the last Republican convention by those delegates who were favorable to the nomination of former President Roosevelt. This platform was prepared for adoption in case of his nomination by that convention. It is sent to me by former Gov. Hadley, of Missouri, and I want to print a letter from Gov. Hadley, together with this platform, in the RECORD. I desire to call it to the attention of those who are interested, and who see fit to compare this platform with the platform that was actually issued by the convention. You will see the remarkable similarity between the two platforms and the remarkable degree with which they coincide with each other, especially upon the important questions before the American people. There is substantially no difference in those platforms on the great vital important questions before the American people. It is a platform upon which all Republicans could stand. I do not think there is a proposition in it that I myself do not indorse heartily.

Mr. President, I want to say that opposite the planks relating to inheritance tax, and also with reference to the repeal of the Commerce Court and with reference to the Panama Canal, there were interrogation points. They were in this platform when it was handed to Gov. Hadley, and indicate that there might have been some doubt as to whether or not they should finally be adopted. The plank in relation to the Panama Canal was practically enacted into law by the last administration.

I ask that this letter and this platform may be printed in the RECORD.

The PRESIDING OFFICER (Mr. WEST in the chair). Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

LAW OFFICES HADLEY, COOPER & NEEL,
Denver, Colo., September 24, 1914.

Senator WESLEY L. JONES,
Washington, D. C.

MY DEAR SENATOR JONES: I have finally secured my copy of the platform that was prepared by a committee of the Roosevelt supporters in

the 1912 convention and inclose it to you herewith. I think I explained to you in my former letter that there was a committee on the platform selected from among the leading supporters of Col. Roosevelt in the 1912 convention, and this platform embodied the views of the members of that committee on the questions then before the American people. I was not a member of the committee that prepared the platform, being, as you may recall, otherwise reasonably well occupied, but as I was a member of the resolution committee from Missouri, this platform was given to me by some members of the committee that prepared it.

If you carry out your plan of placing this in the CONGRESSIONAL RECORD, I think it might be well that you should also point out the lack of substantial difference upon questions of importance between this platform and the platform finally adopted.

There are some interlineal corrections or changes in the body of this platform that had been made before it was given to me. The numbers in the left margin are mine, but the question marks opposite the inheritance tax and railroad plank and Panama Canal were made before it came into my hands.

As this is the only copy of this platform that I know of I am taking the precaution of sending this letter to you by registered mail, and wish you would return it to me after you have made such use of it as you desire.

With best personal regards, I am

Yours, very truly, HERBERT S. HADLEY.

PREAMBLE.

Three score years ago in a national crisis, the Republican Party was born of the Nation's awakened sense of justice. In this time of grave national problems we dedicate ourselves anew to the fulfillment of the duty laid upon us by our fathers to maintain that government of the people, by the people, and for the people, for which they died.

We hold, with Abraham Lincoln, that the people are the masters of their Constitution to fulfill its purposes and to safeguard it from those who, by perversion of its intent, would convert it into an instrument to foster injustice. In accordance with the needs of each generation, the people must use its vital and sovereign powers to secure that social and industrial justice for which this Government was established and without which no Republic can endure.

A COVENANT WITH THE PEOPLE.

Political parties should exist only to secure and to maintain responsible and free government. They must not be used to facilitate control over the people by special interests. This platform is our covenant with the people, and we hereby pledge the public officers elected under it, including the President, the Vice President, and Members of Congress, to the fulfillment of the promises made herein.

POPULAR GOVERNMENT.

It is not only the right of the people to rule; it is their duty so to do. Unless that right and that duty are recognized, free government can not exist. Ours is a government of the people, by the people, and by them alone. We recognize no right to govern the people, contrary to their will, through any system of representation. The people must keep in their own possession the power to make their representatives actually represent them, and to do for themselves those things which their representatives may fail to do for them. In order to control their National Government, the people need and demand direct presidential preference primaries and the election of United States Senators by popular vote; and we pledge our party to meet those needs. In the several States this purpose must be met in varying fashion, according to the actual needs of each community; but the principle itself, the doctrine that the people must possess efficient means to make their deliberate will supreme over their Government and their public servants is applicable to every part of this Union.

EQUAL SUFFRAGE.

The welfare of the people of this country is as important to the women as to the men. We advocate equal suffrage for both.

SOCIAL AND INDUSTRIAL JUSTICE.

We demand that the Nation and the several States shall recognize as a vital function of government the task of securing for all a greater measure of social and industrial justice, so that more equal opportunity and greater welfare shall prevail among the citizens of the United States. We are not blind to the menace of social conditions such as those which Germany has legislated to prevent and which England is legislating to cure—underpayment, irregular employment, unhealthful working conditions, dearth of labor in some places and oversupply in others, and excessive and heartbreaking hours of work not only for women but for men, in certain industries. Both the farmers and the wageworkers have been neglected alike by State and Nation.

Therefore we demand the immediate enactment of laws for compensation for industrial injuries and deaths; to prohibit the labor of children; to protect seamen; to insure safe and healthful working conditions in mills, mines, and factories; and to make the sale or transportation of prison-made goods which are sent into interstate commerce subject to the prison labor laws of the State to which they are sent. We demand the enactment of such laws as will make the United States Government a model employer; we demand the concentration and strengthening of the existing agencies of the Federal Government dealing with the public health, that they may more efficiently perform their duties in the prevention of disease and accident; and we urge Federal cooperation with the several States in the collection and dissemination of all information adapted to promote the general social welfare.

PURE FOOD.

We believe in, and therefore demand, a vigorous enforcement of the pure-food laws, to the end that the men, women, and children of this country may be neither robbed nor poisoned by the adulteration or substitution of foods, drinks, and medicines.

BUSINESS.

We believe that in true popular government justice and prosperity go hand in hand. It is our purpose to secure that large measure of general prosperity which is the fruit of legitimate and honest business fostered by equal justice and by sound progressive laws. There can be no proper division of prosperity unless there is prosperity to divide.

The test of true prosperity is the benefit conferred thereby on the plain citizens; the test of corporate efficiency is the ability better to serve the public. The corporation is an essential part of modern business. The concentration of business in some degree is both inevitable and necessary for business efficiency and continued prosperity; but the existing concentration of vast wealth, unguarded and uncontrolled by the Nation, has placed in the hands of a few men enormous secret, irresponsible power over their competitors, the general business world, and the public—a power not to be tolerated in a free Government, and certain of abuse. This power has been abused in fraudulent acquisition and monopoly of natural resources, in stock watering, in unfair competition and unfair privileges, and in sinister influence upon the public agencies in the State and Nation. No single State can control these great interstate corporations. The Nation alone can and must control them. Therefore we demand Federal supervision and control of all large corporations engaged in interstate commerce. To that end we urge the creation of a strong Federal administrative commission which shall exercise effective permanent supervision over such corporations, in many respects similar to that now exercised over the national banks and interstate carriers. The basis of the work of such a commission must be full publicity as to all corporate transactions of public interest. It must have power to prevent overcapitalization and to impose regulations that will make clear the rules of corporate conduct. By continuous watchfulness it must guard and keep open to all our citizens the field of American commerce and industry. The effort to control corporations by legislation alone has failed. It must be supplemented by effective regulation such as we now propose.

TARIFF.

We believe in a protective tariff. The Republican tariff policy has been of the greatest benefit to the country, developing our resources and the strength of our national life, by the diversity of industry which it has encouraged and by the protection of our workmen against unequal competition with cheap labor abroad. The protective tariff is so woven in the fabric of our national life that to substitute for it a tariff for revenue only would destroy whole industries and throw millions of our people out of employment. But modern conditions call for a downward revision of those tariff schedules wherein duties have been or may be shown to be indefensible or excessive. We pledge the party to such a tariff revision, schedule by schedule, with as much speed as may be found compatible with results fair to the consumer, the laborer, and the producer and manufacturer. We demand that such a revision shall be based upon the findings of a permanent, expert, nonpartisan tariff commission, whose duty it shall be to furnish to the President and to Congress the best information obtainable as to the relative costs of production at home and abroad, without delay, and whose recommendation would form the foundation for public confidence in the justice and wisdom of the legislation proposed.

While we hold that a protective tariff is for the mutual protection of capital and labor, we also hold that the interests of the consumer must be equally considered. In order to encourage industry there must be reasonable profit and the benefit of the tariff should rightly show itself in reasonable dividends, but a full share of the benefits must also appear in the pay envelope of the wage earner, the prosperity of the farmer, and the general standard of living. It should be the business of some Government body to see to this.

COMMERCIAL DEVELOPMENT.

The time has come when American merchants may rightly expect a far larger share of the world's trade than in the past. We believe that the Federal Government, by organized and scientific effort, should cooperate with the manufacturers and producers of the country in extending our foreign commerce. To this end we demand adequate appropriations by Congress, and the appointment of diplomatic and consular officers solely with a view to their special fitness and worth, and not in consideration of political expediency.

INCOME TAX.

We demand that a national income tax shall be established, so graduated as to place the heavier burden of taxation upon those who, by reason of their larger incomes, are under the greatest obligation to the public. We believe that an income-tax law may be devised which, under the decisions of the Supreme Court, will be found in conformity with the Constitution, but in order to avoid all doubt we favor the adoption of the constitutional amendment providing for an income tax which is now before the people.

INHERITANCE TAX.

We believe in a graduated inheritance tax as a national means of equalizing the obligations of holders of property to the Government which protects them in their possession of that property, and we hereby pledge our party to enact such a Federal law as will tax large inheritances which evade or escape State taxation, returning to the States an equitable percentage of all amounts collected by the Federal Government.

CURRENCY.

Our currency and banking systems are wholly inadequate to our needs; money is unduly concentrated in the great centers; the volume of currency can not easily be regulated, nor can money readily be distributed to meet the requirements of trade and the movement of products. Credit, although readily obtained for great enterprises controlled by interrelated banking and business interests, is too often used for purposes of speculation and stock gambling; but it is difficult and often impossible for the smaller or independent producers and manufacturers to obtain for legitimate enterprises the credit to which they are entitled. Rates of discount and interest are too irregular and differ too widely in various portions of the country. Bank reserves, as now held, instead of being elements of strength and safety in times of panic, are sources of weakness.

We pledge our party to the enactment of such legislation as will remedy these conditions. This legislation must be based upon direct, effective Federal regulation. It must preserve independent banks from the domination of any group or groups of great financial interests. It must provide for a system of issuing and retiring currency based upon legitimate commercial transactions, and must meet the requirements of agriculture, industry, and commerce in every section of the country. Finally, and most important of all, it must assure to the people of the United States, through their Government, the control of the financial system of the country.

RAILROADS.

In order that the power of the Interstate Commerce Commission to protect the people may not be impaired or destroyed, we demand the abolition of the Commerce Court.

We believe, and therefore demand, that the jurisdiction of the Interstate Commerce Commission shall be extended to include the power to regulate the capitalization of railroads and so prevent the issue of watered railroad stocks, encourage honest capitalization, increase the safety and stability of railroad securities as investments for the people, and strengthen the financial condition of the roads.

PANAMA CANAL.

The Panama Canal, built and paid for by the American people, must be used primarily for their benefit. If rightly administered, it will have the power to break the transportation monopoly now held and

misused by the transcontinental railroads. We demand that the canal shall be so operated that it will establish and maintain sea competition with these railroads, and that ships directly or indirectly owned or controlled by railroad corporations shall not be permitted to use the canal on terms as favorable as those enjoyed by independent American ships.

WATERWAYS.

The rivers of the United States are the natural arteries of this continent. We demand that they shall be opened to traffic as indispensable parts of a great system of transportation, in which the Panama Canal will be the central link, thus enabling the whole interior of the United States to share with the Atlantic and Pacific seaboards in the benefits derived from the canal. To this end our rivers, and especially the Mississippi and its tributaries, must be developed without delay, under a comprehensive general plan covering each river system from its source to its mouth, designed to secure its highest usefulness for navigation, irrigation, domestic supply, water power, and the prevention of floods. This general plan should be made and carried out in close and friendly cooperation between the Nation, the States, and the cities affected. Under such a plan the recurrent floods of the Mississippi and other streams, which represent a vast and needless loss to the Nation, would be stopped, and water power enough to revolutionize the industrial standing of whole States would be developed, while land sufficient to support millions of people would be reclaimed from the swamps. The equipment and experience acquired in constructing the Panama Canal soon will be available for the Lakes to the Gulf deep waterway and other portions of this great work, and should be utilized by the Nation in cooperation with the various States at the lowest net cost to the people.

CONSERVATION.

The doctrine of conservation holds that this country, with its natural resources, belongs to the people who inhabit it. The natural resources of the Nation are its collective wealth. They must be developed and used to supply the people's needs, but they must neither be wasted nor monopolized. We believe in the use, not the misuse and waste, of our natural resources.

The country has passed the stage when it can afford to permit its resources to be destroyed or wastefully exploited under the hope of undue immediate returns. Such exploitation is gambling rather than legitimate industry, and injures both those who undertake it and those who permit it. The soil, the forests, the streams, the minerals, the water powers—all must be wisely used and intelligently conserved. We believe that many of these resources, like coal and water power, should be kept in the public hands, while at the same time their development should be encouraged. After a fixed period of years these resources should return to the people, to whom they belong, and who should increasingly share in the profits derived from their use. The work of settling our unoccupied agricultural lands, opening our mines, conserving our forests in the East, as well as in the West, and irrigating our arid lands should be supplemented by protection and improvement of the public grazing lands, and by assistance in the drainage of swamp and overflow lands and the purification of interstate streams.

COUNTRY LIFE.

The development and prosperity of country life are as important to the people who live in cities as they are to the farmers. We pledge ourselves to the establishment of a country-life commission. Its influence will directly promote the welfare of the farmers and bring the benefits of better farming, better business, better living, and more effective cooperation within their reach. The increase of prosperity on the farm will favorably affect the cost of living and help the Nation and the States to act together in promoting the interests of all who dwell in the country and all who depend upon its products for clothing, shelter, and food. Good roads and agricultural schools should be fostered in every proper way. The educational and social interests of the farmers are not less important than their economic prosperity.

PARCEL POST.

We demand the immediate creation of a parcel post that will give to the people of this country a postal express service, and thereby destroy the oppressive monopoly now maintained by the great express companies. Such a parcel post should be established on a zone system, which will favor the prompt distribution of the merchandise the people use without giving to the great commercial centers an unfair advantage over the smaller communities.

PENSIONS.

We pledge ourselves to a wise and just policy of pensioning American soldiers and sailors and their widows and children.

ALASKA.

We recognize the enormous value of Alaska to the people of the United States. We demand the prompt development of its resources under the supervision of the United States by every legitimate means. We demand also that private extortion or monopoly in transportation shall be prevented by the acquisition, construction, or improvement by the Government of such railroads, harbors, and other facilities for transportation as the welfare of the people may demand. The coal of Alaska must not be stolen or wasted. It must be opened at once to mining under leases requiring immediate development, in order that the benefits of cheap fuel may accrue to the Government of the United States and to the people of Alaska and the Pacific coast.

THE NAVY.

We pledge ourselves to maintain our Navy at its present position of high effectiveness compared with the navies of other powers.

We stand for peace with all nations; we will do justice to all; we will suffer injustice from none.

PHILIPPINE ISLANDS.

We pledge the Republican Party to complete the work of preparing the inhabitants of the Philippine Islands for self-government under the American flag.

PUBLIC SERVANTS IN POLITICS.

The public conscience demands new methods in politics. As one step to this end we pledge our party to enact legislation which will forbid Federal appointees from holding office in national political organizations or taking part as officers or delegates in political conventions for the nomination of elective national officials.

GOVERNMENT BUSINESS ORGANIZATION.

The Government of the United States is a great business organization. We pledge our party to a readjustment of the national business methods and a proper coordination of the Federal bureaus, which will increase the economy and efficiency of the Government service, prevent duplication, improve the conditions of Government work, and secure better results to the taxpayer for every dollar expended.

CIVIL SERVICE.

We favor a reorganization and extension of the civil service, with adequate compensation, commensurate with the class of work performed, for all employees, continuous service during good behavior and efficiency, the application to all classes of civil-service employees of the benefits of the compensation act, and the enactment of an equitable retirement law.

Mr. STERLING. Mr. President, I share in the sentiments expressed by the Senator from Washington [Mr. JONES] at the beginning of his remarks——

Mr. SMOOT. Will the Senator yield to me?

Mr. STERLING. I yield.

Mr. SMOOT. I think, as the Senator is beginning a speech, we ought to have a quorum present. 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:

Bankhead	Jones	Page	Smoot
Chamberlain	Lane	Perkins	Sterling
Chilton	Lee, Md.	Poindexter	Swanson
Clark, Wyo.	Martin, Va.	Reed	Thomas
Culberson	Martine, N. J.	Robinson	Thompson
Fletcher	Myers	Shafroth	Thornton
Gore	Norris	Sheppard	Walsh
Gronna	O'Gorman	Simmons	Warren
Hollis	Overman	Smith, Md.	West
Hughes	Owen	Smith, Mich.	White

The PRESIDING OFFICER (when Mr. WEST's name was called). The present occupant of the chair desires to state that he is paired with the Senator from Kansas [Mr. BRISTOW].

Mr. THORNTON. I wish to announce at this time the necessary absence of my colleague [Mr. RANSDELL]. I ask that this announcement stand for the day.

Mr. REED. I desire to announce that the Senator from Mississippi [Mr. VARDAMAN] is detained from the Chamber on account of illness.

The PRESIDING OFFICER. Forty Senators have answered to their names. There is not a quorum present.

Mr. CULBERSON. Have the names of the absentees been called, Mr. President?

The PRESIDING OFFICER. They have not; but they will be, if the Senator from Texas so desires.

Mr. CULBERSON. The order of business is to call the names of absentees.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. BRYAN, Mr. POMERENE, and Mr. SHIVELY answered to their names when called.

Mr. BRYAN. I wish to announce that the senior Senator from Georgia [Mr. SMITH] is detained from the Senate on account of illness. He is paired with the senior Senator from Massachusetts [Mr. LODGE].

Mr. LEA of Tennessee entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. CULBERSON. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. MCCUMBER, Mr. STONE, Mr. WILLIAMS, Mr. SMITH of South Carolina, and Mr. SMITH of Arizona entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. There is a quorum present.

Mr. STERLING. Mr. President, as I was about to say when interrupted by the call for a quorum, I appreciate the position taken by the distinguished Senator from Washington [Mr. JONES] in regard to his purpose to support or vote for any measure that appeals to him as just, wholesome, and needed, without regard to the origin of that measure. I have been quite independent myself, I think, in that regard, and have said that, whatever might be the source of any particular measure, no desire for party gain or party advantage would induce me to oppose it if I believed it to be one in the public interest and for the public welfare.

I appreciate what the Senator from Washington said, too, in regard to the President. I myself have entertained the highest admiration for him personally, and have had great personal confidence in his high purposes and his ideals. I will, however, have occasion for further reference to that. While I was absent when the final vote was taken upon the antitrust bill,

I should probably have voted for the measure had I been here, although it would have been with some reluctance and with some misgiving. As to the conference report, however, on the bill as it is now presented, and is before the Senate in the report of the conferees, I must say that I can not, for reasons I shall give, support it.

Mr. President, when the Trade Commission bill was before the Senate there were a number of Senators, myself among them, who were strongly opposed to section 5 of that bill.

The opposition, as will be remembered, was largely directed to that part of the section which left the term "unfair competition" undefined, and which gave to the Trade Commission the power in general terms to prevent unfair competition.

The opposition was based on the ground, among others, that this was an attempted delegation of legislative power, and for that reason was unconstitutional and would not be upheld by the courts. Another and hardly less formidable ground of objection was the business uncertainty which would arise out of a power conferred on a commission of five to determine under all the varying conditions and opinions relating to modern business activities and methods what would constitute unfair competition in interstate business or commerce.

These objections, however, did not prevail. Various amendments offered by Senators in sympathy with the general purpose of the bill, and with the object of making it more definite and certain, were rejected.

It seemed to make no difference that there was no precedent for such legislation, either State or Federal, nor that there was no authority for it in any decision of trial or appellate court.

Indeed, it seemed to make no difference that reason and authority were the other way. Senators, speaking as with authority, assured us that there was no possible question that the proposed legislation would stand all tests, and that in order to facilitate the "good time coming," when every questionable business practice should be condemned and prevented, the Trade Commission should be given an absolutely free hand. Upon its collective conscience and will, and not upon the conscience and will of the Congress or of the people speaking through Congress, should rest the determination whether any given business method was unfair or not. I remember that afterwards some Senators even winced at the employment of the term "methods" in the conference amendment, as though method implied a system, a plan, and might suggest that the merely apparent, inadvertent, or purposeless conduct—there being no method in the madness—would escape investigation.

And so, without definition, example, or standard of any kind fixed by Congress as to what should constitute unfair competition, the bill passed and is now the law of the land.

Those who opposed the bill on the grounds stated thought their position had in a sense been vindicated by some provisions which it seemed necessary to incorporate in the antitrust bill, the conference report on which we are now considering.

It named and defined some concrete cases of unfair competition.

The House sent us the bill with section 2 therein prohibiting underselling with the purpose or intent thereby to destroy or wrongfully injure the business of a competitor, with reasonably severe penalties attached. Although the entire section was stricken out in the Senate, it finds a feeble revival in section 2 of the conference report—a very feeble revival.

That section makes discrimination in price between different purchasers unlawful where the effect of such discrimination may be to substantially lessen competition or tend to create a monopoly in any line of commerce.

As the section came from the House it made the unlawful act of discrimination a misdemeanor punishable by fine and imprisonment.

But observe the extreme care exercised by the conference committee in framing its substitute for section 2 of the House bill.

Out of abundance of caution, it did not stop with saying that it shall be unlawful for any person engaged in commerce to discriminate, and so forth, but it felt impelled to add as words of qualification, "in the course of such commerce," so that the paragraph reads:

> That it shall be unlawful for any person engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price between different purchasers of commodities, which commodities are sold for use, consumption, or resale within the United States or any Territory thereof, or the District of Columbia, or any insular possession or other place under the jurisdiction of the United States—

And so forth.

But this was but the beginning of caution on the part of the conferees. In order that the discrimination may be unlawful its effect must be under the terms of the next paragraph, inserted by the conferees, to "substantially lessen competition or tend to create a monopoly in any line of commerce."

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Montana?

Mr. STERLING. I yield.

Mr. WALSH. I desire to inquire of the Senator from South Dakota if I am to understand that he criticizes the insertion of the words "in the course of such commerce"?

Mr. STERLING. I do criticize that insertion, Mr. President, for the reason that I think those words are wholly unnecessary. I think it follows, as a matter of course, that it must be in the course of such commerce. I do not criticize them merely because they provide that it must be in the course of such commerce, but because it seems to me there was here unnecessary caution exercised in inserting those words. No such language or the equivalent thereof appeared in the original bill, and I could not think as I studied over that phraseology of any like provision in any other statute.

Mr. WALSH. Mr. President, I want to inquire of the Senator, then, whether he thinks that the statute would be effective without those words?

Mr. STERLING. Why, Mr. President, commerce having been defined in the act and the whole purpose of the act being to affect that commerce, I think surely without that language the statute would have been valid and would have applied to competition in interstate commerce, and could not have applied to anything else.

Mr. WALSH. As I understand the Senator, then, the only complaint he makes is that it is unnecessary?

Mr. STERLING. Unnecessary largely, but——

Mr. WALSH. Let me ask the Senator further, then——

Mr. STERLING. Mr. President, if the Senator will pardon me, I hardly wish to limit my objection to the statement that I deem the words simply unnecessary. I think the objection might go further than that. In a proceeding against a party charged with a violation of the law those words would suggest or invite the defense that the business was not in the course of such commerce, and because of that I think the words objectionable.

Mr. WALSH. That is what I wanted to ask the Senator. Now, we will take the case of a corporation engaged in commerce within the meaning of the act—that is, interstate commerce. It is engaged in that business. Its headquarters, we will say, are in the city of Boston.

Mr. STERLING. Yes.

Mr. WALSH. The United Shoe Manufacturing Co., for instance. It, however, in Boston, makes a contract of this character with some one in Lynn, Mass. Does the Senator believe that the punishment of that kind of an act falls within Federal jurisdiction?

Mr. STERLING. I do not know. I will not say that the punishment of that kind of an act comes within that jurisdiction.

Mr. WALSH. I would not say so, either; but when I was asked about the advisability of putting in those words, I suggested myself that they be put in, so that no question could arise about the meaning.

Mr. STERLING. I still am of the opinion that the words were entirely unnecessary, and that they suggest difficulties in the enforcement of the law that perhaps otherwise would not arise.

Some of the consequences likely to flow from the use of the word "substantially" in this section were ably and clearly pointed out by the senior Senator from Minnesota [Mr. NELSON] the other day; and, in fact, since his address, other Senators have very ably discussed that proposition. I may refer to others in a moment; but in this same short new paragraph, inserted by the committee, we are given to understand that the competition must be "substantial" in any line of commerce. It might be doubted whether local price cutting merely, though of a commodity in interstate commerce, would have the effect of substantially lessening competition or tend to create a monopoly in a line of commerce.

Passing the paragraph or proviso which permits discrimination in price because of differences in grade, quantity, or quality, or differences in cost of selling or transportation, I come to this significant provision injected by the committee, namely, the provision which permits "discrimination in price in the same or different communities made in good faith to meet competition." It is easy to conceive of the multitude of sins that may be covered by that broad and generous cloak.

So I think there can be little question that the additions have greatly weakened the bill. You have watered the stock—or the milk; and in any event, you have invited or suggested four

several defenses to any proceeding against a wrongdoer under the bill, should it unfortunately become a law.

First. That the discrimination was not done in the course of such commerce.

Second. That granting there has been discrimination, it has not substantially lessened competition. I wonder at the possibilities open to the defense in a proceeding before the Trade Commission under that word "substantially."

Third. That while there was discrimination, it was made in entire good faith, for the purpose of meeting competition. I wonder again, as I think of the possibilities for the defense involved in that paragraph. Think of it! It can always be urged against the charge of unlawful discrimination that it was done for the purpose of meeting competition. "We found our competitor charging a certain price for his goods. We cut the price of ours, below cost even, to meet his competition. What have you got to say about it under this law?"

Mr. President, the Standard Oil and the Lumber Trust interests could not have been better protected had their own attorneys drafted this section of the law.

Fourth. The defense will be made that local price cutting, which affects a single community, or perhaps a large but sparsely settled area, has no substantial or appreciable effect on the "line," the whole line, of commerce in which the accused in engaged; and, notwithstanding some individual dealers may be ruined and single communities most seriously affected, this will be a most potent defense under the language of the bill.

Now, granting that they might all be defenses in a proceeding before the commission or in a case before a court, it is not the business of a statute like this, by exception and proviso, to suggest and invite them.

The Sherman law does not do it. It goes directly to the point. It does not even make "intent" a condition.

Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade—

And so forth—

is hereby declared to be illegal.

And—

Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor.

And—

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons to monopolize, any part of the trade or commerce among the several States shall be deemed guilty of a misdemeanor.

And so, as in the language of section 2 as it came from the House—

Any person engaged in commerce who shall, either directly or indirectly, discriminate in price between different purchasers of commodities in the same or different States, sections, and communities * * * with the purpose or intent thereby to destroy or wrongfully injure the business of a competitor * * *—

Should be deemed guilty of a misdemeanor.

Another and very practical consideration, Mr. President, is the one that will appeal to the pleader, the one who states the case for the Government on paper in a proceeding before the Trade Commission or before the court. Since you have been so careful and cautious as to embody the conditions under which a party charged will not be liable in the statute creating the offense, you will have to allege and prove as a part of the case that the conditions do not exist, instead of putting the burden on the defendant to show that they do exist, and therefore that he has not violated the law.

So, all in all, I think the term "emasculated" may be rightly applied to the substantive part of section 2, that part which purports to state with such circumspection the elements of the unlawful act of local price cutting.

I am not charging the conferees with a design to render the bill toothless and harmless. Indeed, when I consider their task, which was to deal with hotch-potch and reconcile the two systems involved in the two bills—the Trade Commission bill and the antitrust bill, with the Sherman antitrust law all the time looming up before them, which, like Banquo's ghost, would not down—I am not much surprised at seeing some "shreds and patches" as a result of their efforts, and was not surprised when the distinguished Senator from West Virginia [Mr. CHILTON], one of the conferees, on coming to the defense of the conference report devoted so large a part of his very able address to extolling the virtues of the new Federal reserve bank act, so many of which virtues are of Republican origin or the result of Republican effort.

But, Mr. President, suppose at last that some person engaged in commerce has been caught red-handed in the act of, in the course of such commerce, discriminating in price between different purchasers of commodities, the effect of such discrimination being to substantially lessen competition and tending to create a monopoly in some line of commerce, the discrimination not being on account of grade, quality, or quantity, and not being made in the same or different communities in good faith to meet competition, and not made in the exercise of the right to select his own customers; what is to be done with him? He has not been able to avail himself of any of the exceptions and provisos named in the act. He has been running amuck. He has left some ruin in his path. A lot of small dealers, content to serve the public for a reasonable profit on the commodities they sell to the public—the lumber, the oil, the machinery, or other staple necessity of life—have been driven out of business. The public has suffered; but the party discriminating has been enriched by the process. What is to be done with him? Nothing; absolutely nothing, if he is ready, on the order of the Trade Commission, to "cease and desist" from his nefarious practices and methods.

Mr. NORRIS. Mr. President——

The PRESIDING OFICER. Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. I do.

Mr. NORRIS. In connection with the particular point that the Senator has so well illustrated in the case described I wish to suggest that, in addition to the fact that the only thing done to the offender is to tell him that he must stop, he is permitted to keep all the ill-gotten gains that he has made up to that time.

Mr. STERLING. Certainly. I thank the Senator for calling attention to that very patent fact, too.

The vice of local price cutting is well recognized. It is the most obvious method of unfair competition. It has played havoc with the legitimate small dealer in many communities and States. Within the last half dozen years it has been made the subject of prohibitive statutes in nearly 20 States, and in nearly every case with penalties against the individual officer or director who by act or vote participates in it.

Any gain to a particular community through the lower price does not palliate the evil. The gain in the first place is but temporary; in the second place there is a loss to the consumers of some other community. When the competitor is driven from the field prices are normal again, or, more likely, higher than normal.

It is not a question under this practice of the survival of the fittest under ordinary conditions, when, perhaps, we would have no right to complain if the economically inefficient dealer, producer, or manufacturer were put out of business by his more businesslike competitor. Efficiency of the highest kind may be compelled, and has again and again been compelled, to succumb because it lacked the surplus capital, the sinews of war, to carry on the desperate fight made to drive it from the field. I grow indignant when I think of the enormities of the old Standard Oil and of the lumber trade association in my own State; but I reflect with some pride upon the fact that the penal provisions of the statute of 1907 against unfair discrimination in selling have been sustained by the Supreme Court of the United States in the case of State *v.* Lumber Co. (226 U. S.).

Mr. President, I was deeply impressed with the speech of the Senator from Idaho the other day when he spoke of the tendency to advocate supervision and control of business methods and activities by commission as a substitute for, or more accurately as a relief from, the rigors of the Sherman antitrust law, since it now, at last, has been discovered how effective and how all-embracing the Sherman law really is.

But, Mr. President, is it a tendency? The condition, it seems to me, is here, and the proof of it is in the conference report.

This bill selects out the grossest and most palpable of unfair methods of competition; those which have wrought most damage; those the evidence of which would be the strongest link in a chain to prove a conspiracy in restraint of trade or the creation of a monopoly, or which are of the very essence of the restraint or the monopoly, and makes these ruinous and despicable methods the subject of a mild declaration that they shall be deemed unlawful, and, without punishment, relegates the wrongdoers to the Trade Commission, which, as a result of investigation, may tell them to cease and desist. Thus while prohibiting an act the prohibition is left without legal sanction, without the provision which enforces obedience by proper penalties.

The achievement of the majority of the Senate conferees in this respect reminds me of the story of the Harvard divinity student. He went out to a neighboring town to preach one Sunday, and upon his return a professor of the divinity school, who was much interested in him, asked him how he got along. He said, "Oh, very well—very well indeed. I had fine success." Said the professor, "What was your text?" "Well, my text was this: 'How shall we escape if we neglect so great a salva-

tion?'" "A very good text," said the professor, "and I am now interested in knowing how you treated that interesting subject." "Well," said the student, "I divided my sermon into two parts. I first told my congregation what a great salvation this is, and then I told them how they might escape if they neglected it." [Laughter.]

But, Mr. President, how the times change. The President will sign this bill, and in its present form, if it reaches him. According to the newspapers he has predicted the adoption of this conference report, and, by implication at least, manifested his approval of it. I am interested in knowing how our distinguished President has hitherto and recently felt in regard to the principle here involved.

He delivered the annual address at the meeting of the American Bar Association, held at Chattanooga, August 30 and 31 and September 1, 1910. His theme was "The lawyer and the community." It was a noble address and was a trumpet call to the members of the legal profession to have proper regard for their civic duties and privileges. The relation of the corporation to the community and the responsibility of the individual officer or director received much attention in this notable address. Let me read a few excerpts from the address. He says:

Corporations do not do wrong. Individuals do wrong, the individuals who direct and use them for selfish and illegitimate purposes, to the injury of society and the serious curtailment of private rights. Guilt, as has been very truly said, is always personal. You can not punish corporations. Fines fall upon the wrong persons, more heavily upon the innocent than upon the guilty, as much upon those who knew nothing whatever of the transactions for which the fine is imposed as upon those who originated and carried them through—upon the stockholders and the customers rather than upon the men who direct the policy of the business.

Further:

Society can not afford to have individuals wield the power of thousands without personal responsibility. It can not afford to let its strongest men be the only men who are inaccessible to the law. Modern democratic society, in particular, can not afford to constitute its economic undertakings upon the monarchical or aristocratic principle, and adopt the fiction that the kings and great men thus set up can do no wrong which will make them personally amenable to the law which restrains smaller men; that their kingdom, not themselves, must suffer for their blindness, their follies, and their transgressions of right.

Further:

We can have corporations, can retain them in unimpaired efficiency, without depriving law of its ancient searching efficacy, its inexorable mandate that men, not societies, must suffer for wrongs done.

Now, note this. I have been fond of quoting it:

The major premise of all law is moral responsibility, the moral responsibility of individuals for their acts and conspiracies; and no other foundation can any man lay upon which a stable fabric of equitable justice can be reared. * * *

Again:

The managers of corporations themselves always know the men who originated the acts charged against them as done in contravention of the law; is there no means by which their names may be disclosed to the officers of justice? Every act, every policy in the conduct of the affairs of a corporation, originates with some particular officer, committee, or board. The officer, the committee, or the board which orders an act or originates a policy contrary to the law of the land, or intended to neutralize or contravene it is an insurgent against society; the man or men who originate any such act or policy should be punished, and they alone.

We will note, as we proceed, how applicable every sentence and every line of what I have read and am to read is to at least three sections of the bill we are now considering.

Reading again:

You will say that in many instances it is not fair to pick out for punishment the particular officer who ordered a thing done, because he really had no freedom in the matter; that he is himself under orders, exercises no individual liberty of choice, is a dummy manipulated from without.

Note the reply to the defense that he himself suggests might be made:

I reply that society should permit no man to carry out orders which are against law and public policy, and that if you will but put one or two conspicuous dummies in the penitentiary there will be no more dummies for hire. You can stop the traffic in dummies, and then, when the idea has taken root in the corporate mind that dummies will be confiscated, pardon the one or two innocent men who may happen to have got into jail. There will not be many, and the custom of the trade will change.

Mr. President, I was in thorough sympathy with the doctrines laid down by the distinguished author of that speech. I made frequent comment on them. I saw the address and read it soon after it had been delivered, referred to it in talks to law students, and later, with proper acknowledgment of the authorship, quoted here and there a passage in a Republican campaign. But, Mr. President, times change, and apparently the inspiring and lofty sentiments of the President in regard to the moral responsibility of the individual for his acts and his conspiracies have passed into "innocuous desuetude." The wrongdoer is to be given the "immunity bath," and for his acts and conspiracies, his invasions of the sacred rights of other men, his spoliations, his conscience is the only forum before which he can be brought. I wonder that some attempt was not made to abolish that court also.

Mr. President, the principle of the moral responsibility of the individual advocated by the President in his address at Chattanooga is eternal; it meets with the universal approval of all right-thinking and justice-loving men. Now, is it not a miserable travesty that here at the very first opportunity to make a most wholesome and most needed application of the principle, we should find the principle repudiated? My personal feelings count for little, but from what I have said it may be truly inferred that there is some sense of disappointment.

But, Mr. President, I shall not attempt to discuss the other prohibitive sections of the bill, which omit to provide penalties for acts or methods in violation thereof. That has already been done most thoroughly and ably, first by the distinguished Senator from Missouri [Mr. REED], who has so courageously led in the fight against this report, and by several Senators on this side of the Chamber. But what I have said in regard to the omission of penal provisions for section 2 will apply with equal force to section 3, the section which makes unlawful the lease or sale contract conditional on the agreement that the lessee or purchaser shall not use or deal in the goods, wares, merchandise, or supplies of a competitor of the lessor or seller. Further, that excess of caution which on the face of the act makes a violation depend on a "substantial" lessening of competition in any line of commerce is subject to the same objections as like words in section 2. It is a wonder that the conferees did not permit the making of such leases or sale contracts when done in good faith to meet competition, as they have done in section 2 in cases of price cutting.

I may venture to speak of one other matter. It is a matter in which the Senator from Nebraska [Mr. NORRIS], who sits here, has been much interested and which he discussed at some length the other day. It is a matter of jurisdiction and procedure.

Section 11 of the Senate bill related to jurisdiction conferred upon Federal courts in cases of suits brought by stockholders. It is not a question of jurisdiction, Mr. President, of the subject matter, for the court, I think, has that, but a question rather of the jurisdiction of the person of the defendant in an action by an aggrieved stockholder, not to enforce the Sherman law in the interest of the public, but to protect his own equitable rights or secure equitable relief.

There may be some confusion in regard to the form of the amendment which was under consideration by the Senate and by the House conferees. The amendment as it related to the right of the stockholder was stricken out by the conferees. I learn that the conferees were influenced more or less by the idea that if that provision remained as originally introduced, it would be conferring upon an individual stockholder the right to enforce the Sherman antitrust law.

I have before me a suggested addition to the section. I hope there may be an opportunity yet to consider it in conference. For the sake of the record and that it may be perhaps something of a guide hereafter, I read this proposed addition:

Suits by stockholders against officers or directors of a corporation for equitable protection by injunction or otherwise, or for redress of wrongs to their corporate interests, may be brought in any district where the corporation has its principal office or in which any necessary or proper party defendant resides.

Now—

Any judge of the court in which such action is filed shall, if it appear by the petition or other pleading of the petitioner or plaintiff that necessary or proper parties defendant reside in another district or in other districts, make and enter an order for service of process, and the order and service shall conform as nearly as practicable to the provisions of, and practice pursuant to, section 57 of the Judicial Code.

Section 57 of the Judicial Code is that section which refers to suits brought to enforce liens upon real or personal property within any judicial district or to remove encumbrances from such property, the defendant or defendants being residents of another district. Section 57 prescribes the method by which service of process may be had upon any nonresident defendant and he be brought into court. Hence the reference in the proposed addition to section 57:

Such suits shall be maintainable by any stockholder without regard to the amount of stock held or the date when the stock was issued or transferred to him, provided that no right of action shall accrue to any party who acquires stock in a corporation or has it transferred to him for the sole purpose of instituting and carrying on litigation. In case of the successful prosecution of such suit and recovery of funds the court may allow the petitioner or plaintiff reasonable counsel fees out of such funds in addition to costs.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Will the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. Certainly.

Mr. NORRIS. If the Senator will permit me, I should like to suggest to him in connection with that very section the reasons given by the conferees for striking it out. First, they say that the language does not confer jurisdiction upon the court, and therefore it would be of no effect. Second, they say they left it out because they did not want to give individual stockholders the right to enforce the Sherman law. I should like to suggest to the Senator the inconsistency of those two objections. One is a complete contradiction to the other; they can not both be true.

Mr. STERLING. Mr. President, a word in conclusion as to this bill in its general aspects—its double aspect, if you please—and what is it? A studied and labored effort to at least appear to grant new privileges and guaranties to labor organizations, on the one hand; to make them immune as such from prosecutions under the Sherman law, when, indeed, that has been the settled law for years, as evidenced by scores of Federal decisions. Many Members voted for the original bill on the theory that the provisions of section 7 are now the law. If such is the law you have promised bread and given a stone. On the other hand, if you have given the labor organizations *special privileges* or advantages you have violated the one fundamental principle upon which our institutions rest—equality before the law—and the thing done at the dictation of party expediency or party exigency will come back to plague you.

But there is the double aspect, the pretended or real special privileges and immunities granted labor on the one hand, and the very vital and important immunities and relief from personal responsibility granted the managers of big business on the other hand. It "plays both ends against the middle," and the public will take or suffer the consequences.

Mr. President, I desire to read briefly from an article by Mr. Whitelaw Reid, our late distinguished ambassador at the Court of St. James. The article is entitled "The strength of the Republic." He finds that our success has been founded upon the two great principles, individual initiative and respect for or obedience to authority. After eloquently describing what has been done under the impulse of those two great ideas in the settlement of the Middle West, the West, and the Pacific slope, telling how under those two ideas have we not only reached this high stage of material development, but that they, the pioneers in the new regions to which they went, established government and enacted laws, he goes on to say:

> To such a continental conquest of nature and of men have those two traits of the fathers brought us—their respect for authority and their widest freedom of individual initiative. These, with the original vigor of the stock, have made Americans what they are, and by consequence have made this blessed country of ours the joy and pride and hope of our lives. To harm either is criminal—

That is, to harm either the idea of individual initiative or the idea of obedience to authority.

> To harm either is criminal—whether to break down respect for authority by unlawful combinations, tricky evasions, and open defiance of order, or to cramp the widest freedom of the individual in any lawful enterprise or labor anywhere. Whoever or whatever now dares to interfere with the permanent union of these two traits and their continued development in the American life, is an enemy to the Republic—whether known as political boss, or as trust, or as trades-union.

But—

He says—

> let me not be misunderstood. * * * Nobody can question the economies and public benefits in business from great consolidations of capital. Nobody can deny the right of labor to combine for higher wages and shorter hours and healthful conditions of work. I mean no arraignment of organization itself, either in politics or finance or labor—only of that tyrannical organization, that unrepublican organization, that abandonment of the underlying essentials of Democratic success, and that reversion to the principles of an absolute monarchy or a military despotism, which refuses to recognize that it has reached the limits of its own right when it invades the rights of others, and so saps the very springs that have lifted us to this floodtide of national prosperity. Indeed, instead of opposing, I appeal for organization, but only for organization of the kind which a distinguished ex-President of the United States once commended—the organization which seeks cooperation instead of the one that suppresses individual judgment and demands exclusive control; the organization which aims at the helpful union of men of like minds and interests, or the needful strength to meet competition, not at monopoly; which minds its own business, and is willing that whoever is not with it should have equal liberty in this land of liberty to do the same.

Mr. President, I can not help but say that that about expresses my creed. In this most important legislation, in the recommendations and amendments contained in this conference report, first, in regard to the immunities which the bill in effect extends to individual officers and directors of corporations, and, secondly, in the extreme to which the bill seeks to go with reference to labor legislation we have gone counter to the fine principles so ably advocated both by the President and by Mr. Reid.

I hope there is time, Mr. President, to do some retracing of our steps, and out of some conflict of views in regard to the vital features of this bill there may yet be evolved a sane, wholesome, progressive law, one that offers no special protection or advantage to any set of men, a law which, without regard to class, will have the approval of the country and the general public, for whose benefit the law is made.

PETITIONS AND MEMORIALS.

Mr. OLIVER presented memorials of sundry citizens of Pennsylvania, remonstrating against the proposed tax on life insurance policies, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the proposed tax of 2 cents per gallon on gasoline, which were referred to the Committee on Finance.

He also presented a petition of the Board of Trade of East Pittsburgh, Pa., praying for the enactment of legislation to pension superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of the Federated Trades Council, of Reading, Pa., remonstrating against the proposed tax on motion-picture houses, which was referred to the Committee on Finance.

He also presented a memorial of the First National Bank of Carmichaels, Pa., remonstrating against the proposed tax on the capital and surplus of banks, which was referred to the Committee on Finance.

Mr. ROOT presented memorials of sundry merchandise brokers of New York City, remonstrating against the enactment of legislation to increase the internal revenue, which were referred to the Committee on Finance.

BILLS INTRODUCED.

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

By Mr. SHIVELY:

A bill (S. 6566) granting an increase of pension to George Fulford (with accompanying papers); and

A bill (S. 6567) granting an increase of pension to Charles C. Meckel; to the Committee on Pensions.

RECESS.

Mr. CULBERSON. I move that the Senate take a recess until 11 o'clock a. m. on Monday.

The motion was agreed to; and (at 3 o'clock and 45 minutes p. m., Saturday, October 3, 1914) the Senate took a recess until Monday, October 5, 1914, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *October 3, 1914.*

The House meet at 12 o'clock noon.

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

O Thou God of wisdom, power, justice, mercy, love, with whom all things are possible, our hearts go out to Thee in a fervent appeal that somehow, someway through Thy holy influence the appalling and devastating war, involving millions, may be brought to a speedy close. So move, we beseech Thee, upon the hearts of those who are responsible for the conflict that they may be ready and willing to listen to the overtures going out through our President from millions of hearts here in America that peace and concord may reign throughout the earth. And O God, our Father, hear us when we pray for the thousands who suffer from wounds, the bereaved mothers, the widows, the fatherless children, the homeless, the starving. "Be Thou exalted, O Jehovah, in Thy strength; so will we sing and praise Thy holy power." In the name of the world's Great Exemplar, the Prince of Peace. Amen.

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

QUESTION OF PRIVILEGE.

Mr. JOHNSON of Kentucky. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman from Kentucky will state his question of privilege.

Mr. JOHNSON of Kentucky. Mr. Speaker, before I state it, in order that the Chair may better understand it, will the Chair indulge me for one or two minutes leading up to the question of privilege in order that the Chair may better understand it?

The SPEAKER. The gentleman will state the question in his own way.

Mr. HENRY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. HENRY. To make the point of order that there is no quorum present.

Mr. JOHNSON of Kentucky. I wish the gentleman would withhold that.

Mr. HENRY. I will withhold it for the present.

Mr. JOHNSON of Kentucky. Mr. Speaker——

The SPEAKER. The gentleman from Kentucky will state the question in his own way, and then the Chair will pass upon it as to whether he has a question of privilege or not.

Mr. JOHNSON of Kentucky. Mr. Speaker, during this entire Congress I believe I have been here as continuously as most any other gentleman in this House. Without searching the RECORD for the purpose of ascertaining, I now am able to recall only a very few times when I have been absent. The first was when the Speaker appointed me upon a congressional committee to go to the Gettysburg battle field a little more than a year ago. Last May Senator Bradley from Kentucky died. I and the rest of the Kentucky delegation were placed upon the congressional committee to accompany his remains to his native State for burial. I was absent a few days then. Several times since then I have been absent from this House because of actual illness, and in bed, in the city of Washington, not elsewhere. I am not now able to recall another absence until the 27th day of last August, when I left here and went to Kentucky for the purpose of being present at the laying of a cornerstone of a public building in my home town. With this exception, as my memory serves me, and I think it serves me correctly, I have not failed to be upon the floor of this House any other day. Notwithstanding this fact the Sergeant at Arms has seen fit to withhold my salary for the entire month ending September 1 or 4. I do not know which is the end of the fiscal month. We usually get our checks on the 4th of the month. He has withheld my salary for the 27 days in that month when I was here, not being satisfied to comply with the law by not paying me for the three days that I was not here. I am now informed by him, notwithstanding the fact I have been here every day during the past month, he intends to again withhold my salary for the full 30 days, notwithstanding I was here upon the floor of this House upon each and every one of those days. The Journal of this House discloses that during the month of August, and also during the month of September, the Speaker of the House did me the honor to call me to the chair to preside. If the Sergeant at Arms had been upon the floor as much as I have been, he would have seen me in the chair presiding.

The Sergeant at Arms upon several occasions has sat upon the floor of the House and talked with me, and I called his attention to the fact I was then present, which he recognized, but he still fails and refuses to pay me even for those days. His feeble plea for withholding my salary from me is because I have not consented to be the judge, witness, and jury to try my own case. He has sent to me a blank paper, which I understand he sent to all the other Members of the House, asking me to say whether or not section 40 of the Revised Statutes of the United States excused me for any day that I may have been absent. I am conscientious in the belief that I should not sit upon my own case either as judge or juryman to determine whether or not my absence of three days was excused by the law. Either he or the Speaker of this House should determine that question. If the Speaker should determine it, he should determine it, I think, upon his own authority. If the Sergeant at Arms is not willing to take his own opinion whether or not I was legally absent, then he should seek legal advice. He has a statement from me that I was absent three days in August, and because I will not consent to be, as I said, judge, jury, and witness in my own case, he insists upon withholding my salary not only for that entire month but for the two months. Now, the Sergeant at Arms——

Mr. ASWELL. Will the gentleman yield for a question?

Mr. JOHNSON of Kentucky. Yes.

Mr. ASWELL. Is it not a fact that the House instructed the Sergeant at Arms to do that?

Mr. JOHNSON of Kentucky. No, sir; the House did not instruct the Sergeant at Arms to withhold my pay for a single day when I was here, and the Sergeant at Arms has no authority to deduct from my salary for a single day when I am here.

Mr. ASWELL. Did not the House instruct the Sergeant at Arms to require this statement?

Mr. JOHNSON of Kentucky. No, sir; it did not. The House instructed the Sergeant at Arms to perform his duty in this respect when there was not a quorum of the House in town; but I am glad to say I was not one of the absentees. I remained here every one of the hot summer days. That resolution was not by any means intended for me, for I had been here during all the weeks when there was trouble to get a quorum.

The House found it necessary to instruct the Sergeant at Arms to perform the duty which the Sergeant at Arms was not performing, and that is the extent of the resolution.

Mr. ASWELL. You do not hold the Sergeant at Arms responsible for this resolution, do you?

Mr. JOHNSON of Kentucky. Certainly I do not. I hold the Sergeant at Arms responsible for not performing his duty.

I do not question at all the credibility of the Sergeant at Arms. He sits on the floor and talks with me about this matter; he knows and admits that I am present; and then, in the face of it, insists upon deducting from my salary not only the days on which I was absent, but also the days when I am on this floor and he is talking to me.

Now, I wish to inquire, Mr. Speaker, on my privilege as a Member, whether or not the Speaker will certify either from my statement, from his own knowledge, or from the Journal of this House as to my attendance here, so that I may be paid the salary that is wrongly being withheld from me?

The SPEAKER. The Chair, if the House will permit without any objection, will explain the modus operandi of Members getting their pay. The Sergeant at Arms distributes these slips, or receipts, or whatever they are, around among the Members so that they can sign them, sometimes for several months. The officer of the Treasury Department who has charge of such things requests a new Speaker when he is elected—inasmuch as he has to sign these things—to certify the signature that he wants recognized in the Treasury Department as his own. It is a matter of clerical labor entirely. When I was first elected Speaker I certified the signature of my chief clerk, Mr. Bassford, who writes very much like me, anyway. So when these receipts are signed by the Members they go back to the Sergeant at Arms, and on the 3d of each month, usually, and sometimes as late as the morning of the 4th, the Sergeant at Arms sends those slips, with his memorandum as to how much is due, up to the Speaker's office and Mr. Bassford, my chief clerk, signs them. That is all I know about it.

Mr. JOHNSON of Kentucky. May I ask the Speaker if he advisedly used the word "receipt" in reference to the slip of paper which the Sergeant at Arms sends to Members?

The SPEAKER. Of course it is a receipt. That is what it is, and I have signed them myself for my own salary, and I do so now.

Mr. JOHNSON of Kentucky. The Speaker is not now referring to the "slip" which the Sergeant at Arms recently sent out?

The SPEAKER. No.

Mr. JOHNSON of Kentucky. I was wondering whether the Speaker referred to that as a "receipt."

The SPEAKER. Oh, no; that was the method of the Sergeant at Arms in the Fifty-third Congress and in this one of finding out whether Members had been present every day or not.

Mr. JOHNSON of Kentucky. Now, Mr. Speaker, I am not willing to act as judge, jury, and witness upon my own case, and I ask the Speaker to advise me how I am to get the salary for, say, to-day, when the Speaker knows I am here and when the Sergeant at Arms knows I am here?

The SPEAKER. The Chair does not think that it is a question he is authorized to answer. It is a legal proposition that, if it is ever tried in court, will involve the very question the gentleman is talking about.

Mr. JOHNSON of Kentucky. Is the Speaker going to submit to reducing this to a legal proposition, when the Sergeant at Arms, if he chooses to do it, can starve out Members of this House until a quorum can be broken while Members are at law about their salaries?

The SPEAKER. It is the business of the Sergeant at Arms. The Speaker has no more authority over the Sergeant at Arms than the gentleman from Kentucky has—not a bit in the world. Each one of these officers elected here is expected to attend to his own business. Of course, once in a while I have assumed the authority I have, in a friendly kind of way, of making suggestions to the various officers of the House, and communicate to them any complaints Members have made about what their helpers are doing; but beyond that the Speaker has no control over it.

Mr. JOHNSON of Kentucky. Mr. Speaker, is a Member of this House compelled by a situation which the Sergeant at Arms may choose to bring about to finally abandon his services here because, perchance, he has not the money with which to pay his expenses in Washington and come to the Chamber when the House is in session?

The SPEAKER. I think not. I think the whole business resolves itself into this: The statutes require the Sergeant at Arms to do certain things——

Mr. JOHNSON of Kentucky. Will the Chair permit an interruption right there?

The SPEAKER. The Sergeant at Arms must find out at his own risk what his duties are.

Mr. JOHNSON of Kentucky. Mr. Speaker, does he incur any risk in paying a Member of this House when he knows that Member is present?

The SPEAKER. That is a legal proposition which the Chair is not authorized to pass upon.

Mr. ANSBERRY. Will the gentleman from Kentucky permit an interruption?

Mr. JOHNSON of Kentucky. Yes.

Mr. ANSBERRY. Does not the gentleman think if he himself objects to complying with the request of the Sergeant at Arms that the Sergeant at Arms may be compelled to adopt more stringent and objectionable methods of ascertaining the fact as to the attendance of Members here?

Mr. JOHNSON of Kentucky. No. I am testifying here. I am not willing to consider myself judge and jury in my own case, and the Journal testifies as to my presence here.

Mr. ANSBERRY. The gentleman from Kentucky has made a case here that the Sergeant at Arms ought to be willing to take, instead of the "pink slip," so called, which the Speaker has told us was brought about by the precedent established in the Fifty-third Congress——

Mr. JOHNSON of Kentucky. An unwise precedent.

Mr. ANSBERRY. The law charges the Sergeant at Arms with the duty of enforcing this statute, which would still be in effect if the resolution were abrogated, and it seems to me that this official adopted the least oppressive way of ascertaining the facts.

Mr. JOHNSON of Kentucky. Will the gentleman let me interrupt him?

The statute charges the Sergeant at Arms to deduct from the salary of Members when the Members are absent. I challenge the gentleman, the Sergeant at Arms, or anybody else to show authority for docking anybody when he is present, as he has done with me in this instance.

Mr. ANSBERRY. As I said before, I agree that in the case the gentleman from Kentucky makes, the Sergeant at Arms requirement might seem harsh, but my friend is too good a lawyer not to know that all laws, because of their general character, are apt to seem oppressive in particular cases. In obeying the direct mandate of the House the Sergeant at Arms adopted a precedent which has long been abandoned, and in doing this he simply did as we all do when compelled to do a duty enforced on us by law, and when we are not familiar with the procedure we make inquiry as to how other officials charged with the same duty proceeded. It seems to me that this precedent was a good one, and, good or bad, it is one method of getting at the facts and he should be commended and not reprimanded under the circumstances.

Mr. GARNER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. I rise to a point of order.

The SPEAKER. What is it?

Mr. GARNER. What is before the House?

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON] has a question of privilege.

Mr. JOHNSON of Kentucky. I have a right, Mr. Speaker, not only for myself but for the rest of the membership of this House, to ask whether the Sergeant at Arms has the right to deduct from a man's salary when he is present?

The SPEAKER. The speaker is not authorized to answer that question.

Mr. JOHNSON of Kentucky. Mr. Speaker, a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Kentucky. Is there a committee of this House which has jurisdiction for the purpose of auditing the accounts of the Sergeant at Arms in the past to see whom he has unlawfully paid?

The SPEAKER. The Chair never heard of any such committee. There may be one.

Mr. JOHNSON of Kentucky. Would a resolution to create such a committee be a privileged one?

The SPEAKER. The resolution would go to the Committee on Rules. Any resolution changing the rules of the House goes to the Committee on Rules.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, do I understand there is no rule upon this subject?

The SPEAKER. The Chair does not know. The Chair never had that matter suggested to him and has never investigated it. He does not know; but he is rather inclined to think that——

Mr. JOHNSON of Kentucky. But somebody ought to have the authority to ascertain whether the Sergeant at Arms has paid Members whom he has had no right to pay, when he refuses to pay Members whom he should pay.

Mr. HENRY. Mr. Speaker, if the gentleman will yield, I would like to submit a parliamentary inquiry.

The SPEAKER. The gentleman will submit it, if the gentleman from Kentucky will yield.

Mr. JOHNSON of Kentucky. Yes.

Mr. HENRY. When the recess is taken that was arranged for a few days ago, would it be in order now for me to ask that this docking resolution, which was passed some time ago, be abrogated?

Mr. JOHNSON of Kentucky. That would not abrogate the law.

The SPEAKER. It would be like any other resolution; it would have to go to the Committee on Rules.

Mr. MANN rose.

Mr. HENRY. I ask now that the docking resolution——

The SPEAKER. The gentleman from Kentucky did not yield the floor to the gentleman from Texas for that purpose.

Mr. MANN. I was going to suggest, Mr. Speaker, to the gentleman that, so far as the accounts of the Sergeant at Arms are concerned, they all have to be audited by the Treasury Department. It is not left to the sweet will of the Sergeant at Arms. The accounts of the Sergeant at Arms are like any other public accounts of the Government.

Mr. JOHNSON of Kentucky. Will the gentleman from Illinois permit me to ask him a question?

Mr. MANN. Yes.

Mr. JOHNSON of Kentucky. The gentleman from Illinois recently said here that one of his colleagues had not been in the House since the very beginning of the session. I take it for granted that the gentleman from Illinois, like myself, knows there is a statute which says a Member shall not be paid unless he is here, or unless he makes the legal excuse. If that legal excuse has not been made, is there nobody whose business it is to ascertain whether anybody has been unlawfully paid or not?

Mr. MANN. It is the duty of the Auditor of the Treasury Department to disallow accounts that are held if they are not paid in accordance with the provisions of law. I take it that the auditor performs his duty.

Mr. JOHNSON of Kentucky. Is not the gentleman morally certain that he knows of instances where that law has been violated?

Mr. MANN. The docking law, the gentleman means?

Mr. JOHNSON of Kentucky. Yes; the act of 1856.

Mr. MANN. I know of instances in my own case where it has not been observed. I will not say it has been violated. [Laughter.]

Mr. JOHNSON of Kentucky. But does the gentleman know of any case where a Member of this House has heretofore been docked when every official of the House knew he was present?

Mr. MANN. Well, as there has been no docking since I have been a Member of the House, until recently, I assume that I could not give any instance where pay has been withheld for that reason. I think the Sergeant at Arms is as much entitled to require a certificate as would be a man who is traveling, where his traveling expenses are paid by the Government in accordance with the law, but who can not get the expenses until he certifies that he has incurred them. [Applause.]

Mr. JOHNSON of Kentucky. I would like to ask the gentleman if the act of 1856 relative to docking does not require and impose the duty upon the Sergeant at Arms to ascertain who is present and who is not, and that he is paid for rendering that service?

Mr. MANN. I did not rise for that purpose; but if the gentleman wants my opinion, I will say that if the Sergeant at Arms pays the Members their salaries illegally he does it at his peril. If he pays them illegally, he and his bondsmen are liable on their bond.

Mr. JOHNSON of Kentucky. That is admitted; but will the gentleman permit an interruption right there?

Mr. MANN. Yes.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. When the Journal shows that a Member is present, is not the Sergeant at Arms bound by that Journal?

Mr. MANN. Oh, the Sergeant at Arms must himself determine, being an elected official of this body, how he will ascertain the presence or absence of a Member.

Mr. GARNER. Mr. Speaker, now will the gentleman yield?

Mr. MANN. Now, the Sergeant at Arms, being required by resolution of the House to pay attention to a law which had

not been observed theretofore for a long time, has adopted a method suitable, in his opinion, to meet the case, to obtain the information which he is required to obtain at his peril; and, adopting that method, he has left it to the Members of the House themselves to certify—the most gentlemanly method he could have adopted, in my opinion. [Applause.]

Mr. JOHNSON of Kentucky. Is it the policy, I would like to ask the gentleman, of the courts and of all public tribunals, in instances where money is to be taken from the Treasury, to leave it to the claimant?

Mr. MANN. I think it is the policy in almost every case to leave it to the claimant in the first instance. The claimant makes his claim, certifies its correctness, and then in the end the auditor or the comptroller passes upon the justness of the payment of the claim.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman from Kentucky yield?

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from Tennessee?

Mr. JOHNSON of Kentucky. Yes.

Mr. GARRETT of Tennessee. Does not the gentleman from Kentucky think that those of us who make a law, or are responsible for the continuance of a law, should hesitate to stand upon a technicality, but should be willing to do our part in the enforcement of the law which was made by Congress or for the continuance of which we are responsible?

Mr. JOHNSON of Kentucky. Why, certainly. I am complaining because an officer of this body has exceeded his authority and has withheld my salary and persists in doing so when he knows that I am here. That is all I am complaining of. He should not pay those who are absent.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Will the gentleman from Kentucky yield further to me, please?

Mr. DONOVAN. Mr. Speaker, I make a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. DONOVAN. The personal explanation has expired long ago. This is only a repetition——

The SPEAKER. The gentleman is mistaken about that.

Mr. DONOVAN. Is there no limit to this?

The SPEAKER. Yes; there is a limit of one hour.

Mr. JOHNSON of Kentucky. Mr. Speaker, may I be permitted to have not only the RECORD but the Journal show that I am present to-day, in order that the Sergeant at Arms may not withhold my salary for to-day?

The SPEAKER. The Chair thinks the only way to do that is to have a roll call.

Mr. JOHNSON of Kentucky. Mr. Speaker, right there——

Mr. GARRETT of Tennessee. Mr. Speaker, the RECORD will indicate the gentleman's presence, because it will show what he has said.

The SPEAKER. The RECORD itself will show that the gentleman rose to a question of personal privilege.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, I would like to know why the Sergeant at Arms persists in asking me to sign a certificate when you have just suggested that a roll call will show whether I am present, and the roll calls every day are before the Sergeant at Arms and he knows that I answer to my name.

Mr. GARNER. Will the gentleman from Kentucky yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. GARNER. The gentleman from Kentucky knows that the law says the Sergeant at Arms shall not pay a Member——

Mr. JOHNSON of Kentucky. No; it does not say that. It says he shall deduct——

Mr. GARNER. That he shall deduct the Member's salary for such days as he is absent.

Mr. JOHNSON of Kentucky. Yes.

Mr. GARNER. Now, the Sergeant at Arms has adopted the best method that he knows——

Mr. JOHNSON of Kentucky. I disagree with the gentleman. I come in here on this floor day after day and I see the gentleman from Texas here. Why can not the Sergeant at Arms see me here? The gentleman from Texas sees me here. Why can not the Sergeant at Arms see me here?

Mr. GARNER. But the Sergeant at Arms, as a disbursing officer, has adopted, as the gentleman from Illinois [Mr. MANN] says, the most reasonable method that he can adopt in order to ascertain whether I am here or you are here. It does seem to me that it is a reasonable request to ask a Member to sign a certificate as to the number of days he has been here. [Applause.]

Mr. BURKE of South Dakota. Mr. Speaker——

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from South Dakota?

Mr. JOHNSON of Kentucky. I do.

Mr. BURKE of South Dakota. Is the gentleman from Kentucky aware of the fact that the Sergeant at Arms of the House is, under the law, a disbursing officer?

Mr. JOHNSON of Kentucky. Yes.

Mr. BURKE of South Dakota. Now, is not the gentleman aware of this fact: That no officer of the Government can direct a disbursing officer to pay out money?

Mr. JOHNSON of Kentucky. Does the gentleman contend that there is not a law directing the disbursing officer to pay to the Members of this House their salaries monthly?

Mr. BURKE of South Dakota. I will say to the gentleman that if the Sergeant at Arms of the House does not pay him his salary there is only one way in which the gentleman can get his salary, if he thinks he is being unjustly deprived of it, and that is by resorting to the courts, and that the House itself has not the power to direct the Sergeant at Arms to pay out money unlawfully, so that he would be released on his bond if he did so.

Mr. JOHNSON of Kentucky. Does the gentleman think the Sergeant at Arms would act unlawfully in paying me for my attendance here?

Mr. BURKE of South Dakota. In answer to the gentleman's inquiry I will say that I do not think it would be unlawful for the Sergeant at Arms to pay the gentleman if he had been absent for several days, because I do not recognize that the statute of 1856 is still in existence.

Mr. JOHNSON of Kentucky. I disagree with the gentleman about that. I think it is.

Mr. BURKE of South Dakota. I want to say to the gentleman that it has been decided that a disbursing officer under bond is himself the man who determines how he shall pay out money, and—I am speaking now from knowledge—that the President, in a well-known case that I happen to know about, made the statement that he could not compel a disbursing officer to pay out money that he did not wish to pay out, and that the only thing he could do would be to remove the disbursing officer.

Mr. JOHNSON of Kentucky. Mr. Speaker, it has been my understanding, and it is suggested to me by the gentleman from Georgia [Mr. BARTLETT], that the law requires these salaries to be paid upon certificates from the Speaker of the House to the Sergeant at Arms directing their payment. Entertaining that belief, I rose for the purpose of having the Speaker certify to my presence, of which he officially knows, and in which he is sustained by the Journal of this House; and I ask the Speaker to take it under advisement and do what he can to make it impossible for the Sergeant at Arms, at his pleasure, to hold up whomsoever he sees fit in this House. I must insist that he pay me. I have not missed a day this month, but he will not pay me.

Mr. COOPER. Will the gentleman permit an interruption?

Mr. JOHNSON of Kentucky. I yield to the gentleman.

Mr. COOPER. I want to ask the gentleman from Kentucky a question. I feel heartfelt sympathy for him. I went home during a temporary lull in the business here to keep an engagement to speak at a picnic, and on coming back my salary was curtailed. I make no complaint at all. It is all right, under the law.

Mr. JOHNSON of Kentucky. I say it is all right.

Mr. COOPER. I would like to ask the gentleman from Kentucky if he knows whether the gentleman from Alabama [Mr. UNDERWOOD], who before the month of August was gone some considerable time, engaged in securing his nomination for the Senate, and the gentleman from Texas [Mr. HENRY], who was absent for several weeks seeking reelection to this House, had their salaries docked before August, the month in which that resolution was introduced?

Mr. UNDERWOOD. Oh, no.

Mr. JOHNSON of Kentucky. I have no knowledge upon the subject.

Mr. UNDERWOOD. I am sure the gentleman does not wish to make a misstatement on the floor of the House, and the statement he has just made with reference to myself is a misstatement.

Mr. HENRY. Mr. Speaker——

Mr. COOPER. Was not the gentleman from Alabama absent before the month of August?

Mr. UNDERWOOD. I was away for two weeks in June at the order of a physician, because I was sick, and I was not at home at that time. I was at Hot Springs, Va., and was away from Washington under the advice of two physicians.

Mr. HENRY. Mr. Speaker, will the gentleman yield?

Mr. COOPER. It was printed in the newspapers and commonly reported in the House; but if I have been misinformed,

as the membership of the House has, I apologize to the gentleman.

Mr. UNDERWOOD. That is correct.

Mr. COOPER. It was currently reported here that the gentleman was engaged on the stump.

Mr. UNDERWOOD. The gentleman is mistaken. I was not at home at all. I was away under the advice of a physician.

Mr. HENRY. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from Kentucky has the floor.

Mr. JOHNSON of Kentucky. I want to conclude my remarks.

Mr. HENRY. I want to reply to the gentleman from Wisconsin.

Mr. JOHNSON of Kentucky. And in that connection, in the line just suggested by the gentleman from Wisconsin [Mr. COOPER], I desire to say that I feel fully warranted in making the statement that gentlemen who were absent during 27 days of the month ending September 4 were paid by the Sergeant at Arms, and that I was present during that time, and he has refused to pay me for the same time when I was present.

Mr. BORLAND. Mr. Speaker, will the gentleman yield?

Mr. HENRY. Will the gentleman yield to me to reply to the gentleman from Wisconsin?

Mr. JOHNSON of Kentucky. I will yield to the gentleman from Texas.

The SPEAKER. The gentleman from Kentucky can not yield time.

Mr. HAY. Mr. Speaker, I make the point of order that the gentleman from Kentucky has not stated a question of personal privilege.

Mr. JOHNSON of Kentucky. Whether I have or not, I have said all I care to.

The SPEAKER. The Chair thinks the gentleman has stated a question of privilege, although the Chair thinks that by reason of the questions asked him he has wandered far afield.

Mr. MANN. Mr. Speaker, before the Chair rules, I should like to make this suggestion: That there is a wide difference between a question of personal privilege and a privileged question. It is a privileged question, but under the rule that can only be presented by presenting a resolution. Now, if every Member of the House is entitled to an hour's time on a question of personal privilege because he has been away for 29 days in a month and comes back for 1 day, I am afraid he will make a rule whereby filibustering might last for a long time. I do not think it is a question of personal privilege but a privileged question, which can be raised by a resolution.

The SPEAKER. When the gentleman states the distinction between a question of personal privilege and a privileged question, he states the matter correctly, and that a privileged question can only be raised by a resolution.

Mr. HENRY. Mr. Speaker, the gentleman from Kentucky yielded to me to reply to the gentleman from Wisconsin.

The SPEAKER. The Chair's recollection is that the gentleman from Virginia [Mr. HAY] made the point of order that this was not a privileged question.

Mr. HAY. I made the point of order, Mr. Speaker, that this is not a question of personal privilege.

The SPEAKER. That is right. It is a privileged question, in which the whole House is interested.

Mr. HENRY. Mr. Speaker, the gentleman from Alabama was given an opportunity to state whether he was absent or not.

The SPEAKER. But no one then had made the point of order.

Mr. HENRY. I rise, Mr. Speaker, to a question of privilege. I state that the gentleman from Wisconsin said that I had been absent from the House several weeks seeking reelection to the House of Representatives. It is true I was absent seeking reelection, but it did not occur to me that I was injuring the welfare of my country when I was seeking a reelection to the House of Representatives. [Laughter and applause.] That was before this resolution was adopted. The gentleman asked if I had been docked on my salary. I will state that I have not been docked and will not be; I have been drawing my salary every day, and intend to draw it.

Mr. MANN. Will the gentleman from Texas yield?

Mr. HENRY. I will.

Mr. MANN. Is the gentleman from Texas prepared to say how many of the 215 roll calls between December 1 and August 31 he answered to?

Mr. HENRY. Does the gentleman from Illinois know?

Mr. MANN. Yes.

Mr. HENRY. How many?

Mr. MANN. The gentleman answered to 102 and was absent 113.

Mr. HENRY. Between what dates?

Mr. MANN. Between December 1 and August 31.

Mr. HENRY. I was absent seeking reelection to the House of Representatives several weeks, and if I should have opposition again in my district I would go home. On other occasions I was paired.

Mr. MANN. That was a little more than half the time. Has the gentleman got his pay for all that time?

Mr. DONOVAN rose.

The SPEAKER. For what purpose does the gentleman from Connecticut rise?

Mr. DONOVAN. To ask for the regular order.

ORDER OF BUSINESS.

Mr. TAYLOR of Colorado. Mr. Speaker, I rise to submit a unanimous request.

The SPEAKER. The gentleman will submit it.

Mr. HENRY. Mr. Speaker, reserving the right to object, I want to say that if I can have five minutes right after that——

Mr. WINGO. A point of order, Mr. Speaker.

Mr. DONOVAN. Regular order, Mr. Speaker.

The SPEAKER. The regular order is for the House to resolve itself into Committee of the Whole House on the state of the Union under the rule.

Mr. HENRY. Mr. Speaker, I withdraw my request.

The SPEAKER. The gentleman from Connecticut [Mr. DONOVAN] has demanded the regular order.

Mr. TAYLOR of Colorado. I will ask the gentleman from Connecticut to withhold that.

Mr. DONOVAN. Not for a second. [Laughter.]

Mr. HENRY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present; the Chair will count. [After counting.] One hundred and seventy-five Members present—not a quorum.

Mr. UNDERWOOD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper was directed to close the doors and the Sergeant at Arms to notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Fields	Konop	Patten, N. Y.
Anthony	Finley	Korbly	Peters
Austin	Francis	Kreider	Platt
Baker	French	Langley	Powers
Barchfeld	Gallivan	Lee, Pa.	Ragsdale
Bell, Cal.	Gardner	L'Engle	Rayburn
Britten	George	Lever	Riordan
Brown, N. Y.	Gillett	Lewis, Pa.	Rothermel
Brown, W. Va.	Gilmore	Lindbergh	Russell
Browning	Godwin, N. C.	Lindquist	Sabath
Bruckner	Goeke	Lloyd	Saunders
Burke, Pa.	Goldfogle	Loft	Scully
Burke, Wis.	Graham, Pa.	Logue	Shreve
Butler	Greene, Mass.	McAndrews	Siemp
Calder	Gregg	McClellan	Stanley
Callaway	Griest	McCoy	Stedman
Candler, Miss.	Griffin	McGuire, Okla.	Stevens, N. H.
Carew	Gudger	MacDonald	Stringer
Cary	Guernsey	Mahan	Sumners
Church	Harris	Maher	Taylor, N. Y.
Clancy	Hart	Martin	Thomson, Ill.
Clark, Fla.	Helvering	Merritt	Townsend
Connolly, Iowa	Hinds	Metz	Treadway
Conry	Hinebaugh	Moore	Tuttle
Copley	Hobson	Morgan, La.	Vare
Cramton	Howard	Morin	Wallin
Dale	Hoxworth	Mott	Walsh
Difenderfer	Hughes, W. Va.	Murdock	Watkins
Donohoe	Hulings	Neeley, Kans.	Whaley
Dooling	Humphreys, Miss.	Neely, W. Va.	Whitacre
Doremus	Johnson, S. C.	Nolan, J. I.	White
Driscoll	Keister	Oglesby	Willis
Drukker	Kelly, Pa.	O'Hair	Wilson, N. Y.
Elder	Kennedy, R. I.	O'Leary	Winslow
Falson	Kent	O'Shaunessy	Woodruff
Farr	Kettner	Paige, Mass.	Woods
Fergusson	Kindel	Palmer	
Ferris	Knowland, J. R.	Parker	

The SPEAKER. On this call 279 Members have answered to their names—a quorum.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

COTTON AND CURRENCY.

Mr. HENRY rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. HENRY. Mr. Speaker, I desire to submit a request for unanimous consent. I ask unanimous consent that I be allowed to print in the RECORD a bill which was introduced in the Senate yesterday by the Senator from Texas [Mr. SHEPPARD],

dealing with the cotton and currency situation. It is a very short bill, and contains just four or five sections.

The SPEAKER. The gentleman from Texas asks unanimous consent to print in the RECORD a bill introduced yesterday in the United States Senate by Senator SHEPPARD, of Texas, on the cotton and currency situation. Is there objection?

There was no objection.

HOMESTEAD ENTRY BY FEMALE AMERICAN CITIZENS.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report on the bill (H. R. 11745) to provide for certificate of title to homestead entry by a female American citizen who has intermarried with an alien.

Mr. MANN. The report has been presented and printed?

Mr. TAYLOR of Colorado. Yes.

The SPEAKER. The gentleman from Colorado asks unanimous consent for the present consideration of the conference report. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT (NO. 1172).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11745) to provide for certificate of title to homestead entry by a female American citizen who has intermarried with an alien having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same.

SCOTT FERRIS,
EDWARD T. TAYLOR,
BURTON L. FRENCH,
Managers on the part of the House.

H. L. MYERS,
REED SMOOT,
Managers on the part of the Senate.

The statement is as follows:

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11745) to provide for certificate of title to homestead entry by a female American citizen who has intermarried with an alien, submit the following written statement in explanation of the action agreed upon and recommended in the accompanying conference report: The purpose of the Senate amendment is to not permit the operation of the act to extend to cases where the alien husband of the citizen entrywoman belongs to a race not entitled to become naturalized as a citizen of the United States, which the bill as it passed the House would have allowed, but to allow patent to be granted only where the alien husband belongs to a race whose people are eligible to become citizens of the United States. The House managers find themselves in accord with this purpose and therefore recede from its disagreement to the Senate amendment.

SCOTT FERRIS,
EDWARD T. TAYLOR,
BURTON L. FRENCH,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

THE PHILIPPINE ISLANDS.

The SPEAKER. Under the special rule the House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 18459) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands, and the gentleman from Virginia [Mr. FLOOD] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 18459, the Philippine bill, with Mr. FLOOD of Virginia in the chair.

Mr. LEVY. Mr. Chairman, I offer the following amendment as a new section, which I send to the desk and ask to have read.

The Clerk read as follows:

Between sections 9 and 10, page 3, insert the following as a new section, to be known as section 2½:

"That the government of the Philippines shall reimburse the Government of the United States for all moneys expended by said Government of the United States in the purchase, protection, and government of the Philippine Islands, and said reimbursement shall be made in payments of gold out of any surplus in the Philippine treasury, or by 3 per cent Philippine Government bonds."

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

Mr. MILLER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MILLER. I rise to oppose the amendment.

Mr. LEVY. It is not an amendment; it is a new section.

Mr. MILLER. It is an amendment in the way of a new section.

Mr. LEVY. No; it is a new section.

The CHAIRMAN. The Chair did not understand the gentleman from Minnesota.

Mr. MILLER. Mr. Chairman, I rose to oppose the amendment. If the gentleman does not wish to discuss it, I am willing for him to have a vote. I did not intend to discuss the amendment. I wanted to discuss another matter.

Mr. LEVY. Mr. Chairman, I think it is important that this section should be in, for the reason that it declares that the Philippine Islands owe the Government of the United States a large sum of money; and while it may seem right that we should declare that we are not insisting upon demanding it at the present time, but the time will come when the Filipinos may be very rich, when they can afford to pay us. For that reason I think it ought to be declared that they owe us this money, and that some arrangement ought to be made whereby recognition should be taken of this obligation.

Mr. JONES. Mr. Chairman, I only wish to say a word or two in opposition to this amendment. In the first place, I do not think that if any such proposition as this is ever to be adopted it ought to be embodied in this bill. This bill does not grant the Filipinos independence. It merely provides for a more liberalized form of government than they have at the present time. It is true that the preamble sets forth that it is the purpose of the people of the United States to grant them their independence at some future time. When the time comes for the introduction of an independence bill, that will be the time to consider the terms and conditions upon which independence shall be granted, and——

Mr. BATHRICK. Will the gentleman yield?

Mr. JONES. Not just yet. And, Mr. Chairman, if at that time it shall be the disposition of the Congress to give the Filipinos their independence upon the condition that they reimburse the United States for all the money that the United States has expended in connection with the Philippine Islands, then, of course, that can be done. For one I do not believe that the time will ever come when the people of this country will charge up to the people of the Philippines and demand of them as a condition precedent to granting them their independence the hundreds of millions of dollars that the United States has expended in subjugating and holding them. [Applause on the Democratic side.]

Mr. LEVY. Will my colleague yield?

Mr. JONES. In a moment. But the point I am making now, Mr. Chairman, is that the amendment has no place in a bill which does not grant complete independence to the Filipino people. I do not think it ought to find a place in any bill, but certainly not in this bill, which does not propose to give them their independence. Of course, Mr. Chairman, if this proposition were adopted, it would be to require the Filipino people at a time when they owe allegiance to the United States to pay us a sum of money so great that no one thus far has been able to compute it.

Mr. LEVY. Will my colleague yield?

Mr. JONES. I yield to the gentleman.

The CHAIRMAN. Did the Chair understand that the gentleman from Virginia made the point of order?

Mr. JONES. No; I did not make the point of order.

Mr. LEVY. That would be so if you had not this section in the bill:

Provided, however, That the entire indebtedness of the Philippine government created by the authority conferred herein shall not exceed at any one time the sum of $10,000,000.

Mr. JONES. Oh, Mr. Chairman, the bill provides that so long as the islands are the possessions of the United States they shall

not create an indebtedness to an amount exceeding $10,000,000; but when we give them their independence, I will say to my friend from New York, there will be no such string as that attached to the measure. This bill does not say that when we give them their complete independence they shall not create an indebtedness in excess of $10,000,000. The provision quoted by the gentleman simply applies to the government of the Philippines which we provide for them in this bill. I shall not now undertake to discuss the merits of a proposition which I do not believe will be seriously considered. When the time comes, if it ever does, and I am fortunate enough to be a Member of Congress, I will say to the gentleman from New York that I will oppose to the uttermost of my ability any such proposition as that which is contained in his proposed amendment to this bill.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 3. That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

Mr. MILLER. Mr. Chairman, I move to strike out the last word.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Section 3 is a long section. It covers a great many different paragraphs somewhat in the nature of a copy of certain things, I suppose either from the Constitution of the United States or from various State constitutions. Is it to be treated as one section or one paragraph only for amendment, or are the paragraphs to be read separately for amendment? The subjects matter in the different paragraphs of the section are entirely disassociated one from the other.

The CHAIRMAN. The general rule, as the Chair understands, is that the whole section should be read before it is open to amendment, except with appropriation bills; but the gentleman from Illinois suggests that the subject matter of the various paragraphs, so to speak, is different, and therefore the Chair will permit amendments after each one.

Mr. MANN. I think that is proper in a case like this.

Mr. MILLER. Mr. Chairman, I have asked for recognition in order that I might indulge in a little further discussion relative to the geography of the Philippine Islands, a controversy which arose yesterday morning.

I find, Mr. Chairman, that there is an authoritative document issued by the Government, wherein it is specifically recognized and stated, as I stated yesterday, that the islands which I described and located were not included in the terms of the treaty of Paris in 1898, but were included specifically in the subsequent treaty of 1900. Senator LODGE, in the year 1901, within a very few months after the ratification of the treaty of 1900, had a sketch prepared relative to the groups of islands embraced in that last treaty, one group that of Cagayan de Sulu and the other group that of Sibutu, that was published as a Senate document—No. 103, Fifty-sixth Congress, second session. In this are collected accounts which various travelers from various countries of the world have given and the descriptions they have written of these islands. I apprehend the purpose was that the American people might be informed relative to the character and condition of these groups of islands, which they have now acquired by purchase and which they own in fee. One of the first travelers to visit the group called Cagayan de Sulu and leave an account of his visit was Admiral Keppel, who visited Cagayan de Sulu in 1847. Of this he says:

On the 17th we came to, in 10 fathoms, about a mile off the south side of Cagayan, and immediately commenced our examination of the curious circular lake before mentioned, of which we had reserved the examination for this opportunity. The entrance is by a gap about 50 yards wide. This, however, is crossed by a bank of coral, which extends along the whole south coast, and at low water is nearly dry, so as to exclude any boat larger than a canoe. Just outside the middle of the bar was a small island of rock and sandstone, with a sufficient shelter of bushes to make an excellent shaded spot for our picnic. On passing the bar we found ourselves inside a magnificent circular lake of deep blue water.

And further on in his report he says:

This grand discovery being communicated to the other rambling parties, curiosity became here concentrated. Men and axes were procured from the ship, the trees were cut down, and a road made up the gap, and so over to the fresh-water lake. A raft was then constructed and, together with a small boat belonging to the tender, was very shortly launched upon the upper water.

It was not until we were afloat on the inner lake that we were enabled to form a correct idea of the beauty of its encircling barriers and of the luxuriant vegetation which graced them. We had then also the best view of the extraordinary gap through we had passed into it.

And again:

From the inside the little island at the entrance had all the appearance of having once filled the gap, and looked as if it had been forced into the sea by some internal pressure. The break which I mentioned on the northeast side did not come lower than within 70 or 80 feet of the water's edge, and was partially concealed by the thick foliage of the jungle and forest trees. In sounding we found the depth of the water to vary from 50 to 60 fathoms, and it appeared to be as deep at the sides as in the center. Nothing could be more beautifully luxuriant than the growth of the jungle trees of every description, their trunks and branches covered with an endless variety of beautiful creepers in brilliant blossom hanging in festoons to the very water's edge. Over our heads, disturbed by such unusual visitors, numbers of pigeons flew to and fro, while many varieties of the parrot screamed their remonstrances at our intrusion.

Capt. Sir Edward Belcher also visited this remarkable island, and in his report mentions "having discovered in the south side of Cagayan Sulu a circular inlet of very deep water, cut off from the sea by a shallow bar."

The English traveler, St. John, has also written respecting this remarkable island. He says:

We steered for Cagayan Sulu, which is a gem in the ocean. It has three peaks, wooded, but varied by grassy glades, groves of coconuts and fruit trees, partly concealing and partly revealing scattered houses and villages. It is, indeed, a picturesque island from every view. * * * It is finely situated in the Sulu Seas and it is both healthy and fertile. * * * The most singular spot in this island is near the old crater-looking harbor, mentioned by Sir Edward Belcher, which we entered over a reef. It is almost circular and is surrounded by lofty rocks clothed with trees, bushes, and hanging creepers, presenting a magnificent wall of evergreen. Rowing to the west side of the bay and climbing to the top of a lofty bank, we had a splendid view of a remarkable, almost circular lake. The place where we stood was a gap between the lofty cliffs that rose on either hand and appeared to have been formed by the inner waters bursting their boundary and overthrowing the upper defenses of this natural dam.

Guillemard, the great naturalist, writes as follows of this island:

Beautiful as are almost all tropical islands, I do not think I have ever seen one more captivating than Cagayan Sulu. Mr. St. John calls it a "true gem of the ocean"; and as the boat glided over the coral gardens, bright with vividly colored fish, and landed me, gun and collecting box in hand, on the snowy sand, I felt as if I could cast off civilization and European clothes alike and cultivate my mealie patch and grove of coconuts with the natives for the remainder of my natural life.

Further on he says:

Our first expedition to the crater lakes, one of the most interesting natural phenomena we met with in the eastern seas, was unsuccessful, owing to bad weather; but the next day being fine we started early in the steam launch to visit them again. They are situated on the south side of the island, about 4 miles distant from the southwest point, off which we had anchored; and running alongshore inside the coral reef it was not long before we found ourselves at the entrance. It was barely a couple of hundred yards across, and as we glided slowly in the pale milky blue of the water on the reef suddenly gave place to the deepest sapphire.

* * * * * * *

The second lake, though of somewhat smaller size, is more perfectly circular than the western one, and though its southern wall is only a few yards distant from the beach, the sea has as yet left it unbroken. The level of the water, which is perfectly fresh, must be fully 40 feet above the sea, and but for the lessened height of the surrounding walls the second lake is almost an exact reproduction of the first.

Mr. JONES. May I ask the gentleman a question?

Mr. MILLER. Certainly.

Mr. JONES. Of what island is he speaking?

Mr. MILLER. Cagayan Sulu.

Mr. JONES. I mean the author of that article. To what island is he referring?

Mr. MILLER. Cagayan Sulu. I will say to the gentleman, however, it is headed "Cagayan Sulu," but frequently, to shorten it, they say "Cagayan."

Mr. JONES. I am asking the gentleman a question as to whether or not the author of that article is speaking of Cagayan or Cagayan Sulu?

Mr. MILLER. He is speaking of Cagayan Sulu.

Mr. JONES. Does he say so there?

Mr. MILLER. Absolutely and specifically.

Mr. JONES. Did the gentleman visit Cagayan Sulu while he was there?

Mr. MILLER. Do you mean myself?

Mr. JONES. Yes.

Mr. MILLER. Certainly.

Mr. JONES. Did you visit Cagayan and Cagayan Sulu both?

Mr. MILLER. I will say to the gentleman that there is no island that is properly described by "Cagayan." Now, the gentleman has asked the question, and if he will wait a moment I will tell him. There is a Cagayan Sulu group; there is another group to the north, not Cagayan, although the name on the map is Cagayan, but Cagayanes.

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

Mr. MILLER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER. But the name of that group is Cagayanes, as every man knows and as every reliable map shows. Of

course the difference between "Cagayanes" and "Cagayan" is not very great.

Mr. JONES. I will put my question in another form, because I want a specific answer. Did the gentleman visit the island that is marked on the map as "Cagayan," which is near Negros, and did he visit the island that is marked on the map "Cagayan Sulu," that is down near the Sulu Archipelago?

Mr. MILLER. I visited the island of Cagayan Sulu, about which I have been talking since yesterday morning.

Mr. JONES. Will not the gentleman answer my question?

Mr. MILLER. I am answering it. I passed Cagayanes and did not stop.

Mr. JONES. Where is that located?

Mr. MILLER. In the northern part of the Jolo Sea, not far from Negros, as the gentleman says.

Mr. JONES. You did not stop at that point?

Mr. MILLER. I did not.

Mr. JONES. Is it outside of the lines?

Mr. MILLER. I am perfectly frank to say that I never figured out where those lines go. The islands at which I have stopped, and which I have been talking about and calling by name ever since I have commenced to speak, are Cagayan Sulu, and they are located in the Jolo Sea, down in the southwestern part of the archipelago, near Borneo.

Mr. JONES. When he was interrogated as to it, and some gentleman asked him how far it was, did not the gentleman put his hand on Cagayan and say it was about 400 miles from Manila? Does he not know the other islands are about 800 miles from Manila?

Mr. MILLER. Now, just a moment. As the gentleman has interjected a remark that calls for explanation, I want time to give it. I want to call attention to the language I used at the outset, when speaking on this subject, which is found on page 17544 of the RECORD. There I said:

> Now, the islands which we acquired by that last treaty with Spain was that little group of islands called Cagayan de Sulu, in the midst of the Jolo Sea—a little group of islands almost down to Borneo, in the southernmost corner of the archipelago.

I pointed them out. Now, the gentleman invited me to go to the map yesterday, where he proposed to demonstrate to me that I was entirely mistaken; that the islands I was describing, Cagayan de Sulu, were not the islands contained in the last treaty. I refused to go down, and I apologize to the gentleman now for not having gone down, because had I gone down I would have seen unquestionably his mistake. I would have seen that he was referring to a group of islands farther to the north. But the group of islands which I was discussing, and which I located, was a group of islands north of Borneo.

Mr. JONES. Will the gentleman say that while that colloquy was going on he ever pointed out the island of Cagayan Sulu?

Mr. MILLER. I will admit, if it will please the gentleman, that possibly in the confusion, inadvertently, in pointing my finger on the map I at one time put it 2 or 3 inches higher than the islands of Cagayan de Sulu; but the island I originally pointed out—and that is what I was speaking about—were the islands of Cagayan de Sulu.

Mr. JONES. Did not the gentleman put his finger right on Cagayan and keep it there, and in answer to a specific question say that this island is about 400 miles from Manila?

Mr. MILLER. Of course I did not do anything of the kind. I can not be responsible for what the gentleman may have thought I did, but I correctly located the islands and described them, and the gentleman immediately said they were not included within the terms of the treaty of 1900. Does the gentleman recede from that position and admit now that they were included?

Mr. JONES. I do not recede from any position I took yesterday, because what I stated then was what was absolutely and literally correct. The RECORD shows it, and the map shows it, and everything connected with the subject shows it, and I think the gentleman is the only single, solitary man in this House who has any opinion to the contrary.

Mr. MILLER. Now, let me ask the gentleman what does the map show? What does the document show that the gentleman describes?

Mr. JONES. If the gentleman will allow me, the map shows that this is the line [indicating] laid down in the treaty of Paris. It runs across in this direction [indicating], and then it comes down here [indicating], and then it goes across there [indicating]; and here is Cagayan Sulu, which is outside of that line. Cagayan Sulu is ceded to us under the treaty of 1900, because as this line was run these islands were thrown outside the archipelago, whereas they are a part of the archipelago.

Now, when it was discovered that that island there [indicating] and this little island here [indicating], Sibutu, just outside of the line there——

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

Mr. JONES. Mr. Chairman, I ask that the gentleman be permitted to have five minutes more, so that I can explain in his time.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JONES. That island was just outside the line, and this one [indicating] was considerably out; and by a subsequent agreement, entered into in 1900, the United States bought that island and this island and all other islands around here [indicating]. There were some up here at the north which were outside of this line, but the Cagayan Island, of which the gentleman spoke yesterday, was embraced in the treaty of Paris. This is Cagayan Sulu.

Mr. MILLER. Mr. Chairman, I will not yield further to the gentleman.

Mr. JONES. Cagayan is hundreds of miles within the territory.

Mr. HAMILTON of Michigan. I think this great question of where the gentleman from Minnesota had his finger should be settled. [Laughter.]

Mr. MILLER. "The gentleman from Minnesota" has the floor.

Mr. MADDEN. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. MILLER. Yes; I yield for a question.

Mr. MADDEN. I want to find out, if I can, what this controversy regarding this island has to do with the principles involved in this bill.

Mr. JONES. Nothing whatever.

Mr. MILLER. The gentleman is entitled to his opinion and I am entitled to mine.

Now, I behold that the gentleman from Virginia [Mr. JONES] admits that the islands which I described yesterday as clearly as I could and located with accurate description were islands outside the line bounding the possessions acquired under the treaty of 1898, and the islands that were included in the subsequent treaty of 1900. Therefore the fresh-water lake that I was describing, the natural advantages and value there found, are the property of the United States.

Now, if the gentleman says that anybody here inadvertently pointed to the word "Cagayan" in a little group of islands farther to the north, maybe it was done. Maybe I did it myself. But when I was discussing the bill I specifically located and pointed out on the map where this island of Cagayan de Sulu is. But the important fact is that the islands which I described yesterday, with those two matchless harbors, were not in any sense of the term on a footing with the other islands in the archipelago. They are the property of the United States, purchased by the United States by a treaty made in 1900; and the inhabitants, so far as there are any inhabitants on the island, desire that they shall remain under the flag of the United States.

Mr. JONES. Now, will the gentleman let me ask him a specific question, just to get at the truth of this matter?

Mr. MILLER. Certainly.

Mr. JONES. I looked up the RECORD and found out what the gentleman said. The RECORD shows that the gentleman stated that the island he was asked about was about 600 miles from Manila. What I want to ask of the gentleman is this: Did he not state to the House that it was 400 miles from Manila? And did he not, under the liberal rules under which we are proceeding, which allow gentlemen to correct their remarks and extend them, change it in the RECORD from "400" to "600"?

Mr. MILLER. Mr. Chairman, I am very glad that the gentleman asked the question. I think the gentleman from Texas [Mr. SLAYDEN] asked the question how far it was, or the gentleman from New York [Mr. GOULDEN]. I said I could not say exactly, but I thought it was 400 miles. When I went over the RECORD, I will say, I did correct that to "600," but that is about the only correction I made. I will add this, however: I asked for the manuscript of the colloquy that I had with the gentleman from Virginia [Mr. JONES] after he had corrected it. It was handed to me, and there was scarcely a word of the original record left. The entire record was in the handwriting of the gentleman from Virginia. I did not correct it, because there was nothing to correct. I do not say that the gentleman changed it materially. There was a great deal of confusion in the Hall at the time, and——

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. MILLER. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JONES. The gentleman admits that I did not make any change as to any statement of fact, does he not? I only changed phraseology.

Mr. MILLER. I will make that admission, and I will say that no change was made by me as to any matter of fact, except that I changed the figures "400" to "600," because I thought 600 was more nearly correct; but I did not change a word in respect to the location of the islands or in respect to the description which was given.

Mr. GOULDEN. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from New York.

Mr. GOULDEN. When did the distinguished gentleman from Minnesota visit those islands?

Mr. MILLER. I visited those particular islands in October of last year. I will say to the gentleman, further, that in making that particular trip I went down entirely through the Sulu Archipelago to visit the Sulu Islands, inhabited by Moros, and to go down, if possible, to Sibutu, the furthermost point; and having arrived at that point, then in order to make Cagayan we skirted along Borneo for a whole day and part of a night, with Borneo plainly in sight; and of course my recollection is vivid and distinct that then we turned north and went about eight hours and landed at Cagayan de Sulu. Therefore it seems to me that, putting aside all the confusion that perhaps did naturally arise, those two wonderful harbors of measureless value to any commercial nation are the absolute property of the United States and should not be bargained away.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from North Dakota.

Mr. YOUNG of North Dakota. Is it not a fact that four well-known explorers who visited that island prior to the gentleman from Minnesota described the island as Cagayan Sulu, and also specifically called attention to the fresh-water lakes lying beside the outer deep harbor?

Mr. MILLER. That is entirely true, as shown by the remarks of the gentleman from North Dakota [Mr. YOUNG] on the preceding day.

Mr. JONES. Mr. Chairman, I am surprised that my friend from Minnesota [Mr. MILLER] should die as hard as he does. Although this may not be a very important matter, I wish the House to understand it. The treaty of Paris specifically defined the territory that was ceded to the United States. These lines on the map, marked "Paris treaty line," this straight line running south, then running southwest so as to take in Palawan, then running south again, then east and then south, are the lines described in the Paris treaty. It was discovered sometime afterwards that there were several small, unimportant islands belonging to the Philippine Archipelago, that had been excluded by these lines, so that in 1900 President McKinley negotiated a treaty by which the Spanish Government ceded to the United States these outlying, excluded islands in consideration of $100,000. Now, because some of the islands were very near the line, the treaty undertook to mention them specifically. There were two of them. One of them was Cagayan Sulu, which you see is outside the line, and the other was Sibutu, away down here in the extreme south. When the gentleman was discussing this subject the other day, standing by this map, he never once directed attention to Cagayan Sulu. He spoke of Cagayan Sulu as if it were two islands. He maintained that there were three islands instead of two, and he referred to the CONGRESSIONAL RECORD containing a speech of the gentleman from North Dakota [Mr. YOUNG], in which there was a comma between the word Cagayan and the word Sulu, to prove that there were three islands—Cagayan, Sulu, and Sibutu, the last being this little island down here.

Mr. MILLER. Will the gentleman yield?

Mr. JONES. Now, to-day the gentleman admits that there are only two islands, Cagayan Sulu and Sibutu. Yet he comes here and undertakes——

Mr. MILLER. Will the gentleman yield? I did the gentleman the courtesy to yield, and he made the most of my speech.

Mr. JONES. I will yield in a moment. The gentleman now claims that he spoke of Cagayan Sulu.

Mr. MILLER. I am sure the gentleman does not want to make a direct misstatement.

Mr. JONES. I do not.

Mr. MILLER. I distinctly stated that there were two groups of islands, Cagayan Sulu and Sibutu, with their dependencies, as the treaty says, and no man can now say what the dependencies were. The gentleman from Kentucky thought the Cagayan referred to was in the northern part of Luzon, where there is a Province called Cagayan, and a great river, the greatest in the island of Luzon, the Rio Grande de Cagayan; and I told him that while the names were the same and that it might lead to an argument, yet it was not so. Now, the gentleman from Virginia [Mr. JONES] took issue with that. The treaty distinctly mentions these names and their dependencies. I do not know what the dependencies are, and the gentleman does not know, but I do know that the map correctly shows Cagayan Sulu exactly as I discussed it and located it yesterday.

Mr. JONES. The gentleman from Minnesota had 15 minutes, and he can not take up all my time.

Mr. HAMILTON of Michigan. Mr. Chairman, will the Government lose any rights by reason of the failure of the gentleman from Minnesota to indicate those islands on the map with his finger the other day?

Mr. JONES. It will lose nothing at all; but I call the attention of the gentleman from Michigan to this fact, that the gentleman from Minnesota offered an amendment excluding from the operation of this bill an island that he spoke of as Cagayan, and he put his finger on it, and he said it was south of Manila Bay, and about 400 miles distant.

Mr. MILLER. Now, Mr. Chairman——

Mr. MURRAY. I offer an amendment.

Mr. JONES. Has my time expired, Mr. Chairman?

The CHAIRMAN. The gentleman's time has expired. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 3, by inserting, at the end of line 13, the following: "Private property shall not be taken for public use without just compensation."

Mr. MURRAY. Mr. Chairman, I think the chairman of the committee will not object to that. I do not wish to discuss it.

Mr. JONES. If that provision is not incorporated in one of the other paragraphs, I think the committee will have no objection to it.

Mr. CLINE. Is not that included in section 3—

That no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law, or deny to any person therein the equal protection of the laws.

Mr. JONES. That refers particularly to criminal proceedings.

Mr. MURRAY. That section does not cover it; but in section 26 there is a provision which does cover it, and I will withdraw the amendment.

Mr. JONES. I thought it must be in the bill somewhere.

Mr. KAHN. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I do not feel disposed to take up the time of the committee, but on yesterday the gentleman from Virginia [Mr. JONES] and I had a controversy about a statement that I made regarding the leaders of the Philippine insurrection in 1907. The distinguished chairman of the committee said, in effect, that, in his judgment, I had misinterpreted the language of Dr. Worcester. Whereupon I read from Dr. Worcester's work, which, in my opinion, at any rate, justified me in my conclusions. I have investigated the subject a little further. I remember distinctly that when I was in the Philippine Islands, only a few years subsequent to the happening of these events, it was a matter of general talk that there had been a selling out. But I find I am fully sustained in my statement by an author properly vouched for.

The chairman of the committee on October 1 referred to the accuracy of the statements in the work of James A. Leroy as having been vouched for by the former President of the United States, Hon. William H. Taft, and therefore he considered it reliable. So that the gentleman from Virginia [Mr. JONES] has qualified as a character witness for the author, whose work I shall presently quote. Mr. Leroy, in the first volume of his work, "The Americans in the Philippines," devotes quite a chapter to the Filipino insurrection. In a chapter entitled "The revolt against Spain," he narrates with considerable detail transactions that occurred between Primo de Rivera, the Spanish governor general of the islands, and the insurgent chiefs operating through Pedro A. Paterno, who was a very prominent citizen of Manila at that time, and who, I believe, still is a prominent citizen of that city.

As the negotiations proceeded, it was finally proposed that the insurgents would lay down their arms and some of the prominent leaders would agree to quit the country upon the payment of a sum of money. These negotiations went on back and forth for some little time. In the meantime there was a change in the Spanish cabinet, on October 4, 1907. Rivera was not in sympathy with the newly appointed Liberal cabinet and sent in his resignation on October 5. Evidently it was not accepted

promptly, for about two days later he sent an urgent message to the Spanish cabinet at Madrid urging that his proposition for the settlement of the Philippine insurrection on a money basis be agreed to. I shall now read the three propositions he urged on the Spanish Government. Leroy sums them up in the following language, on page 130 of his work:

"He presented the advantages of the plan as being: The saving of money; the saving of lives (the annual loss through deaths and sickness being 40 per cent, or 10,000 men; and that it *would destroy the prestige of the chiefs who sold out and emigrated.*" [Applause on the Republican side.] In order to thoroughly emphasize the baseness of the transaction the author has put the words "would destroy the prestige of the chiefs who sold out and emigrated" in italics.

That is on page 130, volume 1, of James A. Leroy's "The Americans in the Philippines," second edition. Here is Primo de Rivera, the man who negotiated with these leaders of the insurrection, who knows exactly all the details of the agreements between them and himself, who cables to his home Government urging the acceptance of his proposition, and stating as one reason for that acceptance that it "would destroy the prestige of the chiefs who sold out and emigrated."

Mr. Chairman, I do not desire to take up the time of the committee any further except to say that the work of Leroy gives the "Memoria" of Primo de Rivera, pages 125–127, as authority for the author's statement.

Mr. MURRAY. Mr. Chairman, I thought I was right when I withdrew my amendment, but the gentleman has called my attention to the fact that the provision in section 26 only relates to franchises and the eminent-domain provision. I think the amendment which I offered ought to go in right here, and I again offer that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 3, at the end of line 13, by inserting the following:
"Private property shall not be taken for public use without just compensation."

Mr. NORTON. Mr. Chairman, the very apparent reason why this bill has been forced up for consideration by the House at this time and under a special rule and out of the regular order of the procedure of the House is that other and more important legislation, which the majority seemingly does not wish considered and acted upon, may be smoothly and diplomatically sidetracked. No great pressing or urgent necessity for now occupying the time of the House with this bill has been disclosed in the debate. No one has explained and no one knows any reason why preference should be given to the consideration of legislation affecting the Philippine Islands over other important legislation affecting the most vital welfare of the people of these United States that has been pending before committees of the House for many months. And do gentlemen on that side deem it more important, and are they willing to go before the country with the candid statement that they deem it more important to the interest and welfare of the people of this Government that this measure be considered at this time rather than that the best endeavors of the Members of Congress be directed to a solution and betterment of rural credit conditions in this country?

This country of ours is peculiarly dependent upon its agricultural development and prosperity. While we may marvel at the development of our towns and cities, the number of our shops and factories, a fatal error is made when is overlooked and neglected the importance of that industry on which all our commercial and manufacturing enterprises are so dependent. From the hillsides and from the valleys, from the quiet fields of our farm lands, come the products which give very existence to the noisy clang of the city and business hum of our commerce and our trade

All permanent and stable national prosperity and development is unquestionably founded upon the agricultural success of the Nation. If our farms and ranches are allowed to become neglected and deserted, it will not be long until the streets of our cities are grass grown and the whir of our factories and workshops is stilled. No one thing more than another tends to prevent the ownership of farm homes and the occupation of more of our agricultural lands than the high rate of interest our American farmers are obliged to pay for the credits they of necessity must have to carry on their farming operations, both on account of our system of business and on account of the time it requires to mature their farm products. To-day the American farmer pays a much greater interest rate for his farm loans than is paid by the farmer in any other of the principal nations of the world. The rate in the United States paid by farmers on their loans is estimated to be about 8½ per cent per annum, while in the principal European nations the rate is less than one-half of the rate here.

The question of rural credits has been widely studied and generally discussed throughout the country during the past few years. The platform adopted at the Baltimore convention in 1912 announced that the Democratic Party considered the question of rural credits of equal importance with the question of currency reform. The Republican platform adopted at Chicago in 1912 says on this subject:

It is of the greatest importance to the social and economical welfare of this country that its farmers have facilities for borrowing easily and cheaply the money they need to increase the productivity of their lands. It is as important that financial machinery be provided to supply the demand of farm credits as it is that the banking and currency systems be reformed in the interest of general business. Therefore we recommend and urge an authoritative investigation of agricultural credit societies and corporations in other countries and the passage of State and Federal laws for the establishment and capable supervision of organizations having for their purpose the loaning of funds to farmers.

President Wilson, in his message delivered in person to the House and Senate on December 2, 1913, devoted a considerable portion of the message to a well-worded statement pertaining to the importance of agriculture and the business and activities of the farmers of this country. Following his reference to the use of money from the general fund of the Treasury of the United States to assist in the movement of crops the President said:

But we must not allow ourselves to depend upon extraordinary expediency. We must add the means by which the farmer may make his credit constantly and easily available and may command when he will the capital by which to support and expand his business. We lag behind the many other great countries of the modern world in attempting to do this. Systems of rural credits have been studied and developed on the other side of the water while we left our farmers to shift for themselves in the ordinary money market. You have but to look about you in any rural district to see the results—the handicap and embarrassment which have been put upon those who produce our food.

Mr. Chairman, in view of what has already been said and done, and in view of the agricultural and rural credit conditions in our Nation to-day, in all fairness and in honesty and justice to the men and women and to the boys and girls on the farms of this Nation, who produce the food we consume, this Congress should before this have considered and acted upon some of the bills that have been introduced in the House and in the Senate and which propose a solution and an improvement of rural credit conditions in this country.

At the expense of the Government and under authority of the act passed by the Sixty-second Congress a thorough study and investigation of the rural credit systems of Europe has already been made. The United States commission, cooperating with the American commission in the study of the rural credit systems and problems, has made voluminous and valuable reports of their investigations and their conclusions. For many months all the facts and all the information necessary for the Congress to proceed with the enactment of rural credit legislation has been before it. Still nothing definite has been done, and, what is even worse, the position now taken by the majority party in the Congress indicates it will not permit any rural credit legislation to be brought up for consideration during this session of Congress.

When the Federal reserve act was being considered the Democratic caucus, which in this Congress and this administration is, excluding the President, "the all-wise and the all-powerful," held that rural credit legislation should not be made a part of the banking and currency bill. It was then generally given out that rural credit legislation would be taken up shortly after the passage of the Federal reserve act, which was approved by the President on December 23, 1913. Last spring hearings were held by the subcommittee of the Committees on Banking and Currency of the Senate and of the House charged with the investigation of rural credits. When these hearings were concluded early in the summer it was then given out that after the passage of the principal appropriation bills rural credit legislation would then be taken up in the House. The principal appropriation bills have long since been passed; summer has come and summer has gone; the seed sown by the farmer when hearings were being held before the subcommittee has come forth from the ground, has bloomed and has blossomed, its fruit has been harvested, but still the promises of rural credit legislation bear no fruition.

Gag rule after gag rule has been brought into the House and has been jammed through by that side, so that legislation might be speedily enacted for the relief of the banker, the shipowner, the railroad magnate, and even for the pleasure-seeking American tourist spending hours of idleness abroad. Some powerful influence seems to be responsible for the continued neglect in this Congress of the interest of the American farmer. It is well known that the President has thus far held the majority party

in the Congress in the hollow of his hand; his will has been their will; a word from the President at any time during the last year to the leaders of the majority party in the Congress would have resulted in having brought up for immediate consideration of the House and Senate some of the pending rural credit bills. It is fair to ask, and the farmers of the country are asking, Why has this word not been given?

The farmers of the country are slowly waking up to a full knowledge of the real kind of treatment their interests have been given by this Congress, and when they have waked up and are thoroughly aroused I predict that those responsible for broken promises made in regard to rural credit legislation will be required to answer.

Our farmers have been patient and long suffering in bearing the burdens of high interest charges, but the time is near at hand when they will be heard from in protest in this country in no uncertain terms and in a manner and in a way that will brook no refusal or delay of prompt action for their relief by the President, the Congress, or the money lenders of the country.

Two million five hundred thousand dollars have been appropriated within the past few weeks to aid pleasure seekers in Europe. The Vreeland-Aldrich Currency Act is being used as a means to assist the bankers, commercial business interests, and stock gamblers of the country. Millions of dollars of currency, the payment of which is guaranteed by the United States, is being given out to the banks at interest rates of 2 and 3 per cent per annum. This statement which I hold in my hand shows the amount of emergency currency loaned by the Government to the banks of the country and to the banks in each State up to the close of business on September 26, 1914:

Amount of emergency currency issued at close of business Saturday, September 26, 1914.

Massachusetts	$26,493,910
New York City	130,730,810
New York State	7,781,660
New Jersey	820,000
Pennsylvania	20,754,750
Maryland	7,208,360
District of Columbia	577,000
Virginia	4,998,500
North Carolina	2,573,480
South Carolina	1,757,250
Georgia	5,022,530
Alabama	3,906,200
Mississippi	355,000
Louisiana	3,144,100
Texas	13,326,850
Arkansas	225,000
Kentucky	2,642,300
Tennessee	3,424,500
Missouri	10,919,000
Ohio	13,715,000
Indiana	100,000
Illinois	25,713,390
Michigan	1,811,000
Wisconsin	3,230,000
Iowa	995,500
Minnesota	10,654,870
Kansas	610,800
Nebraska	1,636,000
Oregon	1,632,000
Colorado	945,000
California	6,748,000
New Mexico	228,000
Oklahoma	642,750
Total	315,923,520

For months reports have been circulated from Washington and widely published in the papers of the country that the Secretary of the Treasury had furnished from $30,000,000 to $50,000,000 to the small banks of the country for crop-moving purposes. Desiring to know the actual facts concerning this, several days ago I requested the Treasury Department to send me a statement of the amount of money belonging to the general fund of the Treasury deposited in the banks of each State for crop-moving purposes. After meeting with many delays and evasive answers for several days, I was finally told by one of the Assistant Secretaries in the Treasury Department that Mr. McAdoo, Secretary of the Treasury, had given orders that this information was confidential and should not be given out to the public or to Members of Congress. I then introduced, as a privileged resolution, House resolution 632, providing that the Secretary of the Treasury be directed to furnish such statement for the information of Members of the House. The day following the introduction of my resolution the information I had requested was sent me by the Treasury Department and given to the papers for publication. It disclosed that not thirty nor fifty millions of dollars had been deposited for crop-moving purposes, but that up to September 28, 1914, $13,029,746 had so been deposited.

Following is the statement sent me by the Secretary of the Treasury, showing that the following amounts have been deposited in national banks in the States mentioned up to September 28 for crop-moving purposes:

Alabama	$300,000
Arkansas	175,000
Florida	81,250
Georgia	368,750
Kentucky	1,375,000
Louisiana	700,000
Maryland	1,450,000
Mississippi	150,000
North Carolina	456,250
South Carolina	525,000
Tennessee	675,000
Texas	793,750
Virginia	798,750
Colorado	499,996
Illinois	1,200,000
Indiana	150,000
Iowa	250,000
Kansas	25,000
Missouri	1,550,000
Nebraska	325,000
Oklahoma	93,500
Washington	87,500
New York	1,000,000
Total	13,029,746

During the last few months the Government has loaned to the banks of the country almost $400,000,000 at a rate of interest of 2 per cent and 3 per cent. Are the farmers and the small business men of the country sharing in the benefits of this special assistance by the Government? No reports that I have received or have observed would so indicate. The following from a financial review of the country, contained in the New York World of September 6, presents the position of the banking interests of the country in this crisis of hard times:

WHERE THE PROFITS COME IN.

The present strained conditions in the domestic as well as the international financial situation are providing opportunities for banking profits such as have not been offered before in a generation. The Federal as well as the municipal government has been placing these money-making chances in the way of these institutions with remarkable liberality. The banks have been given a free hand to take out emergency currency in unlimited amounts at 3 per cent interest, while the lowest rate now quoted for mercantile paper is 7 per cent for the best names, and the minimum for time loans now prevailing in New York is 8 per cent. For collateral stock-exchange call loans the rate, however, is only 6 per cent. In this connection there was much comment yesterday on President Wilson's statement in his war-tax message that the administration hesitated to withdraw the $75,000,000 from the banks at this time and was forced to the alternative of taxing the consumers of the country $100,000,000 a year. In the meantime the enormous speculation in wheat, flour, and commodities is being financed by the banks that are the object of so much solicitude on the part of the Government.

THE FARMER'S SIDE.

Within the past 30 days I have received a great many letters from almost every section of the United States showing the difficulty to secure farm loans at any rate and showing how the money that is being gathered up by the banks of the country is being used for the purpose of speculation in the products of the farmers rather than being used to improve and better American farm conditions. I am going to read just a few of the letters which I have received and which are typical of many others received on this subject. The following is a letter from H. S. Mobley, head of the department of farmers' institutes of the State Agricultural School at Russellville, Ark.:

RUSSELLVILLE, ARK., *September 6, 1914.*

Hon. P. D. NORTON, M. C.,
Washington, D. C.

DEAR MR. NORTON: I have your favor asking regarding condition of farm loans, both land and personal, in this section on account of or as affected by the European war.

Simply there is now no such thing as a farm loan of any character throughout the South. This is an unqualified fact. I tried yesterday to put up gilt-edged security for a small loan and there is but one response, "We are not making any loans." BUT THIS IS TRUE ONLY AS REGARDS THE FARMER. Commercial business is crippled in this regard, but is getting accommodations all the same. Do not construe this statement as being local because I say "I tried yesterday." We know that this is the condition in the South everywhere. There is no loan of any kind to the farmer on any kind of security now, cotton or anything else.

The interest rate in normal times is about 10 per cent on well-secured loans; that is, the men who have good bank credit pay this, but the poor man at the bottom of the ladder pays any interest they can make him pay, from 10 per cent up, up, up, and still up.

I will be in Washington at the National Hotel next Thursday and would like very much to see and talk with you personally about this.

I thank you for the inquiry and for the opportunity of giving you briefly the farmers' condition in this regard.

Sincerely,

H. S. MOBLEY.

Under date of September 7, Mr. Herbert Quick, the well-known educator and author and the present editor of Farm and Fireside, writes me from Berkeley Springs, W. Va., as follows, concerning rural credits:

In this part of the country there is no loan market at all, and banks are absolutely unable to accommodate farmers in the matter of real estate loans. The legal rate is 6 per cent here, but there is absolutely no money to be had.

I have stated my views on the matter of rural credits in my testimony before the joint hearings held by the committees of Senator HOLLIS and Representative BULKLEY. I have now made up my mind that the best thing for Congress to do would be to pass a strict Landschaft bill, and I would like to see Mr. David Lubin's ideas embodied in the act. Such a law passed by Congress could not be operative in very many States, but there would be some satisfaction in knowing that when a State placed itself in position to conform to the act it would have the best rural credit system possible. In the meantime, if the States preferred some other and more strictly "American system," there is nothing to prevent them from putting their own ideas into practice, as has already been done in Wisconsin and New York.

Abel Ady, president of the Klamath Water Users' Association, writes me from Midland, Oreg.:

MIDLAND, OREG., *September 3, 1914.*

Hon. P. D. NORTON, M. C.,
Washington, D. C.

DEAR SIR: During the past 10 years this locality has been undergoing unusual agricultural development as a reclamation project under the reclamation act.

As is universally true during the rapid development of any new country, the farmers and real home makers have been at the mercy of speculators and local money sharks.

Homes can not be developed from a native wilderness within a short period of years except by the use of large sums of money for the improvement of each home. To meet the expense of clearing, fencing, cultivating, and providing buildings and stock requires an expenditure during the first few years in amounts possessed by very few men who are willing to undergo the privations incident to a new country.

Such home makers are generally without outside credit and are limited to such credit as local money lenders are willing to extend. The class of money lenders attracted to such fields are generally the descendants of Shylock, demanding rates of interest that exhaust the entire proceeds of the farms over and above a bare subsistence and find it necessary to foreclose by the time the lands are cleared and improved. Through their banking associations these Shylocks easily defeat all attempts of farmers to secure outside loans, kindly brand the farmers as failures, and generally offer long prayers after each foreclosure proceeding. During the past 10 years the prevailing rates of interest in this locality have ranged from 10 per cent upward, sufficient sums being available at these rates to enable the farmer to continue work until the lands are improved.

During the past winter the fear of passage of rural credit legislation encouraged the advancement of increased loans at the former rates of interest. The failure of the Committee on Banking and Currency to report a rural credit bill in harmony with the recommendations of the President was followed by a general withdrawal of local farm loans past due and refusal to extend further loans to the extent of former years.

The European war announcements have been followed by absolute refusals of farm and chattel loans by local banks, and our farmers have been compelled to do their harvesting by exchange of work with one another and by exchange of various commodities in payment for work.

* * * * * * *

According to the doctrine of our great Teacher, the most despicable person is not the thief or the harlot, but the hypocrite.

We believe that our Representatives in Congress are desirous of providing a rural-credit banking law for the benefit of the farmer, and we believe that the American bankers have already received their share of beneficial banking legislation.

The European war conditions have resulted in a general rise in the prices of meats, while the prices of cattle and hogs offered on the market by farmers have in most instances fallen. The prices at which grain is being delivered from the middlemen to the world's market are being steadily advanced, while the middlemen are buying from our farmers at the prices prevailing before the announcement of the European wars.

While we still have faith in our country, past experience forces us to slightly mistrust some citizens.

Believing that an appropriate rural-credit banking law will yet be enacted in this country, we remain,

Very respectfully,

ABEL ADY,
President Klamath Water Users' Association.

Mr. M. F. Patton, secretary of the Mitchell Trust Co., of Mitchell, S. Dak., writes me:

At the present time the greatest trouble is finding an outlet for real estate loans. The large investors all seem to be out of the market at the present time, and the only sale we have for loans is small investors and personal clients.

Mr. George W. Fischer, secretary of the Northwestern Land and Home Builders' Union, of Redfield, S. Dak., writes me:

REDFIELD, S. DAK., *September 2, 1914.*

Hon. P. D. NORTON, M. C.,
Washington, D. C.

DEAR SIR: Am in receipt of your favor of recent date, and beg to say as follows:

"Sit tight, do not lower rents, but increase the price of foodstuffs and rates of interest" seems to be the slogan of the landlords, merchants, and bankers as a general proposition in this my own State.

Now, as to the present farm-loan business, just wish to say that the farming community in this part of my State are paying from 7 per cent to 10 per cent for money, and in many cases really do not know that, considering commissions and other perquisites, they are paying much more than they ought to.

As to the effect, if any, the European war has on the financial situation as regards real estate and chattel loans is best told in the following words: We do not know what is going to happen next, is the scare that is being thrown into the people in this neck of the woods. We must charge more for money and get better security.

There is a big demand for money, especially by our farming contingent, but here is what they get for an introduction: "We are not making loans at present. On the contrary, we are calling in our loans." This is nice in the face of the fact that this same element advertises to the world at large that there is now on deposit in the banks of this State more than $90,000,000, an average of $150 to every one of a 600,000 population.

But you never see any figures or statistics showing the mortgage, bond, and other indebtedness for this State per capita.

Now, Mr. NORTON, in addition, want to express my individual opinion of our new currency law in relation to agricutural States such as the writer lives in. The farming element will never get any benefit out of your new currency law for the simple reason that 90 per cent of our loaning fraternity are owners and speculators in lands, to a greater or lesser extent, and looking this matter square in the face from a human standpoint the actual tiller of the soil will not get a look-in, as the aforesaid fraternity will plant their mortgages first and at the same time absorb the moneys for which they pay from 2½ per cent to 4 per cent for deposits. It is a good law, but not for the producer.

Federal rural legislation is what is urgently needed, with long time amortization of the principal and a fair rate of interest.

Thanking you again for your courtesy, I am,

Yours, truly,

GEORGE W. FISCHER,
Secretary of the Northwestern Land and Home Builders' Union.

I have in my office a large number of letters from almost every State in the United States, similar to those I have read, giving expression to the deplorable and the intolerable conditions of rural credits in this country and the urgent need for Federal legislative relief. The longer this debate proceeds the more clearly it is emphasized that there is no immediate need for this proposed legislation for people of the Philippine Islands, and that the present time, with a world war raging, is a most inopportune time for its consideration. This time of the House should be given to the enactment of rural credit legislation to relieve some of the heavy burdens that are being borne by those who till our soil and produce our crops.

While the debate and the controversies over the geography of the Philippine Archipelago that we have just listened to between the gentleman from Virginia [Mr. JONES] and the gentleman from Minnesota [Mr. MILLER] have been interesting, it strengthens the position that I take—that this bill should not now be before the House. By every right and reason this Congress should now be giving its time and its best thoughts to the interests of our own people at home. We have already spent too much time in this Congress enacting legislation for the benefit of foreign industries, foreign people, and for that class of people in our own country who spend a large part of their time in traveling abroad.

Mr. MONDELL. Mr. Chairman, it seems to me that the amendment offered by the gentleman from Oklahoma is a very proper one. I did not, however, rise for the purpose of discussing that. One of the most able newspapers in the United States is the Washington Post. The Washington Post is generally pretty sound on the larger national questions, and its expressions of opinion are widely read and influential throughout the country. I desire to have read in my time an editorial from the Washington Post of this morning relative to this legislation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

A MISCHIEVOUS DISCUSSION.

The discussion of Philippine independence at this time is inopportune and mischievous. No well-balanced and well-informed American with any regard for the Filipinos would turn them out upon their own resources at this time. The most intelligent Filipinos themselves admit that their people are not up to the task of self-government. Only a small portion of the inhabitants of Luzon are on a par with the people of certain feeble and revolutionary republics; the others range from the peon type down to naked headhunters.

As for a larger measure of participation in their own government, this is being forced upon the Filipinos faster than they can digest it. There is nothing stingy in the doses of self-government administered by the United States. Participation in the government has more than kept pace with popular education, which has been very rapid. The education of the people, especially the young, is the greatest boon that the United States has conferred upon the people. It far exceeds in benefit the extension of political privileges. The natives can not well misuse the education they have acquired, but they are prompt to misapply and misuse their political privileges. Without any foundation for the erection of a self-governing system, without any experience in government, the people of the Philippine Islands, if turned loose, would present one of the most pathetic failures in history, ending inevitably in their absorption by some government that could and would administer their affairs with intelligence.

Is the United States willing that some other government should take over the Philippines? That is what "independence" would mean. Would the Filipinos be better off as vassals of Japan than they are as wards of the United States? Is the history of the United States in the Philippines to be ended by writing the single word "failure"? Americans do not yet acknowledge the superiority of the Japanese civilization or system of government over the American system, and the time may not arrive when it will be necessary to make such an acknowledgment. Certainly it is not the duty of patriotic Americans to take any steps which would imply the inability of the United States to complete the task it has undertaken in the Philippines.

Mr. HELM. Mr. Chairman, I would like to ask the gentleman from Wyoming if the editorial which he had read into the RECORD from the Washington Post does not come from the same Washington Post that recently was very assiduously urging and insisting on American intervention in Mexico?

Mr. MONDELL. Mr. Chairman, I have never read anything of that sort in the Washington Post. There may have been something of the sort in it, possibly.

Mr. KELLEY of Michigan. By the way, Mr. Chairman, what is the status of Mexico this morning, anyway?

Mr. JONES. Mr. Chairman, I do not believe there is any necessity for incorporating in the first paragraph of section 3 the language embodied in the amendment offered by the gentleman from Oklahoma [Mr. MURRAY]. The amendment provides that no property shall be taken without just compensation. The first paragraph of section 3 provides that no law shall be enacted in said islands which shall deprive any person of life, liberty, or property without due process of law. It is my opinion, Mr. Chairman, that the provision that property shall not be taken without due process of law covers the proposition of the gentleman, and that it is unnecessary to add that it shall not be taken without just compensation. But, Mr. Chairman, I have no great objection to the adoption of the amendment.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. JONES. Certainly.

Mr. MANN. Does the gentleman recall that the Constitution of the United States contains this language:

nor be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use without just compensation?

Mr. JONES. I had not done so. I do not object to the addition of that language.

Mr. MURRAY. But they could change the law. This is absolutely essential, because they could change the law by which the public could take the property.

Mr. JONES. I understand. I suggest that the gentleman put his amendment in the language of the Federal Constitution.

Mr. MANN. I think the gentleman's amendment is in the language of the Federal Constitution, as I heard it read.

Mr. MURRAY. I thought so.

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

Mr. JONES. Yes.

Mr. BRYAN. Does not the gentleman think it is out of place to talk here about the Federal Constitution, inasmuch as we have no provision in this bill for a jury trial? We are not framing this bill after the American jurisprudence. We allow even a justice of the peace to hang a man if he wants to under the terms of this bill.

Mr. JONES. Mr. Chairman, the gentleman can offer an amendment providing for a jury system if he sees fit.

Mr. MONDELL. Mr. Chairman, I had read in my time a moment ago an editorial from the Washington Post, an influential and ably edited newspaper of this city. The New York Sun is a paper which for many years has been held throughout the country to be one of the most ably edited papers not only in the United States but in the world, and I desire to have read in my time an editorial from the Sun of to-day on this same question.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

A STATESMANLIKE POLICY.

It was Mr. MANN, the minority leader in the House, who, when the resolution to admit the Red Cross ship to American registry was under discussion, said that it was "extremely important that everyone in official life, as well as those in private life, ought to resolve firmly that he will not be carried away with any hysterical emotion or any partisan feeling for or against either side in this conflict abroad." There may be a disposition to think that, as Japan has entered the conflict, Mr. MANN offended against the spirit of his own injunction when he predicted a war between the United States and Asiatic countries in the debate on the Philippine bill.

We do not take that view of Mr. MANN's speculation. It was a very long-range speculation and entirely academic. He hoped that the conflict would be only commercial, but he had his doubts, and they ran far into the future, the "sleeping monster" China being coupled with Japan as a possible adversary. No diplomat would take such theorizing seriously. The State Department will not be asked to explain. As to Mr. MANN's opinions about the political future of the Filipinos, he reflected Republican policy as declared in national platforms. The last time anything definite was said on the subject was in 1908, as follows:

"Education and practical experience there"—in the Philippines—"are advancing the capacity of the people for government, and the policies of McKinley and Roosevelt are leading the inhabitants step by step to an ever-increasing measure of home rule."

There has never been an intimation in any Republican platform from 1900 to 1912, inclusive, that the United States would grant the Filipinos the independence the Democrats profess to be willing to give them. Mr. MANN goes further than ex-President Taft, who has said—and no American is better informed on the subject—that "a policy of separation at this time is a suicidal policy for the benefit of none but the politicians of the islands." Mr. Taft was pronouncing judgment upon the Jones bill. Mr. MANN would retain the Philippines for the welfare of their people and also for commercial and strategical reasons, maintaining that the United States should not handicap itself in the inevitable struggle for paramount influence in the Pacific by parting with the islands. He would give the Filipinos self-government under the American flag and "make them friends of the United States."

It is a statesmanlike policy. If it be objected that the second part of Mr. MANN's program is not feasible, the spectacle of native Indian princes and their subjects taking the field to preserve the British Empire may be pointed out to his critics. The world has never seen a better colonial government than the United States has established in the Philippines, and where the greatest good of the greatest number is secured by an enlightened policy, the consequence will eventually be the loyalty of the people governed.

Mr. SLAYDEN. Mr. Chairman, while I very much doubt that the purpose of the gentleman from Michigan [Mr. KELLEY] was to promote the enactment of this bill, while I very greatly doubt whether he has any interest in its welfare, I do think that the observations he made a moment ago were somewhat pertinent. A reading of these editorials and the range of discussion at the present time do not bear directly on the bill, but do have a tendency to retard its enactment. Now, I believe that the legislation proposed is wise. I think it will be a good thing for the Filipinos, and I know it will be a good thing for the American people if we can bring about. I will say to the gentleman from Washington [Mr. HUMPHREY] if he happens to be present, a complete and absolute separation of the two peoples, and I hope that this tardy consideration of the bill will give way to a recognition of a serious effort on the part of Members on both sides of the House to advance it and get wise legislation through it. I very rarely have objected to the reading of editorials——

Mr. COOPER. Will the gentleman yield?

Mr. SLAYDEN. I will.

Mr. COOPER. I hope the gentleman from Texas will not object just now, because I have a brief editorial which appeared in a paper of great prominence 12 years ago, which I now have before me and I think it ought to be read this morning.

Mr. SLAYDEN. Mr. Chairman, the gentleman anticipated me, in a way, and to some degree misunderstood what I was about to say. It has rarely happened in the course of my service in this House that I have undertaken to interfere with the putting of any reasonable amount of editorials or essays of any sort into the RECORD, but aside from the fact it encumbers a document which should be a record of the proceedings here, the purpose of it is manifestly to delay the consideration of the bill. Of course I will not object to the putting into the RECORD of the article referred to by the gentleman from Wisconsin, but I am going to object if more are offered.

Mr. MADDEN. Will the gentleman yield?

Mr. GOULDEN. Will the gentleman yield?

Mr. SLAYDEN. I yield to the gentleman from New York.

Mr. GOULDEN. Does not the gentleman think, however, that all this exploiting of three most excellent papers in this country is something from which the House can learn wisdom?

Mr. SLAYDEN. I do not.

Mr. HENRY. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order there is no quorum present. The Chair will count.

Mr. HENRY. Mr. Chairman, for the present I withdraw the point.

The CHAIRMAN. The gentleman withdraws the point of order.

Mr. GARRETT of Tennessee. Mr. Chairman, I have not so far participated in the discussion initiated by the remarks of the gentleman from California [Mr. KAHN] with respect to the alleged purchase of the Filipino leaders. I had felt that probably all had been said on that matter that ought to be said; but since it has been again opened this morning by the gentleman from California, in justice to those leaders, it seems to me not inappropriate to read from the CONGRESSIONAL RECORD of April 17, 1900, an excerpt from a speech made by one of the greatest intellects in the Republican Party. He said in that speech:

The people of the Philippine Islands have never submitted themselves willingly to Spain. There has been no time for two centuries when they would not have been free from the yoke if they could. Their history has been a history of cruelty and oppression on one side, of resistance and the aspiration for freedom on the other.

In 1896 a rebellion broke out, headed by Aguinaldo. His people were unarmed and poor. The difficulty of communication in a country without roads made combination impossible against a power that commanded the sea and the seaports. Still, the revolt was formidable enough to compel Spain to make promises of reform and redress of grievances. Aguinaldo, seeing that a continued strife would cost much suffering, many lives, and in all likelihood defeat in the end, accepted Spain's promise of amendment and agreed that the principal leaders of the rebellion, their wives, widows, and children, should go into exile and that Spain should make some provision for their support.

Spain was faithless to her promise of reform and paid over only part of the money. This transaction has been much criticized here, but, in my judgment, it leaves no stain on the honesty or patriotism of the insurgent chief. There is no evidence that he profited himself by the transaction or expended a penny of the money for his own use. The transaction was, as circumstances then were, for the interest of his people.

Many advocates of imperialism who have investigated the matter have declared their confidence in Aguinaldo's integrity. Mr. Schurman, president of the commission, told his students at Cornell when he got home that Aguinaldo was an honest and a patriotic man. Our consuls bear this same testimony.

Mr. Williams, United States consul general at Manila, under date of March 28, 1898, says:

"Rebellion never more threatening to Spain. Rebels getting money, arms, and friends, and they outnumber the Spaniards a hundred to one."

March 21, 1898, he writes of the desertion of an entire regiment of the Spanish forces to the insurgents, and adds:

"Now 5,000 armed rebels, who for days have been in camp near Manila and have been reenforced from the mountains, plan to attack the city to-night."

On April 28, 1898, Mr. Pratt wrote a letter to Mr. Day, in which he speaks of "learning from Gen. Aguinaldo the state and object sought to be obtained, which, though absent from the Philippines, he was directing."

Mr. Pratt further says, in a letter to Secretary Day:

"Gen. Aguinaldo impressed me as a man of intellectual ability, courage, and worthy of the confidence that had been placed in him."

He says further:

"No close observer of what has transpired in the Philippines during the past four years could have failed to recognize that Gen. Aguinaldo enjoyed, above all others, the confidence of the Philippine insurgents and the respect alike of the Spanish and foreigners in the islands, all of whom vouched for his justice and high sense of honor."

Mr. Williams wrote Mr. Moore on July 18, 1898:

"Gen. Aguinaldo, Agoncillo, and Sandico are all men who would be leaders in their separate departments in any country."

I have studied as well as I could the character and career of Aguinaldo. I do not compare him with Washington. To Americans there is one character too lofty, one name too sacred, for parallel or comparison. But I believe he is to take a high rank hereafter among the men who have lived and died for liberty. He deserves to be remembered with that small band who have given life, and everything dearer than life, to their country in a losing cause.

"To his loved land he gave, without a stain,
Courage and faith, vain faith, and courage vain."

He shall live with Kossuth, with Oom Paul, with Joubert, with Emmet, with Egmont and Horn, with Nathan Hale, with Warren, with all the great martyrs of history whose blood hath been the seed of the church of liberty.

"He, subtle, strong, and stubborn, gave his life
To a lost cause, and knew the gift was vain.
Later shall rise a people sane and great,
Forged in strong fires, by equal war made one,
Telling old battles over without hate,
Noble, his name shall pass from sire to son."

[Applause on the Democratic side.]

This which I have just read, Mr. Chairman, is a quotation from a speech made on the 17th of April, 1900, in the Senate of the United States by the late lamented Senator George F. Hoar. [Applause on the Democratic side.]

Mr. MADDEN, Mr. COOPER, and Mr. QUEZON rose.

The CHAIRMAN. The Chair recognizes the gentleman from the Philippines [Mr. QUEZON].

Mr. QUEZON. Mr. Chairman, may I be permitted to refer to the article from the New York Sun that has been cited here, and particularly to comment on the portion which relates to Filipino politicians, who, and who alone, are supposedly to be benefited by Philippine independence?

I suppose that as the word "politician" is used by the newspapers in this country to mean those who are in public office through popular vote, especially when the office they occupy is a membership in some assembly, local or national. I am one of those politicians who are, presumably, to be benefited by Philippine independence. This, I suppose, affords evidence regarding my motive in working so hard for the independence of my people.

Perhaps Filipino politicians are sometimes selfish. I do not know of any politician or group of politicians who have not been sometimes accused of being selfish. But this I can assert, that whether we are selfish or not, neither the editor of the New York Sun nor anyone else in this land can truthfully say that he feels or can feel more interest in the Filipinos than they, in spite of their selfishness, do in themselves. [Applause on the Democratic side.]

The Filipino people are our people. They are flesh of our flesh and bone of our bone. How is it possible for any American, even though he be editor of the New York Sun, to say that he or his compatriots can show more interest in the general welfare of our country than we ourselves? [Applause on the Democratic side.]

Mr. COOPER. Mr. Chairman, as I listen to this discussion the thought keeps occurring to me of the astonishing change in the attitude of the House and of the American people generally toward this problem of the Philippines.

Twelve years ago the House debated and passed the bill which became the organic act establishing civil government in the Philippines. At that time, as gentlemen remember, the Philippines constituted the "paramount issue" in this country. Public attention was riveted upon them. One of the great contests was over the question whether the Filipinos should have a legislature and be permitted to elect the lower house. This suggestion for an elective lower house met powerful opposition and was very strongly, bitterly, denounced. But the bill finally became a law, providing, among other things, for a Philippine Legislature and making the lower house—the assembly—elective.

The history of the Philippine Assembly from the day it first met down to this hour proves that all the denunciation, all the prophecies of disaster were utterly groundless. The assembly has been an admirable success. Its services have been of very great value. No person of candor and sound judgment would abolish it now. And, Mr. Chairman, because it has been such a success, I think it may be well to tell what is the truth of history and say that the credit—the honor such as it may be—for the establishment of the Philippine Assembly, belongs only to the House of Representatives. The Senate bill contained no provision for an elective assembly. In so far as I have been able to learn, no Senator ever, on the floor of the Senate, advocated such a proposition. Only the House bill contained a provision for a Philippine Assembly purely elective. When the Senate bill came to the House the Committee on Insular Affairs struck out all after the enacting clause and inserted the entire House bill, containing, among many other provisions, one for an elective assembly. An elective assembly in the Philippines, it was predicted, would surely result in abject failure.

And yet there is now, I think, no gentleman on this floor but that is willing to vote not only for the retention of the elective lower house, but also for the establishment of an upper house of Senators, to be elected by the people of the Philippines.

Surely this is a remarkable change in the attitude of the House and indicates a remarkable change in public opinion.

Mr. Chairman, in view of the number of newspaper articles that gentlemen are having read during the debate to-day I desire to read an excerpt from an editorial which appeared in a newspaper of much prominence and influence only a few days before the opening of the great debate in the House on the Philippine bill 12 years ago:

After long research and exhaustive debate, the Senate has decided that the plan of government best adapted to the end in view should not include a legislature. * * *

* * * * * * *

It may be questioned if ever the time will come when the islands will find one common legislature a practicable arrangement for lawmaking. * * *

Mr. Chairman, I believe that the writer of that editorial would now admit that the Senate was mistaken, and also that he himself was mistaken in his views as to the possibilities of lawmaking by a legislature in the Philippines. [Applause.]

Mr. MADDEN. Mr. Chairman, I have always been in favor of giving the Filipinos the largest possible measure of local self government. I am in favor of that now, and I believe that this question ought to be approached with seriousness and that every line in the bill should be considered, weighed, and measured, so that when we reach a conclusion we are likely to reach a conclusion that we can stand by.

I am not in favor, however, of declaring in this bill for the independence of the Filipinos. I believe the time has not yet come for that, and no one knows when it will, if ever. But when it comes whoever may be on the stage of action, charged with the responsibility of national legislation, can meet it.

I think that no man ever approached an important question with the seriousness my colleague [Mr. MANN] did when he made what I consider to be one of the most celebrated speeches ever delivered on this floor [applause on the Republican side] in conection with the pending bill. And there has been no answer made by any man here to any suggestion offered by him. Nothing but sneers have been offered in reply to his serious suggestions. It seems to me that this question is of such worldwide importance that we can afford to consider it from the standpoint of its effect on the world's civilization. We have as a Nation a duty to perform. We have a responsibility which can not be set aside lightly. We can not afford to make a declaration of independence in connection with a law for local self-government for the Filipinos when we know that on its face that declaration lies. That is what it does. It is a strong term to use, but it is a truthful statement of a fact. This preamble to the bill is only a subterfuge, and everybody who is responsible for it realizes and understands that. If you are in earnest, why not make the declaration in the body of the bill? In that case not one of you would dare to vote for it; not a man.

You had an opportunity yesterday to vote for something that would free the Philippine Islands—something offered by one of your own Members which would give them a protectorate; something that meant what it said; something that would produce results for the Filipinos.

In the consideration of the bill before us we should deal with the local problems that affect the Filipinos only, and we should be confined to granting them the largest possible measure of local self-government, and await events and see whether events will justify later on independence. No man who lives to-day can say that independence would be beneficial to the Filipinos, and many men of serious thought and great intellect and patri-

otic motives believe that the granting of independence to the Filipinos would be a step backward in the development of the world's civilization. America did not acquire the Philippine Islands for the purpose of acquiring property. We acquired these islands in the course of a war with Spain, a war for humanity; and I hope that any consideration that we may give to this question now will be so given that every man's opinion will be respected and not sneered at. [Applause on the Republican side.]

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

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

Mr. MADDEN. Just a moment, please. If my time is up, Mr. Chairman, I ask unanimous consent that I may have five minutes more. I have not obtruded myself before in the discussion of this bill.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. DONOVAN. Reserving the right to object, Mr. Chairman. I would like to ask some one when this debate is to end? Here we have met for two days, and we are still on the first paragraph of the third section. We should have gone forward several days ago.

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all pending amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all debate on this paragraph and amendments pending thereto be closed in 10 minutes. Is there objection?

Mr. TOWNER. I would like to have five minutes.

Mr. JONES. There will be another paragraph read in a few moments. Would that do just as well?

Mr. TOWNER. I only desire to speak in this connection. I have not taken up any time heretofore. That is all.

Mr. JONES. Then, Mr. Chairman, I make it 15 minutes.

The CHAIRMAN. The gentleman from Virginia [Mr. JONES] asks unanimous consent that all debate on this paragraph and amendments pending thereto close in 15 minutes. Is there objection?

Mr. DONOVAN. Mr. Chairman, reserving the right to object, this bill will not be finished this season if the Chair is going to allow the general debate to continue as it has continued for the past two days. Now, I submit that there ought to be a limit.

Mr. MADDEN. I want to say, Mr. Chairman, that I am not making a general-debate talk. I am talking to the amendment that is pending.

Mr. DONOVAN. I do not blame the gentleman from Illinois, but I do blame the committee for allowing this debate to go on in the style of general debate when the general debate closed two days ago. The bill will not be finished this season at this rate.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] is recognized for five minutes more.

Mr. MADDEN. Mr. Chairman, I would like to have read in my time an editorial published on page 8 of the Washington Times of yesterday.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

THE PHILIPPINES.

JAMES R MANN, leader of the Republicans in the House, is entitled to more recognition than he has yet received as the real leader of the Republicans in Congress. It would be rather trying, indeed, to find a man whose views come so near to representing the real intellectual leadership of the party in the Nation——

Mr. DONOVAN. Mr. Chairman, I make the point that there is no quorum present. If you want to listen to that you have got to have a quorum of Members here.

The CHAIRMAN. The gentleman from Connecticut [Mr. DONOVAN] makes the point of no quorum. The Chair will count. [After counting.] Fifty Members are present—not a quorum.

Mr. DONOVAN. Mr. Chairman, I withdraw my point.

A MEMBER. Too late!

The CHAIRMAN. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Alexander	Anthony	Bartholdt	Borland
Allen	Austin	Beall, Tex.	Britten
Anderson	Baker	Bell, Cal.	Brodbeck
Ansberry	Barchfeld	Blackmon	Broussard
Brown, N. Y.	Gallivan	Lazaro	Post
Brown, W. Va.	Gardner	Lee, Pa.	Powers
Browning	George	L'Engle	Rayburn
Bruckner	Gilmore	Lesher	Riordan
Brumbaugh	Gittins	Lewis, Md.	Roberts, Mass.
Burke, Pa.	Godwin, N. C.	Lewis, Pa.	Rothermel
Burke, Wis.	Goeke	Lindbergh	Rouse
Butler	Goldfogle	Lindquist	Sabath
Calder	Goodwin, Ark.	Loft	Scully
Callaway	Goulden	Logue	Shreve
Candler, Miss.	Graham, Pa.	McAndrews	Slemp
Cantrill	Greene, Mass.	McClellan	Small
Carew	Gregg	McCoy	Smith, Md.
Cary	Griest	McGillicuddy	Smith, Minn.
Church	Griffin	McGuire, Okla.	Smith, N. Y.
Clancy	Guernsey	MacDonald	Sparkman
Connolly, Iowa	Hamill	Mahan	Stedman
Conry	Hamilton, N. Y.	Maher	Stephens, Tex.
Copley	Harris	Martin	Stevens, N. H.
Cox	Hart	Merritt	Stout
Dale	Hayes	Metz	Stringer
Decker	Hinds	Mitchell	Sumners
Dershem	Hinebaugh	Moore	Talbott, Md.
Difenderfer	Hobson	Morin	Taylor, Ala.
Donohoe	Howard	Morrison	Taylor, N. Y.
Dooling	Hoxworth	Mott	Thomson, Ill.
Doughton	Hughes, W. Va.	Mulkey	Townsend
Driscoll	Hulings	Murdock	Treadway
Drukker	Humphreys, Miss.	Neeley, Kans.	Tuttle
Dupré	Johnson, S. C.	Neely, W. Va.	Vare
Eagan	Kahn	Nelson	Walker
Edmonds	Keister	Nolan, J. I.	Wallin
Elder	Kelly, Pa.	O'Brien	Walsh
Estopinal	Kennedy, R. I.	Oglesby	Watkins
Evans	Kent	O'Leary	Webb
Faison	Kindel	O'Shaunessy	Whaley
Falconer	Kinkead, N. J.	Page, N. C.	Whitacre
Farr	Kitchin	Paige, Mass.	White
Fergusson	Knowland, J. R.	Palmer	Willis
Ferris	Konop	Parker	Wilson, Fla.
Fields	Korbly	Patten, N. Y.	Wilson, N. Y.
Francis	Kreider	Patton, Pa.	Winslow
Frear	Lafferty	Peters	Woodruff
French	Langham	Platt	

The committee acccordingly rose; and the Speaker having resumed the chair, Mr. FLOOD of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 18459) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands, finding itself without a quorum, he caused the roll to be called, whereupon 238 Members, a quorum, answered to their names; and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. FLOOD of Virginia in the chair.

The CHAIRMAN. The Clerk will proceed to read the article which he had begun to read when the point of no quorum was made.

The Clerk read as follows:

THE PHILIPPINES.

JAMES R. MANN, leader of the Republicans in the House, is entitled to more recognition than he has yet received as the real leader of the Republicans in Congress. It would be rather trying, indeed, to find a man whose views come so near to representing the real intellectual leadership of the party in the Nation. The Senate contains no man who deserves such rank. MANN occupies the rather remarkable position of possessing the confidence of both the conservative and the radical members of his own party as those elements are represented in Congress.

Therefore the Mann speech on the Philippines is to be taken very seriously. In effect, Mr. MANN would keep the Philippines, not turn them loose: he would serve them, not cut them adrift. He would undertake sincerely and earnestly to improve, educate, and win their real friendship and affection. In that way he believes they would be an asset, not a liability, to us in the event of a great future contest in the Pacific, which he regards as altogether possible.

It is not safe to hurry to conclusions in such a matter as this in such a time as the present. The minority of the Insular Affairs Committee in the House made a most sound and convincing report, in which they protested against the discussion of such a measure as the Jones bill at this time, on the ground that it would inevitably call forth expressions about international relations in the Pacific that might be most embarrassing.

But there is more reason even than this for giving attention to the Mann view. Anti-imperialism has cultivated the view that far-distant dependencies are a weakness, not a strength, to the Nation. Surely that will have somewhat to be revised in view of the figure the British Empire is cutting in the world to-day. From Canada, from Australia, from South Africa, from Ceylon, from India, Britain is bringing soldiers to fight for the Empire on the soil of France. India, long regarded by Britain's critics as a conquered territory held under the iron heel of military despotism, turns up a loyal supporter of the Empire. Its native princes and rulers have offered their services, their treasure, their troops, and these have been accepted. Berlin pictured in its mind's eye a revolution in India that would keep Britain preoccupied to the extent of exclusion from the war. Instead India is sending its brown men to fight loyally and well for the Empire of which they seem proud to be citizens.

Even South Africa, so recently conquered that its leaders are largely the very men who fought against England, is taking its place in the line-up of the Empire.

France is drawing levies of magnificent troops from its African provinces; there is every evidence, just as there was in 1870, that the African domain is a strength and support, not a weakness, to the mother country in time of real stress.

Let the Mann view be considered with care and without prejudice or partisanship. Is it not probable that when this war is ended a new conception of imperial relationships, a new understanding of the ties between mother countries and their dependencies, will prevail throughout the world? This is a war for the right of small nations and minor peoples to exist. It is a war for democratization of the world; for popularization of governments in every quarter of the globe; for establishment of a public law in whose eye every people will be guaranteed the rights of existence and liberty and happiness. That public law will not be established and maintained without federation and understanding and cooperation among many peoples and States. Britain's Empire appears to have been builded on the ideal of giving real liberty, substantial independence, and vast material benefits to a great group of communities held together in ties of common sympathy, institutions, sentiment, and interest. Is it to be conceded that the United States shall fail in the effort to win the affection and loyalty of the Filipino people, where Britain has succeeded in winning the Hindus and the Boers?

At least let us wait the outcome of swift moving events of to-day before starting on a program that may appear a few years hence to have been sadly mistaken.

Suppose Britain had surrendered India two generations ago, on the ground that to retain India might involve a war with Russia? Would India or Britain or the world be the better to-day for that act? It will at least be gravely doubted.

We will see a wide unfolding, a tremendous revelation of world tendencies and directions within a very few years, for this war will compel that much. One thing is very certain. The period of colonizing by buccaneers, of colonial government by and for exploiters, is ended. The colonial countries understand that pretty well. There are manifest advantages, especially for the minor countries, in such federal relations as those that hold the British Empire together, or those that bind to us the recently acquired possessions of the United States. Let us not make haste adopting a program that might be gravely regretted in the near future.

Mr. STANLEY. Mr. Chairman, I heartily concur in the statement of the gentleman from Illinois [Mr. MADDEN], who has just addressed the House, that the carefully considered and ably delivered utterance of the leader of the minority [Mr. MANN] should be taken seriously by this side of the House and by the country. I do not concur in his opinion that the leader of the minority has not been taken seriously by this side of the House. The utterance is too far-reaching in its scope, too momentous in its possible results, to be taken merely as the expression of the opinion of a single individual, or to be answered with a sneer. I do not so regard the address of the leader of the minority. It is the inevitable conclusion to which his party must come. It is the corollary of all their doctrines and utterances. It is surprising and commendable in its candor, if not in its wisdom. But this side of the House will never indorse a line of that appalling utterance. We are not prepared to concede that a war of destruction must inevitably follow rivalry in trade. It may be true that at this hour we see millions of men embroiled in a contest that had its incipiency in trade rivalries. But the spectacle of dominions torn and seamed by trenches red with blood and filled with the bodies of hundreds of thousands of mangled men is in itself a sufficient condemnation for all future time of the crime—the foreordained, cold-blooded policy, of deliberately transforming the marts of trade into shambles of slaughter. [Applause on the Democratic side.] It is natural, it is logical, that the gentleman should read editorial after editorial commending Britain's colonial policy, saying, in effect, that it is the policy of the Republican Party to emulate the ugliest and cruelest attribute of a monarchy from which we ourselves wrenched our liberties by the sacrifices of life and treasure.

Sir, the doctrine to which the gentleman now gives unqualified approval is but a paraphrase of the declarations of the Tories, who, a century and a half ago, sent their red battalions here to compel our reluctant love and obedience to a Government that thought our allegiance profitable and our location strategic. Mr. Chairman, I deny that we are prepared to emulate the colonial policy of Great Britain. I deny that we are prepared now to devote our youth to slaughter in foreign lands. The gentleman may read of the Hindu, the South African, and the Egyptian soldier now in the trenches of Belgium and France, may dilate upon the virtues of semisavage mercenaries who make the slaughter of their kind their bloody profession, but the people will not forget the Transvaal, will not forget the Sepoy rebellion, will not forget the day of the East India Co. and of Warren Hastings, will not forget Sedan, will not forget that the price Great Britain pays for the enforced maintenance of her flag around the world is the blood of her best and bravest sons. [Applause on the Democratic side.] Ah, the gentleman from Illinois [Mr. MANN] says that this ugly, cruel catastrophe, this world-wide war that shall cover all the Pacific, will come as certainly as the rising of the sun.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STANLEY. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent for two minutes more. Is there objection?

Mr. MANN. Reserving the right to object, I thought the time was limited.

Mr. STANLEY. I only ask two minutes more.

The CHAIRMAN. The time was limited to 15 minutes.

Mr. GARRETT. I ask unanimous consent that the gentleman from Kentucky [Mr. STANLEY] may have two minutes more, and that the remainder of the time may be used on the other side of the House.

The CHAIRMAN. There will be three minutes remaining.

Mr. STANLEY. I ask unanimous consent that the time of the debate be extended five minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that debate on this paragraph and amendments be extended five minutes more.

Mr. MANN. Five minutes more from now?

The CHAIRMAN. After the gentleman from Kentucky has used two minutes there will be eight minutes more. Is there objection?

Mr. MANN. I do not object. It is to our interest to have the gentleman from Kentucky continue.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STANLEY. The gentleman from Illinois imagines that the sky he sees incarnadined with the blood of American citizens is lighted by the rays of a rising sun. It is not the dawn; it is the dying of a day, thank God, forever past. If the gentleman will study the wise policies of that great and patient man who now directs the destinies of Democracy, he will see the dawn of a better day, a time when universal justice and the dissemination of peace instead of war, of liberty and not of tyranny, shall be the noble aim of a great Republic. He will see an attempt to make men love us because we are just as well as strong, not an effort to manacle them to our hearts or to pinion them with a bayonet to a hated standard. He will see that it is wiser and safer to maintain the trade of America and to preserve the life of her citizens by a policy of universal justice, universal kindliness, the dissemination of liberty, not vassalage. This is the dawn, not of trade wars but of tranquillity in trade, the dawn of peaceful, friendly competition between all men and all nations. The time is at hand when—

With man to man united,
And every wrong thing righted,
The whole world shall be lighted
As Eden was of old.

[Applause on the Democratic side.]

The CHAIRMAN. The Chair understands the gentleman from Iowa [Mr. TOWNER] is entitled to eight minutes.

Mr. TOWNER. Whatever the Chair decides is satisfactory to me.

Mr. JONES. That is entirely in the discretion of the Chair, to recognize the gentleman for eight minutes.

The CHAIRMAN. The Chair understood that to be the suggestion of the gentleman from Tennessee [Mr. GARRETT].

Mr. JONES. Fifteen minutes were granted for the Chair to recognize anybody he chose.

Mr. TOWNER. The declaration of the minority in its report was—

There is a common ground upon which we all can stand. Though we may differ as to whether ultimate independence is best for the islands, we are all agreed that it is not best for them now.

Is there anyone on the other side of the aisle who will take exception to that statement? Is there anyone here who proposes now to grant independence to the Filipinos? Certainly not in view of this bill, which we hear, presumably with authority, has the approval of the President of the United States, who, we are told, has the Democratic Party within the grasp of his strong hand, as the gentleman from Kentucky [Mr. STANLEY] said a moment ago. The minority went further with the declaration and said:

However we may differ as to whether the people of the Philippines are capable of entire self-government, we can all agree that they should have the largest measure of self-government of which they are capable. Upon that common ground we should have considered the bill to give to the Filipino people such changes in their fundamental law as should be made in their interest.

The course of the debate on this bill has but emphasized the truth of that statement. We should have considered the bill upon its merits, without the reiteration in the form of a preamble of the Baltimore platform, without this injection of politics all the way through, without the declaration again and again that you stand for this and we stand for that. There is as much difference of opinion on that side of the House as to what should be done regarding the Philippines as there is on this side of the House. There is no one qualified to speak for you, and there is no one qualified to speak for us.

Gentlemen differ with regard to the matter; each has his individual opinion. But there is this common ground upon which we can stand. We all agree that we should give them the largest measure of self-government of which they are capable now and at all times. A larger measure of self-government should be given to them now by this bill than they possessed under the old law. I presume in the future we ought and will give them still larger measures of self-government.

Mr. Chairman, I can see, without, I think, indulging an unreasonable expectation, that the time will come when the Filipinos will be a great self-governing Commonwealth—may I say, like Canada or Australia. To-day, if Canada should ask for its independence she could have it. Why does it not do so? Simply because it feels that its association with another country is a benefit to it, and it does not desire a separation, although it has practical autonomy in its own government.

To-day Australia occupies the same position. It is a great self-governing Commonwealth, with a constitution, which it formulated very much after our own Constitution, of a federal government with national powers and preserving every Province as we preserve the States.

Mr. TALCOTT of New York. Will the gentleman yield?

Mr. TOWNER. I can not yield now. Their Commonwealth constitution was formulated by the people of Australia and sanctioned by the people of Great Britain. They had only to make the declaration of their independence, and Great Britain would not have protested against it. She would, of course, object to the action, but it is the statement of all that on the day this great self-governing Commonwealth desires to cut off and separate from the mother country they shall do so. But they do not desire to do it, because they find it to their benefit not to. Are gentlemen prepared to say that the time will come in the future when the Philippines, a great self-governing Commonwealth, shall determine that it will be better for them to cast off their connection with the United States than to remain as they are? Yet, if they shall so declare, when that day comes I will not protest against it, and there will be little, if any, opposition, in my judgment, because there are not many who would force the continuance of an undesired connection with a people capable of self-government, qualified for independence, and able to maintain it. But that time has not arrived. Let us leave the problems of the future to the future and not be speculating on what we propose to do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MURRAY].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That in all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf.

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

The Clerk read as follows:

Page 3, after line 19, add a new paragraph, as follows:
"The right of trial by jury shall be and remain inviolate, and a jury for the trial of civil and criminal cases in courts of record shall consist of 12 men, but in courts not of record a jury may consist of 6 men."

Mr. MURRAY. Mr. Chairman, I can not understand why gentlemen of the committee should oppose this amendment. Some 10 or 12 years ago I remember of reading a discussion that went on in Congress over the question of whether the Constitution followed the flag when there was a military occupation of the Philippine Islands. The very question was raised before any kind of local self-government was granted. I do not think it lies in the mouths of Democrats to reverse that position. Doubtless many Members of the House have never experienced that which I have—where the people had no government except a court government.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MURRAY. If I can have more time.

Mr. GARRETT of Tennessee. I want to call the attention of the gentleman to the fact that this bill does not cut off the trial by jury. It is within the power of the Filipino government herein organized, if it thinks it wise, to have a trial by jury and institute it.

Mr. MURRAY. Yes; it is within the power of the Philippine Government to do all things not prohibited by the organic act, but if it is necessary to provide in this bill for provisions of this character—that life, liberty, and property shall not be taken without due process of law; that no person shall be charged with a criminal offense nor be tried without being confronted by the witnesses against him; that he shall not twice be put in jeopardy; that he shall be bailable; that there shall be no law impairing the obligation of contracts; that no person shall be imprisoned for debt—that the writ of habeas corpus shall never be suspended; that no ex post facto law shall ever be passed—if it be necessary to provide for those safeguards by putting them into the organic law, certainly the most fundamental one of trial by jury should be placed there with them.

Mr. BARTLETT. Mr. Chairman, may I ask the gentleman a question? I will state that I am with him on his proposition.

Mr. MURRAY. I will yield in a moment. I lived in the Indian country with three-quarters of a million people, when we had no Representative in the legislative or executive branches of the Government. The only representation the people had was in the courts, through their jury, and for the first time I realized the philosophy of Jefferson, who said that as between the right to be represented in the courts or in the legislative branch, the people would better far have some one else make the law and have their representation in the courts. It would have been intolerable to have lived in that Indian country but for that fact. Men may answer that jurors make mistakes, and I can repeat that oft-repeated expression that no man can tell what the jury will do or whom a woman will marry, but I have never yet seen the time when I would abolish either marriage or the jury system.

The most fundamental right that any people can have is a trial by their peers. It may be argued by the committee that it would be unwise to place this language in the bill because everyone in the Philippines is unfitted for jury service, but the legislative body of the Philippines can limit the qualifications of a juror under this bill to those who have the ballot, or to any other class. It has been stated to me that the real objection to this is that those cases now pending in the courts of the Philippine Islands, if tried before they learn that this is the law, after the adoption of it would result in a mistrial, but that is no argument against the right of a people to trial by jury.

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

Mr. MURRAY. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURRAY. That may be obviated by putting a provision in this very section, if the gentlemen are afraid of that, providing that this shall not apply to any case now pending in the courts of the Philippine Islands. But certainly, in view of the necessity for reciting some 12 or 13 sections that ordinarily go into a bill of rights in ordinary constitutional governments, I think that we ought to also place in the bill the most fundamental one; and the fact that any person in the Philippine Islands is unwilling to guarantee this right should be regarded with suspicion as to the motives behind the proposition.

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

Mr. MURRAY. Yes.

Mr. HELM. The gentleman is aware of the fact that there are, in round numbers, about a million Moros who are non-Christian?

Mr. MURRAY. There are more non-Christians than Christians, as I understand it.

Mr. HELM. And this bill provides that their representative in the legislative branch of the Government shall be appointed. They are now governed by a bureau. How would the gentleman select a jury in Mindanao—who would compose a jury of the people who neither vote nor have representation in the legislature?

Mr. MURRAY. I would leave the Philippine Legislature to determine the qualifications for jurors according to the conditions that exist in those islands, and I would certainly guarantee to every Filipino, whether Christian or non-Christian, this right of trial by jury.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. JONES rose.

Mr. MANN. Mr. Chairman, could we not reach some agreement as to the length of debate upon this matter?

Mr. JONES. What would the gentleman suggest—20 minutes?

Mr. MADDEN. Oh, let us make it 4 o'clock and then quit.

Mr. GARRETT of Tennessee. I think 20 minutes is too much.

Mr. JONES. Mr. Chairman, I ask unanimous consent that at the conclusion of 20 minutes all debate on the paragraph and all amendments thereto shall be concluded.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that debate on this paragraph and all amendments thereto close in 20 minutes. Is there objection?

Mr. MILLER. Mr. Chairman, reserving the right to object, how many gentlemen on that side desire to speak?

Mr. BARTLETT. I desire to speak.

Mr. MILLER. There are at least three on this side who desire to speak, and I think there are four. Could we not proceed for a few minutes, first, without making any arrangement?

Mr. MANN. I suggest that the gentleman from Virginia make it 25 minutes.

Mr. JONES. Very well.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all debate on this paragraph and all amendments thereto conclude in 25 minutes. Is there objection?

There was no objection.

Mr. JONES. Mr. Chairman, there are many good reasons why we should not impose a jury system upon the Filipinos. Many of them are quite obvious. One is that just suggested by my colleague, Mr. HELM. There are some six or seven hundred thousand non-Christianized and noncivilized people in the Philippine Islands; as, for instance, the Moros in the southern and the Negritos and Igorrotes in the northern part of the archipelago. It would be most irrational to undertake to force jury trials in those communities. The gentleman from Oklahoma has anticipated another objection which I have to his amendment, one which he must regard as serious. There is no jury system in the Philippines now, and therefore there is no legal machinery in existence through the means of which jury trials can now be had. This being true, much confusion, if not positive harm, may follow the fastening by Congress of such a system upon the Filipinos. Between the time of the passage of this bill, if it is passed, and the passage of the legislation necessary to carry into effect the constitutional requirement of jury trials many criminal cases will have been disposed of. In such cases, where convictions have been had, it will, of course, be objected that the convicted persons have been deprived of the jury trials guaranteed them by the Congress of the United States, and the objections will be well founded. Such convictions would unquestionably be illegal.

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

Mr. JONES. So, Mr. Chairman, it seems to me that this ought not to be incorporated in the bill. I yield to the gentleman.

Mr. CARTER. I want to ask the gentleman from Virginia if they have, under the present system there, a trial by jury?

Mr. JONES. Under the present system they have no trial by jury, and I will say, further, that there is a most excellent judicial system in the islands. I think that justice is fairly administered in the Philippines at this time. I may add that under the existing organic law the Philippine Legislature is empowered to adopt a jury system. It seems, therefore, that there is no demand on the part of the Filipinos for jury trials. There has been none on the part of the Filipino bar, and the committee wisely, I think, determined to leave this subject in the hands of the Philippine Legislature, where it now resides.

Mr. CARTER. Do I understand the gentleman to say they have not a jury trial even in criminal cases?

Mr. JONES. That is my statement.

Mr. FESS. Will the gentleman yield?

Mr. JONES. Yes.

Mr. FESS. If the bill of rights is adopted as we have written it, there is no objection to their having a jury trial; it does not forbid it.

Mr. JONES. Certainly not; and I have tried to make that plain. It does not forbid it, as the gentleman from Ohio says. The legislature provided for here is elective in both of its branches, and it can have a jury system if it desires to do so, since there is nothing in the bill of rights to prohibit it. Now, Mr. Chairman, I wish to add that when the first draft of this bill was prepared it contained a provision for jury trials. I submitted it to a number of gentlemen who are wiser than myself, and in whose judgment I have great confidence, and after listening to the objections urged to it by them I concluded that the wise thing was to leave it out. So when I introduced the bill in the House I omitted the jury-trial provision which I had at first incorporated in the bill. I do not believe it would be wise to put it in the bill of rights now, and I hope the House will agree with me.

Mr. BARTLETT. Mr. Chairman, I hope I may be able for a minute or two to voice my approval of the principle involved in the amendment offered by the gentleman from Oklahoma [Mr. MURRAY]. We are undertaking to consider a constitution for the people in the Philippine Islands and to declare that when they have made themselves capable of self-government we will give them their independence. We are an English-speaking people. We derived our system of jurisprudence from that of the mother country, and no principle ever crossed the waters with our forefathers that was dearer and deeper embedded in the fundamental law of this land or dearer to the fathers who fought the Revolution and who formulated and created our Constitution than the principle of the right of trial by jury. [Applause.] And we will not do our duty to these people, whom we propose to educate and make good citizens and give them a free government, if possible, if we withhold this right from them; yea, if we do not require those to whom we shall delegate the power to enact their laws to embed into their laws this best, greatest, and most precious principle of the English-speaking race. Mr. Chairman, the only part of this great Constitution of ours which has in it that right, written by the men who created it, has always been printed not only in italics but in capital letters, so that those who read it may know and understand that of all the provisions of the Constitution that one which provides for the right of trial by jury was regarded by them and has been the greatest right of American citizens. If you will examine the sixth amendment of the Constitution you will find of all the sections and amendments written that that alone is italicized, emphasized, and written in capital letters, so that posterity may have emphasized to it that that of all was the greatest right of the American citizen. It is as follows:

IN ALL CRIMINAL PROSECUTIONS THE ACCUSED SHALL ENJOY THE RIGHT TO A SPEEDY AND PUBLIC TRIAL BY AN IMPARTIAL JURY OF THE STATE AND DISTRICT WHEREIN THE CRIME SHALL HAVE BEEN COMMITTED, WHICH DISTRICT SHALL HAVE BEEN PREVIOUSLY ASCERTAINED BY LAW, AND TO BE INFORMED OF THE NATURE OR CAUSE OF THE ACCUSATION; TO BE CONFRONTED WITH THE WITNESSES AGAINST HIM; TO HAVE COMPULSORY PROCESS FOR OBTAINING WITNESSES IN HIS FAVOR; AND TO HAVE THE ASSISTANCE OF COUNSEL FOR HIS DEFENSE.

Now, I had an amendment which I wished to propose to this bill—in line 17, after the words "public trial," to insert the words "in criminal cases or by an impartial jury to be selected from the district wherein the offense was committed," in the language of the Constitution. We say these people shall have a constitution such as we write for them in this bill containing many of the provisions in our own Constitution and of the State constitutions. We even say that a bill shall not be passed which does not contain in its title the purpose of the bill or subjects matter in it different from the title. We undertake to guard these people from the errors or crimes of the legislatures that they may elect, and yet we withhold from them this greatest blessing that our people ever enjoyed and which we have maintained here by the blood and virtue of our people.

Mr. JONES. May I ask the gentleman a question?

Mr. BARTLETT. Certainly.

Mr. JONES. The gentleman uses the word "withhold." The gentleman means we do not impose it. We do not withhold it.

Mr. BARTLETT. I meant it in that sense; I did not mean that you prevented it. You do not enjoin it upon the legislative body. Mr. Chairman, one word. When the Philippine administration bill was first considered by the House, to govern these islands, it was upon my motion and my amendment which embodied in it that they should have an appeal to the Supreme Court of the United States on all questions involving the construction of the Constitution of the United States. That provision put in that bill enabled two American citizens who were convicted in one of the Philippine courts of first instance by Filipino judges to secure their freedom from 40 years' imprisonment imposed upon them by Filipino judges in a trial for a criminal offense which the Supreme Court of the United States decided they had no jurisdiction over.

I have not had experience myself, but I have a constituent who has suffered by a trial in a Filipino court for crime and tried by judges; and the man was convicted in that court and sentenced to 40 years' imprisonment for a crime over which that court had no jurisdiction, as decided upon appeal to the Supreme Court of the United States. That right was secured him by the amendment which I offered and had placed in that bill. I am not willing that the rights shall be left to the Filipino Legislature to say whether these people shall be tried for crime except as we try people here; that is, the right of trial by jury selected from the vicinity where the crime was committed. I do not care so much about the right of trial by jury in civil cases, but I am unwilling to send to those people across the Pacific a constitution made by the American Congress which refuses to say that wherever you try a man under the American Constitution or American law he shall have the right to have it decided by a jury whether or not he has violated the laws of his country. I will not vote for a proposition that does not give him that great privilege, a right so dear to every American and to every English-speaking man. [Applause.]

Mr. MILLER. Mr. Chairman, I think this amendment ought to be determined not by a consideration of theoretical principles of liberty peculiar to the Anglo-Saxon race, but by considering actual conditions in the Philippine Islands, where the

bill is to be operative. There are a thousand reasons, Mr. Chairman, why this particular amendment should not be incorporated in the bill. In the first place, it is not necessary, because, as has already been stated by the chairman of the Insular Affairs Committee and by the gentleman from Kentucky [Mr. HELM], if the Filipino people desire trial by jury they can, immediately after the enactment of this bill into law, provide for that institution by legislative enactment. The truth is, Mr. Chairman, that the Filipino people do not now want trial by jury, and if you require it you impose upon them an institution which they have sense enough to know they are not now qualified successfully to handle. I have no doubt in my mind at all——

Mr. BARTLETT. Will the gentleman allow me? I intended to offer this amendment at the time I had the floor.

Mr. MILLER. I will yield for that purpose, if it is not taken out of my time.

The CHAIRMAN. The gentleman will send his amendment up.

Mr. BARTLETT. To consider it as pending.

Mr. MILLER. I have no doubt, Mr. Chairman, in the least that if this amendment were submitted to all the Filipino judges in the Philippine Islands practically a unanimous vote would be against putting it in the bill.

Mr. GORDON. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Minnesota yield to the gentleman from Ohio?

Mr. GORDON. The judges would not have it here if they had their way, would they?

Mr. MILLER. I do not agree with the gentleman at all. If you would submit the question to the judges of America, 100 per cent would say to retain the trial by jury. [Applause.]

Now, Mr. Chairman, I would not feel disposed on any occasion, much less on this, to enter into a discussion of the reasons why this would work havoc in the administration of justice in the Islands. I will say this, however—and I am sure it is the opinion of the Filipino judges themselves—that if it be required now that criminal cases be decided by a jury, there will be an almost complete absence of conviction; that the criminal laws of the country can be violated with impunity; that if it be required that civil action be submitted to a jury, justice will rarely prevail. And that is not an indictment at all against the intelligence or general honesty of the Filipino people. It is because the people have never been trained as yet in this great and important institution.

Now, Mr. Chairman, there is one thing further, and if you will pardon me going to the map once more I will invite your attention to it, and it is to my mind paramount to anything that has already been suggested. There are 1,200,000 non-Christian, uncivilized people in the islands. The Christian people do not want this institution, because they know they can not successfully carry it out now.

But, even if they could, what on earth would become of the administration of justice in one-half of the entire area of the islands, because one-half of the area is now entirely in the possession of the non-Christian, wild tribes? The whole northern third of Luzon contains 400,000 wild people, and it would be absolutely impossible to secure a jury capable of trying a case in any sense, big or little, from out the entire 400,000 of people. Likewise in the entire region to the south, where the Moros live, it would be impossible to secure a trial by jury.

Mr. HELM. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Minnesota yield to the gentleman from Kentucky?

Mr. MILLER. I will.

Mr. HELM. Will the gentleman, who has been to the Philippine Islands, inform the House of his knowledge as to capacity and honesty of the judges who preside?

Mr. MILLER. The judges there now?

Mr. HELM. Yes.

Mr. MILLER. I will say, after making as full an investigation as I could in going through the islands, I was tremendously pleased, both with the Filipino judges and the American judges, and I think the administration of justice in the islands to-day is splendid. Of course, there are some exceptions; but, generally speaking, the judiciary is a first-class working institution. The reports that I gather from Filipino judges and Filipino business men, as well as from Americans, is that the Filipino judges, after they had once grasped the idea of our institutions and the administration of justice, have made wonderful progress. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I am perfectly well aware of the affection which those of Anglo-Saxon descent entertain for the jury system. I am of that descent and I share in that affection. I realize, therefore, the embarrassment that it may occasion Members to oppose the placing into what is proposed as an organic law of a section which shall enforce jury trial. But, nevertheless, we must deal with this upon a practical and intelligent basis. The development of the jury system, as we understand it, has been purely a development of and by the Anglo-Saxon or Teutonic people. In the Philippine Islands, throughout all the long years of their existence, there has been no jury system under the Spanish régime, under the present régime, under no régime, nor has there been any request by the Filipino people, so far as we have been advised, at any time for the institution of such a system.

Mr. BARTLETT. May I interrupt the gentleman just a moment to ask him a question?

Mr. GARRETT of Tennessee. Certainly.

Mr. BARTLETT. The gentleman has seen fit to put in the bill, very properly, that no law shall be enacted in said islands which will deprive any person of life, liberty, or property without due process of law or deny anyone equal protection of the law. Now, can the gentleman state whether or not, under our conception of law in this country and the institutions under which we live, any trial can be had with due process of law in a criminal case where a man is not tried by a jury?

Mr. GARRETT of Tennessee. I think so; but to answer that fully, or to undertake to answer it fully, would carry us into the old discussion of whether our Constitution applies to colonial possessions.

Mr. BARTLETT. You and I think it ought to.

Mr. GARRETT of Tennessee. The gentleman and I will not have any disagreement about that, and yet we take the law, as we must take it, from the courts. But I want to call the attention of the gentleman from Georgia and other gentleman of the House to this proposition: We are not, in this bill, denying to that people the right of trial by jury. One of the things, Mr. Chairman, that has made me desirous, and that now makes me desirous, of severing connection with that people is that that race is not our race; its spirit is not our spirit; its blood is not our blood.

And I do not wish to undertake to force on that government or on those people against their will an institution which is purely a development of our own race and to which they are wholly unaccustomed. But if they desire it, I would leave them free to have it. In the making up of this bill no matter was more seriously considered by the committee than this question of jury trial. We, all springing from the Anglo-Saxon race, entertain the same sentiments with regard to the jury system; but in the light of the conditions existing in the Philippine Islands we in committee, I think I may say with practical unanimity, came to the conclusion that it was not wise to ingraft upon the judicial system of that people an institution which is purely a development of our race, and to which that race has never been accustomed.

Mr. MADDEN. Will the gentleman yield to me for a question, Mr. Chairman?

Mr. GARRETT of Tennessee. Certainly; I yield to the gentleman.

Mr. MADDEN. Did the committee conclude that a man would be less likely to get a fair trial before a jury of his peers than before a fair judge?

Mr. GARRETT of Tennessee. Oh, no; I would not say that the committee reached that conclusion at all. That is not the theory upon which the committee acted. It acted upon the theory that that people have never been accustomed to the jury system, that from experience they know nothing about trial by jury.

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

Mr. GARRETT of Tennessee. Mr. Chairman, if any gentleman on that side desires to speak, I shall not ask for any more time.

Mr. FESS. I have yielded to the gentleman from the Philippine Islands [Mr. QUEZON].

Mr. MURRAY. Mr. Chairman, I ask that I may offer a substitute for that amendment.

Mr. BARTLETT. Mr. Chairman, may we have read the amendment that I sent up?

Mr. MURRAY. Let them both be read.

Mr. MILLER. Let it be read and considered as pending.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 3, line 17, after the word "trial," insert the words "by an impartial jury selected from the district wherein the offense was committed."

Mr. JONES. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. GARRETT] be permitted to proceed for two minutes longer.

Mr. MILLER. Let the Clerk read the other amendment. The Clerk has just read the amendment of the gentleman from Georgia [Mr. BARTLETT].

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Substitute offered by Mr. MURRAY: Page 3, line 19, add the following as a new paragraph:

"The right of trial by jury shall be and remain inviolate in the trial of criminal cases, and in the courts of record the jury shall consist of 12 men, but in courts not of record a jury may consist of 6 men."

The CHAIRMAN. What was the request of the gentleman from Virginia?

Mr. JONES. That the gentleman from Tennessee [Mr. GARRETT] may be permitted to proceed for two minutes. Of course, it will come out of the 25 minutes.

Mr. GARRETT of Tennessee. I thank the gentleman for his courtesy, but I will ask him to withdraw his request.

Mr. MANN. If the gentleman requires more time, I will yield to him.

Mr. GARRETT of Tennessee. I thank the gentleman from Illinois.

Mr. JONES. I withdraw that request, Mr. Chairman.

Mr. MILLER. Mr. Chairman, I ask unanimous consent that the time agreed upon for debate upon this paragraph be extended for an additional 10 minutes in order that 5 minutes may be assigned to the Commissioner of the Philippine Islands [Mr. QUEZON] and the other 5 minutes be divided equally between the gentleman from Tennessee [Mr. GARRETT] and myself.

The CHAIRMAN. The gentleman from Minnesota [Mr. MILLER] asks unanimous consent that the debate on this paragraph——

Mr. GARRETT of Tennessee. Mr. Chairman, how much time is remaining?

The CHAIRMAN. Five minutes.

Mr. GARRETT of Tennessee. Mr. Chairman, so far as I am concerned, thanking the gentleman from Minnesota for his courtesy, I do not ask for any further time.

Mr. MILLER. Then I will modify my request, Mr. Chairman, and ask that the time be extended five minutes, the extra five minutes to be given to the Commissioner of the Philippine Islands.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the debate on this paragraph be extended five minutes, to be given to the gentleman from the Philippine Islands.

Mr. MANN. Reserving the right to object, Mr. Chairman, may I ask the gentleman from Virginia how long we shall stay here this evening?

Mr. JONES. I hope we shall not stay longer than 5 o'clock.

The CHAIRMAN. The Chair will recognize the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I desire to make only one or two observations. I am, of course, in entire sympathy with the idea advanced by the gentleman from Oklahoma [Mr. MURRAY] and so earnestly advocated by the gentleman from Georgia [Mr. BARTLETT].

That, however, has not anything to do, as it seems to me, with the question before us to-day. There is no declaration here against a jury trial. We are only now leaving to the Filipino people, to the legislature there, the determination of when and to what extent they will apply the jury system to their own people. That is the wise thing to do. If in some parts of their territory it may be applied safely, doubtless they will apply it. We know that in some parts of the territory it would be absolutely unsafe to apply it.

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

Mr. TOWNER. Yes.

Mr. MADDEN. Does the gentleman think we would have jury trials all over the United States now if the Constitution did not provide for it?

Mr. TOWNER. Unquestionably; I think we would.

Mr. MADDEN. I doubt it.

Mr. TOWNER. I am quite sure we would.

Now, in the northern part of Luzon, over an area covering almost one-half of that great island, it would be a laughable thing to talk about giving them trial by jury. In almost the entire island of Mindanao it would be utterly impossible at this time. But whenever it is practicable, whenever the people of the Philippines determine for themselves that a jury trial shall be given to their people, the legislature will have that power. To vote down this amendment is not a determination by this body against a jury trial. It is doing what we ought to do—allowing them to decide when, and under what conditions, and to what territory, and to what people the right of trial by jury ought to be given.

Now, if I can, Mr. Chairman, I will yield the remainder of my time to the gentleman from Minnesota [Mr. MILLER].

The CHAIRMAN. The gentleman from the Philippine Islands is recognized.

Mr. QUEZON. Mr. Chairman, I am not prepared to admit that the Filipino people do not want the jury system established in the islands, as the gentleman from Minnesota [Mr. MILLER] puts it. Unless my memory fails me, there have been introduced in the Philippine Assembly, from time to time, resolutions instructing the Resident Commissioners to petition the Congress of the United States for a grant of authority to the Philippine Legislature to provide by law for the establishment of the jury system of trial. Therefore, if the assembly fairly represents the Filipino people, as we should assume, since it is an elective body, the Filipinos are in favor of the trial by jury. Personally, I also believe in this principle. It is to be noted, however, that the Philippine Assembly has never requested the Congress of the United States to include among the constitutional rights of all the inhabitants of the Philippine Islands the right to be tried by jury. The reason for this is obvious. There are some regions in the Philippines where it is absolutely impossible to establish the trial by jury, unless it is desired to let crime go unpunished. So, in order to properly serve the interests of justice, the Philippine Assembly deemed it necessary that the authority to grant this right be conferred upon the Philippine Legislature, which is acquainted with the conditions in the islands, instead of being directly exercised by the Congress itself. The situation is this: Some of the non-Christian inhabitants of the Philippines are still in a very primitive condition, while others, like the Moros, though not altogether uncivilized, entertain ideas of right and wrong not exactly in harmony with those upon which our criminal and civil codes are based. There are altogether about half a million of these people, among whom the jury system would be a complete and absolute failure. The former, of course, do not have the same conception of justice that we have. The latter—that is to say, the Moros—have an idea of criminal action not always in conformity with the provisions of the criminal law. A Moro, for instance, at times does not believe that to kill a Christian, be he American or Filipino, is a crime. He may even hold it to be a virtue. Can anyone, then, expect that if a Moro were to kill a Christian, no matter what might be the race of the latter, he would be found guilty by his fellow Moros?

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

Mr. QUEZON. Yes.

Mr. GORDON. Have they civil government down in the island of Mindanao?

Mr. QUEZON. Yes; to a certain extent. The governor is a civilian, but he is not elected, and his powers are rather unusual for a civil governor; in other words, the government in Mindanao is not similar to the government established in the other Provinces.

Mr. GORDON. Exactly. We do not have jury trials in this country unless we have a government established.

Mr. QUEZON. But there is a civil government established in Mindanao, or the Moro Province, as it is called. It is not a military government, and surely it is not under martial law. There is a court there exactly identical, both as regards the jurisdiction of the judge, the laws he administers, and the procedure under which trials are conducted, with the courts in the city of Manila. Such being the case, if this proposed amendment is adopted the jury trial will be applied inviolate in the Moro Province just as much as in the city of Manila.

Mr. GORDON. Oh, no; you are mistaken about that.

Mr. QUEZON. Then I do not understand the language of the amendment.

Mr. MILLER. The gentleman from the Philippines is quite correct.

Mr. GORDON. The gentleman from the Philippines is entirely mistaken about that.

Mr. QUEZON. Why am I mistaken?

Mr. GORDON. Because the institution of the jury trial under our Constitution only extends as far as the Government extends. Do we have it among the American Indians? Surely not.

Mr. MILLER. I beg to assure the gentleman from Ohio that the United States Constitution and the United States Government extend over every foot of the territory in the Philippine Islands.

Mr. BARTLETT. Does the gentleman say that the Constitution extends there?

Mr. MILLER. Certainly.

Mr. BARTLETT. I am glad to hear it.

Mr. GORDON. You gentlemen claimed that it did not extend there at all. I think the gentleman from Minnesota is mistaken in his statement.

Mr. QUEZON. Mr. Chairman, the controversy between the gentleman from Minnesota and the gentleman from Ohio, as to whether or not the jury system shall be established in Mindanao if this amendment is adopted, shows that we shall have to face in the Philippines a great many new and serious questions, both legal and constitutional in nature, if this amendment is put into the bill, since these two learned lawyers, who are called upon to vote on the amendment, take entirely opposite views. My impression, however, is to the effect that the gentleman from Ohio is mistaken. At all events, I am positive that if this amendment is adopted there will be created almost a chaotic condition in the administration of justice in the islands. I repeat it: In those places wholly inhabited by uncivilized peoples no jurors could be had.

Mr. MADDEN. Will the gentleman yield?

Mr. QUEZON. Yes.

Mr. MADDEN. If this enabling act is passed, requiring trial by jury, the legislature will still have the power to fix the qualifications of jurors?

Mr. QUEZON. Yes.

Mr. MADDEN. Why can they not fix varying qualifications, according to varying conditions?

Mr. QUEZON. They certainly can; but in these places I am referring to it will be impossible to find enough persons with any qualification to act as jurors.

Mr. BARTLETT. May I ask the gentleman what sort of courts they have there in the part of the Philippine Islands to which he refers?

Mr. QUEZON. The same kind of court as in other parts of the archipelago.

Mr. BARTLETT. You have some sort of a judicial system down there, then?

Mr. QUEZON. We have a complete judicial system in every part of the archipelago, but the judge acts both as a judge of fact and as a judge of law.

But leaving aside the question of whether or not there are to be found competent jurors among the uncivilized or semi-civilized Filipinos, do the gentlemen of the committee realize that this bill goes into effect immediately upon its passage, and therefore, from that instant, every man accused of a crime in the Philippines has the constitutional right of being tried by jury?

Suppose this bill should be passed. All those who at the time are accused of some crime will at once have the constitutional right to be tried by jury and the further constitutional right to a speedy trial. There being no law in the Philippines providing for the qualifications and selection of jurors, a law to this effect shall have to be enacted by the legislature. If the legislature is not in session, as very likely it will not be when this bill becomes law, or even if it is in session, some time must elapse before the necessary legislation can be provided for and put in operation. In this case the courts will either have to try the defendants without jury or postpone the trial for a long period. In either case a constitutional right of the accused would have to be violated, and the court will have no other alternative than to let the crime go unpunished.

As I said in the beginning of my remarks, I am in favor in principle of the jury trial, and so is the Philippine Assembly, but in order to avoid giving a serious shock to the administration of justice the proper course is to let the Philippine Legislature enact such law as is needed to establish the jury system, bearing in mind the conditions of the country as they are. Everybody here agrees that the bill permits the legislature to enact such law, so I think it is wiser not to adopt this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUEZON. I have no doubt that the Philippine Legislature will enact the proper law on this subject.

Mr. MILLER. Mr. Chairman, I find that I inadvertently said that the United States Constitution extended to the Philippine Islands. Of course I meant no such thing as that. I meant that the American Government extends all over the Philippine Islands, and civil government extends practically throughout the Philippine Islands.

Mr. BARTLETT. I think the gentleman was right in his original statement.

Mr. MILLER. But when my time expired I had started out to say that there is a large area in the Philippine Islands where jury trials would be absolutely impossible. I called attention to the 400,000 people in northern Luzon. I mentioned the half million or more people in the great island of Mindanao, which comprises more than a quarter of the entire territory of the archipelago; also the entire Sulu group. I should have to add to that also the entire island of Palawan, and north of that the group that you see on the map. I should have to add to it nearly all of the large island of Mindoro, excepting only a few spots on the circumference next the sea. In addition to that there are many areas right in the so-called civilized countries that are entirely inhabited by wild people. For instance, there are the Ilongots in the Provinces of Isabela and Nueva Ecija, 120 or 125 miles northwest of Manila. Then there is the large body of Negritos, who are scattered in areas that you may call reservations for them, all over the islands. Some are in Zambales, almost directly across the bay from Manila. Then I should have to include many other wild tribes scattered through the islands, even in considerable areas in Samar and Panay. When you add all these together you have more than one-half of the entire archipelago whose people would not be able to carry on jury trials at all. So I sincerely trust that it will not be the wisdom of the committee to adopt this amendment.

Mr. QUEZON. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Oklahoma.

Mr. MURRAY. I withdraw the first amendment and offer a second one.

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

Mr. MANN. Mr. Chairman, nobody knows what that amendment is.

Mr. BARTLETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. I have an amendment pending to the seventeenth line. Would not that be in order before the amendment of the gentleman from Oklahoma, which comes lower down?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. BARTLETT], which the Clerk will report.

The Clerk read as follows:

Page 3, line 17, after the word "trial," insert the words "by an impartial jury to be selected from the district wherein the offense was committed."

Mr. HENRY. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Texas makes the point of order that no quorum is present.

Mr. JONES. Mr. Chairman, it is going to take so much time to call the roll that I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FLOOD of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 18459, the Philippine bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. NORTON, indefinitely, on account of sickness in his family.

To Mr. LANGLEY, indefinitely, on account of sickness in his family.

To Mr. BRITTEN, indefinitely, on account of illness.

To Mr. STEPHENS of California, indefinitely, on account of sickness in his family.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following communication:

The Clerk read as follows:

WASHINGTON, D. C., *October 3, 1914.*

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I beg leave to inform you that I have this day transmitted to the governor of New Jersey my resignation as a Representative in the Congress of the United States for the ninth district of New Jersey.

Respectfully, yours,

WALTER I. MCCOY.

Mr. MANN. Mr. Speaker, I suppose the resignation will be placed on file and also go in the RECORD. I would like permission to say that I again congratulate the President upon the appointment he has made out of the body of this House. Mr. McCOY as a Member of this House not only made friends among the entire membership of the House, but by his ability showed, in my opinion, that he was one of the best lawyers in the country. [Applause.]

COTTON.

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent that I may address the House for 40 minutes on Tuesday morning immediately after the reading of the Journal. I did want to ask unanimous consent to address the House on Monday, but I un-

derstand that is unanimous-consent day, and I do not want to interfere with that. I want to address the House for 40 minutes on the distressed condition of the cotton industry of the South.

The SPEAKER. The gentleman from Alabama asks unanimous consent that on Tuesday next, immediately after the reading of the Journal and the disposition of business on the Speaker's table necessary to be disposed of, he shall be permitted to address the House for 40 minutes on the cotton situation. Is there objection?

Mr. JONES. Mr. Speaker, reserving the right to object, I wish to say that I understand there are other gentlemen who will follow my friend from Alabama with similar requests. I do not object to granting him the 40 minutes, but I do not wish this permission given the gentleman from Alabama without my giving notice that I shall feel constrained to object to any similar request coming from any other gentleman. I understand the gentleman from Texas [Mr. HENRY] will prefer a similar request.

Mr. HENRY. Mr. Speaker, I want to say that if my friend from Alabama [Mr. HEFLIN] can get 40 minutes to discuss the cotton situation, and he can do it fairly and intelligently, then I shall not make any request.

Mr. GARNER. I want to say, Mr. Speaker, that if the gentleman from Alabama gets unanimous consent to address the House for 40 minutes, I shall ask a similar permission for my colleague from Texas, Mr. HARDY.

Mr. JONES. Mr. Speaker, I wish to make this statement: I shall not object, with the understanding that I shall object to any similar consent being given to anyone else. I want to give notice to all that I shall do so.

Mr. HEFLIN. Mr. Speaker, I want to say to the gentleman from Texas [Mr. GARNER] that his colleague, Mr. BURGESS, has addressed the House on this subject, and Mr. SLAYDEN, another colleague of his from Texas, has spoken here on the same subject, and I trust that the gentleman will not deny me the opportunity that I and other Members have granted to two Texans already. The gentleman from Virginia is anxious to get along with his bill, and he has just stated that he would not object to the request that I be permitted to speak on the cotton situation next Tuesday; and I appeal to the gentleman from Texas [Mr. GARNER] not to couple his request with mine. If he does, he will be the direct means of keeping those of us who are trying to secure relief to the cotton growers from discussing conditions in the South and appealing to Congress at this time for aid.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I ask in that connection unanimous consent that my colleague, Judge HARDY, may have 30 minutes in which to address the House on the same subject.

Mr. BARTLETT. At the same time?

Mr. GARNER. At the same time, following the gentleman from Alabama; and I want to state that there is not a man in Congress who represents a greater cotton district in the United States than Judge HARDY. His people are intensely interested in this subject, and he desires to address the House in the interest of the farmer. I do not suppose anyone will object to his addressing the House for 30 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that on next Tuesday, after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House for 40 minutes on the subject of the cotton situation, and the gentleman from Texas [Mr. GARNER] couples with that the request for unanimous consent on behalf of his colleague, Judge HARDY, that he may follow the gentleman from Alabama and address the House for 30 minutes on the same subject. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would suggest to the gentleman from Alabama——

Mr. DONOVAN. Mr. Speaker, I am going to ask for the regular order. I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Alabama, coupled with the request of the gentleman from Texas?

Mr. MANN. Mr. Speaker, owing to the gross discourtesy of the gentleman from Connecticut, I object.

Mr. HENRY. Mr. Speaker, I make the point of order that there is no quorum present.

ENROLLED BILL SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11745. An act to provide for certificate of title to homestead entry by a female American citizen who has intermarried with an alien.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until Monday, October 5, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Corte Madera Channel, Cal. (H. Doc. No. 1171), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 17343) for the relief of Charles L. Pritchard, reported the same without amendment, accompanied by a report (No. 1177), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. BAKER: A bill (H. R. 19094) authorizing the Secretary of the Treasury to acquire additional ground for post-office building and purposes at Atlantic City, Atlantic County, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. MITCHELL: A bill (H. R. 19095) to permit the free entry under bond of various exhibits representing the agricultural and industrial progress of Cuba, to be exhibited at the Boston Domestic Science and Pure Food Exposition; to the Committee on Ways and Means.

By Mr. LEVY: A bill (H. R. 19096) to amend section 4885 of the Revised Statutes; to the Committee on Patents.

By Mr. SELDOMRIDGE: A bill (H. R. 19097) granting a further extension of time to entrymen in which to make final proof under the desert-land laws; to the Committee on the Public Lands.

By Mr. EDMONDS: Joint resolution (H. J. Res. 363) authorizing the improvement of the Delaware River; to the Committee on Rivers and Harbors.

By Mr. PADGETT: Joint resolution (H. J. Res. 364) to authorize the President to grant leave of absence to two commissioned officers of the line of the Navy for the purpose of accepting an appointment under the Government of Brazil as instructors in naval strategy and tactics in the naval war college of Brazil; to the Committee on Naval Affairs.

By Mr. KINKEAD of New Jersey: Resolution (H. Res. 634) directing the Secretary of the Treasury to advise the House of Representatives what is necessary to be contained in letters to the collector of the port of New York in order to secure a reply thereto; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ASHBROOK: A bill (H. R. 19098) granting a pension to Anna R. Wright; to the Committee on Pensions.

By Mr. BROWN of West Virginia: A bill (H. R. 19099) granting an increase of pension to John W. Britton; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 19100) granting an increase of pension to Cyrus D. Christy; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19101) granting a pension to Columbia Nichols; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 19102) granting an increase of pension to Allen Jemison; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 19103) granting a pension to George Lee; to the Committee on Pensions.

Also, a bill (H. R. 19104) granting an increase of pension to L. Wesley Doyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19105) granting an increase of pension to Isaac F. Wheeland; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 19106) granting a pension to Jonathan Witman; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 19107) granting a pension to Mary Lake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19108) granting a pension to Rebecca R. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19109) granting a pension to George M. Younger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19110) granting an increase of pension to Burditt A. Clifton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19111) granting an increase of pension to James R. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19112) for the relief of Abram Rennick; to the Committee on War Claims.

PETITIONS, ETC.

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

By Mr. AIKEN: Petition of P. P. Sullivan and others, of Westminster, S. C., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. BAILEY: Petition of Joseph Weckerle, of Pittsburgh, Pa., protesting against revenue tax on cigars; to the Committee on Ways and Means.

Also, petition of M. Nathan & Bro., of Johnstown, Pa., and the Home Electric Light & Steam Heating Co., of Tyrone, Pa., protesting against legislation preventing the purchasing of stamped envelopes from the Government; to the Committee on the Post Office and Post Roads.

By Mr. FITZHENRY: Papers to accompany a bill for relief of Joseph M. Howe; to the Committee on Pensions.

By Mr. LANGHAM: Petition of sundry citizens of Skagway, Alaska, favoring House bill 15435, for prohibition in Alaska; to the Committee on the Territories.

By Mr. LONERGAN: Petition of Herman Olsen and 24 other citizens of Skagway, Alaska, favoring prohibition of the sale of intoxicating liquors in the Territory of Alaska; to the Committee on the Territories.

Also, protest of the Locomobile Co., of Bridgeport, Conn., on tax of 25 cents per horsepower for owner and $1 for manufacturer of automobiles; to the Committee on Ways and Means.

By Mr. J. I. NOLAN: Communication from Local No. 68, International Association of Machinists, of San Francisco, Cal., favoring passage of House bill 17800, to abolish "Taylor system" of shop management; to the Committee on the Judiciary.

By Mr. O'HAIR: Petition of sundry citizens of Waldron, Ill., favoring national prohibition; to the Committee on Rules.

Also, petition of various business men of Sidell, Georgetown, Indianola, Paris, Catlin, Fairmount, Fithian, Metcalf, Hume, and Westville, all in the State of Illinois, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Petition of William M. Harris, jr., of Providence, R. I., protesting against an increase in the price of stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Memorial of Roslynn Parlor, No. 131, Native Daughters of the Golden West, and Local Alameda County (Cal.) Socialist Party, favoring the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. SELDOMRIDGE: Petition of Silverton Commercial Club, favoring certain amendment to the mining law; to the Committee on the Public Lands.

By Mr. STEPHENS of California: Memorial of the Chamber of Commerce of Oakland, Cal., and Brooklyn Parlor, No. 155, Native Daughters of the Golden West, favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

By Mr. TAVENNER: Petition of G. H. Campbell, of Joy, Ill., favoring changes in certain sections of the revenue bill (H. R. 13891); to the Committee on Ways and Means.

By Mr. TEMPLE (by request): Petition of the New Brighton Branch of the Socialist Party, favoring policies intended to bring an end to the war in Europe; to the Committee on Foreign Affairs.

By Mr. TEN EYCK (by request): Petitions of 70 citizens of the twenty-eighth congressional district of New York, favoring the Hobson-Sheppard bill; to the Committee on Rules.

By Mr. TREADWAY: Petition of Holyoke (Mass.) Clearing House Association, protesting against proposed tax on bank capital and surplus; to the Committee on Ways and Means.

SENATE.

MONDAY, *October 5, 1914.*

(Legislative day of Monday, September 28, 1914.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

EMERGENCY REVENUE LEGISLATION.

The VICE PRESIDENT. The Chair lays before the Senate sundry communications with reference to the proposed revenue bill, which will be properly noted in the RECORD and referred to the Committee on Finance.

The communications were referred to the Committee on Finance, as follows:

Memorials of the Indianapolis Auto Trade Association, the Gibson Automobile Co., the National Motor Vehicle Co., the Waverly Co., and Nordyke & Marmon Co., all of Indianapolis, Ind., remonstrating against the proposed tax on passenger automobiles, and a memorial of the Washington (D. C.) Clearing House Association, remonstrating against the proposed tax on capital used in the business of banking.

CALLING OF THE ROLL.

The VICE PRESIDENT. The question is on the conference report on House bill 15657.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Johnson	Reed	Swanson
Bryan	Jones	Root	Thomas
Burton	Lane	Saulsbury	Thornton
Chamberlain	Lee, Md.	Shafroth	Townsend
Chilton	McCumber	Sheppard	Walsh
Culberson	Martine, N. J.	Shively	West
Fletcher	Myers	Smith, Mich.	White
Gore	Nelson	Smith, S. C.	Williams
Gronna	O'Gorman	Smoot	
Hollis	Page	Sterling	
James	Perkins	Stone	

Mr. PAGE. I desire to announce the necessary absence of my colleague [Mr. DILLINGHAM] and to state that he is paired with the senior Senator from Maryland [Mr. SMITH].

Mr. THORNTON. I desire to announce the necessary absence of my colleague [Mr. RANSDELL]. I ask that this announcement may stand for the day.

Mr. MARTINE of New Jersey. I was requested to state that the junior Senator from Arkansas [Mr. ROBINSON] is detained at home through illness. This announcement will stand for the day.

Mr. SMOOT. I wish to announce that the senior Senator from New Hampshire [Mr. GALLINGER], the junior Senator from Utah [Mr. SUTHERLAND], and the junior Senator from West Virginia [Mr. GOFF] are necessarily absent. The senior Senator from New Hampshire [Mr. GALLINGER] is paired with the junior Senator from New York [Mr. O'GORMAN], my colleague [Mr. SUTHERLAND] is paired with the senior Senator from Arkansas [Mr. CLARKE], and the junior Senator from West Virginia [Mr. GOFF] is paired with the senior Senator from South Carolina [Mr. TILLMAN].

Mr. WALSH. I wish to announce that the junior Senator from Nevada [Mr. PITTMAN] is absent from the city on imperative duties which could not well be avoided. He will be here in the morning.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. OVERMAN, Mr. POMERENE, Mr. SIMMONS, Mr. THOMPSON, and Mr. VARDAMAN answered to their names when called.

Mr. CLAPP, Mr. KERN, and Mr. OLIVER entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

JOHN BROWNLOW ZIEGLER.

Mr. LANE. I should like to ask unanimous consent to introduce a joint resolution and to have it referred immediately to the proper committee. It will detain the Senate but a moment.

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

The joint resolution (S. J. Res. 192) granting American citizenship to John Brownlow Ziegler was read twice by its title.

The VICE PRESIDENT. Where does the Senator from Oregon wish to have the joint resolution referred?

Mr. LANE. I presume it should go to the Committee on the Judiciary, but I will defer to the judgment of the Vice President.