TENNESSEE.

G. P. Atchison, Erin.
J. L. Haynes, Decherd.
Kate Penn, Kenton.

VERMONT.

Patrick M. Meldon, Rutland.

VIRGINIA.

J. William Sibert, Winchester.

WEST VIRGINIA.

William W. Irwin, Wheeling.

WYOMING.

W. A. Johnson, Green River.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 22, 1914.*

The House met at 10 o'clock a. m.

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

Infinite Spirit, our heavenly Father, whose resources are boundless, look with compassion upon our limitations, our frailties and infirmities. Let Thy favor be with us in every high resolve, noble impulse, and worthy endeavor. Discourage every petty desire, ignoble ambition and purpose. In all questions of moment, social, political, or religious, give us the courage of our convictions, assured that Thou wilt deal justly with all who strive to serve Thee and their fellow men; that Thy kingdom may indeed come in all our hearts, and Thy will be done in earth as it is in heaven. In His name. Amen.

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

PROHIBITION.

Mr. HENRY rose.

The SPEAKER. The Chair wants to suggest, both to the House and to the people in the galleries, that there are going to be 10 mortal hours of speech making here to-day, and maybe more, and some of it, perhaps, will be rather lively, and the Chair asks Members to help keep order, and the people in the galleries, too. The gentleman from Texas [Mr. HENRY] is recognized.

THE HOBSON PROHIBITION AMENDMENT.

Mr. HENRY. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution No. 687 (H. Rept. 1248).

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of House joint resolution 168. There shall be not exceeding eight hours of general debate, to be divided equally between those favoring and those opposing the resolution. At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. Whereupon the previous question shall be considered as ordered on the resolution and all pending amendments to final passage without any intervening motion except one motion to recommit: *Provided*, That all Members speaking upon the resolution or amendments offered thereto shall have the privilege of extending their remarks in the RECORD, and all Members shall have the right to print remarks for not exceeding five legislative days: *Provided further*, That all debate shall be confined to the subject matter of the resolution.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question, before the debate commences, as to the form of the resolution?

Mr. HENRY. Yes.

Mr. MANN. I notice that the resolution says that "the resolution shall be considered for amendment under the five-minute rule, whereupon the previous question shall be considered as ordered." When will that be?

Mr. HENRY. That means that the previous question will be ordered after the amendments are offered.

Mr. MANN. Suppose Members keep continually offering amendments for the rest of the night. When would the previous question be ordered?

Mr. HENRY. After they get through offering amendments. There is no desire to cut them off.

Mr. MANN. Men might offer amendments until Christmas.

Mr. HENRY. I have no objection to that.

Mr. UNDERWOOD. Mr. Speaker, as I understand the rule, it allows amendments to be offered, and after the completion of the offering of amendments they will all be voted on.

Mr. MANN. They might offer amendments from now until doomsday if there is no way of closing the right to offer amendments. I do not know that that privilege would be abused, but I can readily conceive that people might keep on offering amendments.

Mr. HENRY. I assume that that course will not be pursued. But if some one should undertake to offer amendments "until doomsday" the Committee on Rules might find a remedy to stop it.

Mr. ADAIR. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman from Texas yield?

Mr. CRISP rose.

Mr. HENRY. Just one moment, until we can see if we can agree upon a time for debate on the rule.

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

The SPEAKER. Does the gentleman yield?

Mr. HENRY. Yes.

Mr. CRISP. I wanted to ask the gentleman this question: If the resolution made no special provision for amendments, would not the general rules of the House control the situation? There would be four amendments offered.

Mr. HENRY. Yes; I think so; and the debate could be closed by a motion. I do not think that question amounts to anything. I do not think anyone will want to delay the vote on this resolution and amendments to-night.

Mr. ADAIR. Mr. Speaker, will the gentleman yield to me now?

Mr. HENRY. I would like to arrange for an agreement as to time for debate on the rule. Then I will yield to the gentleman.

Mr. ADAIR. Five days are given in which to print. Does that mean five days from to-day?

Mr. HENRY. Five days from now.

Mr. SABATH. Five legislative days.

Mr. BARTLETT. Five legislative days from to-day. May I ask the gentleman a question, Mr. Speaker?

The SPEAKER. Does the gentleman from Texas yield?

Mr. HENRY. Yes.

Mr. BARTLETT. What would prevent anyone who desires to do so, after general debate, from calling for the previous question, regardless of the fact that the rule states that the previous question at a certain time shall be considered as ordered? It is in the power of the House, if it desires to do so, to order the previous question earlier, is it not?

Mr. HENRY. I hardly think the rule would bear that construction.

Mr. BARTLETT. What is to prevent it?

Mr. HENRY. I think it is worded so as not to bear that construction. The idea is to allow freedom of amendment and of debate, and the rule is drawn liberally for that purpose.

Mr. Speaker, I would like to ask the gentleman from Kansas [Mr. CAMPBELL] if we can agree upon a time that shall be allowed for debating the rule?

Mr. CAMPBELL. What suggestion does the gentleman from Texas make in that regard?

Mr. HENRY. I suggest one hour to each side—one hour to be controlled by myself and one hour by the gentleman from Kansas.

Mr. CAMPBELL. Mr. Speaker, I think that will be satisfactory.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that the debate on this rule be limited to two hours, one hour to be controlled by himself and the other by the gentleman from Kansas [Mr. CAMPBELL]. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I take it that the debate on the rule will be mainly a debate on the resolution. If an hour on each side is granted, is it expected that that time will be equally divided on the two sides between those against and those for the resolution?

Mr. HENRY. That would be my intention; yes. I would like to see it that way.

The SPEAKER. Does the gentleman include in his request that at the end of two hours the previous question is ordered or not?

Mr. HENRY. No; I did not.

The SPEAKER. The gentleman from Texas is recognized for one hour.

Mr. HENRY. Mr. Speaker, I think the reading of the rule is a sufficient explanation of its terms. It provides for eight hours' general debate on what is known as the Hobson resolution. At the end of the general debate the resolution shall be open to amendment under the five-minute rule. Therefore I think the rule is liberal in regard to debate and discussion under the five-minute rule. At the end of that time, if the rule is adopted, the previous question is ordered on the Hobson reso-

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lution. One motion to recommit is allowed, and each Member who speaks will have the right to extend his remarks in the RECORD, and others who do not speak will have the right to print remarks.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. HENRY. Yes.

Mr. MANN. The gentleman stated that under the rule the resolution would be open for amendment under the five-minute rule.

Mr. HENRY. Yes.

Mr. MANN. And then he stated that at the end of the offering of amendments the previous question would be ordered on all the amendments.

Mr. HENRY. Yes.

Mr. MANN. But under the five-minute rule amendments are disposed of as they are offered.

Mr. HENRY. Yes; that is true.

Mr. MANN. Is that the expectation in this case?

Mr. HENRY. We expect them all to be offered.

Mr. MANN. Is it the intention to have the amendments disposed of under this rule as they are offered?

Mr. HENRY. Well, I think we could do that. I think that would be a practical way. We do not want to hold to any hard and fast rule about this, if there is any way to allow perfect freedom of amendment.

Mr. MANN. If we know in advance, it may save a great deal of confusion at the end. That is the reason I ask.

Mr. HENRY. I think it would be better to vote on them as they are offered.

Now, Mr. Speaker, I assume that every Member who favors the Hobson national prohibition amendment will vote for this rule; and that Members who are opposed to the Hobson amendment, as I am, will vote for the rule, in order that this House may come to a direct vote on the main proposition. It seems to me that any Member who votes against this rule, with all due respect to that vote, would be evading the question, and would not please either the proponents of the amendment or those who are opposed to it.

This is a great national question, and the time has come when the American people have a right to hear the voices of their Representatives on this national prohibition amendment by direct vote in this House. The Committee on Rules have deemed it wise to bring this matter before the House in order that the Members may settle it for their constituencies and for the people. It is a unanimous report of the Committee on Rules, and after this question has been held in the Judiciary Committee and in the Committee on Rules for a number of months, and has become a great issue in all the States of this Union, we have thought it exactly right to bring it before the House of Representatives, the only body that can make final disposition of the subject, and allow them to vote and determine whether it be deemed necessary to propose the amendment.

As far as I am concerned, my vote in committee was to report the rule. I support it on the floor of this House, and when it is adopted I shall take my stand against the Hobson resolution because I believe it to be unwise and undemocratic and ought not to be a question pending any longer in the American House of Representatives. We ought to meet it squarely and dispose of it here to-day, and when the time comes I shall cast my vote against it.

I reserve the remainder of my time.

Mr. LENROOT. Will the gentleman yield?

Mr. HENRY. I will yield for a question.

Mr. LENROOT. I should like to ask the gentleman a question about the rule itself. The rule seems to be contradictory with reference to implying that there will be pending amendments for consideration when the previous question is ordered. I ask the gentleman if he will not consent to modify the amendment by striking out the words "and all pending amendments"?

Mr. HENRY. Oh, yes; I agree to that. I make that request—to strike out the words "and all pending amendments."

Mr. MADDEN. Then the amendments will be disposed of under the five-minute rule?

Mr. HENRY. Yes; as they are read.

Mr. SABATH. That will not preclude any Member from offering amendments later on?

Mr. HENRY. Not at all.

The SPEAKER. The Clerk will report the proposed amendment.

Mr. HENRY. Mr. Speaker, I hope this will not be taken out of my time.

The SPEAKER. No; it will not be taken out of the gentleman's time.

The Clerk read as follows:

Strike out of the rules the words "and all pending amendments."

Mr. STAFFORD. Mr. Speaker, we would like to have the text of the resolution read as proposed to be amended, so that we will understand the purport of it.

The SPEAKER. So would I like to have it read.

The CLERK. So that as amended the rule will read:

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of House joint resolution 168. There shall be not exceeding eight hours of general debate, to be divided equally between those favoring and those opposing the resolution. At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. Whereupon the previous question shall be considered as ordered on the resolution to final passage without any intervening motion—

And so forth.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The gentleman from Texas [Mr. HENRY] used five minutes.

Mr. CAMPBELL. Mr. Speaker, this rule makes in order a discussion and vote on an amendment to the Constitution of the United States to prohibit traffic in intoxicating liquors. The resolution is submitted to the States in the usual way for their consideration. It raises this great question for the first time in the House of Representatives.

Already the people have voted for the suppression of the traffic in intoxicating liquors covering 76 per cent of the area of the United States, and 57 per cent of the population.

The Government at Washington has for years prohibited the traffic in intoxicating liquors on Indian reservations and at military reservations and posts, and recently at naval stations and in the Navy and all United States soldiers' homes.

Twelve years ago the Congress prohibited the sale of intoxicating liquors in the Capitol Building.

Why should any commodity be under the ban of the law to the extent that this already is in the United States? Evidently because the traffic in intoxicating liquors is a bad thing. These are times of great events. Europe has staged, let us hope, the last act in the tragedy of war. [Applause.] Incident to that great tragedy some important things have been done. The Czar of Russia, at the beginning of the war, deemed it important to his Empire and to his people that he should have under his control the best physical and mental fiber that his people possessed, and he issued a ukase prohibiting during the continuance of the war traffic in alcoholic liquors. The Czar of Russia took this important action in the face of the fact that the ukase denied to the treasury of the Russian Empire almost a half billion of dollars in revenue on the very threshold of an expensive war. Evidently the Czar deemed it more important to his Empire and his people that he should prosecute the war with men free from the influence of alcoholic liquors than that his treasury should have a half billion dollars a year for the payment of the expenses of the war.

France very recently has prohibited the sale of absinthe and other alcoholic liquors during the war.

On the 21st day of November, 1910, William, Emperor of Germany, in addressing the naval cadets at Flensburg, said in part what I ask the Clerk to read.

The Clerk read as follows:

I know very well that pleasure in drinking is an old heritage of the Germans, but we must, by self-discipline, free ourselves from the evil.

In the course of my reign of 22 years I have observed that of the great number of crimes which have been appealed to me for decision, nine-tenths were due to alcohol.

Formerly it used to be considered a smart thing for a youth to take and "carry" a great quantity of alcohol. Those ideas belong to the Thirty Years' War, and not longer fit our times.

Naval service demands a height of effort which it is hardly possible to surpass. It is necessary that you be able to endure continual heavy strain without exhaustion in order to be fresh for emergencies. In the next great war * * * nerve power will decide the victory. Now, the nerves are undermined and endangered from youth up by the use of alcohol. Victory will lie with the nation that uses the smallest amount of alcohol. Therefore do not count the use of alcohol one of your privileges.

This is a matter of great importance to our navy and to our people. If you train the troops to renounce alcohol, I shall have sound and sane subjects. The men when they leave the service will carry the thought back to the country. I beg your cooperation in this work.

Mr. BARTHOLDT. Will my friend permit a question?

Mr. CAMPBELL. A very brief one, for my time is short.

Mr. BARTHOLDT. Does my friend regard this as an argument for prohibition?

Mr. CAMPBELL. I submit it as such.

Mr. BARTHOLDT. The Emperor speaks of self-discipline, so that it is an argument for temperance and not prohibition. We agree with him.

Mr. CAMPBELL. The Emperor evidently believed that it was essential to his people that they abstain from the use of

intoxicating liquors so that they could serve their country well in war. If mental and physical fiber of the highest order are important in war, they are alike important in peace, for the duties of peace are no less important than those of war. If the Emperor of Germany deems it detrimental to the naval cadets in the service of his navy to use intoxicating liquors, the American people who look well to the peace of their country may likewise take steps to provide for a sober people to engage in the pursuits of peace.

It is charged against the liquor traffic that it is responsible for 50 per cent of the crime in the United States; the German Emperor says nine-tenths of the crime in Germany. That is a more severe charge than is made by the advocates of prohibition in the United States; but the Emperor of Germany makes that assertion—that in his Empire intoxicating liquor is responsible for nine-tenths of the crime. Anything that is responsible for so great a percentage of crime ought to be prohibited.

It is claimed that in the United States the traffic in intoxicating liquors is, directly or indirectly, responsible for 25 per cent of the poverty, 37 per cent of the pauperism, 45.8 per cent of child misery, 25 per cent of insanity, 19.5 per cent of divorces, and 50 per cent of the crime. These are grave charges, and their truth has not been denied.

Intoxicating liquors cost the American people for the year 1913 almost, if not quite, two and one-half billions of dollars. I ask in all candor what the American people got for that enormous sum of money besides poverty, insanity, crime, and misery for women and children? What good did they get? Whom besides the seller was benefited?

To-day every great railway company in the country prohibits the use of intoxicating liquors by its employees. Recently the industrial enterprises of the country are following in the lead of the railways and are prohibiting the use of intoxicating liquors by their employees.

A few days ago the Illinois Steel Corporation posted a notice over the gates leading into the shops serving notice that the employees could choose between the job inside and the use of liquor. There is something so deleterious and detrimental and harmful in the use of intoxicating liquors that it is worthy of the serious consideration of the American people. The question is, Is prohibition of the manufacture, importation, and sale the proper means of saving all the people from the harm that comes from the use of intoxicating liquors by some of the people?

Every other means has been tried. The growth of the use of intoxicating liquors in the United States is alarming. It is said that it fell off in the last year or two. Well, the consumption of almost everything fell off in the last year or two, but the alarming fact is that there has been an enormous increase in the last half century in the United States in the use of intoxicating liquors. Has it benefited the manhood and the womanhood and the childhood of America? If so, in what respect?

Any scourge that caused injury to the live stock belonging to the American people that the liquor traffic caused to the manhood and womanhood and the childhood of America in 1913 would engage the serious attention of this Congress and of the country, and steps would be taken for the elimination of such a scourge at any cost.

The people will have to make some sacrifice in a pecuniary way in order to rid themselves of this traffic. It pays a tax of nearly half a billion dollars, just about the same amount that the Czar of Russia sacrificed when he prohibited the traffic in his Empire. Are the American people willing to do in peace what the Czar of Russia did on the threshold of war? It is now a question for their serious consideration and for yours.

Mr. KAHN. Mr. Speaker, will the gentleman yield for a question?

Mr. CAMPBELL. Very briefly.

Mr. KAHN. Did I understand the gentleman to say that 76 per cent of the area of the United States is now dry?

Mr. CAMPBELL. That is the claim.

Mr. KAHN. Under prohibition laws?

Mr. CAMPBELL. Local county option and State prohibition.

Mr. KAHN. And yet the gentleman says that the sale of liquor is increasing in this country?

Mr. CAMPBELL. It has grown enormously in the last 40 years.

Mr. HOBSON. Mr. Speaker, will the gentleman permit me to answer the question?

Mr. CAMPBELL. I will answer the gentleman. The trouble about it is that local-option counties are surrounded by counties that permit the sale of liquor, and the liquor flows over into the county in which its sale is prohibited. The same is true of States. Colorado, Nebraska, and Missouri have heretofore sent liquor into Kansas. It would be far easier to enforce prohibition of the traffic in intoxicating liquors in the United States under national prohibition than under prohibition in segregated counties and States, with the business legal immediately surrounding them.

Mr. HOBSON. Will the gentleman permit me one moment?

Mr. CAMPBELL. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used 20 minutes.

Mr. CAMPBELL. I must reserve the remainder of my time.

The SPEAKER. The gentleman reserves 40 minutes.

Mr. HENRY. Mr. Speaker, I yield 25 minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker and gentlemen of the House, I take it for granted that the rule will be adopted, and therefore in the limited time that I have I shall address myself to the resolution pending before the House.

Mr. Speaker, I yield to no man in my desire to vote for such legislation as will promote the cause of real temperance in the use of intoxicating liquors. I have the honor to represent on this floor a temperate constituency, not only in the use of intoxicating liquors but one temperate in legislation along with all other matters. No evil is greater than intemperate legislation, and I consider the question now pending before this House the most intemperate measure that could be devised.

The man who keeps himself temperate and practices it in his own household and community has accomplished a great life work, but when he undertakes to force his views upon others contrary to their wishes by unjust and undemocratic laws he becomes grossly intemperate and violates, in my judgment, every true principle of individual liberty and American government.

The intemperate man in the use of liquors can cure himself, but he is the helpless victim of intemperate legislation, because he is forced to seek relief through those who represent him.

I desire first to discuss this measure, commonly called the Hobson resolution, from the standpoint of a Democrat. I believe in the principles of my party, and as a representative of a Democratic constituency I feel that it is my duty to cast my vote here in accord with the declarations of my party in national convention.

From 1856 to 1912 the Democratic Party has in national convention taken a determined stand against the principle involved in this proposed resolution now before the House. I will incorporate in my speech extracts from the platforms of my party which I consider binding on me. In my primary campaign I took an open position against the Hobson resolution, and I desire to say to this House that 10 of the 12 counties in my district are as dry as any counties in the United States. I told the people of my district that if elected I would vote against it, and therefore I am here to-day to redeem that promise. So much for my duty as a Democrat as I see it.

Turning away from the political consideration of this measure, I am opposed to it because, as I read it, if made a part of the law of the land, it would permit the free and unlimited manufacture of intoxicating liquor for personal use in communities where now, under the Democratic principle of local self-government, it is prohibited. I would not vote for a measure to force the manufacture of liquor upon a State or community which had voted against such manufacture, and therefore I would not vote to give the Federal Government power to prohibit its manufacture in a State or community which voted for its manufacture. I believe in local self-government and State rights. The cry goes up from those favoring this proposition that we should be willing to let a majority of the people rule, yet under the resolution it would be possible for 45 per cent to rule 55 per cent of our population. There are 12 States with a population of 51,000,000 people that could be controlled by 36 States with a population of 40,000,000. So that it would be possible under this measure for a minority to control a large majority of our citizens upon a matter which is largely social and moral in its nature. In my judgment this is unwise and unfair legislation. I am not afraid to accept the judgment of the American people, but I contend that on a local, moral, and social matter each community is best qualified to judge for itself. To surrender the idea of local self-government on this question is, in my opinion, detrimental to the true cause of temperance as the term is commonly understood.

Therefore as a Democrat I am in favor of local option as the best way to handle the liquor problem. In taking this view I stand with the great leader of my party, President Wilson, who so clearly and forcibly expressed this idea in a letter recently sent to the Rev. Thomas B. Shannon, of New Jersey. It is very evident that drastic and undemocratic legislation in

the various States along the lines of State-wide prohibition have not brought relief to the true temperance cause or else this resolution would not be asked for to-day. The fact that it is here proves the claims of great progress for temperance is not well founded.

How can we be asked to trust the judgment of the proponents of this resolution when they have made such a failure in the States? The whole program of legislation in the States has been to substitute blind tigers and low dives for the taxed saloon. I make no defense of the saloon, but contend that it is preferable to the blind tiger.

Our friends on the other side tell us that they have been successful in the States in the cause of temperance. I accept Mr. HOBSON as their greatest leader and best-posted adviser, and I quote from a letter which he addressed to President Wilson on September 30, 1914, on this subject:

> I am convinced that such an increased tax would wipe out of existence at least 50,000 blind tigers and would produce a net revenue of $125,000,000 to $150,000,000. Let me call your attention to the fact that these blind tigers and blind pigs and other low dives that would be suppressed are the chief agents which debauch the boys. Investigation shows that the drunkard contracts his habits before he reaches his majority, and it is not drinking men that teach the boys to drink, but these blind tigers operated systematically in spite of law and local regulations.

If State prohibition has built up 50,000 blind tigers in this country, how many more thousands will come as the result of national prohibition? The law can only be enforced in communities where public sentiment is back of it, and national prohibition to be enforced would require this country to be Russianized. Our friends on the other side point with pride to the stand recently taken by Russia on the liquor question, but they do not lay stress on the fact that Russia has in the field 5,000,000 armed men with which to enforce that decree. Is it their purpose to give us the same form of Government for its enforcement in this Republic?

Mr. Speaker, as a Representative of a great constituency on this floor, I do not believe that my people would call on me to cast a vote that would destroy millions of dollars' worth of property of the citizens of any other State, without compensation for that property, and therefore I will not cast my vote to-day to permit other States to destroy over one hundred and fifty millions of property belonging to the citizens of my State without compensation to my people.

When this property in Kentucky is destroyed the effect is to almost double the taxes of the citizens of Kentucky on their farms and homes and incomes from all sources. If the citizens of Kentucky walk to the polls and deliberately vote to double their own taxes, that is a different question entirely from other States forcing upon Kentucky a double tax rate against her will. Kentucky has for years paid into the Federal Treasury $35,000,000 per annum in internal-revenue taxes. This money has for years gone into other States of the Union to pay pensions, for river improvements, for all branches of Federal activities. I ask you, gentlemen, since your States have gotten the benefits of this money, is it fair to destroy our property, which has contributed these hundreds of millions to the welfare of the entire country, without compensation to our citizens?

The enforcement of this amendment would destroy two hundred and thirty millions of revenue per annum and at the same time permit the free and unlimited manufacture of intoxicating liquors for personal use. The real and sincere prohibitionist might probably stand for real prohibition and increased taxes, but I doubt if he would be content with increased taxes and increased manufacture of intoxicating liquor that would be sure to come under this resolution. We upon this side of the Chamber should recall what happened last fall, when owing to a great war we were forced to increase the taxes of the people $100,000,000. If we pass this amendment and increase it still further to the extent of two hundred and thirty millions more in taxes on the farms, homes, and incomes of the people, there will not be enough of us left on this side to demand a call of the House. For years there has been a Prohibition Party in this country, but it has never made any headway with the voters. Yet our party, in control of the Nation, is called upon to adopt prohibition, which has been repudiated time and time again at the polls. If we do so, we had as well prepare to go out of power in the Nation, because we have gone back on all of the time-honored teachings of our party and shown ourselves to be utterly incompetent to manage the fiscal affairs of the Government without taxing to the limit the labor and property of our citizens.

I believe that my party has a much greater mission to perform for the Nation than to adopt the one question of prohibition, which adoption would forever put us out of power. I am not prepared to vote to exchange all of the great possibilities for good in my party for the one doubtful trial of national prohibition.

I stated that this resolution does not prohibit the manufacture of intoxicating liquor for personal use. I call attention to pages 20, 21, and 23 of a hearing before the Committee on the Judiciary on April 15, 1914, when Mr. HOBSON admitted that such was the case.

On page 28 of the same hearing Mr. HOBSON made the statement that 55 per cent of the population of this country and 71.5 of the area was under prohibition laws, meaning that this population and this area had neither the sale nor manufacture of intoxicating liquor, and yet he comes here to-day with a proposition which would permit the manufacture for personal use among these millions of people who have already voted that they did not want it manufactured in their midst. I believe that I am a better temperance man than Mr. HOBSON, when by my vote here to-day I vote to uphold the judgment of these millions living in this great area, who have under the Democratic doctrine of State rights and by local option put 71.5 per cent of the Nation under prohibition.

If there is to be prohibition, let it come through the channels of local option, and then no one can complain that his personal rights have been interfered with and his liberties abridged. Certainly our prohibition friends ought to be content with the progress of their work if it is as great as they contend. With but 30 per cent of the area of the country outside of their lines, it seems to me that they make a great mistake when they give up their present policy and go after national prohibition, which they themselves claim they have no hope of securing in the next 25 years.

There is in the land a great body of high-priced paid agitators who are clamoring for national prohibition. It is their profession, and Members of this House should not be swept off their feet by demands from that body. The paid leaders have not dealt fairly with the great body of the people in the country. They have misled thousands of sincere, honest, and God-fearing people into believing that this resolution means prohibition, when in reality it means unrestricted manufacture of intoxicating liquors. It is our duty to be frank with our people and go back before them like men and meet the issue, because they can be trusted to be fair and square with their servants here. For this very reason I presented this question to the people of my district—10 of my 12 counties are "dry"—before election, and explained what it was. As a Democrat I had my views on the question, and stated that I was against it. I stated in my campaign and I state here that I stand for temperance, but a measure which permits the free and unlimited manufacture of liquor is not a temperance measure. The Hobson resolution, instead of being called a prohibition resolution, should be named "a resolution legalizing the unlimited manufacture of intoxicating liquor without taxation."

It is contended that the manufacture of liquor is an evil. If it is, it should be heavily taxed, and these taxes used for good roads, good schools, and good government in city, county, State, and Nation. Then, at least, some good can come to millions of citizens. Under the Hobson resolution we have all of the evils of manufacture and none of the good coming from the taxes. It is admitted that evil comes from the intemperate use of intoxicating liquors; but in a Republic to enact laws which would make the temperate man the slave of another man in that he must take orders as to what he can eat and drink is a greater evil. The theory of prohibition is that a hundred men of temperate habits must have their personal rights denied because the one man is intemperate. The spirit, to my mind, is un-American and undemocratic, and should not be given approval by this body.

This resolution takes away from the city, county, and State the right to settle the liquor question for themselves and delegates that power to the Federal Government. I believe that the voters of my city, county, and State know better what is to the interests of their boys than does the American Congress, and I do not by my vote propose to disfranchise my neighbors and the citizens of my State on this great question of the regulation of the traffic in liquor. I am willing to risk the fathers of Kentucky boys to settle this question in Kentucky as they deem best for the moral interests of their sons. They know the conditions and environments which surround them, and the American Congress as a whole does not. Therefore, with all due respect to my colleagues here, I will without hesitation cast my vote to-day against the disfranchisement of the fathers of Kentucky on this issue.

I warn my colleagues from some of the Southern States against the dangerous ground on which they tread when they vote for the destruction of property without compensation.

I caution you that there is pending another question here involving the same principle as is in this resolution. If you vote for this, then you can not complain if the Federal Government takes away from the States the right to control suffrage, which would bring a revolution in the social life of the South. I expect to stand against the proposition of the Federal Government regulating the suffrage of the States. This question should be dealt with entirely by the States. I stand against this proposition of the Federal Government regulating the personal and social habits of the people of the States. Have the American people become so weak and helpless that Congress must act as their guardian in matters affecting their social and personal habits? Are we superior to those who sent us here in our private habits? Are we to arrogate to ourselves the wisdom of being alone able to legislate on this question as we would have to do under the second section of the resolution? How many of us on this floor, regardless of our political beliefs, have been instructed by the platforms of our parties in State and Nation to vote for this resolution amending the Constitution? If it were of such importance as its advocates would have us believe, practically all of us would be here under instructions. I contend that the sentiment built up for this resolution has been done on a false basis, and that the American people will never stand for it when it is fairly put before them.

Let me ask my Democratic friends here why this resolution was never pressed before Congress while the Republican Party was in power? It is a fact, however, that just as soon as our party came into power the leaders of this movement demanded at our hands the passage of this resolution. Could there be a political conspiracy to break up our party on the question of prohibition and give all power back to our friends across the aisle? I am frank to confess that it appears to me that this is the condition which we have to meet.

During the elections last fall some of the advocates of this resolution sent word to the country that the Democratic Party would not give them a vote in this House. The Democratic Party to-day is giving a vote to the resolution, and it would have been voted on much sooner if the leaders in its behalf had so desired. It is their own fault that the vote was not taken six months ago.

Personally, I have voted in committee to bring this matter before the House; but I desire to say here now that after this trial of its strength, if it fails, I will not be in favor hereafter of lugging it into every session of Congress to embarrass our program of legislation.

After years of agitation by an organized leadership it is entitled to its day in court. Let us settle it here to-day for years to come in Congress, and let us send word to the people of the United States that they can be trusted to handle their own moral and social affairs.

Mr. Speaker, the principle involved in the Hobson resolution means much more than the control of the liquor business in the Republic. If begun, the end can not be foreseen. Shall we have a free citizenship or one controlled in their social habits by arbitrary and almost military power? Let us read from some of the wise men of our country. John Quincy Adams said:

> Seek not to enforce upon your brother by legislative enactment the virtue that he can possess only by the dictates of his own conscience and energy of his will.

Samuel J. Tilden has said:

> A centralized government, meddling with everything and attempting to manage everything, could not know the wants or wishes of the people of the localities. It would be felt only in its blunders and its wrongs.

Dr. Washington Gladden wrote:

> Any law, though framed by angels, that the people did not want and would not enforce would not be a good law for the people. Legislation on moral questions must follow, and not try to force, public opinion. The whole prohibitory movement as at present managed puts physical force at the front and sends moral force to the rear. This is a fatal error.

Our own great Commoner in his paper, the Commoner, this week says editorially:

> A national contest for either amendment—prohibition and woman suffrage—would simply divert attention from other issues upon which the people are ready to act without advancing the cause of woman suffrage or the prohibition movement.

In the face of statements from such distinguished Americans at different periods of our national existence we can make no mistake in voting down this resolution.

Mr. Speaker, at different periods in the history of our country 24 States have tried prohibition. Fifteen out of the twenty-four have repealed those laws. With this record what relief can be hoped for in national prohibition and what can the temperance cause hope to gain? The record shows that prohibition hinders real temperance.

Mr. Speaker, I desire to read from the speech of former United States Commissioner of Internal Revenue, Hon. Royal E. Cabell, of Virginia. No man is in a better position to get at the real facts of the liquor business in the country than the Commissioner of Internal Revenue.

Mr. Cabell, speaking in Richmond, Va., on May 14, 1914, used these words:

> First. Records, Federal and local, show that the enactment of State-wide prohibitory laws not only does not prohibit but that it does not diminish the consumption of strong drink in the area covered by such laws, and that in many sections of such area an actual increase is indicated.
>
> Second. That the economic conditions in States which have had longest experience with State-wide prohibition shows that the enactment of such laws often seriously impairs the economic conditions therein, and that the States with the longest experience show no progress or development superior to that of similar States under similar circumstances in which the regulated sale of alcoholic beverages is continued in those communities in which a majority of citizens believe such is the best method of dealing with and handling the liquor question.
>
> Third. That as State-wide prohibition destroys regulation of the sale and handling of liquor, the handling of that business, or the sale of liquor, passes from the hands of responsible persons into the hands of irresponsible persons, the baser and lower portions of the population, with the result that the vilest kind of liquor and liquor substitutes are sold to people illegally, resulting in increased crime, social disorder, and corruption; that use of habit-forming drugs is promoted and increased; and that, instead of improvement in such States, there is indicated a strong probability and evidence of impairment of the social fabric.

The same eminent authority proves beyond dispute that as prohibition laws increase that illicit stills increase. I quote again from Commissioner Cabell:

> In 1908 the total number of illicit distilleries captured in the entire United States was 1,130, and in 1913 it had more than doubled, reaching the enormous number of 2,374. Bear in mind that in 1913 the entire number of registered distilleries in the entire United States was 821. In other words, there were three times as many illicit distilleries captured as there were registered distilleries in operation. The Lord only knows how many there were that were not captured.

And, Mr. Speaker, what kind of liquor do these illicit distilleries make? Instead of the pure, straight kind, like we make in Kentucky under strict Government supervision, we have the mean "squirrel whisky" described by Commissioner Cabell in the following story:

> I will have to tell you a story, a true one, reported by one of the best revenue agents in the service. There was an old negro in one of the prohibition States up for bootlegging. He plead guilty. The judge spoke to him and said, "What kind of liquor are you selling, Mose?" He said, "Judge, I am selling squirrel liquor." The judge says, "What kind of liquor is that?" "Well," he says, "Judge, that is the kind of licker old man Jones makes up the holler at his still, and when a rabbit get three drops of it he will sit up on his hind legs and spit my hound puppy in the face." The judge says, "That is pretty powerful liquor, Mose; but why do you call it squirrel liquor?" He says, "If you go out on a cool morning and take your gun and sit down under a hickory tree and wait for a squirrel, and you take along your tickler of that licker and take three or four drinks, and presently, when you see a squirrel up on a limb, you forget all about the gun and clam up the tree and catch that squirrel yourself."
>
> When that squirrel liquor gets in a man he goes at whatever comes into his mind. That squirrel liquor is one of the problems that prohibition is aggravating instead of decreasing.

In my judgment, Mr. Speaker, such statements as these coming from one who has had full opportunity to study this question in all of its phases are worthy of the fullest consideration and should guide us as lawmakers to be governed by facts, and not be swept off of our feet with statements from the other side, which have not authorized Government statistics to back them up.

I desire to put this question to some of my colleagues who sit on this side of the Chamber: If national prohibition should be adopted, thereby wiping out annually $250,000,000 of our revenue, how can we as a party hope to carry out the program for a reduction in tariff duties? To make up the deficiency we would be compelled to lay tariff rates that would make the rates in the Payne bill pale into insignificance. No great policy of our party could be carried out if we wiped out this tremendous revenue we obtain from internal-revenue taxes. Are you willing to go back to your people and tell them that you took the tax off liquor and that you intend to fearfully increase their taxes on the farms and homes to make up the difference? Are you willing to say to the laboring man that you took the tax off liquor and that you will fearfully increase the tariff tax on every article of necessity which he must buy for himself and family? Can you intelligently vote to wipe out $250,000,000 annually of the revenues of the Government without some plan defined beforehand to make up that deficiency? There can be but one way to make it up, and that is to tax the necessities of life. In large measure liquor is a luxury. Can you afford to transfer this tremendous amount of taxation from a luxury and lay it on the shoulders of those who labor and on those who own small farms and homes? I do not believe that the

American people ask you to do this, and I believe that those who vote for this resolution strike a great blow at the laboring men of the land.

Samuel Gompers is the chief representative of the laboring men of this Nation. Let me read you his reply to Mr. HOBSON concerning this resolution:

SEPTEMBER 3, 1914.

Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.

MY DEAR MR. HOBSON: Your favor of August 21 reached my office during my absence on official business and this is the first opportunity I have had to reply thereto. I beg to assure you that I appreciate the honor of your selecting me as a member of the National Constitutional Prohibition Committee on Cooperation, but I must ask you to excuse me from accepting or serving upon the committee. I am frank enough to say to you that I am out of harmony with the prohibition movement by constitutional provision or statute enactment. I know of a better way other than by legalized prohibition to secure temperance and temperate habits, not only in the liquor traffic but in any of the personal activities of men.

There is no movement in all the country so potent to make the people temperate as is the much misunderstood and misrepresented organized-labor movement of the country. Increasing wages, establishing a shorter workday, affording the opportunities for the cultivation of better tastes, better aspirations, higher ideals, which the better standard of living and freedom of burdensome, long hours of toil will bring, the opportunity for better homes and surroundings and better working conditions, all of these, I repeat, have been more potent and will prove to be more potent in establishing temperance and temperate habits than any attempt to regulate the personal habits or to inaugurate prohibition by law.

As you will observe, I am not in harmony with the purpose of your movement, and hence can not consistently accept an appointment upon the committee. I therefore again respectfully request you to remove my name from the National Constitutional Prohibition Committee on Cooperation.

Very truly, yours, SAMUEL GOMPERS,
President American Federation of Labor.

Nearly $800,000,000 invested in the liquor business in this country which this resolution proposes to destroy without one cent of compensation to the owners of that property; $500,000,000 collected annually in Federal, State, county, and city taxes on the liquor business which under this resolution will be wiped away, to be saddled upon the shoulders of labor and agriculture in the Nation. Think of the monstrousness of the proposition, and then consider that under the resolution that just as much—aye, even more—intoxicating liquor can be made than is now manufactured. Read the resolution carefully. The first section says that the sale—not the manufacture—shall be forever prohibited, and then in the second section says that Congress—not the States—shall have power to regulate the sale for "sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

Think of it, gentlemen, vesting in Congress the right to say how the people of this country shall worship in their churches on the matter of the sacrament! Let me warn you that, in my judgment, this is the most dangerous precedent ever set before the American Congress, if this measure passes. The most sacred principle with an American is that he shall have the right to worship God according to the dictates of his conscience; and this measure proposes to vest in Congress the right to regulate the sacrament. God forbid! The very mention of this delicate subject is sufficient to make one hesitate to give his support to this proposition.

The uses classified as medicinal, mechanical, pharmaceutical, or for scientific purposes, or for use in the arts, cover practically all reasons for using liquor; and by the resolution, in effect, the entire trade is taken from the States and lodged with Congress to regulate.

I have an idea that if this resolution should pass that tens of thousands of citizens in dry States will hurry into medicinal, mechanical, pharmaceutical, scientific, and "artificial" pursuits.

Gentlemen of the House, let us be candid with our people and with ourselves. But few Members in this House, in my opinion, really believe that there is merit or temperance in this measure, and let us have the courage to say so to the American people. The people can not long be fooled on this measure, and when the awakening comes they will demand its defeat at our hands. We have nothing to fear by stripping this measure of the hypocrisy which surrounds it and let it appear in its true colors before the bar of public opinion.

The people of this country believe in temperance, but they can not be fooled with an imposter like this proposed legislation. Mr. Speaker, there has been some talk here as to who was responsible for bringing this matter of the Hobson resolution into politics. That can be easily answered by reading from a letter from Mr. HOBSON addressed to the Members of this House last spring in which these words were used: "I think I can say authoritatively that these organized forces of the Nation (referring to the Anti-Saloon League) have decided unanimously that until Congress does transfer the question to the several States, it is to be made the paramount issue in congressional and senatorial campaigns, primary and general." Note the words "primary and general." In other words, if you do not obey instructions from this organization in the primary election they wll beat you in the final election, if possible, with a candidate of opposite political faith. This applies to both Democrats and Republicans. This organization would cheerfully disrupt all party organizations in the land if they could win victories for the single flag of national prohibition. Are we as Democrats willing to surrender and are you as Republicans willing to turn over your party organization to the advocates of this single proposition, upon which its author could not carry his own State in his recent race for United States Senator?

Mr. Speaker, viewing this matter from any angle it is dangerous legislation. As a temperance measure it will not prove of any value to that great and glorious cause. It will not help prohibition, because it means free and unrestricted manufacture of intoxicating liquors.

As an economic proposition it would bankrupt the Nation. As a moral and social proposition it is unwise, because it deprives the people of their right to regulate the liquor traffic in their own communities by transferring that right to Congress.

Its passage would help but one body of men, and they would be those who are now drawing large salaries to keep up this agitation. It would give them a chance to go back to the States for the next 25 years to ask for the adoption of this resolution. For the last 25 years they have been filling the law books of the States with statutes harassing the rights of the citizens, which they now confess is useless by asking us to-day to pass this measure. Their judgment has not solved the evils of the liquor traffic in the past and will not solve it in the future under the present leadership. Let us meet the issue like men and vote it down.

EXTRACTS FROM DEMOCRATIC NATIONAL PLATFORMS.

From the Democratic national platform of 1856:

That the Federal Government is one of limited power derived solely from the Constitution, and the grants of power made therein ought to be strictly construed by all the departments and agents of the Government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers. That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs not prohibited by the Constitution.

From the Democratic national platform of 1860:

Reaffirmation of the platform of 1856.

From the Democratic national platform of 1868:

And we do declare and resolve that ever since the people of the United States threw off all subjection to the British Crown the privilege and trust of suffrage have belonged to the several States, and have been granted, regulated, and controlled exclusively by the political power of each State, respectively, and that any attempt by Congress, on any pretext whatever, to deprive any State of this right or interfere with its exercise is a flagrant usurpation of power which can find no warrant in the Constitution, and if sanctioned by the people will subvert our form of Government, and can only end in a single, centralized, and consolidated Government in which the separate existence of the States will be entirely absorbed and an unqualified despotism be established in place of a Federal Union of coequal States.

From the Democratic national platform of 1872:

Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority and freedom of persons under the protection of the habeas corpus. We demand for the individual the largest liberty consistent with public order, for the State self-government, and for the Nation a return to the methods of peace and the constitutional limitations of power.

From the Democratic national platform of 1876:

In the liberty of individual conduct, unvexed by sumptuary laws.

From the Democratic national platform of 1880:

The Democrats of the United States, in convention assembled, declare opposition to centralizationism and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one and thus to create, whatever be the form of government, a real despotism. No sumptuary laws; separation of church and state, for the good of each; common schools fostered and protected.

From the Democratic national platform of 1884:

The Democratic Party of the Union, through its representatives in national convention assembled, recognizes that, as the Nation grows older, new issues are born of time and progress and old issues perish. But the fundamental principles of the Democracy, approved by the united voice of the people, remain and will ever remain as the best and only security for the continuance of free government. The preservation of personal rights, the equality of all citizens before the law, the reserved rights of the States, and the supremacy of the Federal Government within the limits of the Constitution will ever form the true basis of our liberties, and can never be surrendered without destroying that balance of rights and powers which enable a continent to be developed in peace and social order to be maintained by means of local self-government.

From the Democratic national platform of 1888:

Chief among its principles of party faith are the maintenance of an indissoluble union of free and indestructible States, now about to enter upon its second century of unexampled progress and renown; devotion

to a plan of government regulated by a written Constitution, strictly specifying every granted power and expressly reserving to the States or people the entire ungranted residue of power; the encouragement of a jealous popular vigilance, directed to all who have been chosen for brief terms to enact and execute the laws, and are charged with the duty of preserving peace, insuring equality, and establishing justice.

From the Democratic national platform of 1892:

The representatives of the Democratic Party of the United States, in national convention assembled, do reaffirm their allegiance to the principles of the party as formulated by Jefferson and exemplified by the long and illustrious line of his successors in Democratic leadership, from Madison to Cleveland; we believe the public welfare demands that these principles be applied to the conduct of the Federal Government, through the accession to power of the party that advocates them, and we solemnly declare that the need of a return to these fundamental principles of a free popular government, based on home rule and individual liberty, was never more urgent than now, when the tendency to centralize all power at the Federal Capital has become a menace to the reserved rights of the States that strikes at the very root of our Government under the Constitution as framed by the fathers of the Republic.

From the Democratic national platform of 1896:

We, the Democrats of the United States, in national convention assembled, do reaffirm our allegiance to those great essential principles of justice and liberty upon which our institutions are founded, and which the Democratic Party has advocated from Jefferson's time to our own—freedom of speech, freedom of the press, freedom of conscience, the preservation of personal rights, the equality of all citizens before the law, and the faithful observance of constitutional limitations. During all these years the Democratic Party has resisted the tendency of selfish interests to the centralization of governmental power, and steadfastly maintained the integrity of the dual system of government established by the founders of this Republic of republics. Under its guidance and teachings the great principle of local self-government has found its best expression in the maintenance of the rights of the States and in its assertion of the necessity of confining the General Government to the exercise of the powers granted by the Constitution of the United States.

From the Democratic national platform of 1900:

We declare again that all governments instituted among men derive their just powers from the consent of the governed; that any government not based upon the consent of the governed is a tyranny, and that to impose upon any people a government of force is to substitute the methods of imperialism for those of a republic.

From the Democratic national platform of 1904:

The Democratic Party of the United States, in national convention assembled, declares its devotion to the essential principles of the Democratic faith which bring us together in party communion. Under them local self-government and national unity and prosperity were alike established. The application of these fundamental principles to the living issues of the day is the first step toward the assured peace, safety, and progress of our Nation. Freedom of the press, of conscience, and of speech; equality before the law of all citizens; right of trial by jury; freedom of the person defended by the writ of habeas corpus; liberty of personal contract untrammeled by sumptuary laws; supremacy of the civil over military authority; a well-disciplined militia; the separation of church and state; economy in expenditures; low taxes that labor may be lightly burdened; prompt and sacred fulfillment of public and private obligations; fidelity to treaties; peace and friendship with all nations, entangling alliances with none; absolute acquiescence in the will of the majority, the vital principle of republics—these are doctrines which Democracy has established as proverbs of the Nation, and they should be constantly invoked and enforced.

From the Democratic national platform of 1908:

Believing with Jefferson in "the support of the State governments in all their rights as the most competent administrations for our domestic concerns, and the surest bulkwarks against anti-Republican tendencies," and in the "preservation of a General Government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad," we are opposed to the centralization implied in the suggestion now frequently made that the powers of the General Government should be extended by judicial construction.

From the Democratic national platform of 1912:

We believe in the preservation and maintenance in their full strength and integrity of the three coordinate branches of the Federal Government—the executive, the legislative, and the judiciary—each keeping within its own bounds and not encroaching upon the just powers of either of the others. Believing that the most efficient results under our system of government are to be attained by the full exercise by the States of their reserve sovereign powers, we denounce as usurpation the efforts of our opponents to deprive the States of any of the rights reserved to them and to enlarge and magnify by indirection the powers of the Federal Government.

Mr. CAMPBELL. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Speaker and gentlemen of the House, I have listened with interest to the address of the gentleman from Kentucky [Mr. CANTRILL], but it seems to me that he evades the question at issue. The main fact is that the people are prepared to vote on this question and are willing to vote upon it. It is not a new or novel proposition, and none can deny that it is thoroughly understood by the people. Public sentiment has been forming during the entire history of the Republic. Dr. Benjamin Rush, chairman of the Committee on Independence in the Continental Congress in 1776, urged action upon it and published a book to place his argument before the people. From that day to this the liquor question has been considered and discussed in every city and town and hamlet, and the electorate of the Nation is prepared and anxious to vote upon it directly. Millions of voters have petitioned Congress to submit this proposal to amend the Constitution to them for their decision.

Regardless of all quibbles and pretexts, fashioned to deceive, the fact remains that Congress has no right to refuse to submit this question to the Nation. It is a representative body, and it has no right to decide with finality a proposed change in the Constitution, which is the original and direct expression of the people, who now demand an opportunity of amending it. Shall Congress usurp sovereign power and, although simply an agent, prevent its principal, the people, from determining the national policy to be pursued in regard to the liquor traffic? That is the vital issue at stake in this vote to-day.

The basic doctrine of this Nation is that sovereign power rests in the people. The various representative forms which have been established arose only because the whole people could not be assembled for the purpose of direct action. But, by its own initial declaration, the people ordained and established the Constitution as the framework of their Government. They provided for a representative lawmaking body and fixed the limit of the legislative authority. Representatives exercise powers not by virtue of any sovereign power in the office or in themselves, but solely because of the power delegated to them by the people. While it is necessary to make laws, it is not necessary to have a Congress, and if the people choose they can act directly and their creature cease to exist.

Does anyone contend that this Congress is greater than the people? Why, then, contend that this body may justly deny to its creator the right to use and exercise its power? It is ridiculous to maintain that Congress may say to the people of the Nation, "Thus far shalt thou go and no farther," and yet that is exactly what it does say if it refuses to submit this amendment to the people for approval or rejection. Chief Justice Marshall summed up the exact situation when he declared:

The people made the Constitution and the people can unmake it. It is the creation of their own will and lives by their own will. But this supreme and irresistible power to make and unmake resides only in the body of the people, not in any subdivision of them.

If Congress now refuses to allow the people to express their will upon this fundamental proposition, we do not have even a representative form of government. Such action is a perversion of the powers of government for the benefit of the liquor traffic.

No one denies that the liquor traffic exists by sufferance of government. There is no inherent right belonging to a citizen to sell liquor. That privilege is granted by the Government to certain individuals under prescribed conditions. The Government has adopted the policy of partnership in the liquor traffic. Surely the people, as the sovereign power, have the right to say whether or not that partnership shall be continued. It is a fundamental policy of the Government that is at issue, and the Government is not Congress or court or President, but the people. There is the final and sovereign power.

Shall the people's will be supreme? That is the question that is preeminent in this vote, and no agile dodging and sidestepping shall escape it. That same question was answered negatively by George III on one occasion, and as a result the British Empire lost the proudest star in its crown. The Tories answered it in a similar manner, and they crossed the boundary lines of Canada with the patriots in pursuit. The great Central Bank gave the same answer to Andrew Jackson, and thereby went over the cliff to destruction. The slaveholding oligarchy reared its ramparts of negation to the question, but four years' strife leveled them to the ground. Always and everywhere the result has been the same, and every force that sought to prevent the triumph of the people's will in the end has bowed conquered.

The attempt now to prevent the people from deciding the liquor question for themselves is a return to the rule of the few, the divine right of rulers, and history will repeat itself. The Representative who puts the power of Congress above that of the people who created Congress has no place in the American democracy, and sooner or later will, like his prototypes of the past, be swept aside by the onrushing torrent of the public conscience.

The fundamental right of the people to vote on this exact proposal was recognized by the Senate Committee on Education and Labor as long ago as 1888. In its favorable report on a constitutional amendment similar to this under consideration the committee sums up the entire case in concise style and with irresistible logic. In part the committee said:

The majority of the committee would deem a refusal to submit the proposed amendment to the States analogous to the denial of the right of a party to be heard in court upon a question of private right. The method provided in the Constitution for its own peaceable amendment would be destroyed by the failure to submit the proposition for amendment in cases of grave moment involving the approval and prayers of multitudes of people, for where the remedy sought is ad-

mitted to be without the jurisdiction of the fundamental law the petition is really addressed to the only tribunal which can enlarge that jurisdiction—that is to say, the States themselves. Should, then, Congress in such case refuse to submit the proposal to the States, such refusal would constitute a substantial denial of the right of petition itself.

The agitation for national legislation for the extirpation of the traffic in alcoholic poison made and sold to be used as a beverage will never cease to disturb and finally destroy great political parties until they submit the question of the enlargement of national constitutional jurisdiction so as to include control of the subject. When this proposed amendment is submitted to the action of the States the subject will pass in its important features from the national area to that of the several States until the fate of the proposed amendment is decided. When decided, if adversely to the ratification, the subject will be eliminated from national politics, at least for many years. If, on the other hand, the proposed amendment should be ratified and become part of the national law, the chief curse of the world would be summoned to the block of national justice and die by the hand of the only power big and sharp which can wield an ax big and sharp enough to cut off its hydra head. Then we should have peace. In any case a hearing at court is a sacred right in a matter of so great national concern.

To my mind this logic of the Senate committee of 1888 is unanswerable, especially in the light of the new conditions of to-day, which have grown out of the ever-increasing interdependence of the citizenship of the Nation.

But there are those here to-day who refuse to accept this reasoning and enter specious objection to it. They declare that it is not a question of submitting the matter to the people themselves, since the ratification by three-fourths of the States might not mean the approval of a majority of the people. This argument is elaborated in a large advertisement of the liquor interests, appearing in the great newspapers of the country, in which it is stated that "acres and not people amend the Constitution."

Coming from this source, this argument is a tissue of false pretense. The liquor interests, and no other power that preys on the people, would agree to a vote to be decided by a majority of the people. Already more than half the people of the country live in no-license territory, while but 14 of the 48 States are in the prohibition column. The present plan of amending the Constitution is unfair and unjust, not to the liquor and other privileged interests but to the people who are shackled by it. I am in favor of making it possible to amend the Constitution by a majority vote of the people, but the very interests who are now protesting so loudly against the present method are the ones most bitter in their opposition to such a change.

These interests argue that the present plan affords a too easy method of amending the Constitution, when, in fact, it makes the task almost impossible, unless the sentiment in favor of the change amounts almost to a revolution. Over 2,200 propositions for amendment have been advocated in Congress, but only 17 have been adopted in the history of the United States. The first 13 were adopted to carry out the original intent of the Constitution. The fourteenth and fifteenth were adopted during the reconstruction period following the Civil War, and the sixteenth and seventeenth, providing for the direct election of United States Senators and the income tax, were only adopted after generations of agitation and when the demand had become well nigh unanimous.

It is easy to talk about the possible adoption of this amendment by a minority of the people. It is far more important to consider the insignificant minority which may prevent its adoption. One-fortieth of the voting population can defeat this amendment, thus defeating the will of the remaining thirty-nine-fortieths of the voters.

For instance, the election in 1912 showed the following vote in 13 States: Arizona, 23,722; Delaware, 48,694; Florida, 51,891; Nevada, 20,044; Louisiana, 79,309; South Carolina, 50,348; Montana, 79,910; Vermont, 62,807; Wyoming, 42,296; Rhode Island, 77,894; Mississippi, 64,319; New Hampshire, 87,961; New Mexico, 49,376. The total vote cast in these States was 738,571, so that 370,000 votes would have dictated the action of all. In other words, such an insignificant number, less than one-fortieth of the votes cast in the country, would have prevented the adoption of this amendment.

Is that an easy method of securing action? It is so unfair to the people themselves that Patrick Henry opposed the adoption of the Constitution for this very reason. He said—

It is a most fearful situation when the most contemptible minority can prevent the alteration of the Government, even when most oppressive.

No; the truth is that the present method is a tremendous handicap to those who favor the abolition of the liquor traffic instead of to those who oppose it. It is a far easier task to secure a majority vote in the United States in favor of this amendment than to secure its adoption by 36 States, and every liquor advocate knows it. In any case, no right-thinking Representative will allow such false-pretense argument as is embodied in this attack upon the constitutional method for its own amendment to influence him in his vote upon this resolution.

Another basis of opposition is shown in the declaration that this resolution deals with a moral issue and that any attempt to deal with it through governmental agencies is an infringement of personal liberty and individual rights.

Such an argument was once all-powerful, but, thank God, its stark individualism, with its Ishmael-like philosophy of every man's hand against his neighbor, is no longer all-controlling. It divorced politics from morals and declared that might was right. But developing civilization has proven that the law of the jungle will not serve humanity's betterment. A new situation has arisen, complex conditions have taken the place of the simple relations of a past era. The Nation is a web and woof of citizenship, and a single torn thread mars the whole fabric. The task of statesmanship to-day is to end the anarchy of selfish individualism and to discover the principles underlying great social movements and to direct their development along lines of human welfare.

Great crimes have been committed in the name of personal liberty. This so-called liberty is impossible in a civilized nation, for wherever there is law there are limitations of personal liberty. The highwayman is prohibited from taking property by force. The embezzler is prohibited from taking money by deceit. Men are prohibited from damaging a city sidewalk. They can not send certain matter through the mails. They can not kill game out of season. In fact, every man is hedged about by thousands of restrictions upon his personal liberty solely because such restrictions advance the comfort, virtue, and welfare of the general public. Every forward step in civilization has been made by new limitations on this so-called personal liberty, and this latter-day argument in its behalf is a demand for steps backward to savagery and anarchy.

The entire trend of legislation for many years shows how increasingly great is the necessity for governmental action in realms formerly held to be purely matters of individual conduct. Providing for public schools, penalizing adulteration of food, regulating hours of labor for women, prohibiting child labor, stamping out contagious diseases, securing sanitary conditions, dealing with white slavery, establishing restrictions of all kinds upon the individual in order to promote the common welfare—all these are eloquent witnesses to the governmental activities which are to-day almost universally recognized and commended.

Now, does the liquor traffic menace the common welfare to a degree sufficient to demand action? The veriest pauper of observation will answer in the affirmative. Its poisonous power combines the dangers of all the evils I have mentioned as being prohibited by legislation. It robs the children of their childhood and the schoolhouses of their children. It means inhumanly hard toil for women and children. In its wake follow white slavery, vice, and crime, while poverty, unwholesome conditions, and dread disease are its inevitable accompaniments.

The Supreme Court of the United States in a noteworthy and illuminating decision shows the extent of this problem and the importance of dealing with it through legislation. It says:

It is urged that as liquors are used as a beverage and the injury following them, if taken in excess, is voluntarily inflicted, and is confined to the party offending, their sales should be without restriction, the contention being that what a man shall drink, equally with what he shall eat, is not properly a matter for legislation.

There is in this position an assumption of fact which does not exist, that when the liquors are taken in excess the injuries are confined to the party offending. The injury, it is true, falls first upon him in his health, which the habit undermines; in his morals, which it weakens; and in his self-abasement, which it creates. But as it leads to neglect of business and waste of property and general demoralization, it affects those who are immediately connected with and dependent upon him. By the general concurrence of opinion of every civilized and Christian community there are few sources of crime and misery in society equal to the dramshop, where intoxicating liquors in small quantities, to be drunk at the time, are sold indiscriminately to all parties applying. The statistics of every State show a greater amount of crime and misery attributable to the use of ardent spirits obtained at these liquor saloons than to any other source.

Mr. Speaker, the enlightened conscience of America is not demanding that Government keep its hands off everything except the preservation of peace. It demands that the Government put its hands on everything that will promote the common good more effectively than individual effort. The question is not whether we shall be governed more but whether we shall govern ourselves more. Such legislation as this is not paternalism; there can be no paternalism in laws made by the people. Such laws are self-imposed and they are based on the principle of self-help, the imposition of laws on the people by the people themselves.

We may admit that the future of the Nation depends upon the character of its individuals. Still I deny that individuals reach their highest development by allowing forces of evil

to work their ravages unrestrained. That simply means the triumph of the law of the jungle. It does not mean the safeguarding of the interests and welfare of individuals. It is just as reasonable to say that a house depends upon its bricks and then expect the bricks to fall together by chance, without plan or specification, into a splendid building. You can not expect a nation of strong individuals without an environment suitable for development. A dusty wayside may throw out a flower which will escape the trampling of hoofs, but ordinarily flowers grow in the gardens of those that love them.

This is a moral issue—yes; but that fact will not serve to keep it out of the realm of politics and government. Rather, it will keep it a vexing political and governmental question until it is settled and settled right. Because slavery was regarded as a moral issue strenuous efforts were made to keep it out of politics. Lawmakers refused to deal with it for many years and touched it only as "hucksters dealing in the relics of the saints." Resolutions were passed in Congress prohibiting its very mention on this floor. But no power could prevent its consideration and settlement, although this very evasion and timeserving made necessary the bloodiest fratricidal strife in history in order that the question might be settled and settled right.

To-day this liquor problem is of the same importance as slavery was in that other day. It is the second grave issue at once governmental, economic, and moral in character which has demanded settlement in the 138 years of national life. As surely as the slavery problem was solved so surely will the day come when the American people will settle this question and settle it right, regardless of all congressional attempts to evade it.

Mr. Speaker, this Republic is founded upon the moral character of its people. It is a monstrous error to regard politics and morals as separate and distinct from each other. Napoleon said: "My dominion ends where the dominion of conscience begins."

No greater calamity would be possible in America than to have a clear line of division between the dominion of government and the dominion of conscience.

The conscience of the people is becoming social; it concerns itself with the common welfare. Because the liquor traffic assaults the rights and happiness of the entire citizenship; because it brings conditions in which vice and crime, disease and degradation, multiply and flourish it is treason to the common welfare. Becaues this traffic does not affect individuals alone, but extends out in ever-widening circles of misery and suffering, it can not be dealt with by individuals pulling in single harness. It is a social disease and must be cured by government acting as the agent of society.

Let the liquor advocates prove that the traffic promotes the common welfare, that it leads men to advance the interests of others as well as their own, and they will have some standing in the argument. As long as they demand the privilege of allowing others to drink to an extent that renders them a nuisance, an expense, and a menace to the welfare, lives, and property of others their plea of personal liberty is entitled to no consideration whatever.

The advocates of this amendment are the real friends of liberty—not the false personal liberty which means license to do wrong. They would grant every liberty save that of injuring the rights of others. They are armed with knowledge; they strike in the cause of civilization and they battle for the rights of all mankind.

But when the upholders of the liquor traffic are driven from their position that no legislation whatever is justifiable they fall back upon the moss-grown State rights argument. They say that it is a State issue, and not one to be dealt with in an amendment to the National Constitution. They now admit that this problem is one to be dealt with by government, but maintain that it must be met piecemeal and solved by fractions.

Local self-government is one of the foundation stones of the Republic, but local power never was intended to be and never should be sovereign over national concerns. Justice Wilson declared in support of this contention:

> The General Government is not an assembly of States, but of individuals, for certain political purposes, to the direction of which no particular State is competent.

No particular State is competent to solve the liquor problem. The traffic is national in scope, and its proportions menace the Nation as a whole. Its great national organizations dictate action to the State and local bodies. It is allied with every power that preys in the Nation and it fights with and beside the whole system of special privilege. Coping with trusts and monopolies is no longer regarded as a State task, and this Congress has passed several measures to deal with these gigantic combinations of capital. The Liquor Trust was among the first great monopolies to be formed in this country, and it led the way for the brood of trusts that have so greatly endangered the integrity of the national structure.

Rest assured that the liquor traffic regards no State lines in its organized effort. From its resources of exploitation it purchases the highest talent. It sends its hired orators on nationwide journeys to defend it with distorted issues. It controls national periodicals, on whose printed pages are falsehoods calculated to deceive the people. It pours the money collected in Pennsylvania into Alabama and that of California dealers into Maine. It will not confine itself to State limits, and no adequate remedy for the problem will be found within State limits.

Is this Congress competent to pass a corrupt-practices act to protect the purity of elections? It has answered that query by passing the act. But no single force corrupts elections like the organized liquor traffic. No other interest debauches so many voters, degrades so many citizens, debases so many legislators, and dishonors so many public officials.

Trace its slimy way through national records and you will find it industriously at work to-day, as in years past—find it at work in corruption and bribery, as was evidenced in the recent Mulhall lobby investigation; find it in collusion of criminals with the officers of the courts; find it manipulating the ballot and robbing the ballot box; find it thwarting the people's will by the most putrid measures; find it the enemy of good legislation and the friend of vicious measures; find it the foe of good government, the eternal adversary of respectability, morality, and patriotism.

The liquor traffic stands to-day as the foulest stench of governmental corruption in Nation, State, county, city, township, and village. It violates with brazen shamelessness more laws than all the inmates of all penal institutions multiplied by thousands. Its record of debauchery is a scar across the face of the Republic. It is the greatest incentive to corruption and lawlessness in the Nation.

The Pennsylvania political machine, which has ruled the destinies of the State for years, is bottomed on the liquor traffic. Time after time national elections have been influenced by this machine—Cameron, Quay, and PENROSE, in turn, using huge corruption funds contributed by the liquor interests to purchase elections.

The campaign of this year, which resulted in the reelection of Senator PENROSE, witnessed the most brutal and baleful corruption in the history of the State. It is declared on reliable authority that a million dollars was the sum contributed by the liquor dealers of the State to return their patron saint to the United States Senate and his candidates to other offices.

The Personal Liberty ticket of the liquor dealers, for the liquor dealers, and by liquor dealers, was headed by PENROSE in the State. It determined the result in many districts, among them my own. I was defeated for reelection by this ticket alone. It gave my opponent 2,630 votes, and I lost by 1,361 votes. Without that ticket I should have won by 1,269 votes.

I am making no complaint, for I would have it no other way. I would rather be defeated by such forces of corruption than be elected by them. I would not remain a Member of this House five minutes by the grace of these interests, for I hold it the sacred duty of every American patriot to strike a blow at their domination of politics and government whenever and wherever the opportunity affords.

Mr. Speaker, if nothing else were in evidence, the tactics of the liquor interests in every election should settle the State rights argument in every sane man's mind. The purity of national elections, the integrity of national law-making bodies, the preservation of national institutions—all these are deeply involved in this question and demand that action be taken by national authority.

Mr. Speaker, there is no just argument against the submission of this amendment. This Congress should give the people of the Nation the opportunity of deciding the liquor question on its merits, without the injection of other issues to distort the one question before them.

Congress should pass this resolution, because it dares introduce into politics the living vitality of a great moral issue, scorning the fears that have made cowards of public men in the past; because it centers the thought and heart and conscience of the Nation upon evils which must be eliminated if the Republic is to endure; because it places right above might and refuses to be lured from its course by any siren song of compromise; because it seeks no halting, halfway measure, but steadfastly and with stalwart courage assails the strongest citadel of sin in America; because it listens to no taunts of its Utopian visions, but declares that the reality shall be put into

the dream, the foundation under the air castle; because it declares that there shall be no cessation of battle until this question is settled, and settled right.

Congress should pass this resolution because it will place the liquor traffic where it belongs, before the bar of public opinion, to stand or fall as it deserves; because it trusts the people to work out their own destinies, unfettered and unbound; because it is founded upon the belief that the will of the people should be the supreme law of the land; because it asks no favors of rulers, but places its reliance in the heart and brain of the man called "Million;" because it does not attempt to substitute legislative conspiracies for direct popular government; because it does not work in the dark, but throws down its challenge in the full light of day; because it proposes to drive the people's enemy out of the control of government by putting the people in control.

Congress should pass this resolution because it is nonpartisan and runs counter to no man's political faith, contrary to no man's party principles; because it is not a political device to get rid of the liquor question, but the theory of this Republic put into practice; because it is the principle of self-government upon which the Nation is founded, and means the supremacy of the citizenship which is accountable for the Government and upon which the responsibility rests.

Congress should pass this resolution because it affords a fundamental remedy for a fundamental evil; because it does not trifle with symptoms, but deals with the cause and cure of the disease itself; because it does not depend upon men or legislative enactments, but aims to act through the Constitution, the final expression of sovereign power; because it denies that all fountains of inspiration were sealed up when the Constitution was written a century and more ago; because it declares that the dead hand of the past shall not throttle the present, but that this generation shall work out its problems in the light of its own knowledge and experience.

Congress should pass this resolution because it is a national solution for a national problem; because it recognizes that the whole is greater than a part and would not have 48 separate constitutions amended to accomplish what should be accomplished in one; because it attacks the worn-out, outgrown contention that our new problems must be met by piecemeal and solved by fractions; because it proposes to bring justice to bear on national menaces which the State can not reach; because it will let the sunlight into the twilight zone between the States and Nation, in whose shadow national injustices and wrongs have gone unpunished and immune.

Congress should pass this resolution because it defies and disowns the philosophy of Ishmael and substitutes the noble idea of brotherhood and the common good; because it recognizes that anything that causes disease and degeneracy, crime and corruption anywhere is an injury everywhere; because it declares that personal liberty does not mean personal license, and that when the liquor traffic takes a political character with a death's-head as its emblem of liberty, it thereby seals its own destruction by the universal law of self-defense.

Congress should pass this resolution because of the forces that are against it—the allied powers that prey, the vultures of vice, the corrupt combinations of politics, the grafters and gangsters, the parasites that clothe themselves in the proceeds of woman's shame, the inhuman ones that bathe themselves in the tears of little children, the wastrels who wreck and ruin material things while they contaminate childhood, debauch youth, and crush manhood; the plunder-laden ones who fatten themselves upon the misery and want and woe that their own greed has created, the Hessians in the black-bannered troop whose line of march is over wrecked homes and broken hearts and ruined lives.

Congress should pass this resolution because of the forces that are for it—the awakened social conscience of the Nation, the men and women of America who have enlisted in a newer and better crusade to redeem and recover America, which is truly holy land; the knightly hearts and courageous souls who live above the fog in public duty and in private thinking; army of the common good, whose valiant soldiers resent an injustice done the weakest man or woman or little child as a wrong done themselves.

This question is too big for Congress or President or court to decide; it is just big enough for the heart and conscience of the American people. Let us submit the question to them, thus giving them what is theirs by inherent right—the power to solve the liquor problem as they desire, to continue the traffic or put the liquor business out of government, the Government out of the liquor business, and the liquor business out of business. [Applause.]

The SPEAKER. The Chair desires as kindly as may be to suggest to the people in the galleries that they are here by the courtesy of the House, and the rules of the House prohibit either signs of applause or dissent. The House is here for a discussion of business and not as a show. [Applause.]

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, I address myself to the rule. It deals with a question of nation-wide importance, of world-wide importance, of race-wide importance. Alcohol has interfered with the orderly evolution of the human race. Some may disagree with me on that proposition, but no one can deny that millions upon millions of American people have a deep conviction similar to my own. Now, I cite the scroll over this body. It is simply a record of resolutions adopted at great public meetings. If the petitions themselves sent in were here they would cover miles in length. Over 6,000,000 American citizens have petitioned on the subject, ten times as many petitioners as ever petitioned any Government in the history of the world. Twelve thousand organizations have passed official resolutions. What do these petitioners ask? Not that this Congress shall make the country dry, but that this Congress shall initiate, as the Constitution provides it the authority to initiate, a referendum allowing the people in the several States to decide upon this change in their own organic law. This question has been before this House now for more than 12 months. It has been upon the calendar of the House since May 9. We have been patient in asking for its consideration. We have been thoughtful and considerate, and I feel that no one now can deny the question of consideration on such a question of referendum demanded by such a vast body of our citizens.

I desire to correct the gentleman from Kansas [Mr. CAMPBELL]. Since the figures he used about the proportion of population and the areas wet and dry were figured out there have been 5 sovereign States added to the dry list, so that to-day about 57 per cent of the people of the United States and about 76 per cent of the area of this country is living under a prohibition law passed by a majority vote of its citizens. The rule does not provide cloture, but permits amendment. If it does not suit the views of Members here, let them offer amendments. The amendment proposed provides a scientific treatment for a deep organic disease. The systematic debauching of the youth is the origin of this terrible evil in our land. Investigations show that the great national organizations of the liquor interests are the agents. Their motive is the gain and profit in the sale of their goods to the crops of young drinkers as they become men. The amendment would remove the motive, the agent would disintegrate, the debauching of the youth would end, and the Nation would grow sober—the real, organic, scientific cure for this disease. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, I shall vote to adopt this rule; but if adopted, I shall vote against the constitutional amendment to which it relates. I shall vote to adopt the rule, because I believe that the proposed constitutional amendment is of such public interest that it should be considered and acted upon by Congress. In voting against the prohibition amendment I find myself upon the same side as are the liquor interests, but that should not deter me from performing my duty as I see it. I cheerfully accord to others who differ from me upon this question that sincerity of opinion and deliberate and unbiased judgment that I claim for myself.

Whether prohibition is practicable and desirable is not the question before us now. We see before us a large number of posters this morning, setting forth the evils of the liquor traffic. We may well believe every statement contained in each one of these posters is true, and yet, in my view, we are not warranted in submitting this constitutional amendment. In my mind there are but two questions for us to consider—first, is the present state of public opinion upon this question such as would justify the Congress of the United States in submitting this amendment, and, second, is the question one which ought to be the subject of Federal jurisdiction? I am what has been called a Progressive Republican, and am probably regarded as more or less of a radical. I believe the Federal Constitution should be more easily amended than is now possible, but I never have believed, and do not now believe, that Members of Congress have no responsibility in the matter of proposing amendments. On the contrary, I believe that Congress never should propose an amendment unless in its judgment there is a well-settled, deliberately formed public opinion of such extent as to make it probable, at least, that if submitted it will be ratified by the necessary number of States in the very near future. That condition with reference to this subject does not exist to-day, and I think no one will claim that it does exist.

Mr. QUIN. Will the gentleman yield?

Mr. LENROOT. I have not time to yield now.

Members must remember this is not a referendum that can be accepted or rejected by the States. The gentleman from Alabama [Mr. HOBSON] and the gentleman from Pennsylvania [Mr. KELLY] treat it as a referendum. It is not. There is no such thing as the rejection of a proposed amendment to the Federal Constitution by the States. If a State ratifies it, the matter is settled, so far as that State is concerned, for all time to come. But if it rejects it, it means nothing more than the postponement of the matter until another legislature is elected. In other words, if the State ratifies the proposed amendment, it has no power thereafter to reconsider its action; but if it refuses to ratify it, any subsequent legislature may again vote upon it. So when an amendment leaves Congress it is never rejected, never dies, but lives on until ratified by the required number of States; and it might easily be that when the last State has ratified it the States first ratifying it may have changed their views and, in fact, be opposed to it. This is why great care should be exercised in proposing constitutional amendments, and only after public opinion is so well settled as to practically insure early ratification should they be submitted by Congress. This is a general principle that should govern all cases. And believing in that principle as I do I can not make an exception in this case.

Another principle that I believe should govern this constitutional amendment is that the people of the several States should have the largest measure of self-government possible, and whenever they can themselves directly and effectually determine a policy affecting them alone the Federal Government should not intervene. Tested by that principle, I can not support this amendment. Each State now has full power to enact and enforce prohibition laws within its borders. The Federal Constitution provides: "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the Constitution." The Constitution itself, therefore, imposes upon each Member of Congress the duty of deciding that it is necessary before voting for a proposed amendment. Bearing in mind my oath of office, before I can justify a vote for this amendment I must deem it necessary, and I can not relieve myself from the responsibility which the Constitution imposes upon me by saying that this is only a referendum, and I will vote to submit it, whether I deem it necessary or not. Therefore, when the States have full power over the subject, when only a minority of the States have enacted prohibition laws for themselves, I can not deem it necessary that this amendment be proposed, and, tested by this principle, I must vote against it.

A short time ago we passed the Webb law relating to interstate shipment of liquors. That law was warmly supported, and, indeed, proposed, by some of the organizations that are now urging this amendment. I supported the Webb bill and was warmly commended by the opponents of the liquor interests for doing it. But the Webb law is the very antithesis of this proposition. The Webb law relinquished to the various States all control which the Government had over the shipment of liquor into prohibition States under the interstate-commerce clause of the Constitution. Then the contention was made that the States should have full power over the subject and that the Federal Government should not exercise any jurisdiction whatever over it in prohibition States. I believed that contention was right then, and I believe it is right now. If the contention then made was right, the contention now made by the advocates of this amendment is wrong. The constitutionality of the Webb law is now before the Supreme Court of the United States. If it shall be held that in the Webb law we exceeded our constitutional power, then I stand ready to vote for any amendment to the Constitution necessary to give to the States full and complete control over the subject. In the words of the Constitution, I "would deem it necessary" that such an amendment be proposed as essential to effectual control by the States over their internal affairs and demanded by the well-established public opinion of the country.

There is much more that might be said if I had the time, but in the few minutes that I have I can do no more than outline the principles upon which I base my vote.

One other observation, however, I regard as important. I believe profoundly that upon any great question involving a radical change of policy of government, whether State or Federal, it is desirable, whenever possible, that the people vote directly upon the question. In the matter of prohibition, when it is proposed as a State matter, the people of the State vote directly upon it; but if this amendment is proposed by Congress, the people will not vote upon it at all, but it will be acted upon by the legislatures of the States, which suggests another reason why it should be left for each State to settle for itself.

My friend the gentleman from Pennsylvania [Mr. KELLY], said a number of times during his speech that they wanted to give the people an opportunity to vote upon this question. The gentleman from Pennsylvania, like myself, believes in a more direct participation of the people in government. He believes, I know, as I do, that upon any great principle, instead of submitting it alone to the legislatures the people should have the right to vote upon it. But when you vote for this amendment you take away the power of the people in the States to pass upon it and place it in the hands of representatives only—a principle which both he and I have opposed in the past. [Applause.]

Mr. FESS. Mr. Speaker, will the gentleman yield there?

The SPEAKER. Does the gentleman yield?

Mr. LENROOT. I yield for a question.

Mr. FESS. Do you mean to say that an amendment of the Constitution is not a matter that the people speak on?

Mr. LENROOT. Only in the way that they speak upon every other legislative question that comes up in a State.

Mr. FESS. Then, do you mean by that that our method of amending the Federal Constitution is wrong?

Mr. LENROOT. I do. I would like to see our method changed so that the people themselves would vote upon an amendment to the Constitution. [Applause.] I would like to see the people of each State vote directly upon a constitutional amendment instead of its going to the legislatures only.

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

Mr. LENROOT. I regret I can not. I have arranged to yield back the remainder of my time to the gentleman from Kansas [Mr. CAMPBELL]. Otherwise I would be glad to yield.

The SPEAKER. The gentleman from Kansas has 13 minutes.

Mr. HENRY. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. POU].

The SPEAKER. The gentleman from North Carolina [Mr. POU] is recognized for 10 minutes.

Mr. POU. Mr. Speaker, being firmly convinced that the question of prohibition should be settled by the respective States of the Nation, I have from the beginning opposed the rule now under consideration. My conviction in this respect is so strong that I would have prevented a favorable report if I had possessed the power to do so. [Applause.] I shall, therefore, vote against the adoption of the special rule or resolution now under consideration.

Some of those who favor national prohibition have said, "Surely you are not opposed to giving the people of the Nation the privilege of passing on this question. It is merely a referendum we are asking for. Everyone—even those who are opposed to national prohibition—should be willing to order the referendum we ask for." Mr. Speaker, I can not vote to submit this question to the States without doing violence to a cardinal principle of the party to which I belong, and no man should ask me to put aside my convictions until the people I represent have had opportunity to calmly consider both sides of the question and after careful consideration, understanding fully all the consequences, have ordered me to cast such vote.

I do not believe the people of the district I represent have given House joint resolution 277, known as the Hobson national prohibition resolution, the consideration that resolution is entitled to receive. I do not believe they have considered the effect on the Nation as a whole of the referendum we are asked to order or the result of the ratification of the Hobson amendment by three-fourths of the States of the Union.

What is the nature of this referendum you are asking for? Will this matter be settled by one election or even more in the States respectively? The referendum which some of you say should be ordered as a matter of course will light the fires of a controversy which will rage for a generation. Even the most sanguine do not hope for a settlement of the question within five years, and in my humble judgment there is not a man in this Chamber to-day who will be living when a vote is taken by the legislature of the State which will finally settle the referendum you are asking for. If the legislature of a State votes for the ratification of this amendment, that State is immediately enrolled as one of the 36 States necessary to make this amendment part of the Constitution. If, on the contrary, the legislature of a State votes against the ratification of this amendment, the question is not settled in that State at all, for the next succeeding legislature may ignore the action of the legislature which refused to ratify, and by affirmative vote may thereafter place the same State in the roll of those favoring the adoption of this resolution as part of the organic law of the land. The general assembly of a State ratifies the proposed amendment; the matter is settled so far as that State is concerned; but if the general assembly shall decline to ratify,

nothing is settled so far as that State is concerned, for any succeeding legislature, as I have said, can ignore the action of its predecessor in refusing to ratify this proposed amendment to the Constitution. In other words, we are asked to order a referendum with no date set when the contest, which will surely rage, must end. This Congress is asked to submit this question which arouses the passion and prejudice of the people as no other question of the hour. No matter how many States refuse to ratify, no matter how often any single State withholds ratification, the battle will continue until the necessary 36 States have through their general assemblies ratified the amendment proposed. Therefore, I say, no living man can see the end.

I do not believe the people in the district I have the honor to represent have given this proposed referendum the consideration to which it is justly entitled. I can not agree to submit a question with such far-reaching consequences until I believe I have the mandate of my people to do so.

Mr. Speaker, this is the amendment we are asked to submit:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

"SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation."

In the brief time allotted to me I can not, of course, discuss fully this proposed amendment. I will, however, venture to say this right now: It is amazing to me that true temperance reformers should insist that the ratification of such an amendment will prevent the wholesale consumption of intoxicating drink. All of my life I have stood for temperance. I not only supported the Webb law, but I had the honor to present the resolution from the Committee on Rules providing for the consideration of that measure. I voted for State prohibition when it was not popular to do so in the county in which I live. In my own heart I feel that I want to do what I can to promote the cause of temperance. Never in my life have I knowingly voted for an immoral proposition. I stated to the delegation which asked for a special rule to consider the Webb law that I could never support the proposition of national prohibition.

Under the proposed amendment any man who can raise a few dollars to pay for a whisky still can manufacture all the whisky or brandy he cares to manufacture.

The blockade still is the curse of any rural community. If you allow the man who is willing to violate the law to make all the whisky he wishes to make, he will take the chances about selling it. This amendment does not prevent the manufacture of intoxicating liquor at all. It only prevents the manufacture of such liquor where it is made for sale, its transportation for sale, its importation for sale, and, in my judgment, its effect will be to encourage rather than discourage the indiscriminate manufacture of whisky and brandy.

But it is contended that the second section remedies the trouble. In that section Congress or the States shall have power to enforce this article by all needful legislation. Enforce it how? By passing all needful legislation to prevent the manufacture of whisky? Not at all. The States may do that or may not. The only legislation which would enforce this article must be legislation against the sale, manufacture for sale, importation for sale of intoxicating liquor for beverage purposes. The proposed amendment might very properly be entitled an amendment to legalize the illicit still in the United States. It might well be entitled "An act to encourage the manufacture of intoxicating drink by individuals," for any man who can raise a few dollars to pay for a still can manufacture as much as he wishes. I am told that whisky stills are advertised for sale at $15 each. But I have not time, Mr. Chairman, to discuss the merits of the proposed article. Other gentlemen will discuss both sides fully.

My objection to the proposition is fundamental. There are 48 States in the Union. Each of these States should forever retain the power to regulate the liquor traffic according to the will of the people of that State. If there is just one State of the 48 which wishes to remain wet, I say the wishes of the majority of the people of that State should be respected. [Applause.]

If 47 go wet and just one wishes to remain dry, I say the will of a majority of the people of that State should be respected by all the other States of the Union. [Applause.] The principle has stood the test of years. I plant myself upon it now and believe I am right. The people of North Carolina should not wish to dictate to the people of Pennsylvania how they should regulate the liquor traffic. No man can tell what the future has in store. If a resolution were offered to read as follows: No State shall pass a law prohibiting the manufacture and sale of intoxicating drink, I would oppose that amendment upon exactly the fundamental ground I am opposing this. I am willing to go the limit in supporting every State in the enforcement of its laws. But I will never concede the right of Pennsylvania or Maine or California to participate in the internal affairs of my own State, nor will I claim any such right for North Carolina. That is safe, sound Democratic doctrine, and we can not go very far astray so long as we adhere to it. [Applause.]

Our Republican friends were in power for 16 consecutive years. Theirs is not a State rights party, but they were wise enough to observe this principle. Not quite two years of the present administration has passed, and yet the record of achievement is without parallel. It is now proposed to make national prohibition the paramount issue. Everything else must go to the winds. The work of this administration has hardly had a trial, but that does not matter; a firebrand must be cast in the lap of the Nation. Everything must be made subordinate to the great task of securing 36 States to ratify this amendment. It does not matter how long it takes, whether 10 years or 50. You southern Democrats who favor this proposition are about to commit, I firmly believe, a monumental mistake.

When you have ratified that law what condition will you have? In communities where public sentiment is back of your law, it will be enforced; in communities where public sentiment is against your law, it will not be enforced. In States where a majority of the people want prohibition, you will have enforcement; in States where a majority are against the proposed amendment, you will not have enforcement unless you use Federal constabulary, and where is the man who wishes to see officers from one State sent to another State to aid in the enforcement of law? Such a condition is the first step toward civil war. God forbid that we have such condition in any State of this Union. Remember, gentlemen, no law is stronger than the jury box. [Applause.]

Mr. Speaker, let us be practical and let us strive to be sensible in dealing with this matter. This proposed amendment is not going to end drunkenness in this Nation. Quite a number of States have already adopted prohibition. My judgment is that conditions were made better by the action of these States, but the adoption of prohibition by these States did not end drunkenness or the traffic in liquor. In 1901 I was in a city of a State which for years has had prohibition by constitutional amendment, and yet there were at that time, so I was reliably informed, 87 places where a man could buy a drink whenever he would go for it. These places were run openly; some of them on the Sabbath. Their proprietors were known to the city authorities. It is true they were indicted once a year and forced to pay a fine into the city treasury about equal to a moderate license, but they were allowed to run openly and, so far as I have heard, they have never been closed. I expect they are running, some of them, at least, to-day.

It is very much more easy to enforce the law where the unit of enforcement is small. If State laws against the liquor traffic are openly violated in communities where public sentiment winks at such violation, we need not hope that such a law as the one now under consideration will receive any greater respect in communities which are opposed to its enforcement.

You are, therefore, proposing to surrender two hundred and sixty-seven millions of taxes, which the Government collects annually from the liquor traffic, and, in my judgment, you are proposing to bring upon the Nation a worse condition than you have now. This two hundred and sixty-seven millions must be raised. It can only be raised by taxing something. Do you think the people of the Nation are ready to pay two hundred and sixty-seven millions each year to try out an experiment? Even Mr. Bryan says this is not an opportune time.

Mr. Speaker, I have been in public life a good long time. For a quarter of a century, without a break, I have served my State or my country. I think I realize the possible consequences of the vote I am about to cast. I can speak the truth and say that I have tried to persuade myself that I could consistently support this resolution. I have close friends on both sides of this center aisle, I am proud to say. Some of them, at least, know how I have felt about this matter. During all the years I have been in public service, whatever faults may have been mine, I can at least say this: I have been true to the conscience which Almighty God implanted in my breast.

I respect, I admire the noble men and women who are making this fight, and God knows that I hold no brief for any

human being engaged in the liquor traffic; but, Mr. Chairman, if I were to cast a vote in favor of this amendment, I would be surrendering the most cherished principle for which I have fought all my life. I simply can not do it unless I feel I am ordered to do so in clear and unmistakable terms by those I represent.

Mr. Speaker, I can not help having the convictions I cherish on this subject. They are the results of teachings of a lifetime. If I were to surrender these convictions to make myself popular the very people who are urging me to support the Hobson amendment, would have no respect for me. [Applause.] I am not changing my position. I stand just where I stood when the Webb bill was before the House. I supported that measure in order to help the States to enforce the laws which the people of certain States had seen fit to pass. If that law is not strong enough to accomplish the results intended to be accomplished, if it is not strong enough to carry into effect the will of the people of the respective States, I repeat I am ready to vote to make it effective.

Where the people of a State vote in favor of prohibition, I am ready to help the people of that State to make effective their will as expressed by the majority at the ballot box, but I can not surrender the principle that each State should have the right to regulate the liquor traffic, without interference in any way whatever by the people of any other State. If that is not true democracy, then I am not a Democrat. The southern Democrat who votes in favor of this amendment certainly sets a dangerous precedent. We of the South have claimed the right to regulate our State matters, without interference on the part of any other State.

Mr. Speaker, let us consider for a moment the possible effect of the precedent which would be set if this Congress should submit this proposed amendment for ratification, not by the people, but by the legislatures of 36 States.

I am a southern man. While I love my people and am proud of their history, I am as intensely American as any man in this Chamber. I am speaking but the simple truth when I declare that the first solicitude of every man is for his home. When the hour of peril comes, the God of Nature has put in the heart of every man that anxious feeling which prompts him to inquire whether danger threatens his State, his county, his home. Where is the man who will deny the existence of this natural impulse? Where is the man ashamed to own it? Where is the man who is not proud to admit it? We of the South know what it is to suffer. True, indeed, our fathers and mothers knew suffering far greater than we of a later generation. I shall not revive the sleeping passion and prejudice of a former day by reciting the trials through which my people have passed, but I will say this. Men have written books called novels about the trials and suffering of which I speak, and yet the half of what our people endured has not been told. Their trials were so galling, their humiliation so terrible, it is beyond human power to tell it all. Every southern man and many northern men who have cast their lot with us know this is true.

Standing in this presence to-day and looking back down the vista of the last 50 years, I tell you all that the very civilization of my State and of every Southern State depends upon the survival of the principle for which we of the South who oppose this amendment are fighting. We have disfranchised the ignorant negro vote; we were forced to do it to preserve our civilization and our institutions and to have peace. We did what was best for the white man and what was best for the colored man. We did not deprive him of the right to vote in anger or with malice. We took away the ballot as the adult takes the pistol from the hand of a child.

And I want to tell you that the negro himself is better satisfied under the new order of things. If you think we are not doing our duty to our colored population, go down South and ask any intelligent colored man to tell you what we are doing, and while you are there ask that same colored man to tell you what he thinks of conditions now as compared to conditions 25 years ago.

Where is the southern man who would be willing to concede to 36 States the right and power to undo what we have done? If you vote for this amendment, you are voting to surrender that principle. If it is right for the legislatures of 36 States to decide how all the 48 States shall deal with the liquor traffic, it is also right for the legislatures of the same 36 States to prescribe the qualification of the voters in all the 48 States of the Union. Men of the South, argue as you may, you can not escape that conclusion. It follows as night follows day. And if you think this question is settled by the action of the several States of the South, you are woefully mistaken. Almost every year you hear mutterings of discontent. You all know, or ought to know, that States outside of the South have not accepted our action as final. Jealousy exists because we retain our representation in Congress notwithstanding the reduced vote.

Suppose an amendment to the Constitution should be submitted by Congress reading as follows: "No State shall deprive any citizen of the right to vote except upon conviction of crime," how many States through their legislatures are ready now to ratify that or a similar amendment? My own opinion is worth little, but I believe such an amendment would be ratified by the legislatures of more than 25 States within less than six months after its submission by Congress.

If I am correct, then what condition would be presented? Just 11 more States would be needed to make the proposed amendment part of the Nation's Constitution, just 11 States needed to repeal the grandfather law, as it is called in my State and other Southern States, just 11 more legislatures (not the people) to undo all we fought for a generation to accomplish. This is not idle speculation. It is a simple statement of what will certainly be attempted, an effort which may succeed. Congress can go overwhelmingly one way or the other in a short space of time. Since I have been a Member of this House I have seen it change from almost two to one Republican to two to one Democratic.

And let us not forget the course of an amendment prescribing the right to vote would be identically the same as the course of this proposed amendment as pointed out by myself and other gentlemen who have spoken. What would that course be? Let me repeat, if 25 States through their legislatures (not by vote of the people) ratify an amendment prescribing the qualifications of the voter, those 25 States take their place for an indefinite time in the list of those favoring such an amendment. Then the struggle would be narrowed down to 11 States necessary to make the proposed amendment part of the Constitution. No matter how often a legislature voted "no," the next succeeding legislature could vote "yes," and the former vote of "no" goes for nothing. But when a legislature voted "yes," no succeeding legislature could vote "no." Let us keep this in mind. No time would be set when all States must act. If at any time in the future, whether 5 years or 50 years hence, 36 States through their legislatures (not by vote of the people, mind you) should vote "yes," the amendment would become part of the Constitution.

Well has the gentleman from Wisconsin, Mr. LENROOT, said, there is no such thing as the final rejection of a proposed amendment to the Constitution by a State.

Your so-called prohibition amendment, as I have said, would light the fires of a controversy which would probably rage for a generation. And in my humble judgment, if you set this precedent, you do all this Congress can do to induce those who succeed us to submit the other amendment of which I have spoken.

My friends, I submit to you is it worth the risk? Must we do this without instructions clear and explicit from the voters of the districts we represent? Must we do this, when the platform of our party over and over again has said no? Must we do this thing in this the second Democratic Congress elected in 20 years? Do you who propose to vote for this proposition, do you think your constituents have carefully considered the possible consequences? When did you ever discuss it with them? How many people in your districts do you suppose realize there will be no end to the fight when it is once started, unless it ends in the adoption of this so-called prohibition amendment? How many voters in your districts do you think have stopped to consider the danger of the precedent you are about to set? How many voters have paused a single moment to consider the tremendous import of the thing?

In my service as a public man, I say to you never, never have I cast a vote which so vitally affects the liberties of the people I represent, and I declare here and now I will not vote for a proposition which violates every principle and all tradition of the party to which I belong, unless I feel I am ordered to do so by those I represent.

Just one word more about the danger of setting a bad precedent. Do you imagine that the Southern States will always remain Democratic? Has that been their history? Each man can answer that for himself. I spoke of the possibility of Congress submitting an amendment prescribing the qualifications of the voter. I want to remind my friends from the South that twice in my lifetime have legislatures been elected in North Carolina which I firmly believe would have voted "yes" if an amendment such as I have mentioned had been submitted. I regret to say this, but I believe it is the truth, and I believe every Member from my State will agree that the statement is true.

This is not a question of prohibition. It is not a question of temperance. Many who write or wire asking us to vote for it think it is, but when they read this so-called prohibition amendment, when they pause to consider what they are asking us to

do, I predict we will receive letters and telegrams asking us to vote the other way if there is a vote upon this question hereafter. For the Hobson amendment is not going to stop the manufacture of liquor; it is not going to stop the drinking of liquor. The statistical abstract shows that the consumption of intoxicating drink has steadily increased. It does pretend to stop the sale for beverage purposes, and I have yet to see the first Member of this body who insists it will do what is claimed for it by its author.

Mr. Speaker, there are times when it is hard to stand true to a principle. One of those times is when the principle does not exactly fit the occasion. Another time is when there is a popular demand for an exception to be made. This may be one of those times.

So long as I am a Member of this House I shall not be an automaton. I am one of those who believe that public sentiment may not always be right. If public sentiment were always right it would not change so frequently. I for one am not willing to change my views upon a great, vital, fundamental proposition like this because there is or appears to be considerable sentiment among good people favorable to such change, for I believe I am right as firmly as I believe in my existence.

With the great Vance I believe in the right of the people to instruct their Representatives. If hereafter they shall instruct me on this question, if I am a member of this body, I will have the option to obey or resign, but until I do feel that I am instructed by the people I represent, I take my stand with Thomas Jefferson, with Zebulon B. Vance, and with Woodrow Wilson. If I am wrong, Jefferson was wrong, and Vance was wrong, and the President, striving as he is for the good of the average man, is also wrong to-day.

If the Hobson amendment is adopted, men will drink just as they drink to-day. You can not make a nation sober by act of Congress or by constitutional amendment. There is a better self in the heart of every human being; only by appeal to that better self can you wean men away from drink.

Shade of Washington and Jefferson, shade of Lincoln, shade of our own immortal Vance, rise up now and tell us what is right. The God of my father knows I want to do what is right to-day. Whether I shall ever be elected again as a Member of this House is a matter of small importance. My life, Mr. Speaker, like yours, is no more than a bubble on a lake. You see it now, and now it is gone forever. Who can say who will be the next summoned to appear before the bar of God? It may be I; it may be you. If it be I, I can at least say when the summons comes, I voted to-day as my conscience told me to vote. I did what I believed to be right. [Applause.]

Mr. HENRY. Mr. Speaker, how much time did the gentleman from North Carolina use?

The SPEAKER. He yields back two minutes.

Mr. CAMPBELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Kansas has 17 minutes remaining and the gentleman from Texas has 18 minutes remaining.

Mr. CAMPBELL. I yield four minutes to the gentleman from California [Mr. KENT].

Mr. KENT. Mr. Speaker, while I am in entire sympathy with those who are making the fight against indubitable evils, I have never believed in the feasibility of enforcing national prohibition except by the education of all our people and through the police restrictions applied to smaller units of population.

I can not but be opposed to saloons as being sources of social infection. I am opposed to the liquor traffic as being wasteful as well as demoralizing.

I am in favor of local option and have seen it successfully enforced, whereas I have seen the failure of the attempt in our free country to impose this sort of legislation on large adverse minorities, notably in the impossibility of enforcing the Illinois State law providing for Sunday closing against the will of the majority of the people of Chicago.

I believe in direct legislation by the people and in a referendum vote on such questions as this.

When the question was first asked me, nearly a year ago, as to what position I intended to take on this amendment, I stated that I considered this amendment as offering an opportunity for a nation-wide referendum and that I intended to support it.

But a careful study of the process of constitutional amendment shows that that process does not procure a direct vote of the people on the matter at issue. To validate such a claim would necessitate taking for granted that all Members of Congress and all members of State legislatures privileged to vote on such a question would be elected on one sole and single issue.

Such claim of an amendment being a popular referendum would further presuppose that the people of a State adopting an amendment would never change their minds between the original adoption by their State and the final ratification by three-fourths of the States.

During my campaign there was before the people of my district a State prohibition law for their acceptance or rejection. Here was a direct referendum, unequivocal in its nature, and I stated and mailed the statement to all the voters in my district that I should accept the verdict of the district as instruction in this matter, concerning which I was in grave doubt, not as to end, but as to means.

The vote of the district was overwhelmingly against prohibition, by an adverse majority of practically 15,000 in a total vote of 73,000. It would have been equally large against saloons if opportunity had been offered by the proponents of temperance to vote on the saloon issue. That vote was opposed to qualifying or impeding the right of local option.

It is for this reason, Mr. Speaker, that I, who have always fought against saloons and against the evils of the liquor trade, who voted for the Webb bill as strengthening control by the States, feel myself obligated to vote against this amendment at this time.

Furthermore, Mr. Speaker, I believe that any prohibition act should provide for due notice and in some cases for reimbursement for property destroyed, as was proposed by President Lincoln in the question of emancipation of the slaves.

I can not blot from my mind the undeserved hardship that would come to the many industrious, honest, and sober wine growers of my district, whose industry has always been encouraged by State and National legislation and action. Should their business be declared illicit and destroyed without due redress or compensation? [Applause.]

The SPEAKER. The gentleman from California yields back one minute.

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Maryland [Mr. COADY].

Mr. COADY. Mr. Speaker, I am opposed to the pending resolution because of the great loss of revenue its passage would entail not only on the National Government but on the government of those States where the sale of intoxicating liquors is now authorized by law.

And I am opposed to it because any attempt to enforce it in the cities of the country would end in failure. Such an attempt would involve the employment of thousands of officials and the expenditure of vast sums of the public moneys without any corresponding moral benefits accruing to the people.

I will not attempt to deal in figures as to the losses that the Federal Government would sustain. The gentlemen who follow me will dwell upon that phase of the case and will show you that the losses from revenue on distilled spirits and malted liquors would amount to over $200,000,000.

To this we should add the loss of income taxes received from individuals and corporations engaged in the liquor business, which would be considerable.

As I have stated, we would have an annual deficit of over $200,000,000. This will have to be made up by imposing additional taxes, unless of course we curtail in our necessary appropriations, which is out of the question. Our appropriations increase annually, and will continue to do so as the country grows larger and expands. So we must therefore get new sources of internal revenue. Where will we find them?

Are you prepared to make the income tax on individuals and corporations 6 per cent instead of 1 per cent?

This might make up the deficiency, if we also impose a tax on all incomes without limit.

Or, as revenues must be raised to run the Government, are you prepared to put an internal-revenue tax on the food we eat and the clothes we wear?

Are you ready and willing to further add to the poor man's burdens?

I represent in part the great city of Baltimore, one of the best governed cities in the country, with a population of nearly 600,000 happy, contented people, and a city as free as any in the land from crime and disorder. We license the saloons there, and our annual revenues from this source total about $1,200,000. The State receives one-fourth of this amount, or about $300,000, and the city retains three-fourths, or $900,000. The loss of this revenue would mean an increase in taxes of 4 cents on the $100 on the part of the State and 30 cents on the $100 on the part of the city. In addition to this there would be the great loss to our taxable basis occasioned by the depreciation of the value of the property of the hotels and other public houses; the virtual destruction of the brewery and distillery plants, for the passage of this resolution would mean their confiscation and the serious or almost total impairment of the value of their stocks and securities now on our tax books. Without question

this would add to our loss in taxes annually of a sum over $1,000,000, all of which would force us to place upon our people and their property new and additional taxes and would increase our city and State tax rates, which now are about $2.30, to a rate of $3 or more. The people, the property, and the commercial and manufacturing industries of my city can not stand such a rate. It would be ruinous to them, and I appeal to you not to force this amendment on them. We have spent millions of dollars in public improvements, and on the strength of these revenues have pledged our public credit.

What I have said about my own city of Baltimore and the effect of this measure on its people and their business applies with equal truth and force to the other cities of this great country, small and large alike.

The conservative business, financial, and laboring people of this country, with but few exceptions, are opposed to this resolution. In the last few days I have been almost swamped with letters and telegrams asking me to vote against it, and they came from the best and most substantial people, and I have received few, very few, messages in its favor.

They claim that it would injuriously affect the trade of the country; that any effort to enforce it would involve an enormous outlay of money; and that it is better to license, regulate, and supervise public drinking places and get the enormous revenues that come from such licensing than by prohibition close them and cause to spring up in their places a lot of untaxed and unregulated blind tigers and speak-easies, such as now abound and flourish in the so-called dry States.

Wherever tried enforced prohibition has been a lamentable and miserable failure. You can not force legislation of this kind on a great mass of people who do not want it and who, not wanting it, will neither observe nor respect it. To attempt to do so would require thousands, perhaps hundreds of thousands, of Federal police, with authority to search and arrest. Think of the probably dangerous and vicious political effect of the employment of such agents, and think, too, of the enormous expense connected with it that must be borne by the people. And then let us ask ourselves if we are prepared to incur the risk.

Let us render our decision according to the merits of this case. Let us be guided in reaching that decision by reason and the experience of mankind. Above all, let us be sincere. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. COADY. Mr. Speaker, I ask unanimous consent to extend my remarks.

Mr. MANN. I suppose the gentleman will have the privilege of extending, under the rule, when the rule is adopted.

The SPEAKER. The Chair does not know whether the speeches on this rule are included in that gift or not.

Mr. MANN. Then I ask unanimous consent that all gentlemen who speak on the rule may have the privilege of extending their remarks.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that all gentlemen who have spoken or may speak on this rule have five legislative days in which to extend their remarks in the RECORD. Is there objection?

Mr. HULINGS. I should like to ask the gentleman to include in his request that those who desire to speak on the rule, but who are prohibited from so speaking, be permitted to print their remarks.

Mr. MANN. They will have that right under the rule.

Mr. HULINGS. If the rule is adopted, they will.

Mr. MANN. If the sun rises to-morrow morning—and it will. [Laughter.]

The SPEAKER. The gentleman from Illinois asks unanimous consent that all gentlemen who have spoken or may speak on this rule have five legislative days in which to extend their remarks. Is there objection?

Mr. HULINGS. Mr. Speaker, I desire to call attention to the fact that if this rule is defeated those who do not speak on the rule will be prohibited from printing in the RECORD.

The SPEAKER. As soon as the Chair puts the request of the gentleman from Illinois he will put any request that the gentleman from Pennsylvania has to make. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULINGS. And in case the rule is defeated I ask unanimous consent that those gentlemen who desire to print remarks in the RECORD on the rule shall have that permission.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that in the event that this rule is defeated any gentleman who did not get a chance to make a speech on the rule shall have five legislative days in which to extend his remarks. Is there objection?

There was no objection.

Mr. HENRY. I yield two minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Speaker and gentlemen of the House, I shall vote for this rule, which I hope will be adopted, and I shall vote for this resolution. Sixty thousand of the best citizens of the State of Georgia have petitioned me as one of their Representatives to cast my vote for this rule and this resolution, and I feel that it would be unfair to deny my people the right to register their will upon this, the greatest of our social problems. I do not propose to enter into the moral question involved at all in what I shall say in favor of the adoption of the rule. I am for the adoption of the rule for the same reason that the gentleman from Wisconsin is against the rule—that we will eternally settle the question and leave it up to the States forever if the resolution is adopted; it will leave it up to the people. The economics of the situation do not appeal to me. The gentleman from Maryland [Mr. COADY] says that we can not afford to lose the tax. The gain derived from the sobering of the Nation from one end to the other, the enormous decrease in expense in the administration of the criminal laws, will more than balance the loss of revenue to the Federal Government. [Applause.]

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

Mr. HOWARD. I can not yield. For seven years in the prosecution of the laws in the State of Georgia I tried about 7,400 criminals, and 90 out of every 100 were brought into court because they were addicted to the use of liquor or under its influence at the time the crime was committed. That condition throughout the land overweighs and overbalances any argument that can be made to me about the loss of revenue.

It is not a question of whether I am a prohibitionist personally; it is not a question whether you are an antiprohibitionist; it is a question, pure and simple, Are we, as Representatives of American people, so cowardly as to refuse to submit the question to them, that they may through their regularly elected legislatures express the will of a majority as to this great national problem?

The SPEAKER. The time of the gentleman has expired.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, we are asked by those who favor the Hobson resolution to amend the Constitution of the United States—which defines and limits the power of the National Government—by the adoption of this amendment against the sale of liquor. We are asked to do this by a gentleman, a sincere friend of prohibition, but one who seems himself much in doubt as to how to accomplish this result.

I direct attention to the fact that during the past two years the gentleman from Alabama [Mr. HOBSON] has introduced into this House 9 separate and distinct resolutions on this subject on as many different occasions, proposing to amend our Constitution, and to-day he announces that he proposes to offer at the proper time certain amendments to the one now pending, making in all 10 propositions. If he, after such lengthy and profound study, is not yet certain as to what should be done and just how the proposed amendment should be worded, should we, the representatives of the people, vote to insert into our Constitution an amendment of which the author himself seems so uncertain and so unsettled?

This amendment does not prohibit the use of liquor, as the advocates of local option and prohibition believe. It is intended only to prohibit the sale of liquor, and I am utterly astounded in my conversation with the advocates of this measure to find how few of them know its real terms. The amendment reads as follows:

ARTICLE —.

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

You will note that it does not prohibit the making nor the use of liquor, but is merely intended to prohibit its sale or its importation and exportation for sale purposes as a beverage.

Under its terms any man or number of men or club could manufacture liquor for their own consumption. It would permit the distilling by individuals or bodies of men of alcoholic beverages for their own use. In other words, it means that whisky or other liquors may be maufactured by any man or body of men for their own consumption so long as they offer none for sale. Whisky is something which may be distilled by very simple methods. In fact, it can be made on a cooking

stove; and so it would be easy, under this amendment, for persons to manufacture whisky for their own use, while it would be difficult to make the lighter drinks. Thus we would encourage the use of heavy beverages in lieu of the less alcoholic and less harmful drinks.

LET THE PEOPLE RULE.

I do not believe the liquor question can be solved by an amendment to the Constitution, which could be adopted by a minority of the people of the land through their legislative bodies. In the adoption of a constitutional amendment each State, through its legislature, has the same voting power. For instance, the State of Delaware, with its 203,000 people, would have the same power in the adoption of this amendment as the State of New York, with its 8,000,000. Ten States of the Union might vote against the adoption, and yet the balance of the States could enact it. There are 10 States of the Union which contain more than half the population, and their votes might be counted against the amendment, and yet the balance of the States, representing a minority of the people, could enact it.

We have been urging "Let the people rule," and only lately we finished a campaign in which we claimed we had performed a great service to the American people by taking from the legislatures of the several States the naming of United States Senators and vesting their election in the people themselves. Shall we now do diametrically opposite and take from the people local self-government in the control of their liquor traffic, through their police power, and vest that power in the hands of the United States Government?

FEDERAL ESPIONAGE.

It has not been so many years since there went up from the people a great cry against what was commonly known as the force bill, proposing to establish Federal control of national elections; and if there is one thing which stands out above all others in the recollection and esteem of the people of Maryland for our late Senator Gorman, it is for the masterful part he played in the defeat of that proposed measure.

Shall we so far forget the past as to approve an amendment which in its powers and inquisitorial nature is a close parallel to the force bill?

Thousands of Federal employees would be necessary for its enforcement, expense unlimited, and trouble and annoyance untold.

I prefer to leave its solution to the people of the States and of those localities which desire it. Let good men, above reproach, who have the confidence of the community, be intrusted with the execution of the liquor laws, and with public sentiment back of them upholding and aiding in the work we will get the best results. In my judgment, this is the only way to deal effectively with this important question.

You can never enforce a law of this character unless you have public sentiment behind it. You can never legislate people good. They must be trained and educated so. It has been demonstrated time and again that you seldom convict a man before a jury of 12 of his peers if the law under which he is indicted is in conflict with the public sentiment of his community. We can therefore readily see how difficult it would be to enforce such a law against the will of the people of a State which had voted against the adoption of the amendment and in which public sentiment opposed its enforcement.

I realize that some will say that you can not enforce prohibition in a dry State because of the shipment of liquor from other States into dry territory. In answer to this, I direct attention to the Webb law, for which I voted in the Sixty-second Congress, which removes the only possible justification or excuse for this amendment. By its terms the several States of the Union were authorized to prohibit the importation and transportation of intoxicating liquors into a State, or any part thereof, wherein the sale of liquors is made unlawful by the constitution or laws of such State.

STATE RIGHTS.

The President of the United States is the Commander in Chief of our Army and Navy. He appoints all the judges and United States marshals; the postmasters, with their great swarm of employees; the Interstate Commerce Commission, which controls the railroads; the Federal Trades Commission, which controls interstate business; the internal-revenue collectors who, through their appointees, have a look-in at the incomes of our people; and a vast number of other officials too numerous to mention. In fact, with his veto power, he is perhaps endowed with more authority than the great majority of the reigning monarchs of the world. Shall we clear the decks and in effect wipe away by precept and example the last vestige of State rights by placing every home in the land under Federal espionage?

To this I am unalterably opposed. Congress has already extended its jurisdiction into many fields and taken under its wing many powers not formerly exercised, and there are those to-day who believe our Government is already becoming too centralized.

Shall we centralize still further by the passage of an amendment enlarging the powers of the National Government to an extent never dreamed by the framers of our Constitution and thereby render useless the great victory won by those who believed in State rights and demanded protection for such rights in the Constitution itself?

We can not afford to abandon our solemn obligation to preserve local self-government and all the rights and cherished privileges which the people reserved for themselves when they entered into contractual relations in the beginning of our Government when we ordained and established the Federal Constitution. We have heard a great deal of talk about the initiative and referendum in order to bring popular government closer to the people, and now we are asked to adopt a proposition which would take from the people one of their strongest local powers.

THE PRESIDENT'S ATTITUDE.

When a candidate for election I stated to the voters of my district that if elected to Congress I would do everything in my power to carry out the pledges of the Democratic platform, and that I would uphold the policies of the President. The President has expressed himself as believing in local self-government, and as believing—

> That every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withdrawing of licenses.

That Secretary of State Bryan, who has on numerous occasions voiced the views of the President, and who is probably the strongest advocate of prohibition in the United States, regards the present as inopportune to submit an amendment of this kind, is indicated by his editorial in the Commoner of the present month, in which he says:

> A two-thirds vote of the two Houses of Congress is required for the submission of an amendment to the National Constitution, and then the amendment must be ratified by three-fourths of the States. There is no reason to believe that a prohibition amendment or a suffrage amendment would at this time be ratified by three-fourths of the States even if it secured a vote of two-thirds of the two Houses. Believing in both woman's suffrage and the abolition of the liquor traffic, I would vote for either amendment if submitted, but the time does not seem opportune for the submission of either of these amendments.

MARYLAND AND THE CONSTITUTION.

The State of Maryland and its people should be foremost among the guardians of our Constitution. It is a noteworthy incident that it was the Maryland-Virginia convention which met at Annapolis, which called the convention to meet in Philadelphia in 1787, at which convention the present Federal Constitution was framed, discussed, and finally adopted.

The Constitution written at Philadelphia was submitted to the various States, and had been pending before them for ratification for more than six months when the convention of the State of Maryland met for the purpose of taking action on the subject. In several States it had been under close investigation and had been ratified by some. The question had been raised in their several conventions, and it was thoroughly understood, that upon the ratification of the Constitution by nine States or more it was certain that several amendments would be proposed to that instrument securing certain reserved rights to the States. It was manifest to Maryland that these amendments would be proposed and agreed to by the mutual consent of the States, even though the Constitution had been already ratified.

It was plainly agreed and understood by the Maryland convention, as the debates will show, that no power was to be relinquished except that which was delegated by the terms of the Constitution—that is, intrusted for her use and benefit to the Federal agency. The convention of Maryland by resolution ratified the Constitution by a vote of 63 to 11 upon the plain understanding and obligation that the amendments proposed by Gov. Hancock and Samuel Adams, of Massachusetts, and Thomas Jefferson, of Virginia, should be ratified by the States thereafter. The great Marylander, Luther Martin, had laid his views before the convention and the people of Maryland, and after giving due consideration to all that he had said, and the things said and done in the other conventions, Maryland gave her consent to the Constitution upon the sole ground that she delegated only certain powers and reserved all others to herself, including suffrage and the police power.

In that day and generation Maryland had no thought of abandoning her sovereign function to control her domestic affairs. There were a little over 3,000,000 of people in the United States, and Maryland did not then think that these people

could be controlled from a consolidated and centralized government at the National Capital. And now, when our population is 100,000,000 of people, she does not believe that her domestic concerns can be better regulated or controlled from Washington City, and is unalterably opposed to the centralization contemplated by this amendment.

Therefore, standing squarely upon Jeffersonian principles and against the Hamiltonian idea of a central government, cherishing the ancient faith of Democracy, I still believe as Maryland did at that date, and as one of her Representatives shall cast my vote against the repudiation of all that her forefathers held dear when the Constitution was fashioned and established.

In conclusion, I desire to call attention to the following editorial from the Baltimore Sun of the 14th instant, entitled "Mr. HOBSON's prohibition amendment and its political bearing." This editorial, I believe, expresses the views of the majority of people in my congressional district:

The advocates of the Hobson amendment to the Constitution of the United States apparently overlook its political bearing and potentiality. The wording of the proposed amendment is as follows:

"The sale, manufacture for sale, transportation for sale, importation for sale and exportation for sale, of intoxicating liquors for beverage purposes, in the United States, or territory subject to the jurisdiction thereof, are forever prohibited.

"Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

The United States gathers a revenue of between $200,000,000 and $300,000,000 a year from alcoholic liquors, and the various States and cities perhaps as much more for State and local purposes. The loss of all this revenue would, of course, make an enormous increase in other forms of taxation. But the financial aspect of the case is not the most important.

The most important, and that which sane and patriotic citizens should consider most carefully, is the probable political effect of this amendment, if it should be adopted.

Politically speaking, the important part of the Hobson amendment is that which empowers the Congress to enforce the law. Without this authority the law would, of course, be of no effect. But what does it mean?

It means that if the United States Government should undertake to enforce prohibition it would require a great army of officials—hundreds of thousands. Every community would have these officials. With the General Government in the hands of such politicians as we have had now and then in the past in control it would be an easy matter for an administration to perpetuate its power. With Federal officials everywhere with authority to search and arrest, the political power of the General Government would be such that, in effect, the form of government would be changed and the last vestige of the rights of the States would disappear. It is inconceivable that any person who has the instincts of freedom or democracy should favor any such drastic measure.

It is certain that it is difficult to enforce any sumptuary law or any law affecting the lives and habits of the people unless such law is sustained by public sentiment. The adoption of this amendment would not be by the people. It would not be submitted to the people. The adoption would be by States and the legislatures of 10 States might reject it and it would still be put upon them. Ten of the most populous States contain a majority of the people of the United States. Let us suppose that this law were put by a minority of the people upon the majority without their consent and against their protest, would it not be difficult to enforce? Would the people of California, for instance, submit patiently to the destruction of their great wine industry by the other States? How many Federal officials would it require to enforce a prohibition law in New York City against the will of a vast majority of the people?

The appliances for distilling alcohol are simple and inexpensive, and as soon as the legal manufacture of alcoholic drinks is suppressed, then comes the "moonshiner." In order to reach stills in homes and cellars, domiciliary visits would be necessary. In the mountains armed forces would be required. England for years maintained an army in Ireland to suppress the illicit stills.

In dealing with the suppression of the liquor trade, the plan of the antisaloon league is better. Put it to the vote of the people. If a great majority of the people are against the sale of liquor, in such a community there is the best chance of enforcing a prohibition law. Let the people decide for themselves. Do not let the legislature of one State put this law upon the people of another State against their will.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I shall vote for the rule and I shall vote against the resolution, for I believe the habits of different people in different localities differ; their happiness should be the first consideration. They know best what will promote their happiness. The proposal would not prohibit the manufacture of intoxicating liquors for personal use or to give away. It would encourage the increase, in fact, of the manufacture of intoxicating liquors for personal use by unregulated private stills.

Mr. Speaker, I believe in temperance. I yield to no man in my desire for law and order. I believe in local option. I believe that the people in every locality are better qualified to decide what they want themselves than are the people in any other locality to decide for them. I believe that the people in every locality should have the right to decide what their habits are to be—whether they are to drink or not to drink, whether they are to be prohibitionists or whether they are to be temperance people. I believe that the great property interests involved in this question ought to be taken into account. The people who are connected with the manufacture and sale of liquor have believed in the past that they were engaging in a business which was recognized by the law. They have invested hundreds of millions of dollars in the business in which they are engaged, and I believe that the Government of the United States, as a just Government, and the American people, as a just people, ought not to decide a question of this importance without taking into account the propriety of compensating those whose property would be taken away.

Switzerland, some years ago, declared against the manufacture and sale of absinthe, but when that legislation was under consideration it provided for the appointment of a commission whose duties were to determine the value of the property to be destroyed. That commission did determine the value of the property destroyed by the legislation, and every man whose property was destroyed has been paid by the Government of Switzerland. Can the Government of the United States do less; are we to be less just; are we to-day to go on record in favor of an amendment to the Constitution which ignores every property right of our people who have in all these years that have gone before invested their money because of the invitation that was held out to them to engage in the business, an invitation that was extended to them by the Government under which they lived and to which they have paid taxes to sustain?

I am in favor of doing everything that can be done by law to promote the happiness and prosperity of the American people. If I believed that this resolution, when adopted both by the Congress and the people of the States, would produce that result, I would cheerfully vote for it; but believing that it would do just the contrary I would be untrue to myself and to my oath if I should to-day go on record here by voting for the adoption of the resolution which does not only not prohibit, but as a matter of fact does encourage the further manufacture of intoxicating liquors by the establishment of private stills without restriction for the unlimited manufacture of intoxicants for private use. [Applause.]

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. GOLDFOGLE].

[Mr. GOLDFOGLE addressed the House. See Appendix.]

Mr. HENRY. Mr. Speaker, I yield four minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I assume that the gentlemen who favor the pending amendment will support this rule. At a later hour I expect to discuss the pending amendment upon its merits. I merely rise now to address my remarks to those Members of the House who will vote against the constitutional amendment, as I shall, and to state why I think it is advisable for those who oppose the amendment to support this rule and bring the resolution before the House for consideration. This is not a temperance question. It never has been. Prohibition has not produced temperance in the lands where it has been enforced. [Applause.] I regard this question as an attack upon the fundamental principles of our Government. [Applause.] If it is allowed to go on without being met, it will mislead many of the people of the United States. If it is allowed to proceed without being combated, the day may come when it may be a serious menace to the principles of the Government that you and I believe in and that were established by the men who made the Constitution of the United States. When the time comes to face a great question, there is but one way to face it, and that is in the open. You can not push it aside. If you are right, you should have the courage of your convictions and stand for the right, no matter what be the cause. [Applause.] Therefore I say to-day to the Members of this House who are opposed to the resolution proposing to change the Constitution of the United States that it is not only our right but our duty to the people we represent to face this question in the open and give the reasons why we believe it should not be written into the fundamental law of the land. [Applause.]

Mr. CAMPBELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. Nine minutes.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Speaker, I am obliged to the gentleman who has just yielded me time, because I shall speak against the view which he entertains and against this rule. The reasons that have been given by the gentleman from Alabama [Mr. UNDERWOOD], who just spoke for working in the open, seem to me conclusive in favor of rejecting this rule as well as the resolution. If this resolution be an attack, as we

believe it to be, upon the fundamental principles of our Government, surely it ought not to be considered by a Congress that stands by those fundamental principles. We may go further and say that the local self-government of the States is at the foundation of all civil liberty. It is so held by Francis Lieber in his great work on Civil Liberty. The opposite of that, centralization, is the form of government that belongs in the end to what you call an empire and not a republic, where each locality should have the right to adjust its own laws to its own conditions. I stand against the consideration of a resolution which takes away from the States the power to regulate their own affairs and gives that power to the United States. This is fundamental.

Mr. Speaker, I am an advocate of temperance. I do not believe that this resolution stands for temperance. I know that temperance is best secured—and I have been studying this subject for 30 years now in legislation, beginning in the year 1885—by careful regulations, including sufficient license fee to provide the means for careful supervision so as to watch the saloons and guard against any ills. These careful regulations must be supported by the enlightened public sentiment of the community, and in my opinion anything else will be an absolute failure. We are given the example of the State of Georgia. It has an absolute prohibition upon its statute books, and if you will go to the city of Savannah you will find that town wide open, because the people will not enforce the law.

We have in my own State a law which was made highly penal with reference to Sunday sales, and Atlantic City will not indict. We have had in Maine a prohibition law for years, and I have seen in Maine the city of Portland wide open. I went to a charity ball there, where I saw more intoxication than I ever saw at a ball in my life, because they had a secret drinking room upstairs. I have seen beer and whisky sold there at soda-water fountains. In other parts of the State, in Bar Harbor in particular, they imposed a fine every year which was equivalent to a license. In the town of Leavenworth, Kans., some years ago—I do not know how it is now—there was a secret list, for the names were not disclosed, of some four or five hundred people who were fined once every year as a license and who then kept their bars open without molestation.

Regulations as to temperance stand on the enlightened public sentiment of the community in which they are made. They can stand on nothing else. No free nation has ever submitted to a law like this which puts the whole power of the customs and excise of the United States against your taking a drink unless you make it yourself or import it from abroad, as a rich man would do. In this it is a rich man's bill. Prohibition does not prevail in Russia. The Czar has prohibited, as I understand it, spirits, of which vodka is equivalent to our whisky. He has not prohibited beer.

Mr. CAMPBELL. Will the gentleman yield?

Mr. PARKER of New Jersey. I do.

Mr. CAMPBELL. I understand he has prohibited wine, beer, vodka—everything.

Mr. PARKER of New Jersey. Then I yield on that point.

Mr. CAMPBELL. He has prohibited the use of it.

Mr. PARKER of New Jersey. I will then say that such a regulation is a regulation that can only be established by an emperor with the powers of a czar, and that it is a war measure simply. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Under leave to extend his remarks, Mr. PARKER submitted the following:

A strict prohibitory law breeds conditions that teach a contempt for all laws. In Boston during prohibition times the large hotels sold in secret, locked rooms. Dens and dives take the place of that proper and open regulation, in which enlightened public opinion can enforce decency. Those who drink at all will use strong drink instead of light beers and wines, which are more bulky and not so easily concealed.

Intoxication is rare in the large German population in my city, which drinks only light beer, as well as in our Italian community, which drinks light wine. Drunkenness was reduced in the Army during the time of the post exchange, which allowed only a glass or two of beer or light wine a day to be drunk in rooms that were under strict military supervision, while the library and amusements in that exchange made it almost a club and induced soldiers to stay in camp instead of going to the vicious dives which prevailed outside.

Local self-government lies at the foundation of our Constitution. It has localized disputes and difficulties which would long ago have broken up the Union if they had been made matters of central regulation. This resolution would be the first step toward that form of centralized arbitrary government which was once called a tyranny and is now called an empire. The rights and duties of the State have been already too far invaded, and my own party is not without blame in this matter. It may fairly be said that the responsibilities belonging to the States under our Constitution are too great and too varied to be assumed by the Nation. We appeal to every patriot not to endanger our very existence by this step toward centralization.

If this resolution be passed, an immediate ill consequence will be the introduction of the liquor question into national politics. Prohibition has never been established in any State without becoming the sole issue for many years. A leading Democratic statesman of New Jersey, once our ambassador at Berlin, and who was himself a total abstainer, told me that when asked to join the Prohibition Party he had refused on the ground that the interests of the United States were too varied and that the political questions as to work, wages, commerce, self-defense, and honest currency were too great to be settled by a party whose sole issue was rum or no rum.

This issue, if once introduced, takes the place of every other. Southerners can answer whether the dispensary system improved the politics of South Carolina. Maine can answer whether the prohibition issue has, on the whole, helped her State politics. We must deprecate the years which would follow the passage of this resolution—years during which all great national issues would be subordinated in the various States, to the one question whether they would pass or recall their consent to this prohibition amendment—years in which the utmost bitterness would prevail, and really national matters would yield their place to a question that is not and should not be national.

This is an indissoluble Union of indissoluble States wherein "no State without its consent shall be deprived of its equal suffrage in the Senate."

No State without its consent should be deprived of any material part of that State self-government in local affairs, which is the foundation of our Union and our liberty.

Mr. CAMPBELL. Mr. Speaker, I yield four minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Speaker, I shall vote for this rule, because I believe it will be an exhibition of moral cowardice to defeat it.

If Members vote against this rule, hoping by its defeat to prevent a record vote upon the resolution, they will be held responsible by the people for voting against the resolution itself.

I can understand that a man voting against the resolution after full debate might justify his action in the conscientious belief that he voted for the right, but I can not understand why a man should vote to prevent this great question of nation-wide importance from being debated and discussed upon the open floor of the House.

The old Democratic doctrine of State rights is arrayed in defense of the liquor traffic. We are told this is a question for the States. This, I understand, is President Wilson's view.

When the Constitution was adopted certain, or, rather, very uncertain, rights were reserved to the States. In the old confederation it required the consent of all the States to alter or amend it, but the new Constitution, recognizing that amendments and changes would surely be required, made the changes easier, and provided that three-fourths of the States ratifying any change proposed by Congress such amendment would become a part of the Constitution, which would become the supreme law in all the States.

Now, if three-fourths of the States should ratify this proposed amendment by which the States delegate additional power to the Federal Government to control the liquor traffic, what becomes of the State rights argument? It falls to the ground as flat as a burst petard. The interjection of the State rights doctrine simply obscures the issue. There is no question here of any invasion of State rights. The question is, Shall the States enlarge the powers of the Federal Government and give it the right to control the liquor traffic?

State rights at best is an undependable doctrine. We hear much of "sovereign" States, but there is not a sovereign State in the Union. Each one of them have delegated part of its powers, and it has no power to take them back. No State can secede from the Union; no State can prevent its citizens from leaving the State and taking his goods with him; no State can prevent citizens of another State from coming into it. In many respects its powers are limited, and a limited sovereign is no longer sovereign, especially when its powers are capable of being still further limited by the action of three-fourths of the sister States by amendment of the Constitution.

This is a Nation, and in all those matters of common interest State lines and State rights are being wiped out by obvious necessities arising out of new conditions which State powers

can not meet, and which require the paramountcy of the Federal Government, and hence amendments to the Constitution have been from time to time required. Under the Constitution the negro had no rights which a white man was bound to respect. He was a slave. We changed the Constitution and he became a man. Again we changed the Constitution and he became a citizen and a voter.

The liquor men have flooded this Congress with tons of literature to show that they should be allowed to continue. The arguments ran all the way from constitutional objections and biblical arguments by defrocked preachers to the solemn deliverances of decayed doctors showing that chronic alcoholics as a rule produce slightly healthier children and enjoy on the whole rather better health than nonalcoholic people.

Perhaps the argument on which the liquor men most greatly depend is the great revenues the traffic pays the Government. But common experience shows that for every dollar of revenue it pays it costs the people three, four, or ten times as much to maintain the courts, jails, hospitals, and poorhouses, to say nothing of the poverty, vice, disease, and wrecked lives directly due to the traffic.

The boast is made that the traffic pays $300,000,000 into the Treasury every year. But where does it get the money? Let the men who are poisoned, the households that are wrecked, the wives that are desolated, and the children who are robbed of bread answer!

Why does the Government impose this heavy revenue upon the traffic? Why may men not as freely engage in selling whisky as in selling groceries? Simply because the traffic is a public menace, and the law holding it under suspicion hedges it about with bans and conditions imposed upon no harmless business.

Public sentiment everywhere regards the traffic with fear and has levied heavy license fees.

But the license system is an acknowledged failure. In many of the States it has been abolished and the traffic prohibited, and in many States still under the system the judges of the courts in increasing numbers, compelled by public sentiment, are refusing all licenses.

It is urged with great apparent earnestness that legislation to prohibit the liquor traffic is an invasion of the natural right of a man to eat or drink what he likes. But I answer that in a state of society there are no natural rights. When we talk of the "right of life, liberty, and the pursuit of happiness" we comprehend the rights of a man in a state of civil liberty. The right to go hither and thither, the right to own property, even the right to live, depends upon such limitations as society places upon these so-called natural rights, as the man condemned to be hung realizes.

A man has a natural right to own a hog and sleep with him if he chooses, but society will not permit him to keep a pigsty to the annoyance of his neighbors. He may in a state of nature be at liberty to eat poisons, but, though he be condemned to death for crime, society will not allow him to eat poisons.

Society has been at great pains to protect itself from the man who would dispense poisonous drugs or impure food, even to people who are anxious to buy them.

So with all these so-called natural rights. When a man becomes a member of society he gives up all those rights the exercise of which society considers to be injurious to the public welfare.

I am in favor of the abolition of the traffic because it corrupts the youth, beggars its victims, robs the household, and fills the land with disease, distress, and vice.

I am opposed to the traffic because it is the great corrupting influence in politics. It is a powerful coordinated banditti carrying on guerilla operations between the lines of the great political parties holding the balance of power, subordinating everything to the interests of the traffic, and I know of nothing that will go further in the purification of politics than the abolition of the liquor traffic. The saloon keeper in any of your towns has greater political influence than any preacher in it, and these corrupting influences will exist until the traffic is ended.

But, Mr. Speaker, we are not called to decide whether alcohol is a blessing or a curse; whether it is the brood mother of crime and distress; whether it is a necessary evil; or whether it is curable. All of these nor none of them are before the House.

The simple question is, Shall we give the people of the several States the opportunity to decide in the manner provided by the Constitution whether to change the Constitution as 6,000,000 citizens have petitioned shall be done?

And I deny the right of Congress to forestall or deny the people the right to make such a change in the Constitution in the manner provided for in the Constitution itself. [Applause.]

Mr. HENRY. Mr. Speaker, the gentleman from Pennsylvania [Mr. HULINGS] has made the quaintest and most unique speech I have ever heard. He says we have no natural rights. I think we have a natural right to our lives, our liberties, and so forth, and the only way I can justify the speech which the gentleman has just made is that he had a natural right to make it.

Mr. Speaker, I move the previous question on the resolution.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is now on the adoption of the resolution.

The question was taken, and the resolution was agreed to.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized for one hour.

Mr. HOBSON. Mr. Speaker [applause], I desire to allot to myself at this time 10 minutes, and request that I be notified at the expiration of that time. The proposition is to take away, through the exercise of the organic law, the power of both the Federal Government and of the States to propagate the liquor traffic. The limitation is precisely the same for both, so there can be no change in the balance of power as between the two. A State has the right to be dry if it so desires, because in being dry it does not harm or menace any neighboring State; but no State has a real inherent right to be wet, because being wet, under the claims of the Liquor Trust itself, no neighboring State can be protected in its right to be dry. The liquor traffic is an interstate nuisance against which the States have no recourse, and Congress itself can not delegate to the States the right to protect themselves in interstate commerce. Consequently we are dealing with a proposition of protecting the absolute inherent rights of the States without changing the balance of power between the States and the Federal Government.

The method of changing the organic law is through the States. There is a clause in the Constitution that provides that no State, without its consent, shall be deprived of its equal representation in the Senate, not even by a change in the Constitution. I was astonished when I heard even a ripple of applause and commendation when one Member was reckless enough to announce that he would have the Constitution of the United States changed by a referendum majority vote of the people. Why, he could have that done only after a war of revolution. The foundation of our Government is a Union of the States, and the States themselves can not change the Constitution in that respect. The revolutionary suggestion of a popular vote to amend the Constitution has never been made before in the history of this Government until invoked to-day to protect the liquor traffic.

This question in the last analysis is really a matter of fact and not of opinion.

When the fact is established that opium and cocaine and other drugs are poisonous, no question has ever been raised as to the power and the right of the Federal Government and the States to cooperate in the suppression of the popular distribution of such drugs. There never has been any serious conflict of authority in the enforcement of a just law to protect the public health and the public morals. Is alcohol such a habit-forming drug? I call the attention of Members to these posters giving samples of the findings of the great scientists of the world. Alcohol is a hydrocarbon derivative, a chemical compound whose general properties can be and have been established correctly and finally as the properties of other similar compounds. These are its properties: Being the excretion, the loathsome excretions of living organisms, the ferment of germs, alcohol belongs to the family of the toxins. Ferment germs being the lowest forms of life, their toxin, alcohol, is and must always be a poison to all life, a protoplasmic poison. The second finding is that alcohol is a habit-forming drug. The third finding is the most startling. Alcohol is not satisfied with attacking equally all tissues that build up life. It has an affinity, a deadly attack, for the top part of the brain, the line of human evolution. It attacks the line of evolution in plants and animals as well. In this top part of the brain of humanity resides the will power.

Every time a man drinks he takes that much away from his manhood; will power declines. An anaesthetic, like chloroform and ether, that hides the pain and poisoning effect, alcohol fools you and leaves the craving behind, increasing steadily with the drinking. Then, with the will power declining, the habit in time becomes fixed. The use of this habit-forming drug is so widespread and its grip so powerful that to-day there are 5,000,000 American citizens, heavy drinkers and drunkards, who have

shackles on their wrists, a ball and chain upon their ankles. A few thousand brewers and distillers to-day own 5,000,000 slaves.

Nature is not going to tolerate this tearing down where she is trying to build. Any living thing that so violates the evolutionary law of nature must pay the penalty—nature will proceed to exterminate.

I will refer you to these placards: Starting at 20, a young man as a total abstainer will live to be 65; as a moderate drinker he will die at 51. Do not extol temperate drinking, when it will cut 14½ years out of the life of the average man, though he never gets drunk in his life. The heavy drinker at 20 dies at 35; 30 years are cut out of his short life.

Alcohol is not satisfied with shortening life and bringing to an untimely end and premature death hundreds of thousands of our citizens every year; it blights the offspring; it attacks the tender tissues associated with reproduction in both male and female; it affects the tender system of embryo in the prenatal period. For both parents to be simply moderate drinkers, to drink but once a day beer or wine, will quadruple the chance of miscarriage for the mother, increasing 400 per cent the suffering and danger of maternity, will increase nearly 100 per cent the number of children that will die in the first year of infancy. The children of drinking parents die off at the rate of from four to five times as many as those of abstaining parents. Do not talk about prohibition invading the rights of individuals—liquor blights the rights of our citizens before they are born; it denies the rights of the children to be born with parental love; it throws the boys on the streets and into the mines and factories, preventing them from getting the education they are entitled to. It attacks our young during the whole period of minority. It tramples upon the rights of communities, the rights of counties and States. All of this for what purpose? So that this monster may continue to fatten upon the weaknesses and woes of humanity. The liquor interests can not teach old men to drink, so they must teach the boys.

Sixty-eight per cent of our drunkards had contracted their habits before they were 21 years old, 30 per cent before 16, 7 per cent before 12. What is the inevitable result of this terrible shortening of life and blighting of the offspring? It means that no family, no State, no nation, no empire, no civilization can permanently flourish and prosper and survive unles it is sober.

Who is the agent that teaches the boys to drink? Drinking men do not teach boys to drink. I have never yet found a drinking man who made a habit of teaching boys to drink. Who teaches them? These thousands and tens of thousands of agents of the Liquor Trust who are all over the land. You need not think the bootlegger is simply sustained by his peddling; he is sustained by the great National Liquor Trust. They must get those boys, and they go after them systematically. Why do they do it? What is the motive? Not to harm the boys. I am not fanatical on this question. They do it to get the profits from the sale of their goods. We propose to remove the motive; we propose to cut out the sale and everything that pertains to sale.

The SPEAKER. The gentleman from Alabama has consumed 10 minutes.

Mr. HOBSON. Mr. Speaker, under the leave to print I shall insert in the RECORD copies of several telegrams that have just come to me from various parts of the United States.

The telegrams are as follows:

SAN JOSE, CAL., *December 21, 1914.*

Representative HOBSON of Alabama,
Washington, D. C.:

At the regular session of the Grace Baptist Church, San Jose, Cal., Sunday, December 13, the church unanimously and heartily indorsed the Hobson constitutional prohibition amendment bill and urges the passage of the same by Congress.

J. A. SUTHERLAND, *Pastor.*
Mrs. EDWARD NEWELL, *Church Clerk.*

—

BIRMINGHAM, ALA., *December 21, 1914.*

Capt. R. P. HOBSON,
Washington, D. C.:

We implore our Representatives to vote for the Hobson-Sheppard resolution.

METHODIST PREACHERS' MEETING OF BIRMINGHAM, ALA.,
R. T. TYLER, *President,*
S. O. KIMBROUGH.

—

NEW YORK, *December 21, 1914.*

Hon. R. P. HOBSON,
House of Representatives, Washington, D. C.:

Baptist Ministers' Conference of New York City and vicinity, representing 180 ministers and 250 churches, urges the passing of constitutional amendment on prohibition.

C. W. PETTY, *Secretary.*

ANCHORAGE, KY., *December 21, 1914.*

Hon. RICHMOND P. HOBSON,
Member of Congress, Washington, D. C.:

Keenan's "Prohibition in Russia," in last Outlook, is strongest argument against alcohol ever written.

JOHN J. BARRET.

—

ROCHELLE, ILL., *December 22, 1914.*

Hon. RICHMOND PEARSON HOBSON,
Capitol Building, Washington, D. C.:

The Rochele Woman's Club hope to see a favorable report from the committee on national prohibition.

PRESIDENT ROCHELLE WOMAN'S CLUB.

—

LOUISVILLE, KY., *December 22, 1914.*

Hon. RICHMOND HOBSON,
Washington, D. C.:

Kentucky Sunday School Association prays for success of your bill.

GEO. A. JOPLIN.

—

CHICAGO, ILL., *December 22, 1914.*

Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.:

The Family Altar League, representing over 30,000 families, believes that the saloon must go, and hopes that the United States will not be far behind Russia in banishing the liquor traffic.

J. GILCHRIST LAWSON,
Secretary, 602 Lakeside Building.

—

WAYNESBORO, GA., *December 21, 1914.*

Hon. RICHMOND P. HOBSON,
Washington, D. C.:

Haven Memorial Methodist Episcopal Church prays Congress to pass Nation-wide prohibition bill.

JAS. JACKSON, *Pastor.*
F. WIMBERLY, *Recording Steward.*

—

FORT WORTH, TEX., *December 20, 1914.*

Hon. RICHMOND P. HOBSON AND MEMBER OF CONGRESS,
Washington, D. C.:

Five citizens of Fort Worth, Tex., in mass meeting assembled unanimously request and earnestly pray that you look with favor upon the Sheppard-Hobson joint resolution giving the States of our Nation the opportunity of voting upon the abolition of the liquor traffic.

LINCOLN MCCONNELL.

—

PITTSBURGH, PA., *December 22, 1914.*

Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.:

Speaking for 200,000 people in 30 States of the Union, I express their united sentiments in favor of prohibition amendment to the Constitution, with the sure conviction that such action will advance the material and moral welfare of our country and serve the cause of all humanity.

LYMAN E. DAVIS,
Editor Methodist Recorder and General Conference,
President Methodist Protestant Church.

—

NEW YORK, *December 22, 1914.*

The HOUSE OF REPRESENTATIVES IN SESSION,
Care Hon. RICHMOND P. HOBSON,
House of Representatives, Washington, D. C.

GENTLEMEN: We women and mothers of the United States of America have just learned that you are to vote to-day on national prohibition and that some of you are thinking of voting against it and in favor of having the United States spend over $1,700,000,000 every year for alcohol, a racial person, while many of its citizens, even children, are cold and hungry; that you are planning to keep up a constantly increasing procession of 1,000,000 confirmed drunkards and 2,000,000 steady drinkers, with 300,000 deaths every year due to this cause directly and countless numbers indirectly due to inefficiency, poverty, disease, heredity, degeneracy, insanity, accidents, crime, etc. This is a national calamity incalculable and appalling not only in its moral and physical, but in its economical results. We have been looking over our children, and we can not find one that we are willing to have recruited to fill the ranks of this fallen dishonored and disgraceful army of incompetents. You can not prevent this reform; you can only delay it. Your names and your administration will go down in history. You have a glorious opportunity. Will it be infamy or will it be immortal honor?

A. JOSEPHINE SHERMAN, M. D.
Supt. of Medical Temperance for New York County. W. C. T. U.
Chairman of the Committee for National Prohibition.

FRANCES E. WILLARD,
W. C. T. U. Treasurer and Chairman of the Department for Anti-Insanity Prevention and Cure; National Betterment League; Treasurer Joan of Arc; Woman's Suffrage League; Rising Sun Woman's Suffrage League; Member of National and New York the Black Cross Society; Representing the Women and Mothers of the United States of America.

Mr. HOBSON. Mr. Speaker, I now yield five minutes to the gentleman from Kansas [Mr. CONNELLY] and reserve the balance of my time.

The SPEAKER. The Chair would like to inquire of the gentleman from Alabama [Mr. HOBSON] if he wants to yield at this time all the rest of his hour except 15 minutes reserved to close?

Mr. HOBSON. That is my purpose, Mr. Speaker, and I now yield five minutes to the gentleman from Kansas.

Mr. CONNELLY of Kansas. Mr. Speaker, I have no apologies to make for the vote that I shall cast upon this resolution when we reach a vote at the end of this discussion. I find that there has here and there crept in a little bitterness in the

discussion, but I do not feel any rancor or resentment for those who find for reasons that they consider sufficient that they can not support the resolution. I shall vote for the resolution firm in the faith that I am not only voting right, but that I am representing a decided majority of those whom I am here to represent.

I feel personally that there has never come and can never come any lasting good to us as a people either from the manufacture or the sale of intoxicating liquors. I want in this matter and in all other matters that come up for consideration here, and upon which men may honestly differ, to exercise that charity for the opinions of others that I would desire that they should exercise for the opinions that are mine. I have never known a man who was intolerant in his opinions whom I would care to follow or for whom I could have a lasting respect.

I am proud of the fact that I come from a State that has for more than a third of a century embraced in its fundamental law a provision that forbade the manufacture or sale of intoxicating liquors. I shall not come to you to-day and say that the driving of the liquor traffic from a State will solve all the ills that humans are heir to. Not all the ills of humanity are due either to the manufacture or sale of intoxicating liquors. If this resolution should carry and the requisite number of States ratify it to make it binding on all the States of the Union, there would still be questions to solve that would require the best thought of the best men and women of the land to find a solution for. But, Mr. Chairman, while I do not contend that liquor is the basis of all evil, I am convinced that no permanent or lasting good can come to a people either from the manufacture of or the traffic in an article that brings benefit to none and brings harm to so many. Feeling this way about it I shall not hesitate to cast my vote for this resolution.

I have heard some contend that prohibition is a failure in the States that have tried it, and it is of this that I desire to address my few remarks to-day. There is not an argument that the opponents to prohibition in States where it has been tried that will, in my opinion, stand the test of reason. There is no evidence anywhere that prohibition has been a failure in the State of Kansas. I have heard some contend that there is more liquor consumed in States having prohibition than there is in States which do not have it. If that statement needed any argument to refute it, the argument could be found in the bitter fight that the liquor interests make against prohibition everywhere, and no one is ready to believe that they are anxious to curtail their output or reduce the consumption of their commodity. I know that no fair man who is informed will contend that the law has increased the consumption of liquor in the State that I am proud to call my home.

In Kansas we have a law which requires the agents of common carriers, such as the railroad and express companies, to furnish the names of the consignee and the amount consigned to the county clerk of each county, and I am persuaded that these companies are very careful to obey this law. This gives a very accurate accounting of the amount of liquor consumed in the State. By this record we find that the amount of intoxicating liquors shipped into the State last year averaged less than $1.50 for each adult male citizen of the State, while other States have an average of $30 per capita.

Kansas is not ashamed of her prohibitory law nor of the progress that she has made in that third of a century which this has been a part of the fundamental law of the land. She has prohibition, and along with it she has some other things that her citizens, no matter where you find them, are proud to enumerate.

She has but half the population of Missouri and has twice the number of students in her State university.

She has more than twice the population of Colorado, and she has fewer prisoners in her State penitentiary.

She has 29 counties without an inmate in a poorhouse and 18 counties without a poorhouse.

Her entire State debt is less than 20 cents for each man, woman, and child, and she has half that amount laid away in her vaults in cash, waiting for the debt to come due.

Her agricultural and live-stock crop alone this year will reach the stupendous sum of $620,000,000.

Last year she sold over $25,000,000 worth of eggs and butter, and this year she raised 160,000,000 bushels of wheat.

While she spent less than $1.50 last year for liquor per capita, she spent over $15,000,000 to educate the 400,000 boys and girls that wend their way to the common schools of that great Commonwealth. The State of Kansas is not ashamed of the fact that 80 per cent of these boys and girls never saw a saloon or a place where intoxicating liquors were legally sold.

Kansas comes to you to-day with no apologies for those laws that you who are not in sympathy with prohibition are pleased to term sumptuary laws.

On the 3d day of last November her citizens, men and women, to the number of 528,000, went to the polls and cast a ballot for governor, and only 1 out of every 11 voted for the candidate on a resubmission platform.

We of Kansas, where the storm over prohibition has ceased to rage, have met and in our honest opinion defeated every contention as to the abolishing the sale and manufacture of liquor, bringing want and squalor to the threshold of the laboring man. We have tried it, and we know that it is not true. Our laboring men and our business men have long since ceased to contend that the man who spends 40 cents out of every dollar that he earns over the bar for strong drink thereby helps himself or helps legitimate business of any kind. We know that every dollar that goes for strong drink is just one dollar less with which to buy food and raiment that adds to the happiness of himself and his family.

A folder sent out by some one who is interested in the defeat of this resolution came to my notice a day or so ago, which says that if you legislate to do away with the jobs of the fellows who work in the breweries and the distilleries it will cause these men great hardship, and they will not be able to support their families and buy their share of the food and clothing that is necessary for them. This is a very legitimate argument were it sound, but to our mind it is by no means unanswerable. It may for a time make a little readjustment necessary, but if the money that men spend for drink was spent for additional food and clothing it would create an additional demand for these articles which would demand additional labor in their production, and the man who is now employed in these industries would find that his services were in demand in other and in our opinion more fruitful lines.

In the transitory period from high license to enforced prohibition in Kansas many towns with 2,000 inhabitants allowed, through a system of fines, which amounted to high license, the running of places where liquor was sold. It was necessary so long as these "blind tigers" were tolerated to have a considerable police force, and to many of them it never occurred that with the driving out of the saloon would go the necessity of much of their police protection. These places were allowed to run in some places because the business men thought the revenue to pay all this police force would necessarily be placed upon them, and they were willing to tolerate the saloon in order, as they thought, to escape the tax. Later, when public sentiment demanded a better enforcement of the law, they in many instances found that with the going of the "blind tiger" there went also much of the necessity for additional expense. It is not an unknown thing in Kansas to-day to see towns of 2,000 people where once three police officers were thought to be necessary now getting along with one, and this one finds his duties limited largely to supervising street improvement, moving the garbage from the back alleys, and enforcing the ordinance prohibiting chickens and pigs from running at large.

To-day we issue this challenge and feel free in so doing: We dare you to find a community in the State of Kansas where the abolishing of the sale and manufacture of liquor has permanently increased the taxes raised in other ways, where it has increased the crime in the community or contention among its citizens, where it has increased want and misery among her people or has made it more difficult for men to reap a recompense for their honest endeavor. I know little about the workings of prohibition elsewhere, but when those who are opposed to the principle desire to point out a place where prohibition has been a failure you must leave Kansas out of your calculations.

You who are here to-day honest in the belief that you should defeat this measure should understand that you are standing at the ocean's edge fighting to beat back the tide that is sure to engulf you. You perhaps may defeat it to-day, but you can hardly hope to make your victory a permanent one, for somewhere and somehow there will always come enough recruits to every cause which involves the highest ideals of a free people to beat down the battlements of wrong.

I am glad to speak to-day for the splendid Commonwealth of prohibition Kansas. A half million boys and girls tread her highways who never saw a place where liquor was legally sold and a hundred thousand of them never saw a drunken man nor do they know the taste of liquor. The older generations are not entirely free from the baneful effects of the liquor habit; but from the loins of that mighty people there is coming into maturity a new generation free from the tyranny of its hurtful reign. May it please God that with the coming of another

generation we may not only appreciate the benign influence of State-wide prohibition, but may we hope that glad day will find no place where a licensed grogshop may find lodgment under the protecting folds of the national flag. For this we dare to hope, for this we dare to pray, for this we dare to vote. [Applause.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. TAYLOR of New York, indefinitely, on account of illness.

To Mr. SLAYDEN, for 15 days, on account of business.

PROHIBITION.

Mr. HOBSON. Mr. Speaker, I now yield to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN of Oklahoma. Mr. Speaker, we have before us House joint resolution No. 168, which in substance provides for the abolition of the liquor traffic within the jurisdiction of the United States.

The resolution and preamble are as follows:

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions, produces widespread crime, pauperism, and insanity, inflicts disease and untimely death upon hundreds of thousands of citizens and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

"SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

The resolution under consideration proposes an amendment to the Federal Constitution to prohibit the manufacture and sale of intoxicating liquors.

In reaching a conclusion as to how I shall vote on this resolution I have tried to follow the light of my own reason, judgment, and conscience. I have taken in consideration the views of my own constituents. I have recognized the dominant sentiment of the people of the State which I have the honor in part to represent. I have given weight to the views of the moral and religious forces of the Nation. I have considered the right of the people to vote on this question. Finally, I have had in view the welfare of the Nation—its growth, its strength, its greatness, its perpetuity, and the prosperity, the happiness, and well-being of its citizens.

Personally I am in favor of utilizing every legitimate means or method that will restrict, limit, or lessen the consumption of intoxicating liquor for beverage purposes.

As a means for the suppression of the liquor traffic, I am in favor of the use of moral suasion, agitation, education, and legislation, or any other legitimate method that will be effective.

I believe total abstinence is the only safe rule for the individual, and that prohibition is the only wise policy for the State and Nation.

My views on the temperance question have not been hastily formed. My parents taught me not to drink intoxicating liquors. Before I attained my majority my first effort to make a public speech was at a temperance rally. My early impressions have guided me in all the intervening years. I have never concealed my views. On every appropriate occasion I have expressed them. I can not now, when I am a Representative in Congress, when I am in a position of influence, power, and honor, waiver or recede. I shall keep the faith and cast my vote for the resolution.

VIEWS OF MY CONSTITUENTS.

Aside from my own views, I desire to express the wishes of my constituents. The people of my congressional district are intelligent, industrious, and patriotic. They rank with the best type of American citizenship. They believe in law and order, in civic righteousness, in morality, in temperance, in the church, in the school, and in the home. By petitions, letters, and telegrams they have appealed to me to vote for this resolution. I greatly respect their views; I have the highest regard for their opinions; I have the utmost confidence in their judgment. In all my votes I earnestly desire to do their will, to express their views, to speak their voice, to represent them honestly and correctly. Therefore, in obedience to the will of my constituents, acting as their Representative, as their servant, and as their spokesman, I give my voice and my vote for this resolution.

SENTIMENT OF MY STATE.

In addition to my district, I also in part represent in this House the State of Oklahoma. I deem it my duty to voice the dominant sentiment of the people of my State. They have spoken on this question. In a very impressive way they have instructed their Representatives in Congress on this question. In making their constitution, by a separate vote, they placed therein a clause prohibiting forever within the State the manufacture and sale of intoxicating liquors. The question was subsequently submitted to the people. By a decisive majority they again declared for prohibition. I believe it is the desire of the majority of the people of Oklahoma that the State, through its Representatives in Congress, shall cast a solid vote for this resolution. For myself, in casting my vote I shall be true to Oklahoma, true to her institutions, to her laws, to her policies, and true to the hopes, the ideals, and the aspirations of her 1,700,000 people.

PUBLIC OPINION OF THE NATION.

Further than this, I have a right to consider the public opinion of the Nation. I am one of 435 Members of this House who represent the Nation at large. Every Representative has a Nation-wide responsibility. He owes a duty to the whole country. In an important sense each one of us in part holds the fate and destiny of the Nation in our hands. We can not escape this responsibility. Each of us is duty bound to do our share in solving national problems. The Constitution gives Congress the power to provide for the general welfare. In voting upon questions like this, which affect the entire country, in which all the people of the Nation are deeply and vitally interested, we should look beyond the territorial limits of our own States and survey every foot of soil over which the flag floats. In solving national problems we must heed national sentiment. The moral forces of the Nation to-day are for national prohibition. The distilleries, the breweries, the saloons, and all allied interests are against it. We can not follow both of these antagonistic and warring forces. We can not please both. We can not satisfy both. We can not serve both God and mammon. We must choose between the two. For my part, I prefer to march under the banner held aloft by the moral forces of the Republic and cast my vote in harmony with the dominant moral sentiment of the Nation.

RIGHT OF THE PEOPLE TO BE HEARD.

In voting on this question we must take into consideration the right of petition, the spirit of our free institutions, our republican form of government, and the right of the people to be heard and express their views on public questions.

Our forefathers in making our Constitution assumed that it might be wise and necessary to amend it. They provided a method by which it could be amended. By this method a proposed amendment must be approved by two-thirds of the Members of each House of Congress and by the legislatures of three-fourths of the States. The friends of national prohibition are pursuing the method provided by the Constitution. The prohibition cause has made great progress. Seventeen of the States have prohibited the manufacture and sale of intoxicating liquors within their borders. Over half of the people of the United States now reside in dry territory. No one can tell how many States would approve this resolution. No one knows just how many people are in favor of national prohibition. But we do know that 6,000,000 of the people of the United States have petitioned Congress to submit this great question to the vote of the people of the United States. It is for Congress to decide whether these petitions shall be granted. In my judgment, when any large number of the people ask for a vote upon a question, to refuse to let the matter be submitted to a vote is clearly un-American and out of harmony with our ideas of a free government.

MAGNITUDE OF THE LIQUOR BUSINESS.

The liquor business has grown to immense proportions. It represents great wealth. It employs an army of men. It supports a multitude of people. Its power extends in every direction. It dominates business, permeates society, controls politics, and its gigantic sway molds the tone of the press and influences the attitude of even the church.

Some conception of its mighty influence may be gathered from the wealth it controls, the men it employs, the wages it pays, and the number of people it supports. Seven hundred and seventy-two million dollars in capital are invested in plants and equipment for the manufacture of distilled, malt, and vinous

liquors. Even a larger amount is probably invested by retail and wholesale establishments for the sale and distribution of the product. These liquor-manufacturing establishments have an annual output in excess of two and a quarter billions of gallons. At wholesale prices these liquors are worth $600,000,000. At retail the consumers pay therefor over $2,000,000,000. As a people we consume annually 22.66 gallons of intoxicating liquors per capita. There are at least 250,000 persons employed directly in the business. In 1909 we had 68,215 saloon keepers, 101,234 bartenders, and 77,779 persons in liquor-manufacturing establishments. More than 1,000,000 of our population are supported by this business. In salaries and wages the liquor-manufacturing establishments pay out annually $70,000,000. Add to this the profits of the saloon keepers, the wages paid to bartenders and others supported directly by the liquor traffic, and we have a grand total of more than $250,000,000 distributed annually through this business.

But there is something even more startling than this. In the last fiscal year the Federal, State, county, and municipal governments collected over $325,000,000 in taxes from the business; $245,000,000 went to the Federal Government, $21,000,000 to the States, $6,600,000 to the counties, and $52,000,000 to incorporated towns and cities having a population of 2,500 and over. Through the increased tax placed on beer and other intoxicating liquors by the emergency revenue act, the business this year will pay for the support of our various governments not less than $400,000,000. Last year the Federal Government collected 33 per cent of its ordinary revenue from the liquor business, and by reason of the increased tax the amount this year will be over 40 per cent.

But this liquor business does something else. To support this vast business, to pay dividends on the capital invested therein, to pay $250,000,000 annually in salaries and wages and profits to the people engaged therein and employed thereby, and to contribute annually $400,000,000 in taxes for the support of our various governments; to do all this it is necessary that 1,000,000 of our people shall be drunkards, that 4,000,000 of them shall be heavy drinkers, and that 19,000,000 of them shall be regular moderate drinkers, and that the country at large shall suffer an economical loss estimated at $15,000,000,000.

WHAT THESE STATISTICS MEAN.

What do these figures mean? What do they teach? What do they prove? What significance shall be given them in reaching a conclusion on the question before us?

Those who oppose this resolution point to these statistics—to the capital invested, to the men employed, to the wages paid, to the revenue received—as arguments against the adoption of this resolution.

To my mind they prove directly the reverse. It is almost universally admitted that the liquor business is the greatest evil in existence; that it is the greatest source of crime, immorality, disease, idleness, poverty, and national waste; and that it is highly detrimental and injurious to the social, economic, and moral welfare of our citizens.

If the liquor business be an evil, then the greater its magnitude, the more is the necessity that the National Government shall interfere and aid in its suppression.

If the liquor business be a source of crime, immorality, disease, idleness, poverty, and waste, then to contemplate the vast millions of money invested therein, the hundreds of thousands of men employed in its prosecution, and the hundreds of millions of dollars in wages and profits distributed thereby only emphasize and reinforce the appeal to the National Government for aid and assistance in annihilating the business.

If the liquor business is not a legitimate business and is deteriorating the physical, intellectual, and moral character of our citizenship, this is an unanswerable argument why neither the Federal, State, county, nor municipal governments should make the business the chief source of their revenue.

RIGHT OF MAJORITY PROTECTED.

I shall not undertake to answer all the arguments presented against this resolution. But I want to notice one. It is asserted by the opponents of this resolution that if adopted it might permit a minority of the people of the United States to force prohibition upon the majority. This argument is based on the fact that the 36 States having the smallest number of people have a total population of 40,865,581 and that the other 12 States have a population of 51,106,685.

But if this is a valid argument it will apply to all proposed amendments, and would prevent the people from ever amending the Constitution.

Further, in answer to this argument, it may also be said that 4,526,897 people, comprising the total population in the 12 States having the smallest population, could prevent 87,972,266 people, comprising the total population in the 36 States having the largest population, from amending the Constitution.

Again, the Constitution requires that a proposed amendment must be approved by a two-thirds vote of this House. If when this vote shall be taken on this resolution the entire membership of the House were present and voting, the delegations from six of the States, voting solidly, could defeat this resolution. New York, with 43 votes; Pennsylvania, with 32; Illinois, with 25; Ohio, with 21; Missouri and Texas, each with 16 votes, have a total vote in this House of 153—more than one-third of the total membership of this House. It would seem, therefore, that the interests of the States with large population and where in the main the liquor interests are concentrated are amply protected against any unfair or unjust action on the part of the Representatives or the people from the smaller States.

A MATTER OF PATRIOTISM.

Finally, in casting my vote for this resolution I am performing what I regard as a patriotic duty. I certainly have no desire to inflict injury upon those who are engaged in the business or who are supported thereby. But I must do what in my judgment will contribute most to the public welfare. I must have the interests of my country at heart. I must go where patriotism leads me. The character of our citizenship is the Nation's chief asset. Our national wealth and our great natural resources are not the main pillars of our national strength. For our superiority over other nations, for our leadership among the nations of the earth, for the extension of the power and influence and principles of this Republic we must rely upon the character of our citizenship. Whatever deteriorates our citizenship weakens the fabric of our Government and endangers its perpetuity. Believing, as I honestly do, that the liquor traffic lowers the standard of our citizenship—physically, mentally, and morally—as a lover of my country and its people I can not do otherwise than vote for its suppression.

Mr. HOBSON. Mr. Speaker, I now yield five minutes to the gentleman from Missouri [Mr. DECKER].

The SPEAKER. The gentleman from Missouri [Mr. DECKER] is recognized for five minutes.

[Mr. DECKER addressed the House. See Appendix.]

Mr. HOBSON. Mr. Speaker, I yield to the gentleman from Georgia [Mr. TRIBBLE].

The SPEAKER. The gentleman from Georgia [Mr. TRIBBLE] is recognized.

Mr. TRIBBLE. Mr. Speaker, I shall not discuss the issues of merits or demerits, good or evil, involved in the prohibition question, my time being too limited, and from my viewpoint the merits of prohibition is a question for the people and not for this House.

Mr. Speaker, there is no question on which the American citizens are more divided than the proper regulation of the liquor traffic. The question now before the House, in my opinion, is one that should not be arbitrarily settled by the membership of this House. I believe it is a question for the people to settle, and for that reason I cast my vote to refer it to them. Let them express their will at the ballot box.

It is contended that the proposed amendment for national prohibition is a violation of the State rights. Shall I as the representative of 265,000 people of the eighth congressional district of Georgia decide that this amendment, authorizing legislation to put into existence national prohibition, is a violation of State rights? No, Mr. Speaker, the master minds of the country do not agree on this question, and I do not care to finally determine it for my district; on the contrary, I desire that the people of my district and my State settle it for themselves. There are 30,000 registered voters in the eighth congressional district, and I shall cast my vote to-day to grant to them the opportunity of expressing their will. If this question should be referred to the people, then I shall take my place at the ballot box and decide myself on which side of this question I shall cast my ballot, and the 30,000 voters of my district, side by side with me, will have the same privilege. If I am in error as to my duty, then I err on the side of popular government by the people.

Our fathers intended this Government to be expressive of the people's will. When the Constitution was written the prohibition question was not an issue, but those wise patriots who constructed the Constitution knew as time rolled on new constitutional questions would arise, and they provided a method of submitting such questions to the people. They made it very difficult to amend that instrument which protects the liberties of the American people, but it can be done, has been done, and will be done many times in the future.

It was hard for me to believe that the religious freedom guaranty of our Constitution is an amendment, and I read and reread the Constitution last year trying to find that section. I secured the second copy of the Constitution thinking the one I held in hand contained a clerical error. Finally I looked in

the amendments, and, much to my surprise, I found the religious freedom guaranty was the first amendment to the Constitution.

Mr. Speaker, I shall not arbitrarily shut the door on my constituents who should also be granted the privilege of expressing their wishes. My colleague from Georgia, Judge ADAMSON, made a very significant statement on this question. He said:

So far as prohibition is concerned, I admit that the power of regulation exists, that Congress has power to prohibit.

His statement being true, Mr. Speaker, then why not refer the question to the will of the American people to say whether or not they wish national prohibition? It takes two-thirds of the House to submit the question to the States, and three-fourths of the States to add a constitutional amendment. If two-thirds desire this amendment, then the one-third should not complain, but the people not agreeing with me would have a right to complain if I should force my personal views on them.

Believing as I do, Mr. Speaker, that there is sufficient demand for this constitutional amendment to be submitted to the people, I believe that Members of this House should discard their personal views, and, as provided by the Constitution, seek the views of the American people at the ballot box, and I shall gladly cast my vote for the amendment.

Mr. HOBSON. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, I shall vote for this resolution. With due deference to the opinions of those of my colleagues who are going to vote the other way, I can not see how, under our theory of government, a representative of the people can consistently deny them the privilege of deciding, in accordance with the method of procedure laid down by the fathers, whether they want the Constitution amended, when, as in this instance, there is a Nation-wide demand for it. It is the people's Constitution. It was created by their mandate and continues to exist by their consent. We of Congress are only a portion of the great machinery of government and are chosen by them. The sovereign power that moves this machinery is the people's will. [Applause.] Indeed, in a sense, they are the Government, because it is of, by, and for the people. I am speaking from deep conviction, the result of careful thought, and not in any sense in a demagogic spirit, when I say that gentlemen go very far in the direction of arguing that our form of government is a failure when they contend that it is not safe to trust the people to decide such a question right, or that it would be unjust to allow them to decide it by the method prescribed in the Constitution itself. At any rate, such a contention bodes no good for the future of the Republic.

I do not share the sentiments of those extremists who condemn everybody who is engaged or employed in the liquor business, seemingly forgetting that the legitimacy of the business is now recognized by the supreme law of the land, which the language of the resolution itself concedes, and that many among our most patriotic, charitable, and exemplary citizens are engaged in it, who would instantly obey the law if its ban is placed upon it. [Applause.] Neither do I agree with some of our citizens who seem to think that there is only one side to this national prohibition question. That enormous difficulties would be encountered in attempting to enforce it; that it would seriously cripple the finances of the Government, necessitating new and still more drastic methods of raising revenue; and that it will require hundreds of thousands of worthy people to seek other employment and hundreds of millions of legitimately invested capital to seek other fields, no one will deny. Balanced against these and other considerations is the harm the sale of intoxicating liquors has wrought upon the Nation. But as I view the situation, these questions are hardly germane to the present discussion. Mr. Speaker, I distinguish between my duty as a Representative and my duty as a citizen and elector. In the one case I merely exercise my own privileges and rights; in the other I exercise those of other people. After I have voted here to give the people of the States the privilege which this resolution seeks, and to which I think they are clearly entitled at our hands, and when the merits of the proposition itself come before them for decision, it will then be my duty as a citizen and voter to consider with them the grave questions of practicability, economy, sociology, and expediency, and all the other questions which are involved, and act in accordance with my own individual judgment and sense of duty. [Applause.]

Mr. HOBSON. I yield four minutes to the gentleman from Pennsylvania [Mr. LOGUE].

Mr. LOGUE. Mr. Speaker, it has been of considerable interest to me to-day to find such strong expressions in favor of temperance coming from many who are opposed to the resolution offered. In 25 years of total abstinence work I have very seldom met any of the gentlemen on the platform advocating the lessening of excessive drinking.

I am a firm believer in education for the correction of moral or social evil. I believe that mere legislation can not do much in the way of substantial, corrective good, and that education, moral, social, and material, must be in the van of all legislation.

Every State in the Union, recognizing the dangers of drink, has surrounded itself with excise law, with restrictive and regulative legislation. At the same time, it seems strange to me the sentiment against the enforcement of laws enacted to control or regulate the liquor traffic. Why is it that prosecutions can be instituted for the infraction of any other law and no objection be raised, while a false sentiment is created if it is sought to enforce a similar statute against those who violate the liquor law?

I firmly believe in State regulation of the liquor traffic, because I believe that back of any law we try to enforce should be local public sentiment that will support it. I believe that the boy and the girl have a right to be protected by the enforcement of restrictive and regulative measures that have been enacted. I am satisfied as well that it is the duty of the Federal Government to see that States are protected from outside interference in the enforcement of the laws they have placed on their statute books regarding the liquor business.

I have given up much of my time to the work of extending total abstinence. I believe it is our duty to be exemplars in the way we would have people go by the legislation we enact. I regret that the votes that will be cast in this House to-day will in many cases be political, representing either the favor or fear of a constituency, and not solely the expression of belief of the man himself.

"Made in America" is the great cry these days, and we are proud of it, because we feel that from our great industries we can send out the best the world produces. I would like to see it go farther. I would like to see that spirit prevail in the training of the boys and girls from whom we are making the men and women of the future, and much could be accomplished in this line by the real enforcement of restrictive and regulative laws that now exist regarding the liquor traffic, so that, avoiding the great danger of intemperance, we can make our boys and girls the best men and women in the world.

Therefore I feel that much good would be done if the energy and spirit and earnestness displayed by well-meaning people for the extension of our present laws regarding the liquor traffic were directed toward the enforcement of those measures which experience has recognized should be enacted, and which experience also recognizes should be enforced. I believe this enforcement will be more pronounced when the laws are more local in character, and public sentiment will be at hand to support them.

There is no need in attempting to discuss the ravages caused by the use of intoxicating liquor and the individual misery that follows and the public harm done. There should be cooperation on the part of all well-meaning people to regulate and control a traffic that is harmful, and this work should be associated with education on the dangers of indulgence, creating public sentiment that will make the business unprofitable; and when it becomes unprofitable it will cease to exist. [Applause.]

Mr. HOBSON. I yield two minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Speaker, in the scant time allotted to me I can scarce more than say that it is my fervent hope and wish that this resolution, making as it does for the prosperity, the betterment, and the happiness of this Nation, may pass this House by a vote largely in excess of the necessary two-thirds majority.

I have listened with interest to the flights of oratory this morning and to the more or less ingenious and ingenuous arguments for and against this question, and I am proud to think that I stand here representing the citizenry of a district in which an overwhelming majority of the people are in favor of nation-wide prohibition.

We are asked here to-day to pass upon the so-called Hobson resolution, but we are not presented with nor asked to pass upon the question of national prohibition. As the representatives of the people we are asked to permit the voters of this Nation to express their views on this question at the polls. I have strong personal convictions as to the justness of passing a resolution which will permit the people of the Nation to vote for or against the continuance of the liquor traffic as a besetting and destroying national evil.

If the arguments and statements presented and made in the numerous communications which I have received from the liquor interests are true, the whole question could be disposed of by the voters, and the activities of the churches, the Anti-Saloon League, and many temperance organizations, as well as the big

business corporations who bar from employment men addicted to drink, could all be fittingly rebuked at the polls, but those who are financially interested in the manufacture and sale of liquor know full well that a large and increasing majority of the people of this Nation are unalterably opposed to a continuance of the liquor traffic and the inevitable misery, want, and woe that follow in its wake.

Mr. Speaker, I respect the opinions and convictions of every Member of this House as expressed by their votes on measures presented for consideration, but to those Members who are intrenching themselves behind the doctrine of State rights I commend to their thoughtful consideration the following extract from an address by Rev. Sam W. Small, of Georgia:

My countrymen, right now we are confronted by a peculiar situation. When we propose the submission to the States of a constitutional amendment to prohibit the liquor traffic we are met with the cry that we are attacking the doctrine of State rights.

State rights! Why, we stand flat-footed and foursquare upon the very fundamental principle of State rights. It is for that principle we are fighting. In its name we are pleading that the 48 States of this Union be given the opportunity to exercise what Thomas Jefferson and all his compeers declared to be their "indubitable, inalienable, and indefeasible right"—the right to alter, reform, amend, or change the Constitution under which they formed the Union.

Our proposition can not win without the separate consents of 36 of the States. Whether those three-fourths, as provided by the Constitution, desire to change that instrument as we propose can never be rightly known until they are allowed to legislatively express their will.

The man who would arbitrarily deny to them that right is not a friend but an enemy of State rights.

How strangely this doctrine sounds coming from the liquorites of the Nation, whose long record of contempt for State constitutions and State laws is the one broad bar sinister upon the escutcheon of our American civilization.

Put them to the test of their vociferous loyalty to State rights by offering to repeal the internal-revenue laws affecting liquors. Then you will hear wails of protest the like of which issue only from the slaughterhouses of the Chicago stockyards. If there is anything on earth the liquorites of America do not want it is to be released from their partnership with Uncle Sam and to be turned over to the will of each of the 48 States of the Union. They don't want State rights; they only want Congress to weave that doctrine into a coat of mail in certain cases for the protection of the liquor traffic from real State rights.

And to the following extract from the Declaration of Principles of the Anti-Saloon League of America:

The liquor traffic is national in its organization, character, and influence. It overflows the boundaries of States and refuses to be regulated or controlled. It is a Federal evil—a national menace, too powerful for State authority, requiring national jurisdiction and treatment. It beggars the individual, burdens the State, and impoverishes the Nation. It commercializes vice and capitalizes human weakness. It impairs the public health, breaks the public peace, and debauches the public morals. It intimidates and makes cowards of public men. It dominates parties and conventions. It cajoles, bribes, or badgers the makers, interpreters, and administrators of law and suborns the public press.

It claims for itself a special right and privilege asserted by no other interest in all the land, however great or powerful—a right and privilege utterly incompatible with free government—the right and privilege to infract municipal ordinances at will, to violate and break legislative resolves and enactments, and to set aside the constitutional provisions of sovereign States, however solemn and sacred. Refusing all domestic regulation and control, it leaves the American people but two alternatives—the abject surrender of their inherent right of self-government or its national annihilation. Between such a choice free men can not hesitate. We therefore declare for its national annihilation by an amendment to the Federal Constitution which shall forever prohibit throughout the territory of the United States the manufacture and sale and the importation, exportation, and transportation of intoxicating liquors to be used as a beverage.

The question of our preparedness for war has been discussed at length on the floor of the House and in the public press. The nations of Europe now engaged in a life-and-death struggle have taken cognizance of one important item of preparation, viz, the national conservation of human resources, which example might well be followed by the United States, and the passage of this resolution would be one peaceful, righteous step in the line of preparedness. We are advised by the President that we must in future time of need depend upon our citizen soldiery; if this be true we ought to be willing to help equip our men with strong, clean bodies, stout hearts, and steady nerves. In this connection I call attention to the following concise article from the California Outlook:

EUROPE SOBER.

Whatever of good in the law of compensation may come out of the European war, a lesson in temperance will hold a prominent place in it. The warring nations realize that to stand the severe test of physical endurance and nervous strain they must be sober. Russia's first act after mobilization was to stop the sale of vodka. France has taken steps to lessen the use of absinthe and England is appealing to the nation to abstain from alcoholic drink during the war. In England the country is plastered with patriotic posters making this appeal. It is interesting to note that the appeal is on entirely economic grounds—the conservation of resources, both material and human. Four grounds are given for abstinence from alcoholic liquors:

1. The grain destroyed for their production is required for food.
2. The money spent upon drink will purchase many times its value in food.
3. Physical power depends upon food and must not be destroyed by alcohol.
4. Alcohol lowers vitality and diminishes power to resist disease.

It is inconceivable that the effect of this temperance propaganda will pass with the ending of hostilities. So effective a refutation of the widespread fallacy that the consumption of alcoholic drinks makes for prosperity can not but leave a lasting impression on the Nation.

One result of the war is almost certain to be a sober as well as a sobered Europe.

Mr. Speaker, upon the Members of this House has devolved the most solemn duty that has confronted Congress in many years. The vote of to-day will determine whether the Members of this House stand for happy, comfortable American homes or for the body and soul destroying American saloon. The disposition of this resolution will determine whether the moral forces of this Nation shall prevail over the beneficiaries of the liquor traffic, whether the voters of the United States shall be denied the privilege to express at the polls their sovereign right to amend the Constitution under which they live.

Mr. HOBSON. I now yield three minutes to the gentleman from Oklahoma [Mr. FERRIS], and with that I will reserve the remainder of my time. If my figures are correct, I shall have used 44 minutes.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] is recognized for 3 minutes, and the gentleman from Alabama [Mr. HOBSON] reserves 16 minutes.

[Mr. FERRIS addressed the House. See Appendix.]

The SPEAKER. The gentleman from Alabama is recognized for an hour.

Mr. UNDERWOOD. Mr. Speaker, I do not come here to-day to make an issue on the question as to whether men should be temperate or intemperate in their daily lives. I know of no man who would be so false to the teachings of the mother who bore him as to advocate intemperance. I not only believe in temperance, so far as the consumption of liquor is concerned, but I believe in temperance in every walk of life. Men should be temperate in their mental attitude toward other men, as well as temperate in the treatment of their own bodies.

THE ISSUE.

But the proposed amendment does not raise the issue of temperance. It is not a moral issue that is before us. The great moral issues which have confronted the world have not been worked out at the point of the sword or with the force of the governments behind them. The progress that the world has made in morality comes from the heart, following the teachings of God, and not from the force of men. The issue that is presented to this House and the country to-day is a governmental issue as to whether or not the enforcement of certain police regulations had best be controlled by the National Government or left within the jurisdiction of the several States where they were placed by the fathers who builded this Republic.

In order that I may not be misunderstood, I desire to say in the beginning that on the question of the enforcement of temperance laws I believe in local county option so far as my own State is concerned, because I believe that is the best way to enforce the law. My objection to the pending amendment is that it is an attempt to rob the States of their jurisdiction over police matters, in part to destroy the right of local self-government, and to establish a precedent that would concentrate the power of all government in the Government established here at Washington.

I will not call your attention to the many things which have been said in favor of local self-government by the men who builded the Federal Constitution, but I do desire to read to you a quotation from the author of the Declaration of Independence, the author of religious liberty in Virginia, the man who was nearer in sentiment to the people of the United States than any man who has ever lived in our great Republic.

In Mr. Jefferson's autobiography, in commenting upon the power of the Federal judges, he wrote a few sentences that peculiarly apply to the question now in hand. I will trespass on your patience to read it to you. He said:

It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps, of their peculiar maxim and creed that "it is the office of a good judge to enlarge his jurisdiction," and the absence of responsibility, and how can we expect impartial decision between the General Government, of which they are themselves so eminent a part, and an individual State, from which they have nothing to hope or fear? We have seen, too, that, contrary to all correct example, they are in the habit of going out of the question before them, to throw an anchor ahead, and grapple further hold for future advances of power. They are then, in fact, the corps of sappers and miners, steadily working to undermine the independent rights of the States, and to consolidate all power in the hands of that Government in which they have so important a freehold estate. But it is not by the consolidation or concentration of powers but by their distribution that good government is effected. Were not this great country already divided into States, that division must be made that each might do for itself what concerns itself directly, and what it can so much better do than a distant authority. Every State again is divided into counties, each to take care of what lies within its local bounds; each county again into town-

ships or wards, to manage minute details; and every ward into farms, to be governed by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread.

It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

Is there any true American whose soul responds to the genius of our Republic who will deny the truth of that utterance? Without intending any reflection on the motives of the gentlemen who present this resolution, I say, in the language of Thomas Jefferson, that by attempting to secure the adoption of this amendment they are "a corps of sappers and miners working to undermine the independent right of the States." When you abandon the fundamental principles of the Constitution where does it lead you? To the Democratic side of the House I may say, Abandon the fundamental principles of your own party and where will you draw the line in the future? The men who wrote this Constitution that you seek to-day in part to destroy were the men who had given more thought to the necessities of a free government, to the danger of its overthrow, than any men who have ever lived within our Republic. They realized that when the powers of the Government are concentrated in the hands of one central government, without restraint from any source, that we would ride to the same fall to which the Republics of Greece, the Republics of Rome, the Republics of every known country in the world ultimately come. [Applause.] And to protect against that danger they established a central government at Washington to control national affairs, to attend to the business where one nation came in contact with another nation. But they reserved to the several States the powers of government that affect the individual, his rights, his liberty, and his happiness. Shall we begin the work of destruction?

And yet, in an idle hour, cloaked in the robe of temperance—because all men believe in temperance—a faction has arisen in this Republic that would tear down the very fabric of the Government itself and destroy the foundation stones on which it rests. [Applause.]

It is not alone the statesmen of the past who have spoken on this question. I desire to read a few sentences from an editorial clipped from the Louisville Courier-Journal, written by a Democrat of the Samuel J. Tilden school of Democracy, who believed in those principles of our fathers that in this day and time we are asked to abandon. Col. Henry Watterson in an editorial in the Courier-Journal said this:

The prohibition movement—a tyrannous scheme to establish virtue and morality by law, to regulate personal appetite and individual habit by the will of the majority, in embryo to resurrect and reestablish the principle and affinity of church and state—is quite as mischievous a delusion as any of those which have gone before it.

In — counties which have ordained prohibition two-thirds of those thus arraying themselves at the polls believed they were voting for temperance against intemperance, whereas, which the event will prove, they were voting against lawful procedure and just taxation on the one hand and in favor of outlawry and no taxation on the other hand.

If prohibition prohibited, if law reached morals, the argument in favor of drastic legislation would be cogent, indeed. But the actual experience had everywhere shows exactly the contrary. The scheme is the offspring of emotional insanity. It would in nowise accomplish the ends it aims at. It would simply ruin whole classes and regions, reduce values and increase taxes, leaving the drink evil untouched in its nature to readjust itself to changed conditions, as it has done everywhere that prohibition has laid its blight.

The fact can not be successfully contradicted that prohibition established by law does not produce temperance or stop the liquor habit where the public sentiment of the local community does not sustain the law. It merely makes men outlaws instead of encouraging a respect for law and order. I contend that there is no law written on the statute books that is stronger than the sentiment of the jury in the jury box. In the last analysis the law in this land is enforced in the jury box. In most of the States of the Union, if not all, the jury is drawn from the jurisdiction of the county within the State, and when public sentiment in the county is adverse to the statute men who go into that jury box, or at least 1 in 12, will be found who are not in favor of enforcing the law, and you will have a law on the statute books which, instead of producing the desired results, brings about a condition that puts all law into contempt and substitutes outlawry for a just administration of the law of the land. In fact, the resolution itself is not for temperance. It does not contend or propose that men shall be forced to cease drinking liquor. It merely proposes that it shall be unlawful to sell liquor. Nothing in this amendment would prevent any man from manufacturing his own liquor and drinking it when he pleased. It is not difficult to manufacture whisky. If the law does not prohibit it, it can be manufactured on the cooking stove; and I say to my friends from the South that if you merely want to prohibit the sale of liquor and not prohibit its use, and that is as far as you are going, then, so far as this resolution is concerned, you encourage blind tigers throughout the length and breadth of our country. Of course the answer to that would be that the State laws would prohibit, but you are proposing to go beyond the State law. Some gentlemen have argued that you can enforce prohibition by the State law and by the Federal law.

In physics I have been taught that two bodies can not occupy the same space at the same time and in the science of government I have been taught that two governments can not exercise jurisdiction over the same territory for the punishment of the same crime at the same time. Possibly some of the advocates of this resolution may want to go so far as to advocate that a man shall be twice tried for one crime—that he shall be tried in a State court and tried in a Federal court—but I do not believe that such a proposition would meet with the approval of the sane judgment of the American people.

THE FINANCIAL SIDE OF THE ISSUE.

This question can not be disposed of without considering it from the financial side. It is true that the advocates of the resolution, when you say that it will destroy property or wipe out taxation, scoff and jeer at the proposition, but will the American people scoff and jeer at a question of confiscation when they really understand what is intended?

THE SACRIFICE IN REVENUE.

First, let me call your attention to what it will cost the American people in the way of taxes to write this resolution on the statute books. The receipts of the Federal Government in Washington during the fiscal year ending June 30, 1914, from ordinary sources, were as follows:

Receipts into the general fund, including various trust-fund receipts, but excluding postal revenues:		
Customs		$292,320,014.51
Internal revenue—		
Ordinary	$308,659,732.56	
Corporation excise tax	10,671,077.22	
Corporation income tax	32,456,662.67	
Individual income tax	28,253,534.85	
		380,041,007.30
Sales of public lands		2,571,774.77
Miscellaneous		59,740,370.13
Total ordinary receipts		734,673,166.71

This table shows that the total ordinary receipts of the Government for the fiscal year 1914 amounted to $734,673,166.71. Of this amount $245,400,000, or over 33 per cent of it, was received from the internal revenue and customs taxes on malt liquors, spirits, and wines.

Of the taxes levied on liquors $226,200,000 were received from internal revenue and $19,200,000 from customs, making the total of $245,400,000. Aside from the Federal revenue, I find that the revenue derived by the States from licenses amounted to $21,000,000, from counties $6,600,000, and from incorporated places having a population of 2,500 and over $52,000,000, or a total that the States derived from liquor licenses of $79,600,000. This makes the total in the United States from all sources $325,000,000.

I have a table, compiled by the Census Bureau, showing the exact amount of revenue from liquor licenses derived from each State, which I particularly wish to call to your attention. The amount received in the various States is as follows:

Receipts from liquor licenses, 1913.

State.	Total.	State.	County.	Incorporated places having a population of 2,500 and over and school districts.
Total	$79,547,868	$20,992,857	$6,600,010	$51,955,001
Alabama	585,645	26,111	199,705	359,829
Arizona	258,442	1,500	158,876	98,066
Arkansas	440,441	87,135	113,120	240,186
California	2,771,402		216,602	2,554,800
Colorado	672,440	56,838	63,051	552,551
Connecticut	949,639		102,486	847,153
Delaware	76,789	76,789		
District of Columbia	436,790		(1)	436,790
Florida	511,029	157,800	65,387	287,842
Idaho	214,308	14,485	115,150	84,673
Illinois	9,727,827		19,225	9,708,602
Indiana	1,404,944			1,404,944
Iowa	1,118,675		494,976	623,699
Kentucky	1,338,526	581,007		757,519
Louisiana	1,524,089	450,700	240,241	833,748

[1] No county organization.

Receipts from liquor licenses, 1913—Continued.

State.	Total.	State.	County.	Incorporated places having a population of 2,500 and over and school districts.
Maryland	$1,728,435	$427,468	$137,843	$1,163,124
Massachusetts	3,274,005	827,535		2,446,470
Michigan	1,991,568	24,542	914,922	1,052,104
Minnesota	1,797,142	54,143	163,604	1,579,395
Missouri	4,319,015	1,504,906	907,068	1,907,041
Montana	545,767	(2)	374,204	171,563
Nebraska	855,143		23,350	831,793
Nevada	152,316	50,640	78,627	23,049
New Hampshire	264,014		135,516	128,498
New Jersey	2,625,414			2,625,414
New Mexico	136,594		53,155	83,439
New York	17,374,408	9,401,083		7,973,325
Ohio	7,975,230	2,542,533	983,898	4,448,799
Oregon	570,750		22,089	548,661
Pennsylvania	6,109,949	1,800,740	423,357	3,885,852
Rhode Island	678,750	170,616	(1)	508,134
South Dakota	257,485		163,735	93,750
Tennessee	590,121	590,121		
Texas	1,303,895	687,000	380,356	236,539
Utah	330,557		9,523	321,034
Vermont	78,518	74,118		4,400
Virginia	975,529	529,698		445,831
Washington	1,117,573	206,708	39,944	870,921
West Virginia	922,072	648,641		273,431
Wisconsin	1,363,591			1,363,591
Wyoming	178,441			178,441

[1] No county organization. [2] Not reported.

THE EFFECT OF THE PROPOSED RESOLUTION.

Mr. Speaker, if all revenue derived from the sale of liquor should be destroyed to accomplish a good purpose, it might be well to destroy this source of revenue and place the burden of taxation elsewhere, but I contend that if you adopt the pending resolution you will not accomplish the end you aim at, real temperance, but you will transpose law into license and establish national tyranny in place of local justice. You would not prevent the drinking of liquor or the evils that grow out of it, but you would destroy the supervision of the liquor traffic by local authority. You would destroy this revenue and the evils of intemperance would still exist. Your people would have to bear the burdens of taxation in some other way. Are the people of New York State, where I understand they do not have a direct tax on property and their taxes are raised indirectly, willing to agree to a resolution that would sacrifice $17,000,000 of revenue for a theory, and place that amount of taxes on the land of the people? That is the issue for the American people to consider. Why, I can illustrate that in my own State without in any way intending to reflect on the high morals and character of the people of the great State of Georgia. I wish to call your attention to the fact that in Alabama we have local county option. There are 9 counties in which liquor is sold out of 67 counties. The people of Alabama obtain a revenue of $585,645 from licenses in that State. In Georgia they have State-wide prohibition and no revenue derived, and yet there is as much liquor drunk in the State of Georgia as in the State of Alabama.

THE CONFISCATION OF PROPERTY WITHOUT JUST COMPENSATION.

Some of the advocates of this resolution laugh when it is suggested to them that should the Constitution of the United States be amended in this particular it would confiscate millions of dollars of property of law-abiding citizens. Scorn may be the answer of the fanatic, but the just man will consider the facts. He will realize that a sentiment that may destroy his neighbor's property to-day may carry his own to the shambles to-morrow.

In 1909 there was invested in the liquor industry of the United States $771,516,000. At that time this industry employed 77,779 persons, their annual wage amounting to $70,907,000.

The following table shows the number of persons engaged in the liquor industry, the capital employed, and the salaries and wages paid in 1909:

	Liquors.		
	Distilled	Malt.	Vinous.
Persons engaged in industry:			
Total	8,328	66,725	2,726
Proprietors and firm members	563	639	236
Salaried employees	1,335	11,507	579
Wage earners (average number)	6,430	54,579	1,911
Capital	$72,450,000	$671,158,000	$27,908,000
Salaries	$1,988,000	$22,804,000	$863,000
Wages	$3,074,000	$41,206,000	$972,000

For one I am not prepared to say that when property is destroyed, if it is destroyed for the public good, that the owner of that property should not receive just compensation, nor do I believe that the sentiment of the American people is in accord with the declarations we have heard from some of the proponents of this resolution favoring destruction of property without compensation by law.

DOES PROHIBITION PROHIBIT AND PRODUCE TEMPERANCE?

It is contended that prohibition produces temperance where it is on the statute books, but I find on an examination of the bulletins issued by the Bureau of the Census that the improved conditions which we may naturally expect to find in the lives of men and women who practice real temperance are not found to predominate in the States where prohibition laws have been on the statute books for many years as compared to those States where liquor is sold under a license system or where temperance laws are controlled by the sentiment of the local communities.

VIOLENT DEATHS (EXCLUDING SUICIDE).

Census Bulletin 112, on Mortality Statistics for 1911, at page 77, shows the death rate per 100,000 population from violent deaths, excluding suicide, for certain cities in specified States.

The census investigation in 1911 shows that the average death rate by violence, exclusive of suicide, for cities investigated in 29 States in which liquor was lawfully sold was lower than that of Kansas, for many years a prohibition State. In 3 it was higher. In 6 prohibition States investigated, Tennessee and West Virginia show a higher death rate than Kansas.

The following table is compiled from Census Bulletin No. 112, on mortality statistics for 1911, and shows the death rate per 100,000 population from violent deaths, excluding suicide, for certain cities in specified States.

Death rate per 100,000 population from violent deaths (excluding suicide).

State.	Liquor-license States having an average death rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
Entire registration area	91.1		
All registration cities	95.7		
Registration cities in—			
Kansas			123.0
Alabama		141.2	
California	99.2		
Colorado	79.0		
Connecticut	93.1		
Delaware	76.6		
District of Columbia	79.7		
Florida		152.7	
Georgia			120.0
Illinois	93.8		
Indiana	94.1		
Kentucky	113.1		
Louisiana	114.6		
Maine			98.3
Maryland	85.5		
Massachusetts	94.5		
Michigan	82.6		
Minnesota	74.0		
Missouri	102.2		
Montana		126.2	
Nebraska	88.8		
New Hampshire	110.2		
New Jersey	96.6		
New York	88.3		
North Carolina			113.6
Ohio	103.4		
Oregon	82.8		
Pennsylvania	105.8		
Rhode Island	87.2		
South Carolina	114.9		
Tennessee			155.4
Texas	121.6		
Utah	85.7		
Vermont	83.5		
Virginia	107.9		
Washington	78.8		
West Virginia			159.6
Wisconsin	76.9		

SUICIDE.

Bulletin 112 of the Bureau of the Census, on Mortality Statistics for 1911, at page 77, shows the death rate from suicide per 100,000 population for certain cities in specified States.

The table shows that cities were investigated in 38 States. Twenty States show a lower average death rate from suicide where liquor is lawfully sold than Kansas. Eleven show a higher death rate than Kansas. Of the prohibition States, West Virginia was the only one having a higher average rate than Kansas.

The following table is compiled from Census Bulletin No. 112, on Mortality Statistics for 1911, and shows the death rate from suicide per 100,000 population for certain cities in specified States:

Death rate per 100,000 population from suicide.

State.	Liquor-license States having an average death rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
Entire registration area	16.2		
All registration cities in area	19.3		
Registration cities in—			
Kansas			22.0
Alabama	11.9		
California		35.2	
Colorado		28.5	
Connecticut	18.9		
Delaware	15.8		
District of Columbia		26.1	
Florida	18.0		
Georgia			12.4
Indiana		24.3	
Illinois	21.7		
Kentucky	16.1		
Louisiana	13.6		
Maine			13.6
Maryland	17.7		
Massachusetts	13.1		
Michigan	18.3		
Minnesota	18.7		
Missouri		32.8	
Montana		49.3	
Nebraska		28.0	
New Hampshire	12.4		
New Jersey	17.0		
New York	16.8		
North Carolina			7.1
Ohio	20.3		
Oregon		34.6	
Pennsylvania	15.6		
Rhode Island	11.8		
South Carolina	5.1		
Tennessee			16.4
Texas		29.2	
Utah		34.0	
Vermont	[1] 22.0		
Virginia	14.6		
Washington		29.3	
West Virginia			26.2
Wisconsin	18.9		

[1] Same as Kansas.

DIVORCE.

Census Bulletin No. 96, on Marriage and Divorce, page 42, shows the annual average divorce rate per 100,000 married population, by States, in 1900.

It shows that 27 States in which liquor is lawfully sold have a lower divorce rate than Kansas, and that 13 States in which liquor is lawfully sold have a higher rate. Oklahoma is the only prohibition State having a higher divorce rate than Kansas.

The following table is compiled from Census Bulletin No. 96, on Marriage and Divorce, and shows the average annual divorce rate per 100,000 married population, by States:

Annual divorce rate per 100,000 married population.

State.	Liquor-license States having an average divorce rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
Continental United States	200		
Kansas			286
North Atlantic division:			
Maine			282
New Hampshire	272		
Vermont	177		
Massachusetts	124		
Rhode Island	281		
Connecticut	130		
New York	60		
New Jersey	60		
Pennsylvania	94		
South Atlantic division:			
Delaware	43		
Maryland	114		
District of Columbia	162		
Virginia	117		
West Virginia			183
North Carolina			75
Georgia			78
Florida	226		

Annual divorce rate per 100,000 married population—Continued.

State.	Liquor-license States having an average divorce rate—		Prohibition States (average).
	Lower than Kansas.	Higher than Kansas.	
North Central division:			
Ohio	231		
Indiana		355	
Illinois	267		
Michigan	257		
Wisconsin	180		
Minnesota	161		
Iowa	246		
Missouri	281		
North Dakota			268
South Dakota	270		
Nebraska	226		
South Central division:			
Kentucky	237		
Tennessee			261
Alabama	208		
Mississippi			225
Louisiana	127		
Arkansas		399	
Indian Territory		326	
Oklahoma			346
Texas		391	
Western division:			
Montana		497	
Idaho		347	
Wyoming		361	
Colorado		409	
New Mexico	193		
Arizona		344	
Utah	274		
Nevada		315	
Washington		513	
Oregon		368	
California		297	

DIVORCE BECAUSE OF DRUNKENNESS.

Census Bulletin No. 96, on Marriage and Divorce, page 47, shows the number of divorces granted to wives because of the drunkenness of the husband.

This table shows that during the period from 1887 to 1906 there were 33,080 divorces granted to wives because of their husbands' drunkenness. During this time the State of Kansas granted more divorces on account of the drunkenness of the husband than 25 States in which liquor was lawfully sold. Maine was the only prohibition State granting more divorces for drunkenness of the husband than Kansas.

The following table is compiled from Census Bulletin No. 96, on Marriage and Divorce, and shows the number of divorces granted from 1887 to 1906 to wives because of the drunkenness of the husband, by States:

Divorces, 1887 to 1906, granted to wives because of the drunkenness of the husband, by States.

State.	Liquor-license States having a divorce rate—		Prohibition States (number).
	Less than Kansas.	More than Kansas.	
Kansas			630
North Atlantic division:			
Maine			1,756
New Hampshire	519		
Massachusetts		2,378	
Rhode Island	188		
Connecticut		1,279	
New York	3		
South Atlantic division:			
Delaware	8		
District of Columbia	99		
West Virginia			13
North Carolina			20
Georgia			218
Florida	166		
North Central division:			
Ohio		2,536	
Indiana		2,822	
Illinois		7,993	
Michigan	485		
Wisconsin		652	
Minnesota	497		
Iowa		2,719	
Missouri		2,434	
North Dakota			77
South Dakota	133		
Nebraska	569		
South Central division:			
Kentucky		671	
Tennessee			447
Alabama	486		
Mississippi			218

Divorces, 1887 to 1906, granted to wives, etc.—Continued.

State.	Liquor-license States having a divorce rate—		Prohibition States (number).
	Less than Kansas.	More than Kansas.	
South Central division—Continued.			
Louisiana	130		
Arkansas	277		
Indian Territory	155		
Oklahoma			161
Texas	148		
Western division:			
Montana	115		
Idaho	70		
Wyoming	32		
Colorado	99		
New Mexico	42		
Arizona	72		
Utah	83		
Nevada	20		
Washington	566		
Oregon	326		
California		768	

SAVINGS.

The annual report of the Secretary of the Treasury for the fiscal year ended June 30, 1913, at page 466, shows the report of the Comptroller of the Currency with regard to the average saving of each depositor in the savings banks of the United States in 1913.

This report shows that in 27 States in which liquor is lawfully sold the average saving per depositor is higher than that of the average depositor in Kansas. In 9 States where liquor is lawfully sold the average saving is lower than in Kansas. Four prohibition States show a higher average than Kansas and 4 a lower average.

The following table shows the average savings for each depositor in the savings banks of the United States, by States, in 1913:

Average savings for each depositor in the savings banks of the United States, by States, in 1913.

State.	Liquor-license States having an average saving per depositor—		Prohibition States (average saving per depositor).
	Lower than Kansas.	Higher than Kansas.	
Average in United States		$439.07	
Kansas			$231.69
New England States:			
Maine			403.01
New Hampshire		468.18	
Vermont		431.05	
Massachusetts		382.88	
Rhode Island		544.93	
Connecticut		497.02	
Eastern States:			
New York		545.90	
New Jersey		355.46	
Pennsylvania		423.17	
Delaware		338.60	
Maryland		383.85	
District of Columbia	$160.20		
Southern States:			
Virginia		272.77	
West Virginia			168.01
North Carolina			171.56
South Carolina		278.75	
Georgia			239.54
Florida	214.39		
Alabama	91.22		
Mississippi			280.97
Louisiana	165.41		
Arkansas	200.78		
Kentucky	140.18		
Tennessee			262.27
Middle Western States:			
Ohio		356.78	
Indiana		388.01	
Michigan		443.36	
Wisconsin		327.98	
Minnesota		266.98	
Iowa		356.65	
Western States:			
North Dakota			207.15
Nebraska	155.32		
Montana		522.97	
Wyoming		373.96	
Colorado		265.43	
New Mexico	206.55		
Oklahoma			152.83
Pacific States:			
Washington		372.20	
Oregon		364.12	
California		523.48	
Idaho	179.47		
Utah		265.29	
Nevada		781.39	
Arizona		539.33	

CHURCH MEMBERSHIP.

Census Bulletin No. 103, on Religious Bodies, 1906, at page 40, shows the relation of church membership to the population in 1906 by States.

The religious-body investigation of 1906 shows the following interesting facts: That out of 49 State investigations only 4 States had a lower church membership in proportion to the population than Kansas. Two of these States—Wyoming and Oregon—were States in which liquor was sold and two prohibition States—West Virginia and Oklahoma. Thirty-eight States in which liquor is lawfully sold had a larger percentage church membership than Kansas.

The following table shows the relationship of church membership to the population in 1906 by States:

Percentage of church membership to total population in 1906, by States.

State.	Liquor-license States having a percentage church membership—		Prohibition States (percentage).
	Lower than Kansas.	Higher than Kansas.	
Continental United States		39.1	
Kansas			28.4
North Atlantic Division:			
Maine			29.8
New Hampshire		44.0	
Vermont		42.0	
Massachusetts		51.3	
Rhode Island		54.0	
Connecticut		50.0	
New York		43.7	
New Jersey		39.0	
Pennsylvania		43.0	
South Atlantic Division:			
Delaware		36.6	
Maryland		37.1	
District of Columbia		44.4	
Virginia		40.2	
West Virginia			28.0
North Carolina			40.0
South Carolina		45.8	
Georgia			42.1
Florida		35.2	
North Central Division:			
Ohio		39.3	
Indiana		34.6	
Illinois		38.3	
Michigan		38.0	
Wisconsin		44.3	
Minnesota		41.2	
Iowa		35.8	
Missouri		35.7	
North Dakota			34.3
South Dakota		34.8	
Nebraska		32.4	
South Central Division:			
Kentucky		37.0	
Tennessee			32.1
Alabama		40.8	
Mississippi			38.5
Louisiana		50.6	
Arkansas		30.0	
Oklahoma			18.2
Texas		34.7	
Western Division:			
Montana		32.6	
Idaho		36.3	
Wyoming	23.1		
Colorado		33.4	
New Mexico		63.3	
Arizona		31.3	
Utah		54.6	
Nevada		35.3	
Washington		31.2	
Oregon	25.3		
California		37.1	

THE SOLUTION OF THE ISSUE.

In conclusion, let me say that this is not a question of temperance; it is not a moral question; it is merely a question as to whether you are going to substitute for the authority of your State to enforce its laws against your own people the authority of the Federal Government, that may or may not be in sympathy with the sentiment, the character, and the history of your people. [Applause.] In my judgment, there is but one way to work this question out, and that is by education sustained by local laws. The one Government in the world most without prohibition laws is the Empire of Germany. There has been a greater growth of temperance societies in Germany than in our own country where we have more prohibition statutes than any other civilized land.

Let our judgment be guided by the light of experience, and we have had much experience in attempting to secure temperance by prohibition legislation. That experience has proved that, as a rule, the smaller the unit of local option the more

effectively has the sale of liquor been prevented and the greatest progress to complete sobriety obtained.

Let us not forget that every law intended to regulate the sale of liquor is a farce when it does not embody the sentiment of the community in which it is to be enforced. It is a breeder of fraud and corruption and of contempt for constituted authority.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] is recognized for one hour.

Mr. UNDERWOOD. Mr. Speaker, under an arrangement made with the gentleman from Illinois, I yield him the remainder of my time—20 minutes.

Mr. MANN. And I reserve that time.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] yields 20 minutes to the gentleman from Illinois [Mr. MANN], and the gentleman from Illinois reserves that time. The gentleman from North Carolina [Mr. WEBB] is recognized for one hour.

Mr. WEBB. Mr. Speaker, I yield to the gentleman from Illinois [Mr. THOMSON].

Mr. ADAMSON. Mr. Speaker, I desire to have read in my time an amendment which I propose to offer. Add at the end of the second section the following:

The SPEAKER. The amendment will be read for information.

The Clerk read as follows:

Add at the end of the second section the following: "But there is reserved to each State the exclusive power to regulate, control, or prohibit within its territorial boundaries the use or the manufacture or conveying into or out of such territorial boundaries of intoxicating liquors for use for all purposes other than as a beverage."

Mr. ADAMSON. Mr. Speaker, in some remarks last Friday I referred to the fact that the liquor men had urged the rule in this case because they believed they could defeat the resolution at this time, and I also stated my attitude as opposing the resolution, giving my reasons therefor. Those reasons appear to me to be sound and my conclusions correct. Standing alone, my position would be satisfactory to me. Certain considerations, however, fall far short of gratifying to me. For instance, very few of the many persons who have congratulated me on my position have based their concurrence on the same reasons which control my views, but on considerations which I can not approve at all nor base a vote upon. I disapprove the resolution because I fear its adoption would result in nullifying the prohibition we have already secured, while those who urge us to oppose it express apprehension that its adoption would extend prohibition throughout the Union; and they set up the vested rights of makers and sellers of whisky, deprecating the proposed destruction of the moneyed interest of liquor establishments as if the gains of rum sellers could justify and compensate for blasted homes, unhappy wives, debauched sons, and ruined human souls. I fear that the adoption of this amendment will supplant local prohibition already secured and will be less effective than State control, but I find myself supported by so few in nursing those fears it makes me lonesome and leads me to doubt the validity of my fears. I have concluded that less than two score of my colleagues who oppose this resolution sympathize with my view far enough to base their opposition on it. That is the only reason that appeals to me to oppose the resolution, and that reason is not fundamental. It is such a one as I may be mistaken about. There is another thing not at all to my taste. All must have noticed that the press and the public regard this as a fight between the "wets" and the "drys," and the "wets" are already exulting in anticipation of victory. If that is really the line-up and the "wets" are to be proclaimed as triumphant I do not care to be one of the victors. I am conscientiously opposed to barrooms and social drinking as a beverage and am unwilling to be advertised as having voted to secure a victory in behalf of their continuance to curse the world.

My State has State-wide prohibition; all but seven or eight counties have enjoyed prohibition for many years, vastly to the advancement of sobriety, morality, education, observance of law, prosperity, and happiness. Four-fifths of the people of my State and the district I represent favor prohibition and oppose barrooms and social drinking. The proposed amendment presents a question of method and efficacy. I do not believe the amendment wise nor well drawn, nor calculated to produce the results desired by its supporters, but if I vote for it and make a mistake, that mistake is approved and shared by my people, and it will be made in the direction and with the intention of supporting and spreading prohibition rather than fostering and making drunkards, poverty, misery, and crime, and in case of doubt it is far preferable in every way to stand with the sober, the orderly, and righteous rather than those who get drunk, or for a price put the bottle to a neighbor "and make him drunken also." [Applause.]

Mr. WEBB. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Speaker, the question under consideration is one of paramount importance to the Nation. It is a distinctive departure from the well-established practices and traditions of our Republic. The matter of amending that sacred instrument, the Constitution of the United States, has been very charily done since its adoption a century and a quarter ago. But 17 amendments so far have been added. The States have the authority and power to regulate their own internal affairs. The liquor traffic is one of those that interests the people perhaps as much as any other, and they are or should be entirely competent to settle this vexed question to their satisfaction.

I regard this attempt as a direct invasion of the rights of the States, and if for no other reason I would vote against the proposition. But there are other reasons that actuate me on this subject. While I cheerfully voted for the rule, always believing in the fullest and freest discussion of every subject in which the people are interested, I yield to no man in Congress in my desire to do everything to benefit the people of the country and improve their condition everywhere, and if I felt that national prohibition would better accomplish these results my vote would gladly and willingly be cast for it.

Being a firm believer in temperance, not only as to liquors but in everything else, both in practice and in theory, and an advocate of local and State self-government, I can not support the proposed measure. I trust that it will be defeated and that the States, counties, and municipalities will take warning from this agitation, world-wide in its character, and adopt sane proper laws for the enforcement of decency and order in the selling of liquor.

In my travels throughout this country and in Europe it has been my observation that prohibition without a strong public sentiment behind it is not only a failure but a positive injury to the people of the community. The creation of a public sentiment against the immoderate use of stimulants and its indiscriminate sale without rigid legal enactments on the part of the States is the only safeguard against drunkenness and the other evils of intemperance.

I shall not in the few minutes allotted me go into the question of revenue or the interference with the personal and social habits of the people, but content myself with voting against the proposition that the Federal Government shall interfere with the rights of the States in the regulation of their own affairs. [Applause.]

Mr. WEBB. Mr. Speaker, I yield four minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. HOBSON. Mr. Speaker, I also yield to the gentleman from Missouri one minute.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] is recognized for five minutes.

[Mr. RUCKER addressed the House. See Appendix.]

Mr. TALCOTT of New York. Mr. Speaker, Congress has enacted legislation the purpose of which is to give to the States control of the liquor traffic. In the first instance, it was asserted that as State laws in relation to the liquor traffic did not apply to original packages in interstate commerce, enforcement of the laws was ineffective. So the act of August 8, 1890, generally referred to as the Wilson law, was passed, by which intoxicating liquors upon arrival in a State become subject to the operation and effect of the laws of such State enacted in the exercise of its police powers to the same extent and in the same manner as though such liquors had been produced in such State and are not exempt therefrom by reason of being introduced in original packages. This law enlarged the power of the States over liquor in interstate commerce, and the words "arrival in the State" were construed by the courts to mean delivery to the consignee. It was then argued that to be completely effective State laws should become operative as soon as the commodity entered the State. While there has been difference of opinion in relation to the power of Congress to withdraw protection of the rules of interstate commerce from a commodity in course of transportation, still the act was passed known as the Webb law, which took effect March 1, 1913, and provides that the shipment or transportation of intoxicating liquor from one State into another, to be received, possessed, or sold, or in any manner used, either in the original package or otherwise, in violation of any law of such State, is prohibited. If the constitutionality of the Webb law is sustained, each State has complete control not only of the liquor manufactured within its own borders, but complete control of liquor imported into it from other States and

from foreign countries. The object of the legislation enacted by Congress has been to grant to each State such authority over interstate commerce as is necessary for the complete exercise of the police power of the State over traffic in intoxicating liquors. This joint resolution has a wholly different object. It seeks for the first time to vest the police power in the Federal Government by prohibiting the manufacture and sale of intoxicating liquors everywhere throughout the United States and its possessions.

If, as has been stated, complete power is vested in each State to deal with the liquor traffic, it is plain that, without any change in the Federal Constitution, the power now exists to terminate the manufacture and sale of intoxicating liquor in any State when the exercise of that power is deemed necessary or desirable by the people. This joint resolution is not pressed because there is not power now in the States to control the matter, but it is pressed because some of the States do not see fit to exercise that power in the manner provided by this joint resolution. While in one breath we are told of the triumphs achieved in some States by the free use of the ballot, with the very next we are told that the joint resolution is necessary to enforce prohibition in other States, regardless of the wishes of their citizens. Indeed, the chief issue presented by this joint resolution is not in relation to prohibition of the liquor traffic. The chief issue it presents is in relation to increased centralization of power in the Federal Government. The danger of centralization is not imaginary. It has been dwelt on by those who established and by those who have maintained the Government. It is difficult to see how a longer step in centralization can be taken than by vesting in the Federal Government the exercise of the police power. The Federal Government was not organized with that purpose in view. It has neither judicial nor administrative machinery for it. It is a power outside the scope and purpose of the Federal Government. The liquor traffic is controlled by the exercise of the police power, and the police power is the most important of the powers reserved to the States. The State governments have been organized with this power in view, and their courts and administrative systems have been established so that the power can be exercised in a manner consistent with the personal liberty of the citizen. The question can be left to the people of each State to decide for itself. That is the only way it can be decided in accordance with the fundamental principles upon which the Republic is based. It is not a question of State rights. It is broader and deeper. Should the purpose of this resolution prevail, we can not hope to maintain the integrity of our constitutional system.

Mr. WEBB. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. GARRETT].

Mr. GARRETT of Texas. Mr. Speaker and gentlemen of the House of Representatives, of all the days that have come and gone in the history of this House, none will mark a greater epoch in its history than this day through which we are now passing. This is true because of the great question that is now up for consideration.

I want in the few minutes allotted to me to speak briefly concerning some of the things that have been said during this discussion and to give some of the reasons which impel me to support this resolution. In the outset I want to announce this principle that I favor every law in my State or in my Nation that will make it as easy as possible for men to do right and as hard as possible for men to do wrong. [Applause.]

Mr. Speaker, when we listen to the lamentations of those who are opposing the submission of the proposed amendment to our National Constitution, one would think that Congress was attempting to pass nation-wide prohibition of the liquor traffic by statutory enactment or was attempting to pass a law abolishing all State lines. Let me say to my much-disturbed friends, "Let not your souls be thus troubled." There is nothing being done or attempted here out of the ordinary whatever. We are simply proposing an amendment to the Federal Constitution, to be submitted to all the States, and to become a law when ratified by a majority of three-fourths of the States of this Union. And let me remind you we are proceeding in exactly the way and manner pointed out by our forefathers, who made and bequeathed to us that much-beloved document. The language of the amendment to be submitted, as agreed on by its friends, is plain and to the point. It is as follows:

ARTICLE —.

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquor for beverage purposes in the United States and all territory subject to the jurisdiction thereof and exportation for sale thereof are forever prohibited.

SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation.

Mr. Speaker, section 2 of the proposed amendment absolutely reserves to all the States all the police power they now have to prohibit the manufacture and sale of intoxicating liquors and leaves them free to act independently of or concurrently with the Congress of the United States in the enactment of all needful legislation for the enforcement of section 1 of the proposed article of amendment.

Mr. Speaker, I want now to speak briefly of the question of State rights or State sovereignty as the same affects the question now before us, which, I think, have been somewhat clouded during this argument.

Gentlemen, whenever any State in this Union undertakes to deal with the liquor traffic it has but two rights and only two. One is the right to permit the manufacture and sale—or regulation—of the traffic, and the other is the right to absolutely prohibit the manufacture and sale of all intoxicating liquors within its confines.

In my State I have voted for, spent my time and means advocating, State-wide prohibition by constitutional amendment, thereby trying to persuade my people to surrender the right of that Commonwealth to permit the manufacture and sale of intoxicating liquors. The States being fully protected in all their reserved rights to prohibit the manufacture and sale of intoxicating liquors, as provided in section 2 of the amendment, the question of "State rights" does not bother me, because I am more than willing for the State of Texas to surrender the right to manufacture and sell alcoholic liquors for beverage purposes. And if I am willing for that right to be surrendered in my State, I, as a representative of all the people of Texas, certainly ought to be willing for the prohibitionists and antiprohibitionists of my State to have an equal opportunity with all the other States to say through their legislatures whether or not they are willing for this right to be surrendered.

Mr. Speaker, I yield to no man in his devotion to the doctrine of State rights. Sirs, let me remind you that I come from that stock of American ancestry which has ever held sacred and dear that great doctrine. I am the son of a father who offered three of his own precious boys as a living sacrifice upon the alter of his native southland in defense of the sovereign rights of the Confederate States. My father was a native Virginian, my mother a southern Kentuckian; I was born in old Tennessee, and went to the great Empire State of Texas of my own choosing—because I wanted to live in the greatest and biggest State in the Union. [Applause.] I resent the charge that we who favor the submission of this amendment to the States for their adoption or rejection are attempting to surrender to the Federal Government the reserved powers of the States. I am now and have always been a firm believer in the autonomy of the States. I do now and have always opposed Federal interference with the States in the enactment and enforcement of laws for the general welfare of their people. And I here and now challenge the opponents of this resolution to show wherein any State of this Union would be deprived of any right it now has save and except the one right to permit the manufacture and sale of alcoholic liquors.

If any man upon this floor is desirous of having his State retain the right to permit the manufacture and sale of intoxicating liquors, let him so vote and speak. As for myself, I am willing that such right shall pass forever and forever.

Mr. Speaker, the argument has been advanced here that this amendment should not be submitted because in the event of its adoption a great deal of personal property would be confiscated.

The gentlemen who make that argument seem to have forgotten some very important history in connection with other amendments to the Constitution that have been adopted in the past and their effect upon personal property and the rights of the States.

Why, sirs, back yonder before my eyes ever beheld the dawn of day the thirteenth amendment to the Federal Constitution was submitted and ratified, and it took away from my people and my country, without compensation, over $4,000,000,000 of personal property, to say nothing of the thousands and tens of thousands of lives of the very flower of our southern manhood and the multiplied millions and millions of dollars of other property that was swept away by a cruel and unnecessary war that preceded its adoption.

Do not misunderstand me, gentlemen. I do not refer to that dark period in the history of my people of the Southland and of this Republic in a vindictive or revengeful spirit. Far be it from me, for I doubt if any man deplores more than myself that the institution of human slavery ever existed in this country. My one deep and lasting regret is that the statesmen of that time did not find some other and better way to settle the question than an appeal to arms; and the only reason that I refer to that question now is to remind the opponents of this resolution that there came a time in the history of this Republic when a majority of the people, yea, a three-fourths majority

of the then States of this Union, declared that human slavery was a great national moral wrong; that it had no right to exist anywhere in the United States; and abolished it. And hear me to-day, gentlemen, for I declare unto you a truth, as it has been with human slavery, so shall it be with alcoholic liquors. And yet when we people of the South are willing to join you people from the North to destroy the liquor traffic in the United States, you fellows hollo out to us about State rights and the preservation of property. [Applause and laughter.]

There is not a man engaged in the manufacture and sale of liquor to-day who has not voluntarily gone into the business with the absolute knowledge that the very State in which he is carrying on the business reserves to itself the right by legislative or constitutional enactment to destroy his business any day it sees fit and pay him nothing. A man has no property right in an unlawful business, and the moment that this Government or any State says that whisky and beer and intoxicating liquors of all kinds shall no longer be manufactured or sold because of their contaminating influence upon the morals, health, and happiness of mankind, that moment whatever property right which they may have had in the business is gone, and they must pocket their loss just as our fathers had to pocket theirs when you took their niggers away from them. [Applause and laughter.] That is all there is to it.

Now, Mr. Speaker, in the few moments that I have left I wish to give a few reasons why I am against the liquor traffic. First, however, I want to put this proposition to every Member upon the floor of this House to-day: I want you to rise in your places and tell me one good thing that intoxicating liquor has ever done for mankind, and I will pause for a reply. Name it. Name me just one thing that the saloons of this country ever did to make the world brighter and better.

Mr. Speaker, I am now and expect to remain unalterably opposed to the traffic in intoxicating liquors. I regard the saloon as the one great enemy of the home, the church, the school, and the State, and in my opinion it has no proper place in our civilization. I am opposed to it because of the misery, suffering, and privation it has brought to the human race. Sirs, there is scarcely a home in all our land that has not felt, directly or indirectly, the cruel hand of this great destroyer of human happiness. It is no respecter of persons. It will enter the home of the high or low and will destroy the first born and then scorn the lamentations of a kind father and devoted mother who ever mourn the loss of their loved one. Its unfortunate victims fill our jails, penitentiaries, and asylums for the insane.

It enters the sanctity of the home and destroys the sacred relation of husband and wife, parent and child.

It causes the sins of the father to be visited upon his children even unto the third and fourth generations.

It disregards the laws of God and man.

It has repeatedly invaded local territory where the people by their solemn votes have declared its sale unlawful, thereby utterly disregarding the doctrine of local self-government.

It refuses to be regulated; therefore it must be destroyed.

Mr. Speaker, those who fail to see the end of the liquor traffic in this country belong to that class of people who, having eyes, they see not. They fail to recognize the great forces in this land of ours that will no longer strike hands with the saloon.

Why, sirs, the great religious, moral, benevolent, and commercial organizations of this country have almost, without exception, closed their doors in the face of the liquor traffic. Do you know of a single banking institution, life insurance company, railroad company, manufacturing company, industrial corporation, mercantile company, college, or common school that will employ a young man who is a habitual user of strong drink? Why? I will tell you. It is because experience in the business world has demonstrated beyond question that men who are given to the habitual use of strong drink oftentimes go wrong when least expected. Why is it that such benevolent orders as the Independent Order of Odd Fellows, Knights of Pythias, Woodmen of the World, and many others I might mention have all closed their doors in the face of the saloon? The answer is easy. All of these benevolent orders of brotherhood are founded upon the eternal principles of love, friendship, truth, and charity, and the chain of brotherhood that binds them together is forged from these mighty links. Their mission in the world is one of mutual helpfulness. They care for their sick, bury their dead, and provide for the widows and orphans of their brethren. The saloon makes too many widows and orphans, therefore it has no place with them.

Mr. Speaker, for many years a great number of our good people have opposed precinct, county, and State-wide prohibition upon the ground that as long as the National Government permitted the manufacture and sale of alcoholic liquors and permitted them to be shipped from one State to another under the interstate-commerce clause of the Federal Constitution it would be impossible to ever have effective local prohibition of any kind.

The proposed amendment fully meets this objection. It goes to the very fountainhead of the trouble. If submitted and ratified, it puts an end to the manufacture and sale of intoxicating liquors for beverage purposes in the United States for all time.

Yet I am told that I should vote against this amendment, because my country will be filled with "blind tigers" and the nigger cabins will be full of it all over the country. My God, that is not what I am afraid of for my boy. I am not afraid that a "blind tiger" or a speak-easy nigger cabin will ever get him; but what I am afraid of for him and for myself are those tigers that have glittering and glaring eyes that shine out upon every prominent corner that you find in your cities and are recognized by law. Those are the ones I am afraid of, those tigers that can see, not those that are blind. [Applause.]

You argue here about the brothels and the low dives. Does not this Government issue a license to the very lowest of them? Why denounce them so vehemently? Are not all these but the degenerate children of the liquor traffic? If they exist, as you contend, that fact alone is conclusive proof that the liquor traffic should be destroyed. My dear sirs, I say to you that those are the places where the poor unfortunate victim of the liquor traffic finds his end. The beginning is in the so-called high-class beer gardens and saloons, with mahogany furniture, where nice little drinks are fixed up with all sorts of fruits floating around in them. [Applause.] There is where the boy or young man first gets the appetite for it, and when that appetite is once formed and he becomes a confirmed drunkard and his body all poisoned, money, friends, and his usefulness all gone, he is kicked out of the high-class saloon. Should he, perchance, pause to look back over the rough, hard path of a misspent life, it is sadly true that you may doubtless find him hanging around the doggery. God speed the day when we may have a saloonless Nation, forever at peace with itself, the world, and all mankind. [Prolonged applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. WEBB. Mr. Speaker, I yield to the gentleman from Illinois [Mr. THOMSON].

The SPEAKER. The gentleman from Illinois [Mr. THOMSON] is recognized.

Mr. THOMSON of Illinois. Mr. Speaker, I shall vote for the adoption of the pending resolution. Whenever a public-policy question of this kind comes before Congress we never fail to witness a tremendous rattling of the old dry bones of State rights. The present occasion has proven no exception to that rule. I doubt not that there are still abroad in the land numerous devotees of that old mossback doctrine who really believe all they tell us about it, and some are with us to-day. I also know, as you all do, that there are many who raise this poor overworked skeleton, in an attempt to scare everybody, whenever a question arises which they feel can not be met successfully with any legitimate argument. On every such occasion they hypocritically raise their hands and eyes to Heaven and implore us here in Congress not to do violence to the sacred rights reserved by the several States to themselves.

What is the Federal Government but the creature of the States, brought into being by them after they themselves had become established, and by the States given certain prescribed functions as laid down in the Federal Constitution? A convention of the representatives of the States adopted the Constitution, setting forth, among other things, the powers of the Federal Government. That Constitution as thus adopted by the convention was duly ratified by the States themselves.

Mindful of the fact that as the States increased in number and developed with the passing of the years, it might prove desirable to change the provisions of the Constitution or add to them, the original States in framing the Constitution laid down the manner in which it could be amended. According to Article V of the Constitution it may be amended in one of two ways, and the resolution now before us submits an amendment to the Constitution according to the first of those two ways, as thus set forth in that article. The proposed amendment would add to the powers of Congress in that it would so extend those powers as to cover the subject matter of the amendment.

If this amendment becomes a part of the Constitution, it can only be with the affirmative approval of at least three-fourths of the States. If three-fourths or more of the States do declare for national prohibition and approve an amendment to the Constitution which adds to the powers of their creature, the Federal Government, by giving it jurisdiction over that matter through its Congress, that they have the right to do it under the terms

of the Constitution no one can deny. And what perfect nonsense it is for us to try to scare ourselves into believing that we have violated the sacredness of State rights if we pass an enabling resolution which makes it possible for the States themselves, by a majority of three-fourths or more, to add to the powers of their Central Government, as originally laid down in the Constitution.

Those who are hiding behind the skirts of State rights to-day are not doing so for any intelligent reason. They are doing so by force of habit. That hiding place has harbored them before, and it will continue to every time a momentous question presents itself which they are afraid to meet in the open and solve with the exercise of common sense. Everybody who is honest with himself knows that we can not be charged with violating the rights of the States if we pass a resolution making it possible for the States to say whether they wish to enlarge the powers originally granted by them to the Federal Government, especially when we know that before those powers can be extended, as proposed, at least three-fourths of the States must act in favor of the proposition.

The question of whether we individually favor one side or the other of the question involved is not the real issue before us. It seems to me that whenever a large and substantial number of the citizens of our States petition this body for the passage of a resolution submitting to the States for their action a proposed amendment to the Constitution, framed originally as it was by the States and containing a clause providing for its amendment in this manner, if we refuse to adopt the resolution, we are by that very act denying to the States the right to express themselves on the question of amending the Constitution in one of the two ways laid down in that instrument and in that one of those two ways which the States themselves have specified that they wish to invoke, as indicated in their numerous petitions to Congress.

No, my friends, let us at least be honest with ourselves. When such a resolution as this is proposed let us not attempt a sanctimonious look and howl about "State rights." Let us either give the real reason for our opposition or let us vote for the adoption of the resolution and thus give the States the right to say whether or not they wish to adopt this constitutional amendment. That is one reason why I shall vote as I have indicated.

We are urged to vote against this resolution because it might lead to a minority of the people of the country adopting an amendment against the wishes of a majority. That argument, if adhered to, would have prevented the adoption of any of the 17 amendments that have already been made to the Constitution, and any such position as that would block the submission to the people of any further amendment on any question.

Many of those who are not in favor of prohibiting the sale of intoxicating liquors as a beverage give as one of their reasons for their position the fact that it would interfere with the property rights of the brewers and others engaged in the manufacture or sale of liquor. This same argument was urged against that paragraph in the Underwood tariff bill which placed sugar on the free list. And the reply made to the Louisiana sugar growers by some of the same gentlemen on the other side of the aisle who are now urging us not to jeopardize any of the property rights of the liquor interests was, "Turn your rich soil to the growing of other crops, for which it is really better adapted and which as a matter of fact will in time bring you greater profits." If in that case you were correct in your premises and your reply was not an unsound one, why reverse yourselves now when a reply along those same lines would be more sound? Every dollar invested in the manufacture and sale of liquor to-day will find its way into other and better avenues of endeavor and of investment if that one is closed to it. Why not answer the brewers as you did the sugar growers of the South only a few months ago and bid them turn their property to the growing of other crops than broken down wrecks of humanity and produce something for which their property is really better adapted and which will in fact bring them greater profits if they really know how to estimate those profits?

The use of intoxicating liquor as a beverage never strengthened or built up a human being since time began, and it never will. Who, on the other hand, will try to even estimate the hundreds of thousands it has broken down and brought to their ruin? Strong drink never reformed a criminal in the world's history, but, on the other hand, it is and always has been and always will be a greater cause of crime than any other one thing. That is not my opinion, but the unanimous judgment and conviction of every criminologist there is.

For every home where intoxicating liquor is used as a beverage without going to excess and without bringing misery to that home you can find a hundred or a thousand homes where the use is carried to excess and where it brings misery in every form and death and agonies worse than death, the victims of which in most cases are not the excessive users themselves, but those who are dependent on them. If all the crime and misery directly due to drink can be done away by prohibiting the use of liquor, what a crime is the selfishness of those who claim they can and want to use it without going to excess and who prefer the gratification of their appetites to the removal of all the crime and misery brought about by others because of drink.

But we are told that prohibition does not prohibit. True, it has not succeeded in doing so in many instances, and one reason why it has not is to be found in the fact that a so-called dry State or community bordering upon a so-called wet State or community is much at the mercy of the manufacturers and sellers in the latter district. Where such districts lie side by side laws against the sale of intoxicating liquor can be violated without much trouble, and often are. But such would not be the case if the traffic were removed from the country entirely. If the manufacture and sale of intoxicating liquor as a beverage is a good thing for a State, it would be just as good for the Nation, and it would be better for that State if it were applied to the Nation.

The day when the manufacture and sale of intoxicating liquor as a beverage shall be no more in this country of ours is coming just as surely as we are present in this Chamber this afternoon. You who are going to vote against this resolution know that as well as I do. If this resolution should be adopted by the requisite vote and be submitted to the States and should fail to be ratified by the number of States necessary to make it a part of the Constitution, I, for one, would be willing to abide the decree of the people, although I would regret the fact that that day had not yet come. If, on the other hand, it should be ratified by the requisite number of States, you who might regret that that day had arrived ought likewise to be willing to abide the people's conclusion. And truer still is the fact that either of us who denies to the States and the people of those States the right to adopt or reject this proposed amendment through their legislatures, as we do when we vote against this resolution, is violating a right which the people and the States are entitled to.

In the language of the Constitution, whenever a substantial number of the people of the States ask an opportunity to vote on such an amendment we in this body should "deem it necessary" to pass such a resolution as is needed to give them the opportunity they seek.

Mr. WEBB. Mr. Speaker, I wish to be advised when I have consumed 25 minutes.

The SPEAKER. Does the gentleman desire recognition for himself?

Mr. WEBB. Yes.

The SPEAKER. The gentleman is recognized for 25 minutes.

Mr. WEBB. Mr. Speaker, I desire to address myself for a little while to what is known as the Morrison amendment. It is understood that Mr. MORRISON, of Indiana, will offer this as a substitute for the pending amendment. It reads as follows:

ARTICLE —.

SECTION 1. The importation of any spirituous, vinous, malted, fermented, or other intoxicating liquors into any State of the United States, or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

It is quite evident, Mr. Speaker, that that amendment is in some respects more drastic prohibition than the so-called Hobson amendment.

Mr. Speaker, I contend that the Congress already has the power to pass just that drastic legislation if it desires to do so, and therefore it would be a useless thing for this House to submit to the various States of the Union a constitutional amendment giving to Congress the power that it already has. In other words, my contention is that this Congress has the power to prohibit the shipment of all liquors in interstate or foreign commerce. If the House believe that to be true, of course you will not think about voting for the Morrison amendment.

As far as I am concerned the Morrison amendment is not objectionable if the States want it.

I may be a little extreme in my views as to the power of Congress over interstate commerce, but I have studied the question so long that I have arrived at the conclusion, not only from my study but from the statements of leading jurists and great lawyers of the country, that the Congress has the absolute power to prohibit all interstate and foreign shipments of whisky, just the same as it has the power to prevent the interstate shipment of lottery tickets.

To go back a little way, before the present Constitution was written, and when the States existed in a federation, each State in the federation was a sovereign, just as sovereign within its own borders as the United States is now sovereign within its domain with reference to foreign countries.

Before the present Constitution was formed, North Carolina could prohibit the importation of Boston shoes into North Carolina. Massachusetts could prohibit the importation of New Orleans molasses into Massachusetts. In other words, each State was a supreme government within itself, so far as interstate commerce was concerned. And that led to a great deal of confusion and difficulty. It led to estrangements between States, and those estrangements led to the formation of a stronger Federal Government. And when the Constitution was written as we live under it now, those States agreed that they could not pass laws with reference to commerce satisfactory to themselves and to their sister States, and therefore all of the sovereign power to control commerce among themselves was transferred to the Federal Constitution and is now given to this Congress under the interstate clause of the Constitution, which gives Congress the power to regulate commerce among the States, with foreign nations, and with the Indian tribes.

One of the earliest cases considered by the Supreme Court was that of Williams, under the embargo laws, and there the very question was decided which many men will ask first: But does the power to regulate include the power to prohibit?

We adopted the expression "regulate commerce" from the English when we made our Constitution. The English had that expression "regulate commerce," and in 27 different cases, I believe, it had been held in England prior to the framing of our Constitution that the power to regulate included the power to prohibit. And so we find the Supreme Court in the Williams case holding that the Congress has not only the power to regulate, but to prohibit. This was understood by the wise fathers, for they knew what the phrase meant when they took it from English law.

A little latter came the famous case of Gibbons against Ogden, reported in Ninth Wheaton. I want to cite briefly a few lines from this case and others, to establish the contention which I make. This is the uterance of Chief Justice Marshall, found on page 196 of Ninth Wheaton, and you gentleman are probably familiar with it:

> We are now arrived at the inquiry, What is this power? It is the power to regulate; that is, to prescribe the rule by which commerce is to be governed. This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution. These are expressed in plain terms and do not affect the questions which arise in this case or which have been discussed at the bar. If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations and among the several States is vested in Congress as absolutely as it would be in a single government having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States.

The next case we find bearing on that point is the celebrated case of The United States against Marigold, reported in Ninth Howard:

> Congress are by the Constitution vested with the power to regulate commerce with foreign nations, and however at periods of high excitement an application of the terms "to regulate commerce," such as would embrace absolute prohibition, may have been questioned, yet since the passage of the embargo and nonintercourse laws and the repeated judicial sanctions those statutes have received it can scarcely at this day be open to doubt that every subject falling within the legitimate sphere of commercial regulation may be partially or wholly excluded when either measure shall be demanded by the safety or by the important interests of the entire Nation. Such exclusion can not be limited to particular classes or descriptions of commercial subjects; it may embrace manufactures, bullion, coin, or any other thing. The power once conceded, it may operate on any and every subject of commerce to which the legislative discretion may apply it. (9 How., 566.)

In numerous cases it has been held that the power over foreign commerce and the power over interstate commerce were the same. This power is granted in the same clause of the Constitution.

Now, I read from the case of Forty-three Gallons of Whisky in the United States Reports, page 194. That was a case where Congress, by legislative act, prohibited not only the importation of whisky into the Indian Territory, but prohibited the importation of whisky into a territory the Indians had nothing to do with. It was a territory that was then a part of the State of Minnesota, and the contention was made that Congress did not have that power. The Supreme Court in this case decided that they did have the power under the interstate-commerce clause of the Constitution, which gives this Congress the power over interstate and foreign commerce and over commerce with the Indian tribes. Among other things, the court says:

> In view of this changed condition it would be strange indeed if the commercial power lodged solely with Congress and unrestricted as it is by State lines did not extend to the exclusion of spirituous liquors intended to corrupt the Indians not only from existing Indian country, but from that which has ceased to be so by reason of its cession to the United States.

In re Rahrer, in One hundred and fortieth United States, I find this language:

> The power of Congress to regulate commerce among the several States when the subjects of that power are national in their nature is also exclusive. The Constitution does not provide that interstate commerce shall be free, but by the grant of this exclusive power to regulate it it was left free, except as Congress might impose restraint.

In One hundred and seventy-fifth United States, in the case of Addyston Pipe & Steel Co. against The United States, I find the power of Congress, as enunciated by Chief Justice Marshall in the case of Gibbons against Ogden, reaffirmed.

In One hundred and forty-first United States I find, in the case of Crutcher against Kentucky, it is said:

> It has frequently been laid down by this court that the power of Congress over interstate commerce is as absolute as it is over foreign commerce.

In One hundred and fourteenth United States, in the case of Brown against Houston, we find this language:

> The power to regulate commerce among the several States is granted to Congress in terms as absolute as the power to regulate commerce with foreign nations.

Mr. Justice Miller, afterwards a Justice of the Supreme Court of the United States, in Thirty-second Federal Reporter, in the case of Stockton against the Baltimore & New York Railroad Co., says:

> We think that the power of Congress is supreme over the whole subject, unimpeded and unembarrassed by State lines or State laws; that in this matter the country is one and the work to be accomplished is national; and that State interests, State jealousies, and State prejudices do not require to be consulted. In matters of foreign and interstate commerce there are no States.

Now, Mr. Speaker, I think I have demonstrated by reading from celebrated jurists who sat on the highest bench in the world, the Supreme Court of the United States, that under the commerce clause of the Constitution we have absolute power over foreign commerce. Is there any Member who denies that Congress can exclude from our shores convict-made goods, opium, or anything else that Congress pleases to exclude? To deny that proposition is to deny the sovereignty of the Government. Sovereignty would be lost or suspended without this power. Of course, no such position is taken. We can exclude human beings, we can exclude all manufactures, anything that Congress desires to exclude from American shores.

Mr. HENRY. Will the gentleman yield?

Mr. WEBB. I will.

Mr. HENRY. Is it not a fact also that in every one of these cases from which the gentleman has read, the Supreme Court decided that the power of dealing with and controlling the liquor traffic remains with and resides in the separate States of the Union?

Mr. WEBB. Oh, of course, under the present Constitution the Supreme Court says that the right to control the manufacture and sale of whisky resides entirely within the States, because they are given the police powers reserved to them by the fathers of the Constitution when the Constitution was made. But they never stated that Congress had not the power under the commerce clause to prohibit the shipment of whisky in interstate or foreign commerce.

Mr. HENRY. One more question, because I propose to say something upon this matter later. Then the gentleman concedes that the power to deal with the liquor traffic and control it resides within the police powers in the respective States?

Mr. WEBB. Undoubtedly at present; it has been so decided over and over again.

Mr. TOWNER. Will the gentleman yield?

Mr. WEBB. For a question.

Mr. TOWNER. Have not the same decisions repeatedly said that the exclusive power to control the interstate traffic regarding liquors or any other article of commerce was with the Congress of the United States?

Mr. WEBB. Yes; that was decided in the Rahrer case.

Mr. TOWNER. So it is not quite true to say that the exclusive control of intoxicating liquors resides within the States?

Mr. WEBB. I did not say "control" with reference to interstate commerce, I was speaking of the right of manufacture and sale.

Mr. HENRY. We have the power to regulate interstate commerce, but you want to go further and prohibit the shipment of liquor from one State to another; is this amendment necessary?

Mr. WEBB. No; not the Morrison amendment. That is what I am talking about. The gentleman evidently has in mind the Hobson amendment. I am talking about the Morrison amend-

ment. I say it is a useless proposition to submit the Morrison amendment to the States, because the power conferred in it already resides in the Congress of the United States, and was given the Congress more than 100 years ago.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes; for a question.

Mr. HUMPHREYS of Mississippi. Granting all that the gentleman has said to be true, and I do grant it and believe it, why does the gentleman say that the Morrison amendment is more drastic than this other one?

Mr. WEBB. Because the Morrison amendment prohibits the shipment of all whisky for whatever purpose—beverage, scientific, medicinal, sacrificial, and all the rest of it—from one State to the other, and if this Congress wants to do that, it can do it now by statute. It does not need any further power, but it does need further power before it can enact the principle of the Hobson amendment. Of course, Congress at present has nothing to do with prohibiting the manufacture and sale of whisky within a State. That is one of the things reserved to the States by our fathers when they made the Constitution. That is the question we have to consider right now, as to whether we are willing to change the policy of a hundred years and let the States grant more power to the Federal Government to help to regulate those things that have been heretofore purely internal, or whether the States will keep them as they have for the last 100 years. It is not a question of State rights at all, and I shall argue that in a moment; it is a question of changing National and State policy.

In the Ames against Champion case, the famous Lottery case, the Supreme Court there had, I believe, almost the last clear say on the power of Congress over interstate commerce. There is nothing wrong about a lottery ticket per se, as far as its being diseased is concerned. It is as clean as a lady's visiting card. The Supreme Court had to march right up to the question, Has Congress the power, under the interstate-commerce clause of the Constitution, to regulate commerce, not only to regulate it but to prohibit it? And the Supreme Court said that Congress did have the power to prohibit the interstate shipment of a lottery ticket, not because it was diseased but because Congress said that it ought to be prohibited, and they were not going back of the policy as expressed by Congress. Granted that Congress has the power, the court will not look for the motive as to why Congress exercises it. I say, therefore, that the Morrison amendment is a useless proposition. If you want a law like that, introduce a bill covering his amendment, and we can pass it through this House, if we have the votes to do it. And we can do it by a mere majority; it does not require two-thirds of the House to pass it. It will be doing an unnecessary and a useless thing to spend your time on the Morrison amendment.

Mr. John W. Yerkes, a distinguished lawyer, was once Commissioner of Internal Revenue, and my recollection is that in appearing for the brewers or the liquor dealers' association before the Senate committee, he stated that Congress had the power to exclude all whisky from interstate-commerce channels. Mr. Bob Crane, probably the leading lawyer of the brewers in the United States—and he is a good lawyer—stated, according to Senator Knox, when he appeared for the brewers, that he thought Congress had the power to exclude all whisky from interstate commerce. So I do not believe that we need have any fear about that, and unless you want to duplicate our power you will vote against the Morrison amendment.

Just one thing further. I said a moment ago that the Hobson amendment, to my mind, does not involve the question of State rights. We southern men have always been jealous of the rights of the States, as many northern men have. If there were some law being offered here which encroached upon the present rights or powers of the States, then we could say that we are abridging the rights of the States; but this is not the situation. The States that made this Constitution, the States that granted the present power as we find it in the Constitution, and reserved to themselves the right to alter or amend it, are now to be asked to say whether or not they want to change the Constitution in respect to the control of the liquor traffic. If a provision for amending the Constitution of the United States had not been put in that great instrument and a method pointed out whereby it could be amended, we probably would have had revolutions in this country many times within the last 100 years. That is the escape valve. That is the foundation principle upon which Thomas Jefferson rested his Government, namely, whenever the people want to change their form of government they ought to have the right to do it; but if they had not been given that right we would probably have had a revolution, and so it was carefully provided that whenever three-fourths of the States of this great Union desired to change any part of the Federal Constitution they have a peaceful, orderly method by which they can do it; and it can not be argued to me successfully that referring a matter to the sovereign States of this country for them to say whether or not they shall change the organic law under which this Federal Government exists is a violation of State rights. It is yielding to the rights of States, the sovereigns of this country, giving them the opportunity to say whether or not they wish to transmit any further authority to the Federal Government; and that is what led me to say that it is not a question of State rights, but a question of policy. Many of us are creatures of habit, many of us love to stick to the old laws and rules of practice, and I confess that I have that sort of feeling myself very often.

The fact that the States have been left to control this question for 100 years makes it a sacred policy in the United States, but the fact that it is referred back to those States to say whether or not they desire to change that policy certainly is no violation of State rights, but it may conflict with some opinion as to what the policy of the country ought to be. A great many friends think that the best policy would be still to leave the States to control this question. They fear that a swarm of Federal officeholders might take charge of the States in executing a Federal law. That is a question that would appeal very largely to the States themselves when they come to express their sovereign will as to whether or not they will amend the Constitution and divide with the Congress of the United States a power which they, the States, now have, but which they no longer want to exercise alone. There is no violation of State rights that I can see in this entire proposition. [Applause.] Therefore I must take serious issue with my friend from Alabama [Mr. UNDERWOOD] when he said that it was an effort to "rob the States." The States surely are not going to rob themselves, and if robbery occurs under this amendment it must be done by the sovereign States themselves, and I can not understand how a man can bring his mind to conclude that there is any robbery of States to leave it to the States themselves to say what shall be done.

I do not care to argue the merits of prohibition. My friend from Alabama [Mr. UNDERWOOD] argues that prohibition does not prohibit and therefore this amendment should not be adopted. That same argument, my friends, may be made in reference to every other evil in the United States. It can be made in reference to larceny. Larceny laws do not prevent stealing, and therefore you should abolish them. Homicide laws do not prevent the killing of men, and therefore you should have no murder laws; and so on down the catalogue. I do not think that is quite a pertinent argument, and when the gentleman talks about Jefferson's statement about the attempt of Federal judges, like miners and sappers, to undermine the Constitution, then I ran back to Jefferson's other proposition, which was that when people desired to change their form of government or their constitution they ought to have the right to do it and men ought not to stand in the way of it, and I can conceive in this instance how a Member may vote here as a public servant, as a Member of Congress, to submit this proposition to the States, and yet go back to the State to which it is submitted and vote against it on its merits.

Mr. HENRY. Will the gentleman yield there?

Mr. WEBB. I am sorry I can not.

Mr. HENRY. Just a short question.

Mr. WEBB. In a minute I may. I can conceive how it is possible for a Member of Congress to feel that he has a dual duty to perform in this respect.

The SPEAKER. The gentleman has consumed 25 minutes.

Mr. WEBB. Mr. Speaker, I will take five minutes additional. Now, I do not think it is pertinent to argue here the possibilities of sometime in the future destroying a large source of revenue. That, again, is for the States to pass upon. I know my friend [Mr. UNDERWOOD] has been caring for the revenues of the Government and doing it well. His mind dwells upon that idea. National prohibition would be a destruction to revenue, and big revenues, too, but that is a question that comes up in every prohibition fight. When you want to close the great running sores of society—the barrooms, as any mercenary man will tell you—you lose your revenues and you can not educate your boys unless you get revenue from the barroom. I believe in education, but long ago I came to the conclusion that rather than let my children be educated on barroom money I would let them grow up in ignorance! [Applause.] That leads me to say that as sure as I stand before my friends here to-day the barroom as a public institution in this country is doomed. [Applause.] The time is coming when the people are not going

to permit these things to exist much longer. I do not say the millennium is coming and people will cease to drink, but the time is coming fast when the men of this country are not going to permit these open barrooms where boys are lured to their death, where drinking is made attractive and where he comes in contact with the worst element of society. They are going to stop it; many men who drink whisky are going to help stop it, and my belief is that before I reach the age of three score years and ten, if I live that long, there will not be a legalized barroom in this broad land. [Applause.] The revenue proposition therefore does not appeal to me. If the revenue idea had appealed to men and not the moral side, we would still have lotteries in this Capital. Time was not more than 100 years ago when lotteries flourished in this city.

If you want revenues, authorize the existence of lotteries and your war revenues would look like 30 cents compared with the revenues you would receive from lotteries. The people of this country had raised their moral standard to a point where they demanded that lotteries should cease regardless of whether we received revenues from them or not. They destroyed them in this city; Congress destroyed them, and destroyed the right to transport lottery tickets in interstate commerce.

Now, speaking of the evils of whisky and the revenue part of it, let me read to you from a famous decision in the License cases (46 U. S., p. 32), where the Supreme Court says:

> If a loss of revenue shall accrue to the United States from the diminished consumption of ardent spirits, she will be the gainer a thousandfold in the health, wealth, and happiness of our people.

[Applause.]

You would not expect a great sentence like this to fall from the lips of Bob Ingersoll, yet I want to read what he said about alcohol, and then I am through:

> I do not believe that anybody can contemplate the object without being prejudiced against the liquor crime. All we have to do is to think of the wrecks on either bank of the stream of death, of the suicides, of the insanity, of the ignorance, of the destitution, of the little children tugging at the faded and withered breasts of the weeping and despairing mothers, of the wives asking for bread, of the men of genius it has wrecked, of men struggling with imaginary serpents produced by this devilish thing; and when you think of the jails, of the almshouses, of the asylums, of the prisons, of the scaffolds on either bank, I do not wonder that every thoughtful man is prejudiced against this damned stuff called alcohol.

[Applause.]

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman has 9 minutes remaining. The gentleman from Illinois [Mr. MANN] is recognized for 1 hour and 20 minutes under these circumstances. The gentleman from Alabama [Mr. UNDERWOOD] yielded him 20 minutes, so he has 1 hour and 20 minutes.

Mr. MANN. Mr. Speaker, I am for morality and against immorality. I am for decency and against indecency. I am for temperance and against drunkenness. I am for virtue and against vice. I am for law and order and against crime and disorder. I am for the right and against the wrong. So are we all. But, notwithstanding my sentiments and our sentiments universally, I am not able to vote for the resolution now pending or for what I suppose will be offered as a substitute for it. The gentleman from Alabama [Mr. HOBSON] has introduced in this Congress nine distinct, separate prohibition amendments to the Constitution. Just which one of them we will be called upon to vote for I do not know. They all differ, and I venture to say that in now considering this constitutional amendment there is not a Member of this House besides the gentleman from Alabama who knows what the differences are in these different prohibition resolutions offered by him; and I do not believe that he knows. [Laughter.]

The tendency of governments everywhere has always been toward centralization, and whenever that tendency has proceeded until local powers have been transferred from the local governments to the central government history shows that from its own weight the government has broken down and either revolution occurred or dissolution of the country.

What is the proposition now before us? To-day alcohol is one of the cheapest and most easily produced products. A man with a book before him can manufacture an alcohol still from which he can produce alcohol at a cost of probably not to exceed 15 to 30 cents a gallon, privately, without publicity, except that the Government of the United States, now levying a very high tax upon the production of alcohol, finds it necessary, in order to protect its revenue, to follow up the producers of alcohol unless they pay the Government tax. And the Government tax is very high, so that the main cost of alcohol to-day is the Government tax upon it.

As I understand this proposition, it is not intended that the Government shall hereafter levy tax upon the production of alcohol or alcoholic beverages. The Government's interest in protecting the revenue no longer exists. The National Government is no longer directly interested, so far as revenue is concerned, in preventing the cheap production of alcohol. And not only that, this resolution does not prohibit the manufacture of alcohol ad libitum. There is not a word in the resolution or the proposed amendment which looks to the prohibition of the manufacture of alcohol, or even of alcoholic beverages, unless they are for sale. We can not reach the manufacture of alcohol.

Now, how will this amendment be enforced? The Government of the United States will either do one of two things. It will either have a Government agent spying out the places in every locality in the United States—Government spies everywhere—or else the Government will not attempt to prohibit the manufacture for sale of alcoholic beverages. It is the tendency everywhere, I know, for the local authorities to endeavor to have the General Government enforce a law, make a law upon matters where the local authorities fail, upon the idea, which is not correct, that the Government in Washington can better enforce a law in California than the people of California can enforce it. And so long as the Government has the incentive through the raising of the revenue the Government attempts to enforce the law concerning the manufacture of alcohol. Do you propose by this amendment to have the Government or a Government officer or agent or spy, as you may please to call him, in every township in the United States to detect the production of an article which a farmer or a laborer in his cellar can produce without expense and without publicity, and which when produced is still legal under the amendment unless it be made for sale?

I know it is suggested that you can confer the power of enforcement both upon the General Government and upon the States. It is impossible as a governmental matter to make each of two sovereigns supreme. You can not confer upon the General Government the power to enforce a law or a constitutional amendment and at the same time confer the same power upon the States without inevitable conflict and disaster. The Government would not enforce such an amendment. But you have taken away the governmental control of license. The Government now keeps track—or attempts to do so—of every manufacturer of alcoholic liquor, of every blender of alcoholic liquor, of every rectifier of alcoholic liquor, of every wholesale and retail dealer in alcoholic liquors; but when you forbid by this amendment these things the Government can no longer keep track of them by license or otherwise. It then becomes a matter of detection or spying. The Government of the United States will not be permitted by the people in the different localities in the long run to foster and put upon them thousands of agents or spies to affect them in their immediate locality. And the result will be, if this amendment should be adopted, that liquor will become free, easily made, will sell for 25 or 30 or 40 or 50 cents a gallon, with no prohibition on its manufacture, no penalty for its sale, unless you catch the man at it with a Government spy, the Government itself no longer having any financial interest in detecting the crime. You have practically taken away from the State the power to make and enforce their own laws on the subject. You can not have Government control and State control at the same time.

You say the States can not control it. If the people of a locality can not enforce their local laws, it will never be possible for the National Government successfully to enforce them. It is proposed, is it, where a man has manufactured alcohol at a cost of 30 cents a gallon in his cellar, legitimately, permitted by the law, and has secretly sold it to somebody else, to have the Government agent seize him and carry him a hundred or two hundred miles to be tried in a Federal court instead of being tried in local State courts? Is it the proposition that the enforcement of these ordinary police regulations which must always depend in the main for their enforcement upon the sentiment of the local community shall be brought about by having the offenders dragged into the Federal courts for trial?

If that is attempted, it will break down of its own weight. The result will be as it was years ago, before the Federal Government imposed a high tax upon alcoholic spirits, that whenever a farmer, a laborer, a merchant, or otherwise, desires, he will produce alcohol and give it to his men, like they used to dole out liquor in the harvest fields. It cost nothing to produce it, there was no tax upon it, and no way of preventing it. You have taken away with this resolution the authority of the local governments to protect themselves. You attempt to confer that upon Washington. Well, you will not get Washington unduly excited, or the government in Washington unduly excited, because some man is illegally selling whisky in Portland, Me., or in Portland, Oreg. They do not get too much excited when they sell liquor illegally in the city of Washington.

Mr. SMALL. Will the gentleman pardon a very brief interruption right there, so that I may ask him just one question?

Mr. MANN. Yes.

Mr. SMALL. May I ask the gentleman if there is anything in this proposed amendment which prohibits the manufacture of intoxicating liquors for exportation?

Mr. MANN. It prohibits the manufacture of liquors for exportation for sale.

Mr. SMALL. Exportation, I mean.

Mr. MANN. Exportation for sale. There is nothing in the resolution which prohibits the manufacture of anything. It prohibits the manufacture of intoxicating beverages for sale, and you can make intoxicating beverages of any kind or description, with the proper recipes and a small addition of brown sugar and a few other ingredients, out of plain, pure alcohol, and nobody pretends that you prohibit alcohol or its production.

I understand very well how a wave of excitement goes through and over a country. The bitterest persecutions that have ever been had have been had under the name of religious fervor. People get the impression that they want to accomplish a certain good, as they used to when they proposed to make a man profess a certain religion in order to save his soul, and if he would not save his soul in that way they would destroy his body. Good purposes, laudable desires; but you must test a proposition by its natural results, by the evolution which comes from it; and I declare to you that in my opinion, as a student of government for years, the effort to confer upon the National Government the power to control the manufacture of alcoholic liquors for sale and to prohibit them will result in no tax, no license, no control over the production and sale, and will render them cheap and easy to obtain in every part of the United States, with no government properly equipped to prevent it, and that instead of prohibiting you will have made liquor almost free.

I live in a prohibition district in the city of Chicago, created by an ordinance which I drew years ago, largely enforced by the aid of the good people, its enforcement aided by the saloon keepers on the outskirts. To-day the whisky manufacturers aid the Government as far as they can in the enforcement of the law requiring the payment of a heavy tax upon whisky, because it is to their interest to prevent "moonshine" whisky being made, and most of the information which comes to the Government in regard to attempted illicit stills comes from liquor men, who feel the competition and put the Government on notice and on guard. But when the tax is all removed they will no longer have that incentive. Who will give the information? How will you discover the manufacture and sale of these beverages? The Government is far away. The local people may not be in favor of the enforcement of the law there, as many of them are not in favor of the enforcement of all law.

The prohibitionists, so called, are on the wrong track. I respect their sentiments. I have great regard for them personally. But the way to obtain the restriction of the sale of alcoholic beverages, like the way to enforce any other moral propaganda, is through local authorities, and not by depending upon a strong central government located far away. [Applause.]

Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE]. How much time did I use?

The SPEAKER pro tempore (Mr. DECKER). The gentleman used 22 minutes.

Mr. MANN. I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

The SPEAKER. The gentleman from Wisconsin [Mr. BROWNE] is recognized for five minutes.

Mr. BROWNE of Wisconsin. Mr. Speaker, the Hobson joint resolution proposes an amendment to the Constitution of the United States forbidding the sale, manufacture for sale, or importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof.

If this resolution is passed by a two-thirds vote of both Houses of Congress, it will then be submitted to the State legislatures of all the States, and if it is ratified by three-fourths, or 36, of the State legislatures, it becomes a part of the Constitution.

We would thus have national prohibition without giving a single voter the right to go to the ballot box and vote directly upon the question.

If we have the requisite number of votes in Congress to pass this resolution amending the Constitution and the requisite 36 State legislatures to ratify it, would it be wise and for the best interests of the people to so amend our Constitution and have national prohibition?

In considering this question we should consider it without prejudice and as practical people.

We now have State-wide prohibition laws in 14 States. The temperance movement has made tremendous progress in the last 10 years under existing laws by allowing the people in each community to decide the matter for themselves. This movement in this way has kept pace with public sentiment and has kept its workers active in conducting a campaign of education throughout the United States. The Woman's Christian Temperance Union and other temperance organizations whose efforts have been directed toward having scientific temperance taught in schools have done much toward creating public opinion which, when it has been strong enough, has expressed itself at the ballot box and has resulted in the enactment of the prohibition laws which are now on our statute books.

The Webb-Kenyon law passed by Congress, which prohibits the shipment of liquor into dry territory, recognizes the rights of the States whose people have voted for prohibition and has been a great instrument to aid in the enforcement of prohibitory laws in dry States.

Amendments to the Federal Constitution similar to the Hobson amendment have been proposed many times; but the same objection that I now contend for has always been maintained, that this is a matter for the States to decide and not for the National Government, and that the passage of such an amendment would sweep away the last vestige of State rights and would be dangerous in the extreme.

In almost every Prohibition national convention that has been held this same question has arisen, whether prohibition should be left to the respective States or to the Federal Government.

From 1888 until the convention of 1908, a period of 20 years, not a word was said in the platform of the Prohibition Party about constitutional prohibition, although the question was vigorously debated in each convention.

In the last Prohibition national convention the same question was discussed, and it was there decided that the way to proceed was within the boundaries of the separate States and not along the lines of national prohibition.

Is it wise at this time to reverse our policy under which such rapid progress has been made and force prohibition at once upon the people regardless of whether the people of a number of States want it or not?

Shall we abandon our policy of making temperance men and women by education and in its place substitute legislation and coercion and attempt to legislate the appetites and desire for intoxicating liquor out of millions of people at once by a single act of legislation that no king or monarch, except the Czar of Russia, who believes in the divine right of kings, would dare to attempt to do?

The proposed amendment would prohibit the sale and manufacture for sale of products within the boundaries of 48 States of the Union, and also territory subject to the jurisdiction of the United States. Is it within the province of the National Government to say what shall be manufactured or sold within a sovereign State? The theory on which the advocates of this amendment base the right of the Federal Government to enact such legislation is that the product manufactured is harmful.

Is not the question whether it is harmful or not a question that the people of the State where the article is manufactured or sold should decide and be the sole judges of?

If any State attempts to ship any article into another State within the United States, the Government has a right to pass upon the question of whether this article of interstate commerce is harmful or not, and if it believes it to be harmful, to exclude it from interstate commerce, but the article produced and sold exclusively within the boundaries of a State is a matter that should be wholly regulated by that State.

Wisconsin has a law prohibiting the manufacture and sale of cigarettes, which the citizens of that State believe to be a good law. Other States may not have such laws, but this is a matter for each State to decide.

Is it within the province of the Federal Government to place in its Constitution a clause prohibiting the manufacture and sale of various articles believed to be injurious by the people of certain States and not injurious by others? Are such matters a legitimate field for national legislation?

If the people of each State are to give up their rights to the National Government, so that the National Government shall determine what they can manufacture and what they can not manufacture and sell within their own boundaries to their own people, it would be giving up the last vestige of individual rights and turning over the smallest local unit of government to the National Government at Washington.

Would not every advocate of the passage of this amendment claim that it would be an outrage on the rights of a prohibition State for three-fourths of the States to write into the Constitution a clause that no State shall prohibit the manufacture or sale of intoxicating liquors? Why would this be an evasion of the rights of the States? Because each State has the right and should always keep the right to say what shall or shall not be produced and sold by its own people within its own boundaries. The subject matter is the same in both cases, and if one is a violation of the rights of the State the other is also.

If 36 States desire such an amendment and the people of 12 States do not want the amendment, would it be right and wise to force a prohibition law upon the people of those 12 States?

This is not like any of the other amendments to the Constitution. It is without precedent. It deals with a purely local matter which the State and its people have full power to control.

Any State legislature, under the existing laws, can pass an effective prohibition law for its people, or it can write prohibition into its constitution. As a matter of fact very few of the prohibition States or the advocates of prohibition have thought it wise to so amend their constitutions, recognizing that to enforce a law of this kind they must have public sentiment back of it.

A good healthy majority of the people must be back of a law to insure its enforcement.

ENFORCEMENT OF THE LAW.

Suppose 12 great States of the Nation, like Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, and California, having an aggregate population of over 50,000,000 people, a majority of the people of the United States, should have prohibition thrust upon them by this constitutional amendment, which they had voted against and to which a large majority of their people were opposed; an amendment which destroyed millions of dollars worth of property and threw hundreds of thousands of men out of employment. Could such a law be enforced, and what would the attempted enforcement of the law mean?

It would mean the appointment of hundreds of thousands of Government officials—marshals and deputy marshals—by the political party in power to go into the various communities to enforce the law. This army of Federal marshals and deputies would be many times larger than the armed military force of the United States to-day. These officers would, of course, be clothed with authority to search and arrest, and with that power any political party, by intimidation or otherwise, could perpetuate itself in office, the rights of the people in the various communities would be transferred to their Representatives at Washington, and the last vestige of the rights of the individual citizens or the local communities and the rights of the States would disappear.

We all know that any law affecting the customs and habits of the people is very difficult to enforce unless there is a strong public sentiment in favor of it.

The adoption of this amendment would be by State legislatures and would not be by a referendum vote of the people. A small State like Nevada, with a population of 90,000 people, would count just as much as a State like New York with 9,000,000 people.

I would be very glad to submit the question to a referendum vote of the people of Wisconsin or to the Legislature of the State of Wisconsin and let it decide the question for itself, but by voting for this resolution I make it possible for 36 States to force this law upon the people of Wisconsin, contrary to what I know is the overwhelming sentiment of the people of the State of Wisconsin.

I do not believe that anyone will seriously question the statement that there is an overwhelming majority of the people of Wisconsin who are against prohibition; but if that statement should be questioned I would cite the fact that the legislature of that State has never memorialized Congress for prohibition; no bill has been introduced in our State legislature for State prohibition—at least none that has been discussed or received any vote—and if such a bill were introduced I do not believe that it would receive the votes of a dozen members of the legislature, for the reason that Wisconsin is not ready for prohibition and a very large majority of the people are against it.

The Prohibition Party in Wisconsin at the last presidential election received 8,467 out of a total of 393,334 votes, and the eighth congressional district of Wisconsin, which I represent, cast only 687 votes out of a total of over 31,000 votes for the prohibition candidate for Congress, who made a thorough canvass of the district upon that issue.

If the people of Wisconsin, through a referendum vote or by their legislature, will memorialize Congress to pass an amendment to the Federal Constitution such as the proposed amendment, Members of Congress from Wisconsin might be justified in voting for it. The people of Wisconsin memorialized Congress to pass the income tax; both political parties declared in favor of it. Not so with the proposed amendment. No party—not even the Prohibition Party itself—has declared in favor of it.

California and Ohio and other States at the recent election overwhelmingly voted down prohibition. Would it be easy to enforce a national prohibition law in those States? Would the people of California submit readily to the destruction of their great wine industry? The appliances for making wine and other intoxicating drinks and for distilling alcohol are simple and inexpensive, and as soon as the legal manufacture of alcoholic drinks is forbidden then comes the illicit stills, not by a few moonshiners in the mountains of Tennessee and Kentucky with a local sentiment against them, but tens of thousands of such places, scattered from San Francisco and the Rocky Mountains to the cellars in New York City, with local sentiment and local officers many times favoring them.

Counterfeiting our currency is a difficult matter. It is condemned by every citizen in every locality, and yet it takes a large number of Secret Service men appointed by the Government to prevent it.

How very easy would it be to manufacture wine and other alcoholic drinks in the United States and also to bring them in over the border without detection, and what an army of officers it would take searching the homes and the cellars of the people for illicit stills.

How many United States marshals and deputies would it take to enforce a prohibition law in the city of New York, with five and one-half million inhabitants; Chicago, with two and one-half million inhabitants; Philadelphia, Boston, St. Louis, San Francisco—all these cities mentioned, aggregating in population over 13,000,000 inhabitants?

How many thousand Federal marshals would it take to attempt the enforcement of a prohibition law in these cities? How many jury trials? How many convictions?

The police force in New York alone is over 10,000, and other great cities are relatively as large. The sympathy of the local officers would be on the side of public sentiment in these cities.

There would be a constant conflict between this army of local police officers and the Federal officers in regard to the enforcement of the law.

The advocates of this amendment to the Constitution of the United States overlook the arguments that have been presented by our greatest judges and constitutional authorities.

Abraham Lincoln said upon an important occasion:

> To maintain inviolate the rights of the States to order and control, under the Constitution, their own affairs by their own judgment exclusively is essential for the preservation of the balance of power on which our institutions rest.

The late Justice Harlan, who represented as liberal a view toward the powers of the National Government as any judge who has sat upon the Supreme Bench of the United States at any time in its history, in one of his last public utterances said:

> A National Government for National affairs and State governments for State affairs is the foundation rock upon which our institutions rest. Any serious departure from that principle would bring disaster upon the American system of free government.

Again Justice Harlan said:

> The people of the United States cherish but will compel adherence to the fundamental doctrine that the States are vital parts of the American system of government. The Supreme Court of the United States has again and again declared, upon full consideration, that a close and firm union is necessary for the happiness of the American people, and that without the States in union there can be no such political body as the United States. If, then, the matchless Government devised by the fathers and ordained by the people of the United States is to be preserved and handed down intact to posterity, National power and State power must go hand in hand in harmony with the Constitution.

The late Justice Miller, one of our great jurists, gave expression to the following:

> While the pendulum of public opinion has swung with force away from the extreme point of the States' rights doctrine, there may be danger of its reaching an extreme point on the other side. In my opinion the just and equal observance of the rights of the States and of the General Government as defined by the Constitution is as necessary to the prosperity of our country and to its existence for another century as it has been for the one whose close we are now celebrating.

President Woodrow Wilson, whom some may differ with on public questions, but whose sincerity and patriotism no one will question, said, in reply to Rev. Thomas B. Shannon, of Newark, N. J., regarding prohibition:

> I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withholding of license.

Secretary Bryan, in his editorial in the Commoner, says:

Believing in both woman suffrage and the abolition of the liquor traffic, I would vote for either amendment if submitted. But the time does not seem opportune for the submission of either of these amendments. A national contest for either amendment would simply divert attention from other issues upon which the people are ready to act without advancing the cause of woman suffrage or the prohibition movement.

Eugene W. Chafin, Prohibition candidate for President in 1898 and in 1912, in a speech delivered in Chicago on October 14, 1913, which was published in the Vindicator of October 24, 1913, said in regard to the Hobson amendment:

Of all the foolish and impossible schemes devised to destroy the liquor traffic, this is certainly the worst. Every minute of time and every dollar expended on these schemes is criminally wasteful.

Mr. Chafin further says, after giving facts regarding the framing of the Constitution, and so forth:

Our good friends throughout the United States who have announced themselves in favor of the constitutional-amendment scheme, I venture to observe, have not, a single one of them, had before them the foregoing facts when they committed themselves to such policy.

Again Mr. Chafin states:

Laws may be made and repealed by majorities, and sometimes, through political parties, by plurality of the voters, but the fathers of the Constitution decided that the organic law should not be amended by a plurality, majority, or to suit the fancy of a political party temporarily in power. So they provided that it might be amended when two-thirds of each House of Congress so determined, and then it must receive the approval of three-fourths of the State legislatures; for, you must remember, that amendments are not submitted to the people, but to the political party in power in the several States.

Again this great advocate of prohibition says:

Before the campaign of 1908 was over I saw the poison in the reference to constitutional prohibition in our platform of that year. After consultation with many of our leaders, we determined that it should be left out of our next platform; so when I drew the platform for the Atlantic City convention in 1912 I left it out, and so constructed the first plank that it conformed to our new line of battle—"government by administration"—which repudiates any thought of constitutional amendment. The new plan was unanimously accepted by the platform committee and the convention, and the platform, and that only, is the creed of the Prohibition Party.

THE SAME QUESTION IS INVOLVED IN THE WOMAN SUFFRAGE AMENDMENT.

This same question involved in the prohibition amendment is also involved in the woman-suffrage amendment.

I believe that the regulation of the elective franchise is a matter that rests wholly with the States. This was the idea of the framers of the Constitution, and was never deviated from except in the passage of the fifteenth amendment, giving the negro the right to vote. This precedent is cited by all advocates of the prohibition amendment and the woman-suffrage amendment.

The passage of this amendment, as we all know, was the result of the war, and it was practically a war measure; but if the advocates of the prohibition and woman-suffrage amendments can get any satisafction from citing this precedent they are welcome to it.

This amendment, as we all know, has been a dead letter since its passage, nearly half a century ago. It is not enforced, and the reason it has not been enforced is not that the Government of the United States has not the power, but because the enforcement of any law against the overwhelming sentiment of the people of a sovereign State will always cause more harm than good and can never result in anything but disaster.

When I was a member of the State Legislature of Wisconsin I voted with only a handful of senators to submit the question of woman suffrage to the people of my State, and in every session of the legislature thereafter I voted to submit the question to the people, until it was finally submitted to the people in 1912. The voters in Wisconsin, by a majority of over 90,000, turned the proposition down.

After such a decisive vote by the people of my State, would I be justified by my vote in forcing upon the people something that they do not want? Is a representative of the people expected to assert his personal opinion against the overwhelming opinion of the people of his State and his district expressed at the ballot box?

Again, the constitution of the State of Wisconsin expressly provides (sec. 4, art. 3)—

That the legislature may at any time extend by law the right of suffrage to persons not herein enumerated, but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election and approved by a majority of all the votes cast at such election.

In voting for the amendment giving women the right to vote I would be attempting to nullify a provision of our State constitution and taking away from the people a right to vote upon a matter that the constitution of the State gave them a right to vote upon.

The State legislature could not take this right away from the people, and yet I am asked to unite with the Representatives of other States and take this constitutional right away from my own people.

I do not know of any State passing a prohibition law or a woman-suffrage law without giving the people a right to vote directly upon the question.

The members of the legislatures, in touch with the smallest unit of local government, invariably submit the questions of license or no license to the people themselves, and in Wisconsin the framers of our constitution emphasized the importance of letting the people decide the matter of who shall vote by placing it in their constitution, where it can never be taken out except by a two-thirds vote of both houses of the legislature at two consecutive sessions and a vote by a majority of the people of the State at an election.

Senator BORAH, who comes from a State where women have the right to vote, and who is personally in favor of woman suffrage, objects to the amendment to the Federal Constitution, and in his speech in the United States Senate, March 20, 1914, says:

The corner stone of that fabric, the indispensable element and principle which sheathes it with strength and bids it endure through the ages, is the right of local self-government as to affairs that are local. When you take away from the people the initiative, the right to determine for themselves such questions as are local, when you remove from their shoulders responsibility, you ultimately take from the people all interest in public questions, and you have what has been exemplified in the history of every Republic that ever existed on the face of the earth, a Republic in name only, governed and controlled at Washington, while the masses of the people look on and assume that they are enjoying the great fundamental rights of a Republic, although the Republic, in fact, has passed away.

Senator BORAH makes an argument against this amendment which is equally applicable against the Hobson amendment, and which, in my opinion, is unanswerable.

If the people of Wisconsin want national prohibition, let the legislature pass a resolution memorializing Congress to amend the Constitution. If they are in favor of State prohibition, they can have their legislature submit it to them and vote upon it directly.

I received my commission of office from the people. I have always believed in the people and in submitting every question that could be submitted to them.

I have always been in favor of local communities deciding their own matters for themselves; and I will not vote to take away from my State and its people rights that they have had since the foundation of this Government and transfer those rights to the National Government, unless the people at the ballot box request that it shall be done. [Applause.]

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. KAHN].

The SPEAKER. The gentleman from California [Mr. KAHN] is recognized for five minutes.

Mr. KAHN. Mr. Speaker, if there were any lingering doubt in my mind as to the inefficacy of prohibition laws to bring about true temperance, the statement made this morning by the distinguished gentleman from Kansas [Mr. CAMPBELL] would dispel that doubt. The gentleman stated that 71 per cent of the area of this country has become dry territory, and yet the fact remains, also according to his statement, that the increased consumption of liquor throughout the country is a matter of deep concern to those who look with disfavor on the liquor traffic.

Mr. Speaker, prohibition is not temperance. Temperance makes for human progress. It should be invoked in regard to our food, our drink, our dress, and even our physical exercise. As many people die from overeating as die from the excessive use of alcohol. Excessive physical exercise has frequently led to heart failure and death. Temperance, not alone in the use of alcohol, but temperance in everything that affects the human race, is what should be taught in the homes and in the schools of this country. Temperance harms no one; on the contrary, it does good. Prohibition, on the other hand, has generally resulted in making men liars, sneaks, and hypocrites. If men want liquor, they can invariably get it, and they can get it even in prohibition States.

On the 3d day of November we had an election in California on State-wide prohibition. We have local option in that State. On that day a druggist in the city of Pasadena, which had voted itself dry under our local-option laws, displayed a big sign in his window, "Vote the State dry." That very afternoon he was arrested for running a "blind pig." [Laughter.] That is a fair sample of some of the hypocrisy that follows in the wake of prohibition legislation.

Mr. Speaker, wherever the liquor traffic has been regulated by law, and wherever the regulations are honestly enforced, you do not find drunkenness. Wherever the children are taught by their fathers and mothers the evils of intemperance you do not

find drunkenness. The figures presented here to-day by the gentleman from Alabama [Mr. HOBSON] show that the drinking habit is usually formed between the ages of 16 and 21 years. Those are the years in which the parent should point out to the growing youth the evil of overindulgence in alcoholic liquor. But many parents, instead of following a sane course of that kind, lock up even the alcoholic stimulants kept for medicinal purposes and tell their children that they must not under any circumstances take a drink of liquor. And then, just as soon as the youths get away from their mothers' apron strings, that spirit in man which Edgar Allan Poe calls "the imp of the perverse" impels them at all hazards to get a taste of the forbidden fruit. Having never been told that it is not the use but the abuse of alcoholic drink that does the harm, the probability is that the young man, by overindulgence on the first occasion he tastes the liquor, makes a beast of himself. How much better it were for him and all those who are interested in his future if he had been taught at the outset not to abuse the use of liquor if on any occasion he should desire even to take a taste of it.

In Germany, in France, in Italy, in those great wine-growing countries, the children are accustomed to see a certain amount of alcoholic liquor in their homes from their infancy. The percentage of drunkenness in those countries is exceedingly small, because the children are taught from their infancy that they must not abuse the use of alcoholic drink. Is the American less capable of self-restraint than the German, the Frenchman, or the Italian? I have sufficient faith in my countryman to believe he can curb his appetite as well as the former. The present spirit throughout the country, exemplified in the demand for the enactment of this stringent legislation, is but another evidence of the hysteria that one finds sweeping over the United States. We are trying to regulate all human conduct by laws, laws, laws. Efforts of that character are as old as the world. And they have invariably resulted in failure. The liquor traffic can be regulated. But if you pass this constitutional amendment, or any other constitutional amendment prohibiting the sale of liquor, you will not create the temperance in this country which you desire. Education—education at home principally—will accomplish more in that direction than any law which the Congress may see fit to pass. [Applause.]

Mr. Speaker, the attitude of most of those who favor this legislation is excellently expressed in the following verses:

CREEDS.

Believe as I believe, no more, no less;
That I am right, and no one else, confess;
Feel as I feel, think only as I think;
Eat what I eat, and drink but what I drink;
Look as I look, do always as I do,
And then, and only then, I'll fellowship with you.

That I am right, and always right, I know,
Because my own convictions tell me so;
And to be right is simply this to be
Entirely and in all respects like me;
To deviate a hair's breadth, or begin
To question, doubt, or hesitate, is sin.

I reverence the Bible if it be
Translated first and then explained by me;
By churchly laws and customs I abide,
If they with my opinion coincide;
All creeds and doctrines I admit divine,
Excepting those which disagree with mine.

Let sink the drowning if he will not swim
Upon the plank that I throw out to him;
Let starve the hungry if he will not eat
My kind and quality of bread and meat;
Let freeze the naked if he will not be
Clothed in such garments as are made for me.

'Twere better that the sick should die than live,
Unless they take the medicine I give;
'Twere better sinners perish than refuse
To be conformed to my peculiar views;
'Twere better that the world stand still than move
In any other way than that which I approve.

A little more tolerance, a little more reasoning, a little more judgment would undoubtedly yield in the long run much more beneficial results.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MANN. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Speaker, in the State of Pennsylvania, which would doubtless come under the control of the smaller States of the Union if this amendment should prevail, we have undertaken to regulate the liquor business. The high-license law passed in 1887 has vastly improved conditions. It may be of interest to those who would, by this resolution, attempt the destruction of the liquor business, with all the attendant prospects of outlawry and increased taxation, to know that in Philadelphia prior to the passage of the high-license law there were more than 6,000 saloons, many of them disorderly and disreputable—a hundred times more so, in fact, than any that have existed during the last quarter of a century. They paid into the treasury only $300,000 per annum. The operation of the high-license act, which met the problem of prohibition by the more rational process of regulation, was to drive out the disreputable places and their irresponsible keepers, so that the more than 6,000 dealers were reduced to 1,300, each of whom must be vouched for by responsible citizens and have such property interest in his business as to make violation of the law extremely hazardous.

The natural growth of Philadelphia since 1887 has resulted in an increase of licenses to approximately 2,000, which now cover into the treasury of the city and State more than $2,500,000 per annum. Thus in Philadelphia, where the liquor dealer is careful to obey the law, even though he may sometimes meddle in politics, the law is supreme, and the methods of the "bootlegger" and "blind tiger" of the so-called prohibition States are unknown. In addition to the revenue paid into the treasuries of the city and State, the United States Government derives an internal revenue from Pennsylvania exceeding $17,000,000. With millions of dollars invested in a business thus sanctioned by law, and with tens of thousands of men deriving their daily bread and butter from it, to say nothing of the allied industries, from the pay of the printer to the products of the farmer, it might well be said that Pennsylvania, like any other State of the Union, should be permitted to settle so grave a question as prohibition for itself.

It is doubtful whether national prohibition, forced upon such a State against the will of the people or any large proportion thereof, would tend to perpetuate that cheerful and patriotic compliance with the law upon which so much of our common happiness and prosperity depend. In a matter of such far-reaching importance, indeed, it would appear that tolerance and temperance should be exercised rather than intolerance and intemperance, and that regulation by law would be better than lawlessness.

And, Mr. Speaker, while it may not be pleasing, it may be opportune to observe that the modern tendency of Congress to yield in the matter of new laws to the emotions or designs of some of the people, irrespective of the rights and privileges of all the people, reflects in a degree upon those qualities of statesmanship which, under the Constitution, have been the pride of Americans. The friends of this resolution appear to-day in such goodly numbers as to make this comment appropriate. A short time ago, before the outbreak of the European war, in a moment of enthusiasm like that which prevails to-day, the House passed a resolution on a mere newspaper report that Mr. Winston Churchill favored it, approving a year's cessation of shipbuilding and the like. It is apparent that such a resolution, if brought up to-day, would be considered from a more serious point of view. Indeed, it is doubtful if the country would stand for such a resolution if it came up for consideration at this time. Not long after this, in a similar wave of enthusiasm, drastic legislation was enacted with the view of suppressing vice in the District of Columbia. The law has been in effect long enough for us to learn that vice in the District of Columbia has not been suppressed.

Mr. FESS. Why do you make that statement?

Mr. MOORE. I have read about it and it is common information. It is said that the law is a failure, and that those people who are given to vice in the District of Columbia, instead of being segregated, as they ought to be, are now living in the apartment houses and hotels of the city, and are on the streets, spreading vice, instead of keeping it from the good people of this community. [Applause.]

Do we pass these stringent resolutions merely to deceive ourselves? From our various State experiences we know that so-called prohibitive laws are generally laws in name only, since in most instances they do not prohibit. Local agitation and sudden impulses plus deliberate campaigns to stir up the people are largely responsible for these ebullitions of law. To-day it is prohibition, which may safely and properly be left to the State legislatures or town councils; to-morrow it may be tango dancing or cigarette smoking, according to the strength and virility of the agitators on one side or the other. How long Congress is to take this State and local work upon itself is for the Members of this great body themselves to determine.

The oath of office which a Member of Congress takes, even if it be necessary thus to emphasize his duties and obligations, contemplates the protection and defense of the Constitution and the enactment of such legislation only as will conduce to the happiness and welfare of all the people. It matters not whether we are Jews or Gentiles, Catholics or Protestants, there is nothing in our fundamental law nor in the spirit of our institutions

which justifies the passage at our hands of legislation placing one class above another class or of one creed above another creed. On the contrary, until recent agitations have given rise to a spirit of restlessness, manifesting itself in such resolutions as the one we now have before us, our national policy has been to reserve for the churches the preservation of the morals of the people and to withhold for the statesmen the material problems of politics and economy. This is a policy we should still adhere to.

That the religious men and women of this country, free from hypocrisy and demagogy, may continue under God to exercise those merciful and Christ-like qualities that contribute so much to the happiness of mankind, and that Members of Congress, free from the undue influence of lecturers on the one side or liquor dealers on the other, may also, under God and the Constitution, be wise and tolerant and just is a wish worthy the prayers of a united country.

We can not decently destroy the property or the rights of those whose business Congress has sanctioned since the beginning and from whom perhaps a third of our Nation's revenue has been derived. It would result in poverty, lawlessness, taxation, and distress. Where would we lay this new taxation? Would it be upon the churches and charitable institutions, which are now exempt, or would we lay it upon the backs of the people whom we have already taxed to the very limit of endurance? And what would be gained if we turned into outlaws those who are now obedient to the law? The loss of revenue would be serious enough, but what of the loss of respect for the law? The history of all sumptuary legislation shows that force without just reason is not conducive to obedience. We can not make men good by law.

Unless, therefore, the work of the preacher has been a failure, which the progress and good order of this country thus far disproves, we should not abandon the moral training of our men and our women and our children. Neither should the moral responsibility be shifted to a legal prohibition. That would be an unworthy substitute for the work which Jesus Christ came upon this earth to do. We can not make men good by law, nor can we reach their hearts and consciences by law. If we would reform their habits or change their mode of living, we should employ some other methods than coercion and the club.

Mr. MANN. Did the gentleman from Pennsylvania use all his time?

Mr. MOORE. I yield back the remainder of my time.

Mr. MANN. I yield to the gentleman from Massachusetts [Mr. GILLETT] such time as he may desire to occupy.

Mr. GILLETT. Mr. Speaker, there are constitutional and practical objections to this resolution which in my short time I will not discuss, because there is one consideration which under present circumstances is sufficient to determine my vote. I believe that intemperance is a chief cause of crime, poverty, and misery. I do not myself use intoxicating liquors, and if by my edict I could banish them from this country, I would do it without a moment's hesitation. I think there would result an efficiency, a health, and a happiness which would compensate tenfold for the business and revenue which would be destroyed. But, in my opinion, this resolution would not bring about that result, and I shall vote against it. I do it with great reluctance, for I know my position will be misunderstood and I shall grieve many whose esteem I highly value. I have nothing but admiration for the sincere men and women who are so earnestly pressing this cause, whatever I may think of the wisdom and unselfishness of some of their leaders. I have received many petitions from the churches in my district, people for whose unselfish purpose I have the deepest respect, with whom I sympathize and wish to cooperate, and who, moreover, have been my stanchest friends and supporters and from whom it distresses me to differ; but I hope they will believe that my decision is as conscientious as theirs, and that I differ not at all from their views, but only distrust the wisdom of this policy, which I suspect most of them have adopted instinctively from a pure impulse to check evil, but without thoughtfully considering whether national prohibition would really prohibit. I do not think it would. It is not a matter of theory or abstract reasoning. The evidence and proof are before our eyes. I know, and you all do, a city—and not a very large one—where saloons are prohibited by the constitution of the State, and yet where hundreds of them are as open as in New York or Chicago. Why is it? Because local sentiment will not enforce the law. And what is the result? Not only is liquor more free and popular and destructive than if a policy of license were enforced, but in addition the one fundamental safeguard of a republic, respect for law, is undermined. A form of government where the same power—the people—both makes and executes the law can not long deserve to exist when the law falls into contempt.

A criminal law does not enforce itself; it requires the action not of an army but a jury. Lord Brougham once said:

> In my mind he was guilty of no error, he was chargeable with no exaggeration, he was betrayed by his fancy into no metaphor, who said that all we see about us, Kings, Lords, and Commons, the whole machinery of the State, all the apparatus of the system and its varied workings end in simply bringing 12 good men into a box.

We tried prohibition in Massachusetts years ago, when I think it was quite as law-abiding as it is now, and the results were so deplorable, the refusal of juries to convict so scandalous and corrupting, that we abandoned the attempt and adopted local option, and under it the plague spots are gradually being surrounded and confined and narrowed, and the State is substantially dry except in the cities, where the sale of liquor is constantly being more restricted.

The retort, of course, is made that every criminal statute is violated and nevertheless we do not cease to enact them. But I know of no other offense analogous to this. Drinking is not a crime of itself; it is malum prohibitum not malum in se, and I know of no other offense whose prohibition is looked upon by large communities as such an invasion of their personal rights that they spurn the law—not covertly, but openly and defiantly.

But you ask, Are we helpless before this menace? I think the progress of the past 30 years proves that we are not. Despite the enormous increase of cities the cause of temperance has gained in numbers, in weight, in influence. In this very House, which is representative of the people, there has been a notable change in the time since I first came here. I think a similar change is progressing throughout the country. Drinking becomes constantly less respectable. And I believe that with the growth of this sentiment both the frequency and the area of intemperance will be constantly curtailed.

A short time ago I went to a meeting to hear the last word from the most celebrated advocates of this amendment. With practically all they said I heartily agreed, for it was mostly a dramatic and effective portrayal of the evils of intemperance. But in their exultation over the increase of dry territory there was no intimation that it was not really dry—that there were in it cities such as I have described. It may be that public opinion is so changing that these results need no longer be feared. Denver and Seattle have recently been ordered to close their saloons, and I shall watch the issue in those great cities. But until we can make dry territory really dry, until the experiments now going on in the States on a smaller scale have justified themselves and contradicted earlier experience and proved successful, I do not think we ought to experiment on this enormous national arena and make such a vast change in the activities of the Nation and its relation to the States. In a matter of such vital moment our action ought not to be determined by an enthusiastic hope, but ought to await and be guided by the tests of actual experience.

Mr. MANN. I reserve the remainder of my time.

The SPEAKER. The gentleman from Illinois reserves the remainder of his time, and the Chair recognizes the gentleman from Minnesota [Mr. VOLSTEAD] for one hour.

Mr. VOLSTEAD. I yield to the gentleman from Michigan [Mr. LINDQUIST] 10 minutes.

Mr. LINDQUIST. Mr. Speaker, I can sit silent and listen with patience to the discussions that take place in this House on political problems that trouble our land, for I feel it my duty to consider well the advantages and disadvantages of legislation that may bring happiness and security to our people. But, Mr. Speaker, I can no longer sit silent when there is a call and a demand from the people to grant them a privilege which we have no right to deny, and I fail to recognize a spark of patriotism in the make-up of any man or party who would consider it their duty to question the rights of the American people, and especially when they are asking a privilege to protect and safeguard our homes. [Applause.]

I can see in this measure a great opportunity to conserve the resources of our country, for the real resources of our Nation are its young men. Shall we conserve or destroy them? Too much has already been spent for their destruction.

The shattered walls of forts, the ruins of castles, the destruction of cathedrals, and all the architectural wonders on the Continent could never for one minute be compared with the loss of young men who are strewn o'er the battle fields of Europe. It is not the property loss that will throw civilization back a decade, but it is the loss of the young men with their strength and training and their ideals upon which the permanent structure of every nation depends.

Gentlemen, this is not all sentiment. Only a few days ago my little boy, just 5 years old, pattered his way to the schoolhouse, just starting to school. It seems but a day since he was a babe in the cradle, and now he is part of our great educational

system that is building up our young Americans to a proper and truer appreciation of our American institutions.

I have no greater love, nor hope, nor ambition that my boy shall develop into a strong, clean, American citizen than many of you fathers in this Hall for your own boy, and that same ambition, hope, and desire beats in the hearts of every American parent.

I do not wish to see years of training and our entire educational system go for naught. I want my boy to be a true patriot, a strong, vigorous man, so that he can stand the strain of a great campaign of war, if necessary, for this country. [Applause.]

Millions like him are entering the schools for the first time this fall, and it is for us here to-day to largely determine what percentage of these boys shall be useful citizens and how many shall become charges and dependents upon our States. You can take your statistics, put them all together, and you will find that 90 per cent of the men in the reformatories and State prisons are between the ages of 18 and 24, and there is no room for argument as to the great part that the liquor traffic has played in this most pitiful situation.

Mr. Speaker, the destructive wars of all Europe could never wreck the future progress of a nation as can the curse which we are fighting here to-day. Never has there been such a call to serve humanity. Never has there been an issue before this House that demanded a truer expression of the highest type of patriotism. [Applause.] Can we, as men who have the honor of representing the greatest Nation in the world, openly deny our people the right of wiping out a curse that not a man in this House can conscientiously claim has a right to exist? And I defy any man with a spark of patriotism to deny our people the privilege of expressing their opinion on this matter, which so greatly concerns the moral welfare of our Nation.

Where is there a greater opportunity for the man who believes in conservation? Do not tell me that it is patriotic for any man to stand in this Chamber and preach conservation of our natural resources and then fail to herald with enthusiasm this opportunity to aid in the conservation of humanity. [Applause.]

You men who are preaching for a larger Navy—what is the use of the largest Navy in the world if we lack the man behind the gun? All honor to our Secretary of the Navy, who had the courage as well as the wisdom to understand that first must come the strong and efficient man. But, gentlemen, we must hide our faces with shame in our boasted civilization if we let Russia take this problem and with one gigantic stroke wipe it from the face of their country.

There was no argument to it. The physical strength of the giants of the Czar was unable to stand the hardships and the strain of their campaign, and the cause was quickly discovered that their lowered vitality was due to alcoholism.

Gentlemen, that which fails to make strong, patient, vigorous fighting men also fails to produce strong, vigorous American citizens.

Where is the man who is appealing for a larger Army? Where do you stand on this question? Your appeal will fall far short of consistency if you fail to stand like a true soldier for a cleaner and more efficient American manhood.

Another man stands in the way, and he voices the only reason which sounds like logic in opposing this measure, and he is the revenue man, the man who has no greater pride than to deliberately place the value of the almighty dollar above that of human life. He forgets that revenue can be raised in a hundred ways and that manhood of a nation is the true wealth and glory of any country. What amount of revenue can ever replace the lives which have been ruined, the homes which have been impoverished, and the children which have been left dependent, simply because we are unwilling to protect them from the curse of drink?

Gentleman, right at this very moment while I am speaking there are thousands and tens of thousands of young men who are taking their first drink. How do you know but what your boy is one of them?

Zeppelins, submarines, bombs, and seige guns are not the only things that can destroy a nation. We do not need to wait for a foreign foe to invade our land to find it in peril. Our Nation is already in peril, and the foe is within our borders, making a mighty and devilish campaign to capture our cities. Yea, they have already been captured and they hold supreme power in almost every large city in the land.

Fellow Members, it is nothing short of treason for us to allow our land of liberty to be devastated and robbed of its manhood.

Men with consciences awake to this opportunity to conserve human life. Never before have we enjoyed so great a privilege as is now ours to show whether our love of country shall courageously stand out supreme above that of party or personal prejudice. [Applause.]

I can not believe that there is a single Member of this House who would sacrifice the honor of his country to satisfy his selfish interests by maintaining an evil that is fast undermining our great Nation.

I care not whether my political ambitions shall have been crushed by my actions here to-day. I would gladly sacrifice all rather than to have violated a single confidence that the people of the great State of Michigan have placed in me.

I would consider myself unworthy of this honored position of trust if I failed at this time to support my own convictions and to vote for that which I believe is right. Poverty is fast increasing, our asylums are filled to their capacity, our homes are being deserted, and the youth of the land misled and the children being left dependent. Are we going to sit here and refuse our people a fair and decent chance to live? Can we face the misery of it all and call ourselves citizens of a Christian nation?

I tell you that we fall far short of our Chinese brother, who stamped out opium from China when he learned how it degraded his countrymen.

In 1906 the Chinese people appealed to their Government to stop the use of opium in China, giving as their reason and purpose, to make China strong. The edict went out ordering the discontinuance not only of the use of opium, but also the growth of the poppy plant.

It was a great patriotic movement, which was taken up with great earnestness and zeal by officials and the people. No such note of social reform ever struck any nation. In many cities valuable opium pipes were brought out in the streets and saturated with oil and were burned by fire in the presence of applauding multitudes.

The decree was ridiculed and the foreign press was skeptical of the Chinese sincerity, but the Chinese enforced the law, and by the general cooperation of the people the fixed purpose of the Government was carried out successfully.

China has made more progress with the antiopium campaign in three years than we have made with intoxicating liquors in a generation, and I ask in all sincerity is it not a shame for us to sit here as representatives of the most glorious Nation of people on the globe, and is it not a shame for us to stand in the way of our progress?

Do we need to take a seat back of heathen China in the moral progress of our national life? This is no time to argue, discuss, and to proclaim our patriotism if we fail to measure up to the standard of the very people whom we have the honor to represent.

Mr. Speaker, it seems like Divine Providence that brought about the Boer War, for it was the Boer War that yielded up a secret that has cleared a mystery and identified the real cause of the downfall of nations and empires.

The English Government discovered that there was something wrong with their soldiers, and a commission was appointed, and after a thorough and rigid investigation this commisson reported to their Government that the cause was due to alcoholic poisoning.

Scientists from every part of the globe have substantiated the findings brought in by that commission. The British Government immediately took strenuous steps in placarding the streets of the cities of England with billboards, appealing to their people to desist from drinking alcoholic beverages.

Other nations followed the lead of the British Government. The French Government did likewise. The German Emperor even carried his campaign so far as to undertake to eliminate the drinking of beer, so far as possible, in the German Army and Navy.

In London, in 1909, the scientific men from all over the world congregated, and all agreed that alcohol was a poison, and that its use should be restricted in the same manner as poisonous drugs. Can there be any doubt in any man's mind as to the great harm that liquor brings to the homes of the drinkers?

When the scientists of all the world have agreed to its poisonous effect upon the system of the human being, and that it has no food virtues whatever, as the people have always been led to believe, then is it not our duty to place liquor in the same column with that of cocaine, opium, and other poisonous drugs, which science has proved are debauching the American citizen and converting our innocent youth into criminals and wrecks.

Think of it, gentlemen, Russia, while in the midst of a great crisis, and with all her great need for revenue, has wiped out this great source of revenue from the liquor traffic, because

this traffic was demoralizing her citizens and weakening her armies.

In other words, Russia believed it her first duty to protect the integrity of her people, and found other means for raising revenue. And, gentlemen, I will not believe that Russia thinks more highly of her citizens than we do in America; but this is the time when it is up to us to show it.

In my judgment, it is not a question of whether our Government has the moral right to take this issue out of the hands of the States. Our Government has the right and should protect its people against any evil that is degenerating and destroying the homes of the American people.

If this Government has the right to put out of business the great business monopolies, it certainly has the right to put the liquor monopoly out of business. We have destroyed great business trusts—those industries which have carried on business at the expense of other industries, and for no other reason than that they have ruined the smaller industries of our land. Then have we not the right, and is it not our duty, to destroy the great Liquor Trust, that is daily bringing ruin to other industries? For this business can not survive without injury to all other legitimate industries.

Capital and labor are much the same wherever we find them. Their problems are the same problems. I live in a small city, where we have a few factories, and we have this advantage, that we can study the problem at close range. And some of these factory managers tell me that when we had the saloon the day after pay day, in many cases, their men were incapacitated for their work and unfit for their duties, and for the last four years, since we have abolished the saloon, the day after pay day finds every man at his work, sober, and at his best. So from a business standpoint alone we shall produce more, and industry will thrive more successfully, if we remove this clog in the wheels of business.

What is true in our city in this respect is undoubtedly true everywhere the saloon has a chance at the pay envelope of the wage earner. Without the saloon the pay envelope finds its way into the legitimate channels of business, so that the groceryman, the merchant, and the banker alike are benefited by the abolishment of the liquor traffic.

If you must know and must have this problem figured in dollars and cents, there are many who have gathered the statistics. They can tell you the exact amount of money spent for liquor and the amount of money appropriated for the care of the unfortunates, the criminals, the insane, and the dependents, who are the by-products of this monstrous liquor business. There is a big balance against that traffic in plain dollars and cents without figuring the depreciation of manhood. If you want to foster this business, let it continue, and help them along by going on record by opposing this measure, which gives to the common people the right to say whether this liquor traffic shall longer exist or not.

If there was an institution of any kind in our land that began deliberately to cut off the left hand of every man who came within its walls, there would be a unanimous action by this House in five minutes to imprison and punish its organizers. Such an atrocity would not be tolerated. But this could not be compared, gentlemen, with the atrocities of the liquor organizations. The loss of a hand is not to be compared with the loss of the mind. For liquor steals the mind, weakens the will, and so completely demoralizes a man and robs not only the pocketbook and the home, but also destroys the very temple of the soul. It destroys character, and that which destroys character will eventually destroy this Nation.

If we wish to have a Nation of strong men to carry out the ideals of our great founders of America, we have only one action to take, and that is by our vote on this measure to abolish once and forever this great curse of the liquor traffic, which is contrary to every fundamental principle of our Government.

Mr. Speaker, this is unquestionably a call from the people for freedom, and I count it our opportunity to record ourselves as unanimously in favor of giving the people the right to say whether they shall any longer be slaves to this curse, or whether they shall be free and independent and enjoy the pursuits of happiness.

I long for the day when the red stripes in Old Glory shall symbolize, as ever, the true red blood of manly sacrifice which was shed that this Nation shall be forever free; not merely free from a foreign foe, but free from all that blemishes, that destroys the homes of our American people. [Applause.]

Mr. Speaker, I append herewith the following telegram:

DETROIT, MICH., *December 19, 1914.*

Hon. F. O. LINDQUIST,
Washington, D. C.:

Replying to your telegram of December 18, according to our experience we find efficiency of our employees addicted to liquor greatly reduced in our welfare work. It is the greatest problem we have to contend with. In many cases have been compelled to dismiss employees after repeated endeavor to reform, and this has necessitated employing another member of the family to continue the support and proper care of those dependent upon the discharged employee.

(Signed) E. G. LIEBOLD,
Secretary to Henry Ford.

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I shall vote for the pending resolution providing for the submission of a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors for beverage purposes. In so voting I do not desire to have it understood that I have resolved all doubts as to the complete efficacy of prohibition as a cure for the monstrous evils of intemperance or as to the wisdom of attempting to enforce Nation-wide prohibition by Federal authority. Neither do I presume to venture an opinion as to what the judgment of a majority of the people whom I have the honor to represent may be when the questions involved in the proposed amendment are presented for their consideration.

This fact I do know, that a very large number of my constituents, among the very best classes of our citizenship, desire the passage of this resolution and have so informed me. Under these circumstances I consider it my duty as a Representative of these people to give my vote and influence in furtherance of the opportunity which the passage of this resolution will present to my constituents and to the people of the United States as a whole to decide by their votes in the manner provided by the Constitution whether or no the proposed amendment shall become a part of the organic law of the Nation.

Of the arguments presented in opposition to the passage of the resolution, none have impressed me less than those advanced in the name of "State rights" because of the enlargement and extension of Federal police authority which the adoption of the amendment would accomplish. In expressing this opinion I in nowise modify my views as an ardent believer in the limitation of Federal authority, and in the maintenance of the largest possible measure of State and local self-government and control. If the question presented were one of the extension of Federal jurisdiction under the present limitations of our Federal Constitution, then these arguments would be entitled to careful consideration, but it is not. What we are called upon to decide is, Does there exist among our constituents and the people of the Nation as a whole a sentiment and desire sufficiently general, earnest, active, and widespread on the subject involved in the proposed amendment to render it our duty to afford the people an opportunity in the manner provided by the Constitution to render judgment on the issue involved?

With my knowledge and information of the sentiment favorable to the submission of the proposed amendment, I have no doubt or hesitation in deciding that question in the affirmative. It is proposed to give the people of the Union an opportunity, in a constitutional way, to decide whether they desire to enlarge the power and authority and make it the duty of the Federal Government to deal with a gigantic evil, a menace of frightful proportions to the physical and moral welfare of the Nation. Gentlemen who are now eloquent and vehement, if not persuasive, in their opposition to this orderly plan of testing the national sentiment and recording the national will, quite recently approved the extension of national police authority as far and as wide for the protection of bird life as the adoption of the proposed amendment would extend it for the preservation of human life and human welfare.

Gentlemen who without constitutional warrant blithely voted to arm the Federal Government with police authority to the utmost boundaries of the Nation for the protection of the feathered denizens of the air can not consistently refuse to give the people an opportunity to pass upon the question of extending Federal authority in a constitutional manner for the protection of mankind.

I have no criticism of those who in good faith strictly construe the powers of the Federal Government under the Constitution. My own inclination is that way. I have, however, but little patience with those who, assuming the responsibility of attempting to widely extend Federal authority by statute, presume to deny the people an opportunity to extend Federal authority by constitutional mandate. Assuming the gentlemen are sincere in their attitude, the only logical conclusion is that they consider themselves more competent to determine what the Constitution ought to provide than are the people of the Nation acting in their sovereign capacity under constitutional methods.

Mr. Speaker, I vote for this resolution because I believe its adoption is desired by so considerable a number of the best people of the country as to make it our duty to submit the ques-

tions it proposes to the test of adoption provided by the framers of the Constitution. Having performed our duty, the final decision rests with the people of the States of the Nation. I for one will cheerfully await their judgment. I and my children will, I am confident, dwell in security and contentment under any constitutional provisions the American people may see fit to adopt. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Speaker, the essential and vital part of the joint resolution now before the House reads as follows:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation.

It is contended by those opposing this resolution that it is a serious and unwarranted invasion of the rights of the several States—a vital deprivation of the liberties of the individual.

They make other contentions, but for the moment let us address ourselves to these. The preamble of the Constitution of the United States sets forth its object in these words:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Does the amendment here proposed militate against a "more perfect union"? Does it interfere with the establishment or maintenance of justice? Does it prevent in any degree "domestic tranquillity"? Does it keep us from providing for "the common defense"? Does it in any way or in any degree retard "the general welfare" of the citizens of this Republic? Does it take from us or our posterity any of the blessings of liberty vouchsafed to us by the Constitution of our country? About this there is contention; but the question of personal liberty or the blessings of liberty aside, will anyone seriously contend that the resolution before us, if passed, and its purposes embodied into law, *interfere* with in a harmful way *any* of the objects as set forth in the Constitution of the United States? Will not this resolution help wonderfully to "establish justice" by keeping the stream of justice free from the contaminating influences of liquor? Will it not help wonderfully "to establish justice" to the great army of wives, mothers, and children, who suffer most—the innocent and helpless sufferers—from the consequences of the demon drink?

Will not this resolution be a wonderfully potent factor in the establishment of "domestic tranquillity"? What is it that disturbs "domestic tranquillity" more than the drinking of 25 gallons per capita of alcoholic beverages every year, as do the people of this country?

Will not this resolution aid wonderfully "to provide for the common defense" by making us, or at least helping to make us, a virile, strong, and sober Nation? We have in this country 1,000,000 drunkards, 4,000,000 heavy drinkers, and 19,000,000 moderate regular drinkers, besides many millions more who drink more or less—sometimes more and sometimes less, but oftentimes more. The lives of 700,000 of these imbibing gentlemen—male and female—are cut short every year in payment for the privilege. Nature always exacts payment. Those who violate her laws must suffer the consequences. Will not this resolution—this amendment to the Constitution of the United States, if it becomes such—aid wonderfully to "promote the general welfare"? What is it that could aid more?

The people of the United States consumed last year 2,500,000,000 gallons of alcoholic beverages. It cost them the neat little sum of $2,000,000,000—about $1,000,000,000 more than Congress appropriates to defray the running expenses of this great Government for one whole year. I am talking now about the hard cash actually paid each year for the beverage itself—but that by no means is a true criterion of the cost; that is but a paltry part of it. The added crime, pauperism, and insanity produced by the use of alcoholic beverages in the United States cost the people of this country each year by direct taxation about $2,000,000,000 in cold cash. Taking into consideration the economic value of the 700,000 men whose lives are each year prematurely cut short by the use of alcohol and the lowered efficiency of the vast millions of other drinkers, it is estimated that it costs this country in productiveness each year about $14,000,000,000. In other words, instead of producing $32,000,000,000 of wealth each year, we ought to produce, and would produce but for the use of alcohol, $46,000,000,000 of wealth each year. But the money loss, big as it is, is but a small part of the damage done by the "Nation's curse." The loss of mere dollars and cents can be supplied by the industry of other days, but the loss in lives, in manhood, in character, in integrity, in virility, in all that which makes a nation proud and great, "when once destroyed can never be supplied."

In the speech before a jury that tried me for my life I took occasion to say of the demon drink this:

Liquor contaminates everything that it touches. It unfits you for business; it degrades your manhood, undermines your vigor, and lays waste your energies; it saps your vitality and loses for you the respect and confidence of your neighbors and friends; it breaks your mother's heart and blots out your attachments for home; it ruins your hopes and prospects for a bright and happy life; it hastens your father to a sad and immature grave; it brings tears down the cheeks of mothers and floods their hearts with misery and woe. Dearth and desolation are found in the wake of whisky's course. It covers the land with misery and crime. It will curse your existence here on earth and finally land you in hell.

Drink will take one on the road to ruin and make him a curse to the country that he calls his home and a disgrace and a dishonor to the State that he loves. It will never do to drink; it has slain too many reputations; it has brought shame and despair and misery and want to too many homes; it has been the father of too many crimes; it does not stop at the havoc and ruin of the poor, but, like a vile and slimy serpent, it crawls across the threshold of our fairest homes and leaves its desolation and ruin there. It creeps into our courts and defiles the streams of justice; it invites famine and courts disaster. It won't do to drink.

These are my sentiments still.

But those opposing the passage of the joint resolution now before the House say, "Suppose we grant you all this, still we have no constitutional right to pass this resolution and help to make it a part of the fundamental law of the land, because it interferes with the personal liberty of the individual—his right to drink when he gets ready." Besides, they say that one of the main purposes of the Constitution of the United States was "to secure the blessings of liberty to ourselves and our posterity," and that if we interfere with a man's right to make, use, or sell intoxicating beverages we interfere with the blessings of liberty vouchsafed him by our forefathers. To get before our minds clearly the terms of the resolution, I know you will pardon me if I read it once again:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation.

It will be observed that this resolution deals only with the sale of liquor for beverage purposes and not its use. The question then arises, Has the citizen a constitutional right to sell intoxicating liquors or to manufacture them for sale, or to keep a saloon for the purposes of sale? If he has, then the Constitution, amended as provided for in this resolution, would deprive him of one of the "blessings of liberty"—one of his constitutional rights. Happily for us, the Supreme Court of the United States, as well as many of the highest courts in the various States of this Union, have passed on this identical question.

The Supreme Court of the State of Indiana, quoting from Sherlock *v.* Stuart (96 Mich., 193), and citing with approval Crowley *v.* Christenson (137 U. S., 86), says:

No one possesses an inalienable or constitutional right to keep a saloon for the sale of intoxicating liquor; to keep a saloon for the sale of intoxicating liquor is not a natural right to pursue an ordinary calling; there is no inherent right in a citizen to thus sell intoxicating liquors by retail; it is not a privilege of a citizen of the State or of the United States.

There is no inherent right in the citizen or the State or the United States to sell intoxicating liquors.

The Supreme Court of Illinois, in Harrison against The People, in Two hundred and twenty-second Illinois, page 150, says:

It must be conceded that the business of keeping a saloon or dramshop is one which no citizen has a natural or inherent right to pursue.

The Supreme Court of the United States, in Crowley against Christenson, One hundred and twenty-third United States, page 205. speaking of the saloon, said:

As it is a business attended with danger to the community, it may, as already said, be entirely prohibited.

The Supreme Court of Illinois, in the case of Goddard against The President, in Fifteenth Illinois, page 589, said:

It is not sufficient to say that liquors are property, and their sale is as much secured as that of any other property. Their sale for use as a common beverage and tippling is hurtful and injurious to the public morals, good order, and well-being of society. Playing cards and other gaming instruments, and obscene books, prints, and pictures are likewise property, and the same right of sale might as justly be claimed, yet no complaint is made that even the importation as well as the sale is forbidden. When we defend the sale of liquor for the purpose of tippling we surely draw our arguments from our appetites and not our reason, observation, and experience. We may carefully protect the public morals and the profligate from the evils of gaming, horse racing, cockfighting; from the obscenity of prints and pictures; from horses and exhibitions of mountebanks and ropedancers; from the offensive smell of useful trades and hogpens; from the manufacture and exhibition of fireworks and squibs; from rogues, idlers, vagabonds, and vagrants; and from dangers of pestilence, contagion, and gunpowder; yet, according to the doctrine contended for, this right to vend a slow

and sure poison as a common beverage must remain intact and not amenable to police regulations for its suppression, although all the other evils together will not destroy a tithe of the number of human lives nor produce more moral degradation, or suffering, wretchedness, and misery in the social relations of society, or pauperism, vagrancy, and crime in the political community, or pecuniary destitution of individuals and families than will the constitutionally protected right of destroying our neighbors and fellows for the selfish end of our own individual private gain. I am utterly incapable of so regarding it as above all the claims and interests of society, the peace and welfare of families, and especially above the police powers of government, and shall never be brought to acknowledge the sacredness and inviolability of its rights until I shall be able to forget all that I have seen, observed, known, and experienced of its destructiveness of all that is estimable upon earth. Viewing the great and irreparable mischief growing out of this practice, I am not prepared to say that another nuisance may not be added to the list, and that under the police powers society may find protection from its blighting curse.

Not only have courts decided over and over again that neither the individual, the State, nor the Nation has any inherent or constitutional right to manufacture for sale, import for sale, or sell intoxicating liquors for beverage purposes—and that is all the resolution now before us provides for—but they have denounced its use in unmeasured terms. As an example of this, I cite the case of Pearsons against The International Distillery, reported in Seventy-second Iowa, page 348, where the court said:

The evils flowing from intoxicating liquors arise wholly from its use as a beverage. But this use is widespread, reaching all classes of the people and both sexes and every age. No condition of life is wholly exempt therefrom. An enumeration of all the evils arising from the use of intoxicating liquors need not be attempted. They are numerous and affect the people collectively and individually. Idleness, poverty, pauperism, crime, insanity, disease, and the destruction of human life follow indulgence in the habit of using intoxicating drinks. Millions of our fellow countrymen are addicted to this habit, and of these millions become drunkards. Homes are broken up and domestic peace is destroyed by drunkenness.

The prisons, almshouses, and institutions for the care of orphanage, insanity, and affliction are largely filled by the vice. These are evils, but not all of the evils, of the alcoholic habit, affecting the social conditions of the people and their comfort and good morals. But other evils attending the use of intoxicating beverages affect the State and its government. It is the prolific source of crime, pauperism, and insanity, and thereby entails taxation to defray the expenses of the conviction and punishment of criminals and the support of almshouses, asylums, and hospitals. It deteriorates mentally and physically the human stock, rendering its victims, as well as their progeny, less capable of bearing arms in defense of their country and of discharging other duties of citizens. Soldiers are unfitted for duty by it, and thereby battles have been lost and the liberty of nations, if not lost, has been imperiled. Tradition perpetuates, if history does not fully record, the evils which have flowed from the alcohol habit of officers and soldiers in our Armies. Washington struggled with difficulties occasioned by it, and other commanders of later days have had a like experience, while patriotic soldiers have suffered on account of inebriety of officers in all branches of the military service. The appetite for strong drink, possessed by so many of our countrymen, demands constant gratification and the expenditure therefor of enormous sums of money, thus creating a business—the keeping of saloons and dramshops—in which are employed an immense number of men. Their business and their relations with the idle and dangerous classes of society give them great influence in public affairs. The municipal government of the cities, often burdened with debts and robbed by unfaithful and mercenary officers in all departments, gives evidence of the direction in which this influence is exerted. Thinking men of the day largely concur in the opinion that the influence of the saloon and the idleness and vice of the multitude of its clientage united constitute the great peril of American institutions. We think none will deny that nothing but evil flows from this source.

THE STATE RIGHTS STATESMAN.

But the State rights statesmen say that the Federal Government has no right to prevent the manufacture or sale of intoxicating beverages; that that right, if they choose to exercise it, belongs to the States; that it is wholly within the police power of the States to say whether these things shall be done or not and that the Federal Government has no constitutional warrant to interfere in this matter.

From the decisions already cited I have shown that the States have no natural or inherent right to sell intoxicating beverages, but if further proof is needed to show that the State has neither the reserved right nor the right under its police power to authorize the sale of intoxicating liquors, I want to call your attention to the case of The State against Mississippi, reported in One hundred and first United States, page 814, wherein the Supreme Court of the United States said:

No legislature can bargain away the public health or the public morals. The people themselves can not do it, much less their servants. Government is organized with a view to their preservation and can not divest itself of the power to provide for them.

The police power of the States extends only to the protection of the lives, limbs, health, comfort, and property of the citizens within the State, and not the destruction of them. In other words, the police power is a protective power and not a destructive power. Its mission is to save, not to destroy; and how can the States better save themselves or the United States Government better save itself than in the destruction of the evil of intemperance?

THE GENERAL-WELFARE CLAUSE OF THE CONSTITUTION.

And has not the Federal Government got a right to save itself? Has it not got the power under the "general-welfare" clause of the Constitution, if nowhere else, to reach out and grapple with the monster that is sapping its very foundation, seeking its utter destruction?

Has it not upon divers occasions exercised this power when its necessity was not so great as now? Has it not upon occasions more than one, answering the cry of State rights statesmen, extended a helping hand in the destruction of the boll weevil of Mississippi, Alabama, Georgia, and other sections of the South? Has it not spent already over $2,000,000 in its destruction? Did not State rights statesmen applaud the enterprise? Nothing heard about State rights then.

Every time a pesky tick straddles the back of a mangy steer in any of the barren wastes of the sunny South, has not the State rights statesman risen up in consternation and yelled to Uncle Sam for help? And has not Uncle Sam been generous in expending hundreds of thousands of dollars to eradicate the tick? No question raised about State rights then.

UNCLE SAM AND THE HOG CHOLERA.

And did not Uncle Sam only last year, by the authority of no less a body than Congress itself, appropriate in a bill, which was hastily signed by the President, $500,000 to stop the hog cholera in the Middle West? And did not the State rights statesmen of Arkansas, Iowa, Nebraska, and Missouri applaud that generous act on the part of Uncle Sam? Nothing said by them about State rights then.

UNCLE SAM AND THE HOOF-AND-MOUTH DISEASE.

And is there not a crusade now on, by no less authority than the Government of the United States itself, against the hoof-and-mouth disease, which is afflicting the cattle of our country? And has not the Secretary of Agriculture already expended over $1,000,000 in the suppression of that epidemic? And will not the United States Government be called upon to spend many millions more for the cattle already destroyed by its authority?

Is it good common sense and good State rights doctrine for the National Government to spend millions of money every year in killing boll weevils, destroying ticks, and saving sick hogs, while not a copper goes to suppress the demon drink, which is filling our prisons, despoiling our homes, and damning our children? Is it good common sense and good State rights doctrine for the Federal Government to spend millions of money in determining what to feed the horse and how to care for the cow, especially when afflicted with the hoof-and-mouth disease, while nothing is done for the hoof-and-mouth disease of millions of human beings—our own countrymen—a mouth disease that is ever recurring and that can only be assuaged by that which destroys its victim, and a foot disease that sends every year 1,000,000 drunkards and 4,000,000 heavy drinkers from neglected duties and unembraced opportunities to homes despoiled by their misdoings and dishonored by their misdeeds?

Is it good State rights doctrine and good common sense to deprive the States the right to vote on a question so vital to their welfare as the liquor question? All the proponents of the so-called Hobson resolution are asking is, that the matter be referred to the States and that they have a right to vote on the question as to whether or not the Federal Constitution shall be amended as provided in the resolution.

AMENDMENTS TO THE CONSTITUTION.

Article V of the Federal Constitution provides that Congress by a two-thirds vote can propose amendments to the Constitution, which shall become effective only when ratified by the legislatures of three-fourths of the several States. It will therefore take at least a majority vote of the legislatures of 36 States to ratify the proposed amendment. Whatever the views of the various Members of Congress as to the merits of this resolution, the States have a right to pass upon it; and to give the States that right is all that we, who favor the resolution, are asking. And those who are asking it, if not praying for it, constitute a majority of the citizenship of this country. Within the last year over 6,000,000 petitions have been sent to Congress asking for the passage of this resolution. Priest and pastor throughout the length and breadth of this land have joined hands in making this request. In the main, the Christian people of the entire country are for the passage of this resolution. The better thought of the land and country is that the Federal Government should dissolve partnership with the liquor business; that it should wash its hands of and forever divorce itself from that unholy alliance; that the revenues derived from such a source would be infinitely better for the welfare of our common country if gotten in some other way and from some other source; that their cost in money, in blighted homes—slain reputations and ruined lives, saying nothing of the long train of crime, and misery, and poverty, and want, and woe that follow in the wake of whisky's course is out of all proportion to the value of the revenues derived therefrom. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman reserves 30 minutes.

Mr. HENRY. Mr. Speaker, with a century gone the ghost of Alexander Hamilton stalks into the House of American Representatives to reincarnate the doctrine of a consolidated Federal Government. Against the heresy of his teaching I invoke the spirit of Thomas Jefferson, the immortal Democrat. Gentlemen have undertaken to brush aside the principle of State rights and State sovereignty and have addressed themselves solely to the question of the baneful effects of alcohol and the evils of intemperance. I am not willing for the issue thus formed to be the test.

The time has come for plain speech, and I hesitate not in calling upon my brethren of the Democratic faith to pause and take their bearings. This assault on the integrity of State supremacy and local self-government is now at high tide, and from this day forth will wane and perish. The time has come when we as Representatives should stand and defend the rights of the States and the reserved sovereignty of our people.

I challenge the Hobson amendment and arraign its purport and intent as unsound, ruinous, and utterly impracticable, if proposed and ratified.

Nation-wide prohibition would be an empty and idle dream, would undermine State government and debauch the wise doctrine of State sovereignty. Hence, for these reasons, I unhesitatingly attack it and undertake to show that it is indefensible from every standpoint and should to-day have promptly administered to it by this House of liberty-loving Americans the just sentence of death.

While invoking the spirit of Thomas Jefferson, permit me to read a line from his first inaugural address. In stating the general principles of government, amongst them he enumerated the cardinal one as of greatest importance, to wit, the sovereignty and supremacy of State governments in all their rights. He said:

> The support of the State governments in all their rights as the most competent administrators for our domestic concerns and the surest bulwarks against antirepublican tendencies—

is the test of genuine Democracy.

That was sound Democracy when our party sprang into being almost with the birth of the Constitution. It is as sound and important to-day as it was when republican institutions came to bless mankind.

Allow me to read from a distinguished Democrat of this generation who has linked his political life with that of Thomas Jefferson. He said:

> The States are even more needed than they formerly were for the administration of domestic affairs. As a matter of theory that government is best which is nearest the people. If there is any soundness at all in the doctrine of self-government, the people can act most intelligently upon matters with which they are most familiar.

And again, a little later on, this same great Democrat reiterated the principle as follows:

> One of Jefferson's reasons for supporting State governments in all their rights was that they were the surest bulwark against antirepublican tendencies. These antirepublican tendencies exist to-day, and the bulwark can not be dispensed with. * * * A systematic absorption of power by the Federal Government would not only cause discontent and weaken the attachment of the people for the Government, but a withdrawal of power from the State would breed indifference to public affairs—the forerunner of despotism. * * * *The demand for the enlargement of the Federal Government comes from two sources, viz, from those who believe with Hamilton in the theory of centralization and from those who want legislation which the State-rights doctrine obstructs.*

In supreme thought and plain speech William J. Bryan took his stand and fights by the side of the greatest constructive Democrat the world has yet known.

The people of this Republic are not ready to abandon their right to control domestic concerns, and Representatives need not deceive themselves under the spell of this national prohibition impulse. Let me say to my colleagues this day that we are now asked to reverse the course which led us to pass the Webb bill. We all recall that a little more than one year ago the adherents of temperance and prohibition came to Congress and urged that the question of dealing with liquor was purely a local one for the States and had no place in the domain of Federal jurisdiction. They proceeded to the Judiciary Committee and said this problem was one of the sovereign power of the States, and that the Federal Government should loosen its grasp and touch no aspect of it. That committee reported the Webb bill, and then the Committee on Rules were besought for a special rule for the consideration of that measure. The Committee on Rules was evenly balanced, and as chairman it was my proud privilege to cast the deciding vote in favor of the rule to bring before the House for consideration this legislation so near the hearts and prayers of the temperance advocates. They stoutly contended that the Webb bill should be passed, because the question of dealing with liquor was one for State control from every conceivable angle. We heeded their demands, and in a few brief months here they come and importune us to reverse our course, stultify our judgment, and take away the last vestige of State control over the liquor traffic. For 20 years they had stood in the storm of contest and controversy and proclaimed that this question belonged to the States, and that Congress would be guilty of a denial of justice not to remand it to that forum for settlement. We should not forget it; and I predict when the American people thoroughly understand the issue they will stay the hands of those who, like iconoclasts, would destroy State sovereignty and resurrect the terrible doctrine of a consolidated Federal Government at the National Capital. Away with the heresy! I fear not to defy it and go forth to the American people of every State and invoke their verdict and judgment when the rights of the States are thus on trial.

The people were not willing to surrender this power when the Government was formed in 1789. They will not agree to surrender it to-day, and, furthermore, the American people never will surrender their right to control domestic concerns and to retain their unsurrendered police powers. [Applause.]

Permit me to quote what was said before a committee of Congress. This is from the head and front of those who advocated the Webb State-rights legislation. The Rev. Dr. Edwin C. Dinwiddie and those agreeing with him come to-day and demand that we face about, strike a death blow to the inherent powers of the people, and transfer them to the National Capital. His exact language is as follows:

> We are asking for no more than is fair and right under the constitutional powers of Congress when we ask that Congress shall so legislate upon the subject as that *the States will have complete jurisdiction over the subject within their own borders.*

Their fight culminated in victory, and we remanded the subject of controlling intoxicating liquors to the exclusive jurisdiction of the respective States. There it should remain as long as we love republican institutions and individual rights.

It is edifying to further quote from the Rev. Dr. Edwin C. Dinwiddie, who emphasized, iterated, and reiterated his position when appealing to a committee of Congress for State-rights legislation. He proceeds:

> I need not emphasize before this committee the value to the States of what are commonly termed their police powers. They are vital to their prosperity and integrity * * *. All of these cases cited by me go to show the absolute necessity for the exercise of this power by the States.

And he continues, quoting from the opinion of the Supreme Court and cordially approving it:

> The reserve power of the States to guard the health, morals, and safety of their people is more vital to the existence of society than their power in respect to trade and commerce, having no possible connection with those subjects.

And finally, with great emphasis, he quotes Mr. Justice Gray to this effect:

> *The police power is inherent in the States, reserved to them by the Constitution, and necessary to their existence as organized governments.*

And the reverend doctor caps the climax by indorsing this further language of the decision:

> The power of regulating or prohibiting the manufacture and sale of intoxicating liquors appropriately belongs, as a branch of the police power, to the legislatures of the several States and can be judiciously and effectively exercised by them alone, according to their views of public policy and local needs, and can not practically, if it can constitutionally, be wielded by Congress as part of a national and uniform system.

And in closing his contentions he puts his stamp of approval on the State rights doctrine, the wisdom and propriety of the policy, in this strong language:

> I have adverted to the police powers of the States, and in the extracts from the foregoing judicial opinions have sought to emphasize their importance at this juncture, because it is important to bear in mind that these powers are vitally necessary to the integrity of civil government and to show that they are best exercised by the States themselves. *In fact, under our system of Government they can be exercised by no other authority. * * * The reason for this is that we believe that the States, which know their conditions and their needs and are best able to provide for the safety, health, and morals of their people, ought to have absolute and untrammeled control of this subject matter, and it is due from Congress to cooperate to that end and thus furnish what Mr. Justice Johnson called, in his concurrent opinion in the Gibbons v. Ogden case, "a frank and candid cooperation for the general good."*

So, Mr. Speaker, if Dr. Dinwiddie and his adherents were right in their demand for the Webb law, which remanded this question to the exclusive jurisdiction of the States, all the logic and refinement of reasoning ever advanced by man can not justify their position taken here this day in favor of the Hobson national prohibition amendment.

AS DEMOCRATS OUR DUTY DEMANDS ADHERENCE TO STATE SOVEREIGNTY.

Mr. Speaker, here is a book entitled "The Republic of Republics," written by B. J. Sage, Esq., a great lawyer of the New Orleans bar. No living human being can read this volume and successfully challenge his defense of State rights and State sovereignty. It should convert every intellect reading it with honest intent.

When the Constitution was handed down from Philadelphia to the respective States in their conventions for ratification, the States halted before passing their ordinances ratifying the same. Thomas Jefferson from across the sea had said, "You have not sufficiently guarded the States in their rights and have not preserved their sovereignty." Gov. Hancock, of Massachusetts, suggested to Samuel Adams, a signer of the Declaration of Independence, that something in the nature of the first 10 amendments should be agreed to before the Constitution was ratified by the States. In pursuance with these suggestions, the amendments were proposed which were subsequently acquiesced in by all the States. So fearful were our fathers that State rights and State sovereignty were not preserved in the original Constitution, it was with the utmost difficulty that the friends of that instrument saved it from defeat. Washington, Hamilton, Madison, Wilson, Dickinson, Coxe, Sherman, Ellsworth, Adams, Ames, Parsons, Patterson, Livingston, Pendleton, John Marshall, and many others answered the objections by asserting and proving the absolute sovereignty of the States and the vicarious and subordinate character of the Federal Government. With strong arguments for the Constitution from these great men, the Federal system barely escaped disastrous defeat in the larger States. Massachusetts in her convention ratified the Constitution by a majority of only 19 in a convention of 355 members; New Hampshire, by 11 out of 103; New York, by a majority of only 3 in 57; and Virginia, by a scant majority of 10 amongst 168 delegates. North Carolina, now the home of the distinguished chairman of the Judiciary Committee [Mr. WEBB], and Rhode Island rejected the Constitution by overwhelming majorities, because they did not believe State rights and State sovereignty had been safeguarded in the Constitution. Indeed, many historians of that day think that a vast majority of the people of the respective States would have rejected the Constitution on the ground that it encroached too much on the rights of the people if it had been submitted to a popular vote.

On May 10, 1789, the governor and council of North Carolina addressed congratulations to Washington, who had been elected President, and still refused to come into the Union. On June 19, 1789, Washington replied to their congratulatory communication and urged that they enter the sisterhood of States. At a later date North Carolina came into the Union after the 10 amendments had been proposed and ratified. However, she reserved her rights as a sovereign State.

And Massachusetts, tardy in agreement, in specific and strong language, laid down a principle for other States to follow, to wit:

That the people of this Commonwealth have the sole and exclusive right of governing themselves as a free, sovereign, and independent State.

This was the principle cherished and laid down by our fathers at the beginning of this Government. For more than a hundred years we have loved that doctrine, and I am not willing this day to fling it to the winds to gratify those who believe in national prohibition and are ready to sacrifice the most sacred principles of Government ever held by man since the dawn of history began. Our ancestry inherited and reestablished State sovereignty. We have cherished it from the beginning of our Government, and when the sober second thought comes upon the American people they will renew their allegiance to that faith, and national prohibition amendments and all such doctrines must perish from their consideration.

Several of the original thirteen States, by specific and unequivocal language in their constitutional conventions, stated their position. Permit me to illustrate their course by using the words of the most populous State in the Union of this day and one of the greatest at that time. New York in her ordinance ratifying the Constitution asserted:

That the powers of government may be REASSUMED by the people whensoever it shall become necessary to their happiness; that every power, jurisdiction, and right which is not by the said Constitution clearly delegated to the Congress of the United States, or the departments of the Government thereof, remains to the people of the several States, or to their respective State governments, to whom they may have granted the same; and that those clauses in the said Constitution which declare that Congress shall not have or exercise certain powers do not imply that Congress is entitled to any powers not given by the said Constitution, but such clauses are to be construed either as exceptions to certain specified powers or as inserted for greater caution.

And Virginia followed in her wake by using this language:

That the power granted under the Constitution, being derived from the people of the United States, may be RESUMED by them whenever the same shall be perverted to their injury or oppression.

And the State of New Hampshire said in her constitution:

That her people have the right, whenever they deem it necessary to prevent the ends of government from being perverted or to preserve public liberty, to reframe the old or establish a new Government.

If these reservations had not been made by the ratification of the first 10 amendments and secured by ordinances as the various States ratified the Constitution, the States would not have entered the Union, and if they had been violated in that early day the States would have walked out with a unanimity that would have testified to their irrevocable allegiance to State sovereignty.

We may well raise the question here for our deep concern and consideration as to whether we now have the power to rob the States and the people therein of their supreme sovereignty and inalienable rights by such an amendment as this, *unless there is unanimous agreement amongst every State of the Union.* However, aside from any constitutional or legal points here involved, I am not willing, as a matter of policy, to take these reserved rights away from the people of my State or any other State in the Union. It was not contemplated when the thirteen States entered into a solemn compact and assumed contractual obligations toward one another. *It was not good faith in that day to rob the States of their rights, and it is not good faith to urge that three-fourths of the States shall take away the reserved powers and sovereignty of the States constituting this Republic.*

So, Mr. Speaker, let us turn our faces to the future, highly resolved that we will stand by the ancient landmarks of democracy, the Constitution of our fathers, and the traditions that have made us great, and that will yet bring us greater progress, prosperity, and happiness.

One of my colleagues speaks of what he desires for Texas. Permit me to remind this House that thrice Texas has voted on the prohibition question, and has entered her decree against it. Permit me to state that in Texas we are not ready for the State of Wyoming to say to the people of Texas that they shall assist in framing our domestic law and how we shall exercise our police jurisdiction. Nor do we wish to say to Wyoming that she shall enact certain domestic laws and direct her police powers along certain lines.

If you reverse the proposition contained in this amendment and urge that we shall vote for an amendment providing antiprohibition in every State of the Union, I am not willing to accept this converse of the Hobson amendment. It would not appeal to me if I knew that every State in the Union would ratify it, because I wish to leave States free to act for themselves.

The gentleman from Illinois [Mr. MANN] made a great argument this afternoon, and I quite agree with him that when you take their right away from the States, when you remove the Government far from the people, a Nation-wide prohibition law would become a farce. [Applause.]

Mr. Speaker, gentlemen have allowed the dogma of national prohibition to stampede them. Love of my State will prevent me giving my consent to a constitutional amendment which would authorize sending Federal officers, spies, satraps, and intermeddlers into every home throughout Texas. I am against it. On the eternal principles of Democracy I stand with Thomas Jefferson, with Andrew Jackson, with Jefferson Davis, with William J. Bryan, and with that great Democrat in the White House to-day, Woodrow Wilson. [Applause.] The President has written a letter against Nation-wide prohibition, and yields his allegiance to the doctrine of State rights. His letter inveighs against State prohibition and advocates the integrity of States and localities. In the early nineties Mr. Bryan voted against State-wide prohibition in Nebraska, and in 1908, by interview for the benefit of the American people, said he was against Nation-wide prohibition. In that statement he hugged to his bosom the cherished doctrines of Jefferson, defining the meaning of local self-government and the right of the people to rule in every locality.

I am against State-wide prohibition and Nation-wide prohibition, and am not willing to stab the vitals of our Republican institutions and turn over the destinies of a hundred millions of people to Federal officials sent out from Washington.

If you were to propose this amendment to the various States, I would vote against it, because, aside from any constitutional question or any legal proposition involved, my belief is the people can control their affairs in each State better than they can be administered from Washington.

After a while some one will propose a constitutional amendment against the separate-coach laws in the various States. They will seek an amendment providing that certain States shall not have separate schools and churches and graveyards, and that the races shall not be separated socially, and that there shall be no State laws against the intermarriage of the races. Next it will be proposed that there shall be a national constitutional amendment to blot out the red-light districts in the cities throughout the land. All these things should remain in the grasp of the people of the States subject to their will and control.

Mr. Speaker, before "proposing" this amendment we must first determine in our representative capacity that it is "necessary," as provided by the express language of the Constitution, in Article V, specifying how amendments may be secured. We have been told that we should vote to submit the proposed amendment to the people, whether we favor it or not; that we should refer it to the people and give them a chance to vote on it; that the people have the right to amend the Constitution; and that propositions to amend it should be referred to them for such action as they may choose to take. But the Constitution prescribes how it may be amended, and it can be done in no other way; and it provides, not for submitting amendments to the people, but for "proposing" them to the legislatures of the several States or to conventions in the several States for ratification. They may be proposed by Congress or by a convention called by Congress upon the application of the legislatures of two-thirds of the States. But the Constitution does not provide for their submission to a vote of the people. And we have been told that we should vote for it to let the States act upon it and exercise their sovereign right to amend the Constitution.

There are two methods provided in the Constitution for proposing amendments to it—one by Congress whenever two-thirds of both Houses deem it "necessary," the other by a convention which shall be called for that purpose upon the application of two-thirds of the States. It is not necessary for Congress to propose in order to give the people of the States the opportunity to amend. The Constitution authorizes not the submission but the "proposing" of amendments by Congress, and then only when two-thirds of both Houses deem it "necessary."

THE POLICE POWER.

Mr. Speaker, from the beginning of our Government to the present day the police power of the State has been absolute in its control of the liquor question.

Judge Cooley, in speaking of the police power of the States, says:

> The police power of a State, in a comprehensive sense, embraces its whole system of internal regulation by which the State seeks not only to preserve the public order and to prevent offenses against the State, but also to establish for the intercourse of citizens with citizens those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights and to insure to each the uninterrupted enjoyment of his own, so far as is reasonably consistent with a like enjoyment of rights by others.

From the inception of our Government to the present day the regulation of the liquor traffic has been one of the conceded police powers of the various States of the Union. In every case before the Supreme Court of the United States in which any question of the regulation of the liquor traffic has been under consideration there has been reiteration by the court of this doctrine. It has never been denied, but always conceded, and the reasons for the rule have never been questioned.

For more than 20 years all proposed legislation in Congress intending to restrict the liquor traffic has been urged *upon the single principle that the several States of the Union should be supreme in their control of the liquor traffic.* In the License Cases it was urged that liquor shipped in interstate commerce should not be beyond the police powers of the State by reason of their interstate commerce character. From *the date of the passage of the so-called Wilson Act* (August 8, 1890) *it has been consistently argued by the temperance advocates with great force and effect at every session of Congress that the absolute control of the liquor question should be left to the police powers of the State.*

Tiedeman, in his treatise on "States and Federal Control of Persons and Property in the United States," in discussing the tenth amendment to the Constitution of the United States and the police powers of the United States, uses this language:

> In all ordinary cases of police powers the meaning and legal effect of the tenth amendment is clear, viz, that unless the exercise of a particular police power is granted to the United States Government, expressly or by necessary implication, the power resides in the State government, and may be exercised by it unless the State constitution prohibits its exercise. *It may, therefore, be stated as a general proposition that with a few exceptions, which are mentioned in the succeeding sections, the police power in the United States is located in the States.* The State is intrusted with the duty of enacting and maintaining all those internal regulations *which are necessary for the preservation and the prevention of injury to the rights of others.*

A very recent statement that the liquor question belongs to the States was made by Gov. Simeon E. Baldwin, of Connecticut, former professor of law at Yale College, chief justice of the Connecticut Supreme Court, and president of the American Bar Association, in a letter dated October 12, 1914, addressed to Mr. J. H. Mansfield, chairman of the temperance and citizenship committee of the New Haven Christian Endeavor Union. Mr. Mansfield asked the governor whether, if elected to the Senate of the United States, he would support the Hobson prohibition resolution. He replied:

> The prohibition of the manufacture or sale of intoxicating liquors within its borders is within the authority of every State. For that no constitutional amendment is necessary. BUT A CONSTITUTIONAL AMENDMENT TO GIVE THE SAME POWER TO THE UNITED STATES WOULD SERIOUSLY DISTURB THE BALANCE BETWEEN THE STATE AND THE NATION.
>
> It would transfer an important function of the State to the Federal Government.
>
> IT WOULD TAKE AWAY A PART OF THE STATE'S SOVEREIGNTY OVER HER CITIZENS.
>
> IT WOULD TEND STRONGLY TOWARD REPLACING OUR CONSTITUTIONAL SCHEME BY ANOTHER MORE LIKE THAT OF GERMANY OR CANADA OR AUSTRIA-HUNGARY.
>
> It would fortify the national sovereignty AS AGAINST THE SOVEREIGNTY OF THE PEOPLE OF THE SEVERAL STATES. It would, so far forth, centralize political power.
>
> IT WOULD BE UNWISE TO FORCE UPON ANY STATE BY A NATION-WIDE PROHIBITORY LAW A POLICY WHICH IT MAY DISAPPROVE BECAUSE DEEMING IT UNSUITED TO ITS PARTICULAR CIRCUMSTANCES AND CONDITIONS.

WHAT A MINORITY OF POPULATION MAY DO FOR A MAJORITY, AND WHAT 12 STATES MUST SUBMIT TO IN SUCH EVENTS.

There are 12 States which could not prevent the ratification of an amendment to the Constitution if submitted by Congress: Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Michigan, Missouri, Illinois, Kentucky, Texas, and California.

These facts are interesting:

Population United States, 1910.	
Total for United States	91,972,266
Twelve States	50,556,065
Presidential vote, 1912.	
United States	15,039,300
Twelve States	9,253,230
House of Representatives.	
Whole number of Representatives	435
From 12 States	238
From 36 States	197
School census, 1910.	
Attending public school in United States	17,646,877
Attending public school in 12 States	9,351,897
All farm property, 1910.	
United States	$40,991,449,090
Twelve States	18,552,127,444

* * * * * * *

MUST THE RIGHTS OF STATES BE EFFACED? IS REGARD FOR STATE SOVEREIGNTY GONE?

Mr. Speaker, the joint resolution proposes a complete departure from our accepted theories of government. Its adoption will inaugurate an agitation Nation wide which will obscure and push to the background important policies and retard the enactment of legislation and reforms awaiting solution by Congress. It will be made an absorbing issue in the legislatures of the 48 States. Not one of these States is denied the power to prohibit within its borders the manufacture, sale, or use of alcoholic beverages, and provision is made for local option in each subdivision of the States. The machinery is at hand to express the wish of the people in the smallest political unit in each State. Under the laws of these States, each one desiring prohibition can have it if the majority of the people so decree.

The ample provision made by the States to provide an expression of opinion by the people on this subject, its adoption by some, its rejection by others, leads to the irresistible conclusion that the object of the present resolution is to force upon States opposed to prohibition something they do not want.

It means that Texas will be called upon to interfere in the domestic affairs of North Dakota, of New York, of California, States and peoples with whom Texas has but little acquaintance.

It introduces into our national life a police regulation which we have heretofore wisely left to the determination of the individual State. If successful, it will force upon communities and people things they do not want, and do it in the most obnoxious way.

The United States has a population of 100,000,000, and is divided into 48 States. Climatic conditions, occupations, manner of living, economic, social, religious, and educational affairs are diversified. We have drawn our people from the great nations of the earth and the national melting pot has not yet proved entirely effective, as we observe from the racial prejudices aroused by the world tragedy now being enacted in Europe. We have but recently witnessed the disastrous effect of the attempt to fasten upon some unhappy people the domination of

a foreign Government. In lesser degree this resolution proposed to do the same thing in the United States, to force upon certain communities things they do not desire and take from them the power to regulate their personal affairs. The Anglo-Saxon can not rule the Teuton nor the Teuton the Latin. Why should a representative from the State of Texas, the southernmost border of the Republic, attempt to dictate to a citizen of Illinois, who is not related by association, by environment, by habits of life, or political point of view? It was not intended by the forefathers that Virginia should control the internal affairs or police regulations of Massachusetts or that Massachusetts should dictate to the Old Dominion the conduct of her citizens in the smaller matters of what her people should eat or drink or wear.

Mr. Speaker, there should be no misapprehension of the object of this law; it intends, and its advocates desire, that it should force upon many States conditions and laws they do not wish.

In my own State of Texas thrice by direct vote of all the people State-wide prohibition was defeated. So this is an attempt to have the Congress give us something we have again and again decided we do not want.

We can trust the enlightened electorate of each State to pass all necessary laws for their domestic control.

Why not establish a national police force for our great cities? Why not have police judges appointed by the President? Do we want the United States marshals entering our homes to search for and seize a bottle of whisky?

Shall we crowd the United States courts with cases against men selling or drinking alcoholic beverages?

It will require an army of marshals and a brigade of new judges to enforce national prohibition.

It will raise vexing questions of authority and jurisdiction between the Federal and State Governments.

Shall the Federal Government next be asked to take national control of our insane wards, of our blind, or deaf, or other eleemosynary institutions, or the red-light districts?

If the Federal Government is called to regulate, to correct, or punish the petty vices of our citizens, why not abolish all State governments, destroy State boundaries, and let Congress make the laws for all the States? When that times comes, we take the first step in the substitution of a monarchy for a republic. Hamilton's consolidated government will be realized.

A national force bill providing for the supervision of State elections by United States marshals was at one time proposed to this Congress. This force bill was identical in theory with the bill now under discussion. It was an attempt of the Federal Government to interfere with the sovereign power of the State, and its defeat was brought about by an outraged public sentiment coming from both North and South.

WHAT ANDREW JACKSON THOUGHT.

Jackson was right when he said:

In the domestic policy of this Government there are two objects which especially deserve the attention of the people and their Representatives, and which have been and will continue to be the subjects of my increasing solicitude. They are the preservation of the rights of the several States and the integrity of the Union.

* * * * * * *

My experience in public concerns and the observation of a life somewhat advanced confirm the opinion long since imbibed by me that the destruction of our State governments or the annihilation of their control over the local concerns of the people would lead directly to revolution and anarchy and finally to despotism and military domination. In proportion, therefore, as a general government encroaches upon the rights of the States, in the same proportion does it impair its own power and detract from its ability to fulfill the purposes of its creation.

Mr. Speaker, what would this old soldier have said if it had been proposed in his time that the Federal Government should go into the small business of regulating saloons and placing Federal officials throughout the various States in the business of spying out the petty vices of men, a gigantic Federal secret service with a hundred thousand inquisitive eyes looking into the private dwellings of men to prevent the use of proscribed beverages?

National prohibition means a Federal police force to enforce prohibition. The logic can not be escaped.

New York City alone requires 7,000 policemen. How many Federal policemen will it require to enforce national prohibition? It will require more men than our present standing Army, and will place in the hands of the Federal Government a vast political power that, when improperly used, can control elections and return to office the men decided upon by the appointing power.

Such interference in the personal affairs of men is resented even when undertaken by a State government. When force is attempted by nonresidents of a State it will breed riot and rebellion.

JEFFERSON STATES THE QUINTESSENCE OF DEMOCRATIC FAITH.

Jefferson said:

Our country is too large to have all its affairs directed by a single government. Public servants at such a distance and from under the eyes of their constituents must from the circumstance of distance be unable to administer and overlook all the details necessary for the good government of the citizens, and the same circumstance, by rendering detection impossible to their constituents, will invite the public agents to corruption, plunder, and waste.

Again he said:

It is not by the consolidation or centralization of powers, but by their distribution that good government is effected. Were not this great country already divided into States, that division must be made that each might do for itself what concerns itself directly and what it can so much better do than a distant authority.

Again he asserted:

When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.

Is there such danger from intemperance that we should take from the State its control and lodge that power in Washington? Have we such little confidence in the morality, the statecraft of our various governors and legislatures, that we must say to them, "You are incompetent; you are derelict; you are unfit to handle your own affairs in the matter of drinking or not drinking; you can not be trusted with this discretion"?

Shall Representatives be called upon to pass laws essentially of State effect, or shall we trust the members of the legislatures to do the work they have done ever since the foundation of our Government?

Mr. Speaker, there are certain powers that are wisely delegated to the Federal Government and other powers reserved for the States.

WOODROW WILSON IN MODERN DAYS LINKS HIS WORDS TO DEMOCRATIC JEFFERSONIAN FAITH.

If there is one question purely local, it is the prohibition question, as President Wilson wrote about two years ago:

I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or withholding of licenses. But the questions involved are social and moral, and are not susceptible of being made parts of a party program. Whenever they have been made the subject matter of party contests they have cut the lines of party organization and party action athwart to the utter confusion of political action in every other field. They have thrown every other question, however important, into the background, and have made constructive party action impossible for long years together.

Is it expedient at this time to inject a new subject not only for national discussion but to force each State to undertake the discussion of a matter that it may have settled to its entire satisfaction?

What right has a Representative from Texas to insist that the State of Missouri, which settled the question of prohibition by a direct vote of its people, shall again take up the matter in its legislature and go over again a bitter and wasteful controversy which it has settled?

Most of our States now refuse to consider the State as a unit on this subject, and have provided a means of expression, not as one unit, but as many, leaving the county or the town to decide as public opinion in the county or the town may dictate. We are asked for a law that will be binding upon 48 States and affecting 100,000,000 people which 75,000,000 may not approve.

The enforcement of prohibition must and should primarily rest upon the public opinion of a small community, first of the town, then of the county, and then the State. We are now asked to ignore this community sentiment and pass a national law that will undoubtedly violate this sentiment in many parts of the Nation.

Mr. Speaker, it is stated that, even in States where a majority of voters favor State-wide prohibition, it is impossible to enforce the law in a community where it is not supported by public sentiment. The attempt to enforce Nation-wide prohibition when it is opposed by entire States would be impossible, even with an army of Federal spies. It will engender the most hostile feeling between different sections of our country, will destroy patriotism, encourage corruption, establish anarchy.

JAMES STEPHEN HOGG FOR JEFFERSONIAN DOCTRINE.

Gov. Hogg, of my State, in 1887, said of prohibition:

Aside from the great fundamental principle involved, which touches the very heart of a freeman's Government, I should oppose the proposed measure on the gound of its utter impracticability and of the prolific evil that would certainly flow from its adoption. The objects of its advocates are commendable in so far as they intend to abate intemperance and to reform the morals of the wicked people. Such results are not possible, however, from prohibition or any species of coercion. Morality, sobriety, and religion spring from a different source than brute force or the lash of the law. Men can not be made moral, forced into temperance, or whipped into religion.

There are millions of citizens who agree with the governor. Can it be expected that they will peacefully acquiesce in a Nation-wide law unsupported by their own or their neighbor's convictions?

This matter falls wholly within the sphere of State government.

A united sentiment gives strength; a divided sentiment brings weakness. Surely you must admit that there is a divided sentiment on this subject.

The American citizen can be persuaded; he can be moved by patriotism and appeals to justice; he can not be coerced. The passage of this law means the application of coercion to millions who will not obey.

THE KNIGHTLY AND BRILLIANT TEXAN, ROGER Q. MILLS, ANNOUNCES TRUE THEORY.

Mr. Speaker, Roger Q. Mills, an ornament to this House, a close observer, a great statesman, said, speaking of prohibition:

It is wrapped in the livery of heaven, but it comes to serve the devil. It comes to regulate by law our appetites and our daily lives. It comes to tear down liberty and build up fanaticism and intolerance. It comes to confiscate by a legislative decree the prosperity of many of our fellow citizens. It comes to send spies, detectives, and informers into our houses; to have us arrested and carried before courts and condemned to fines and imprisonment. It comes to dissipate the sunlight of happiness, peace, and prosperity in which we are now living and to fill our land with alienations, estrangements, and bitterness.

HAMILTON THE CENTRALIZER.

Alexander Hamilton favored a strong, centralized government, but not one that would interfere with matters of personal liberty, which are considered matters of State sovereignty. He said:

The State governments possess inherent advantages which will ever give them an influence and ascendency over the National Government and will forever preclude the possibility of Federal encroachments. That their liberties, indeed, can be subverted by the Federal head is repugnant to every rule of political calculation.

JEFFERSON UNANSWERABLE.

If the State did not have at this time ample power to deal with this subject in all its phases, there might be some excuse for this enactment. Thomas Jefferson stated the undefiled principles of Democracy when he said:

The States should be left to do whatever acts they can do as well as the Federal Government.

Again:

I believe the States can best govern our home concerns.

Again:

To the State governments are reserved all legislation and administration in affairs which concern their own citizens only.

Again:

Interior government is what each State should keep to itself.

Mr. Speaker, we must return to these glorious democratic doctrines. While there is in the Constitution of the United States itself no express limitation of the power to amend, there are certain things reserved, not in express language, but clearly shown by the intent of the promoters of the Constitution and evidenced by the constitutional debates and discussions of that period. The right to control the electorate and the machinery of election is one of these. They expressly reserved them in their State conventions called for ratifying the Constitution. Another is the reservation to the States of the proper exercise of the police power under which a prohibition law will come. The States never dreamed of surrendering these powers when entering into contractual relations to establish the Constitution.

It was not intended that the State of Kansas should have the right to force prohibition on Texas, but the right was reserved for Kansas to do this for Kansas if it so desired. If three-fourths of the States of the Union wish to adopt the policy of prohibition, they have the unquestioned right to do so within their respective jurisdictions, but the sovereign States never surrendered in principle the right to control this function of government for themselves.

A large majority of the population of the United States resides in 12 States, who license the sale of liquor. If this law is enacted, the prohibitionist would concentrate his efforts upon the legislatures of the smallest States and seek to achieve a three-fourths majority, although this three-fourths of these small States would represent but a small minority of our entire population.

The wishes of the 12 or 15 States where the sentiment is overwhelmingly against prohibition will not be consulted. The matter will not be discussed as useless and destined to overwhelming defeat. The plan of the prohibitionist will be to entirely ignore the wishes of these States and, without consultation, force upon them laws and customs which are totally repugnant. This would abrogate the compact by which the Union was formed. This means destruction of State sovereignty and the introduction of Federal coercion by a roundabout method of the minority over the majority.

Gentlemen who advocate this law should be advised to give heed to the statement of the great English Baptist preacher, Charles H. Spurgeon, who said:

Your Sunday bills, or all forms of act-of-Parliament religion, seem to me to be all wrong. Give us a fair field and no care and our faith has no cause to fear. Christ wants no help from Cæsar. I should be afraid to borrow help from the Government. It would look to me as if I rested on an arm of flesh instead of depending on the living God.

Where prohibition has been attempted in a State of large territory, and was favored by one portion of the State and opposed by another, it has been defied and disregarded.

Illegal sale has taken the place of the regulated sale.

Mr. Speaker, the consent of even small communities to the enforcement of a local-option law does not necessarily indicate that these same people favor a national law, for, while believing that in their especial community local prohibition is beneficial, they may not believe, and probably do not believe, that in other portions of the United States it would have the same beneficent effect.

Some States have adopted State-wide prohibition and, after experimenting, have repealed the laws.

Once national prohibition is put into effect it would take a half century of litigation, agitation, unrest, and dissatisfaction to bring about repeal. This, however, can quickly be done by the individual State.

The liquor question is a local one and should be controlled by local rule, not by Federal law. If a Federal rule on this question is desirable, then there are other Federal rules equally desirable.

It is believed by many that the use of tobacco is injurious to the brain and interferes with the functions of the heart; that it is wasteful and serves no useful purpose. If the Federal Government prohibits the use of alcoholic beverages, it can with equal propriety be called upon to prohibit the use of tobacco, the use of playing cards, to prohibit certain games and recreations.

LINCOLN'S VIEW.

Let me quote Abraham Lincoln on this subject:

Prohibition will work great injury to the cause of temperance. It is a species of intemperance within itself, for it goes beyond the bounds of reason, in that it attempts to control a man's appetite by legislation and makes crime out of things that are not crimes. A prohibition law strikes a blow at the very principles on which our Government was founded.

THE VERY SOUL OF TRUE DEMOCRACY AND STATE RIGHTS ECHOES THOMAS JEFFERSON.

Jefferson Davis said:

When our fathers achieved their independence, the corner stone of the Government they constructed was individual liberty, and the social organizations they established were not for the surrender, but for the protection, of natural rights. For this governments were established, deriving their just powers from the consent of the governed. This was not to subject themselves to the will of the majority, as appears from the fact that each community inserted in its fundamental law a bill of rights to guard the inalienable privileges of the individual.

There was, then, a twofold purpose in government—protection and prevention against trespass by the strong upon the weak, the many on the few.

The world has long suffered from the oppressions of the government under the pretext of ruling by divine right and excusing the invasion into private and domestic affairs on the plea of paternal care for the morals and good order of the people.

Our sires rejected all such pretensions, their system being government by the people, for the people, and resting on the basis of natural, inalienable rights. Upon the basis of these general propositions I will briefly answer the inquiry in regard to the prohibition amendment at issue:

"Be ye temperate in all things," was a wise injunction and would apply to intolerance as well as to drunkenness. That the intemperate use of intoxicating liquors is an evil, few, if any, would deny. That it is the root of many social disorders is conceded; but then the question arises, What is the appropriate remedy and what the present necessity? To destroy individual liberty and moral responsibility would be to eradicate one evil by the substitution of another, which, it is submitted, would be more fatal than that for which it was offered as a remedy. The abuse and not the use of stimulants, it must be confessed, is the evil to be remedied. * * *

Mr. Speaker, we must take note of the far-reaching effects of this amendment. National prohibition will destroy $515,000,000 invested in the brewing business and $772,000,000 invested in the distilling business, making the enormous total of $1,287,000,000. It will, in addition, throw out of employment an army of men and women. It will make vacant many thousand houses. It will destroy an annual market for farm products of $200,000,000.

Mr. Speaker, these are but a few of the practical effects of the adoption of this resolution that should at least be considered. But these are not comparable in their harmful influence with the infringement of personal liberty, the destruction of State rights, and the placing in the hands of the Federal Government a police regulation which it was never intended should be thus exercised.

If the Constitution is changed, and national prohibition is provided, either prohibition will be enforced or it will remain a dead letter upon our statute books.

If it is not enforced and remains a dead letter, it will breed deceit, hypocrisy, disrespect of law, and encourage evasion, lying, trickery, and lawlessness.

If it be enforced, it will require an army of United States officials, paid spies and informers, who will go into the business

house and the home, invade the sacred liberties of our people, not in the suppression of crime but for the sole purpose of punishing a vice.

I can not approve of placing people's conscience in matters of morals and religion in the keeping of Government officials. A free people can not exist if their personal affairs are governed by an army of spies. They will cease to speak and write without fear.

It is the freedom from these things that makes men self-reliant, that gives courage, both physical and moral. The preservation of personal rights makes patriots who love their government, appreciate life, and love mankind.

Mr. Speaker, paternalism that interferes with these liberties causes, first, distrust, then fear, and then hatred of government.

The citizen who does not respect the rights of others has no just appreciation of his own and soon ceases to be a useful citizen.

It is the duty of our moral instructors to teach that a thing is right because it is right and not simply because the Government so declares. Men will then know their own virtue and can be relied upon to control their own moral and religious conduct. We do not want the men or women of our country to refrain from wrong simply when constrained by bans or bars.

This is treatment due criminals. We should not assume that men are criminals and restrict them in all their personal habits and moral conduct for fear that a few weak or depraved characters can not control themselves. We must not assume that our people are incapable of self-government and self-control and that they shall be directed and controlled by the official few, for we are capable of individual control.

Individuals honestly differ concerning moral and religious matters, social and personal habits. One is as apt to be right as another, and the Government should not interfere to make one conform to the opinion of the other.

Temperance means moderation; prohibition means extreme force. The use of force in matters of temperance or religion is abhorrent. Regulation is better for temperance than prohibition. Only through freedom of choice can men develop the faculty of self-control. Self-control brings moderation, and moderation brings temperance.

Mr. Speaker, there can be but one honest argument made by the prohibitionist in favor of national prohibition, and that is, State prohibition has proved a failure. If it has proved a failure in the State, it is because it is not supported by public sentiment in the State. *If it has proved a failure because of the nonsupport of public sentiment in the State, how much more reason have we to believe that this law will not be obeyed because it will not have national sentiment behind it!*

For more than a century Democracy has battled for local self-government. Shall we now abandon it and embrace the doctrine of Alexander Hamilton? Let no Democrat mistake the issue. The ghost of Hamilton is abroad in the American Congress and in the country. For my part, I say, "Get thee hence." * * * "Avaunt and quit my sight." Democracy needs no new creed.

Jefferson's name is still enshrined in our hearts as the patron saint of our faith, and will be while republican institutions serve and bless mankind. [Applause.]

The SPEAKER. The gentleman from Texas yields 20 minutes to the gentleman from Illinois [Mr. MANN] or to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. HENRY. I now yield four minutes to the gentleman from Alabama [Mr. HEFLIN].

The SPEAKER. The gentleman from Alabama [Mr. HEFLIN] is recognized for four minutes.

Mr. HEFLIN. Mr. Speaker, just a few years ago we had the licensed sale of whisky in nearly every county in Alabama, but by the intelligent and earnest work of the good men and women in the various localities and by the faithful work of our Christian ministers, not in making political speeches in the pulpit on Sunday but preaching the Gospel and touching the hearts and awakening the consciences of the people, we have driven the whisky traffic from more than 60 of the 67 counties of the State. All this has been accomplished in a few brief years, and instead of being discouraged and impatient, I rejoice at the progress we have made. We have proceeded upon the right theory in employing the home-rule process. If the people of a county or a State are opposed to the enforcement of a law that affects their habits and conduct, that particular law will not be enforced. Then, the thing to do is to convince them of the soundness of our position and of the righteousness of our cause. We must not be un-Christian or intolerant with regard to the opinions of others. It is a great work that we are doing, and it is worth doing well. We often injure a good cause by going about its accomplishment in the wrong way. It is infinitely better to be patient and convince the individual that the thing is good for him and that it is meant for his welfare rather than to disregard his opinion and treat him with disrespect.

Convince the individual and he becomes a missionary in the cause. Then we get the family interested and then the community and then we get the county. Then we get the State and State by State the Union. [Applause.]

You can not force it down the throats of States unprepared to receive it, but when it comes up through the counties and through the States until the sisterhood of sovereign States shall stand in solid phalanx against the whisky traffic, then genuine and permanent prohibition will have come.

We must not undertake to ram down the throats of sovereign States something that they are not prepared to accept, but let us continue the good work in the way that we have accomplished all that we have in this great work—of molding public sentiment of a permanent character. Let us continue the work of convincing the people of various States of the wisdom of our course and the justice of our cause. Let the good work go on in the various States until the State of its sovereign household shall say, as did the patriarch of old, "As for me and my house, we will serve the Lord." Let the county and the State show the sister counties and the sister States that prohibition is the wisest and best solution of the whisky problem. Then, through this home-rule process and this principle of local self-government, other counties and other States seeing our good works will be constrained to follow in our footsteps. [Applause.]

Mr. Speaker, I helped to drive whisky out of my district and I am going to help keep it out, but I am not going, without the express authority from the people of my district to transfer to the Federal Government the power to regulate the domestic affairs of my State.

The trouble with some Members of this House is they soon forget all they ever knew about the time-honored principles of home rule and local self-government. They surrender the teachings of the fathers and fling to the four winds of new nationalism and federalistic control the things that our fathers held dear when they builded this Republic. They do not seem to realize that every Republic that has perished perished because rights and powers that belonged to the people in the smaller divisions of the Government were surrendered to or swallowed up by the Federal Government. Taking the authority away from the community, where it is close to the people, and lodging it with a federal government, where it is far removed from the people, is centralization of a dangerous kind. A strong centralized government may be good for kings and emperors, but it is a deadly thing for a free people. [Applause.]

I am not ready to abandon the doctrine that my people are able and perfectly capable of attending to their own domestic affairs. I am not willing to surrender the right of local self-government.

Mr. Speaker, this love of the principles of local self-government, this devotion to the doctrine of the rights of the States, in reconstruction times inspired our people to drive out the scalawags and carpetbaggers and give back home rule and self-government to every Southern State. Every battle that has been fought and won for prohibition in Alabama has been through the processes of the local government and the instrumentality of the Democratic Party.

The difference, Mr. Speaker, between the advocates here seems to be simply as to the best method of obtaining it. Nearly five years ago a State prohibition amendment was submitted to the people of Alabama, and I supported it. I spoke in favor of it all over my district. The distrive gave a majority of 2,000 votes against the amendment and the State gave a majority of more than 25,000 against it. Those who believe in majority rule would hardly expect me to vote for a Federal prohibition amendment, when the people of my district had given a majority of 2,000 against a State prohibition amendment. Just a few months ago, Mr. Speaker, the gentleman from Alabama [Mr. HOBSON] made a race for the United States Senate before the primaries in Alabama, and he spoke all over the State and spent several weeks canvassing. He made this Federal prohibition amendment the issue in his race for the United States Senate. Mr. UNDERWOOD, the successful candidate, stood for local option and the regulation of the whisky traffic by the State government, and he defeated Mr. HOBSON by a majority of 35,000. I only refer to this to show you that the people of Alabama did not accept the opportunity to indorse Mr. HOBSON's amendment. It is true that many good men supported him and it is equally true that many of the

best prohibitionists in the State supported Mr. UNDERWOOD, and some of them were very active in his behalf.

Mr. Speaker, Alabama is as well grounded in the doctrine of State rights and local self-government as any State in this Union. We believe that there is enough good, enough intellect, enough courage, and enough patriotism among our people to qualify them in every way to conduct their own domestic affairs. [Applause.]

In conclusion, Mr. Speaker, I want to say that Mr. Bryan, the man who has done more in the United States for prohibition than any other one man, says that this is a question for the States to regulate, and he also says that this is not the time to submit a Federal prohibition amendment, and that if it is submitted he believes that it will be defeated by the States.

President Wilson is opposed to this proposition and is in favor of the matter being worked out by the States. The Democratic leadership in this House is opposed to it. Then why inject it at this time into the program of constructive work laid out by the President and the great leaders of our party? [Applause.] I fear, Mr. Speaker, that it is a case of mistaken judgment on the part of some earnest and zealous workers and an effort on the part of others to play politics. If the people of the district that I have the honor to represent had passed upon this amendment and had registered their will in its favor, I would follow their instructions and cast my vote for it. But in the absence of such action on their part and in view of the verdict that they rendered on the State amendment and again on the Hobson-Underwood contest and what I believe to be their devotion to the principles of State rights and local self-government and their desire to regulate their own domestic affairs under the sovereign power of the State—for these reasons and the reasons that I have just given I shall cast my vote against the amendment. [Prolonged applause.]

Mr. STAFFORD. Mr. Speaker, believing as I do that that government is best which reserves the determination of its policy as to internal affairs, particularly as to anything pertaining to the health, happiness, and morals of the community, to the smallest unit of government, is the reason why I strongly oppose this resolution. The regulation of the liquor traffic is especially in point in the application of this well-recognized rule.

This is a solemn occasion, for you are attempting here to adopt as a constitutional amendment that which you know to be directly in opposition to the confirmed views of a strong, virile minority, not only in one-half of the districts of this country, but in every State where prohibition has been adopted.

It has been my good fortune to have seen the conditions in Maine, where they have attempted to put in force a State prohibitory law, which in its enforcement has been a travesty in counties where the sentiment is strongly in opposition, and where sheriffs can not be elected to office unless they enter into an agreement that they will not enforce it, and where in some instances sheriffs parcel out under illicit agreements the right to vend liquor. I have witnessed in Philadelphia the transformation that came over that great city under the Brooks license law when saloons to the number of 6,000 were reduced to 1,200, and have seen the "speak-easy" and the "blind tigers" driven out of existence through a forceful public sentiment in favor of strict regulation.

I visited the city of Davenport, Iowa, during the brief time when the State prohibition law was in force there; and there, again, because of the fact that there was no sentiment in that community to back up its enforcement, it was a failure. And yet we have people from these prohibition States saying that in order to make it a success they must spread the dry territory over the entire country, thus acknowledging by that very statement that it is lacking of enforcement in their respective States because there is no sentiment back of it.

You may enact State prohibitory laws forbidding the sale of liquor or the smoking of cigarettes, but we all know that in those localities where the sentiment is opposed to its enforcement it is absolutely a dead letter and worse than that, it inculcates a disrespect for the law by reason of its nonenforcement. The conditions in every State in the Union where the prohibitory law exists—and I make no exception to my broad assertion—shows that in States where even a majority is in favor of prohibition that if there is a strong minority against its enforcement that you can not control it, that you can not prohibit the traffic.

I would have you contrast the conditions that prevailed in Vermont under State prohibition with the conditions that prevail there to-day under high license. Would you substitute, or would any disinterested voter of Vermont substitute, the conditions that exist there to-day for those that existed under the so-called prohibition of 15 or 20 years ago? Every public man from that State with whom I have spoken—and many of them have been teetotalers—admits publicly that the conditions under present regulation are far better than under the pretended prohibitory law of several years ago. Prohibition in Kansas is flaunted as a travesty in those communities where the sentiment is opposed to it. Everywhere where prohibitory laws are attempted when the sentiment in communities is opposed to its enforcement we find the same lack of control, I do not care where you go. You can not legislate morals into a people nor can you by legislation force them to drink or not to drink, if they so decree.

I come from as law-abiding a community—with a record of less drunkenness, a city in which there are less arrests in proportion to population—as any in this Nation. Its people are liberal-minded, tolerant. They are accustomed to a life that attunes to the general welfare of the city. Liberal as they are, they are not seeking to foist their individual views as to living upon any other community, but are content if they are left alone in the pursuit of their own individual and collective happiness. Yet other communities and collections of communities which have different ideas and ideals as to their method of living would seek under a prohibitory law to force upon us their ways, which are foreign and alien and incapable of enforcement and acceptance in my city.

We believe in the enforcement of law. I challenge anyone to show another city where there is so great respect for the law as in my home city. But I say to you people from prohibition States that we resist and resent your attempting to foist upon us, who have our liquor problem well regulated, your unregulated, blind-tiger system. As the regulation of the liquor traffic is entirely a local issue, I can see no reason why this question of national prohibition should be referred to the people for consideration. Even if all the States in the Union save one had declared in favor of prohibition, and in that one State the sentiment was overwhelmingly in opposition to prohibition, then I would still contend that it was not right to inflict the ideas, so far as this local question is concerned, upon the one individual State.

In adopting a constitutional amendment care should be taken not to go contrary to the expressed sentiment of a strong and active minority throughout the country. There must be practical unanimity in favor of the proposition before it should be adopted. The framers of the Constitution recognized this principle in providing checks so that the amendment would not be submitted even for consideration until two-thirds of both branches of Congress had favorably voted for its submission, and required, further, that three-fourths of the States, through their legislatures, should ratify it.

Never in the history of the country, since constitutional amendments have been proposed, has any amendment been adopted where there was such strong and virile opposition as to this one, except the amendments passed at the close of the Civil War. When we have adopted amendments which are not in harmony with the sentiment of the country those amendments have proved nonenforceable. What do the fourteenth and fifteenth amendments amount to, so far as the Southern States are concerned? They have deliberately nullified their provisions by legislative enactment. The recent amendments which were adopted, the sixteenth and seventeenth, were in accord with a spontaneous demand from the entire country. As Representatives we are failing in the performance of our duty if we submit a prohibitory amendment for ratification when we know the strong opposition sentiment existing throughout the country. A vote in favor of submission when you know that this strong minority exists can not be justified on the ground that it is a referendum. What right has the rural population of this country or of any section of the country to determine the internal policy, such as the regulation of health and living, of any other section? What right has the South to supererogate to itself the determination of the internal policy of the North in its regulation of the liquor traffic or any other matter pertaining to its internal policy, or vice versa?

The fact that Vermont is in favor of high license is no reason why Georgia should adopt that plan. Just because any number of States have for local reasons declared in favor of prohibition is no reason why that rule should be imposed on any of the other States, or even upon any group of States, where the sentiment of the people is opposed to that policy.

I could dwell upon the economic and fiscal side of this question and show what large revenues would have to be derived from other sources if the excise tax were eliminated, and I also would like to emphasize the unfairness of confiscating business establishments under national prohibitory liquor laws which States under their sovereign law have declared to be proper

subjects for property investment, but time does not permit me to go into these considerations for opposing this national prohibitory amendment. I base my opposition fundamentally on the main principle which I advanced in the beginning and have tried to elaborate, that prohibition is a local issue and not a national issue, and that that government is best whose internal affairs are determined by the will of the local community. I believe in home rule; and, believing in that policy, I strongly appeal to you not to submit to the people something that has already been proven to be ineffective. Leave this to the smallest local units to determine and you will obtain the best results. [Applause.]

Mr. Speaker, in the absence of the gentleman from Illinois [Mr. MANN] I yield to the gentleman from California [Mr. HAYES].

Mr. HAYES. Mr. Speaker, I represent a district which has more grape vineyards, probably, than any other district in the country. These vineyards are generally small, averaging, usually, from 10 to 40 acres each. The owner of each of these practically has his all invested in his vineyard, and upon its yearly crop of grapes himself and his family are dependent for their living. It should be said that these grapes are valueless for any purpose except wine making. For many years our State has maintained at public expense a viticultural commission and in every way encouraged the planting of vineyards and the development of the wine industry.

Under these circumstances I can not bring myself to believe that it is my duty to vote for a measure the effect of which will be to render these little vineyards valueless. If this proposed constitutional amendment provided for compensating those who are directly and unavoidably damaged by its provisions, which it should do, I should feel very different about it. This was the method pursued a few years ago by the Cantons of Switzerland when they adopted prohibition, and it is the civilized, the only equitable way to proceed in this case. I regret that the proponents of this measure did not see fit to incorporate such a provision in it. Mr. Speaker, I am here in a representative capacity. I conceive it to be my duty to register here by my vote the will of my constituents when I know definitely and surely what that will is. We have in our State the initiative and the referendum. By means of the former the question of the prohibition of the manufacture and sale of all distilled and fermented liquors as a beverage in California was submitted on the 3d of last November to the people of our State. As applied to the State it was the identical proposition embodied in this amendment, which, however, if adopted, would extend it to all the States. The people of California voted against this prohibition amendment to its constitution by about 175,000 majority. My district went against it by 12,106 majority, the vote being in detail, as follows:

Eighth congressional district.

Counties.	For prohibition.	Against prohibition.
San Mateo	2,357	6,672
Santa Cruz	4,217	4,677
Santa Clara	12,661	16,004
San Benito	1,184	1,671
Monterey	3,367	4,132
San Luis Obispo	2,723	3,640
Santa Barbara	4,065	5,245
Ventura	3,311	3,950
Total	33,885	45,991

Majority against, 12,106.

It will be seen that every county in the district gave a substantial majority against it.

I regard this as a very emphatic expression of the will of my constituents and a very plain instruction to me in this matter. Whatever my personal opinion on the merits of the question at issue, it seems to me to be my plain and imperative duty to vote against the pending resolution. This I shall do.

Mr. STAFFORD. I yield to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Speaker, if the vote to-day had the effect of submitting this question to the people of the State of New York, it would have my support. This proposition, if made effective, would prohibit, by constitutional amendment, the sale, manufacture for sale, the transportation for sale, or the importation or exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof. It would be effective when approved by the legislatures of any 36 States, though rejected by the other 12. The law, as it now stands, permits any State to decide this question for itself without regard to the attitude of any other State. Already 14 States have acted affirmatively on the proposition, and soon in many States the people will vote directly upon it.

It is an interesting fact that there are 10 States in this Union whose total population exceeds that of the other 38, so that though these 10 States be unwilling to accept the amendment the other 38 could ratify it and it would be effective against the wishes of a majority of the people. There are 19 States in the country whose total population is less than that of New York, and in settling this matter the vote of every person in each of these States is equal to that of 19 people in New York. I am sure that the calm and deliberate judgment of the people will not seek to foist upon the States a law that might be so unjust to the people who do not favor it. Already we have two constitutional amendments, the fourteenth and fifteenth, affecting negro suffrage, that local self-government has reduced to blank paper. If this amendment is agreed to, we shall have another, or if zeal shall outrun discretion we shall have an imperialistic movement for the subversion of the police power of the States.

I am an ardent believer in local option. In my State this is extended to every town and village. I am willing that it should be extended to the cities; and for that matter, were I a member of the legislature or the constitutional convention to meet in New York next summer, I would gladly vote to submit this question to the people of the State, so that they could determine for themselves whether or not they wish to have it apply to the cities or to the State as a whole. It would give an opportunity to the people to show just exactly what they wish in the matter.

Personally I am a believer in temperance, and am sure that the country would be benefited by it; but we are undertaking it in a way that is not at all satisfactory. New York City contains 5,000,000 people, exceeding the total of at least a dozen of the smaller States. We have in that city a great cosmopolitan population, law-abiding, and I believe these people should determine this question for themselves, affecting, as it does, their everyday life.

Personally I have been an advocate of a high license and a strict enforcement of the law. Let me cite an interesting situation relative to the enforcement of the liquor-tax law in New York. The present law went into effect in 1896. During the first year of its operation 30,184 licenses were granted. Last year 27,685 licenses were granted, a reduction of 2,500, and this despite the fact that the population of the State has increased over 3,000,000 since the law went into effect. The receipts last year from the liquor-tax law were $18,109,261. Of this sum $11,328,000 was collected in New York City alone. I have no desire to argue that the State must have a revenue from this source. That can not enter into a fair discussion of the subject.

As I see it, the question comes down simply to whether the people of a State shall have the right to determine this subject themselves or whether the State of Nevada, with its 81,000 people, or the State of Delaware, with its 200,000 people, shall determine the question for the State of New York, with its 10,000,000 people. I am opposed to this method of determining the subject.

Many of the best citizens of New York have written and petitioned me in favor of this measure, and I very sincerely regret that I can not agree with them. I have the highest admiration for the good people who are advocating this legislation. There are among them some of my very best friends, and it grieves me to differ with them. I hope they will believe that my action in the premises is as conscientious as theirs; I do not quarrel with them for what they are trying to accomplish. They are moved by an impulse to check evil, but, it seems to me, without fully determining whether national prohibition would really prohibit. Every man in this Chamber has observed the condition in places where the law forbids the sale of liquor. It is either sold surreptitiously or under some assumed name—a doctor's prescription or some other subterfuge. Drinking is not a crime of itself, and there is no other offense whose prohibition is looked upon in large communities as such an invasion of the people's rights—they spurn the law openly and defiantly.

Are we powerless in this situation? It seems to me the experience of the past 25 years proves that we are not. The cause of temperance and good morals has gained immensely. Public opinion on the subject is gradually undergoing a change. Not many years ago it was no uncommon thing to see men of affairs under the influence of liquor at many of our important public functions. Now it is a rare sight. Drinking men are often shunned in the best society. I have cited the great falling off in saloons in New York State. This will continue, and in-

temperance will be constantly diminished. In the last Congress I voted for the Webb-Kenyon law forbidding the transportation of liquor into dry States. This, I am informed, has not been entirely effective. An evidence again of the impossibility of enforcing laws of this character against the will of the people.

I think the vote on this measure will be approached with the determination to preserve the rights of the respective communities, and I am confident that in the end the very best interests of all of the people will be served.

Mr. STAFFORD. I yield 20 minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Speaker, in the days of witchcraft every man who dared to raise his voice against that madness was immediately suspected, and many were tortured and murdered merely because, as sensible men, they had appealed to the common sense of the people.

We are reminded of those dark days by the prohibition movement of the present day. Again thousands are under a spell, and the man who has the courage to oppose it by appeals to reason is, if not burned at the stake, as were the witches, at least denounced as a tool of the liquor interest. A mental atmosphere has been created which tends to terrorize political parties, intimidate public men, silence the press, and stifle the honest opinions of the people generally.

There is, of course, no doubt about the final outcome. In the twentieth century it is easier for human reason to triumph than it was in the sixteenth and seventeenth centuries. A nation which has thrown off the shackles of despotism will not, for any length of time, tyrannize over itself. Let me illustrate what will probably happen by means of another historical reference, by an episode which once occurred in the old city of Munich in Bavaria.

At one time there prevailed in that city a terrible epidemic. It was the plague, I believe. Thousands died, and nobody was seen in the streets except those whose business it was to bury the dead. The people, terror stricken, bolted their doors and shut their windows from fear that the germs of the epidemic might be carried into their homes through the air. The total lack of ventilation occasioned by this panic tended quite naturally toward making things worse, and, indeed, the fury of the pestilence was greatly increased. One nice morning, however, the people quite unexpectedly heard the strains of merry music. It turned out that a lot of young dare-devils, led by a brass band, were dancing through the streets. They sang national songs and made merry just as if they were on their way to a picnic. The people opened their windows and seeing the merrymakers took new courage, and lo and behold the spell was broken. Owing to the dissipation of fear and the circulation of fresh air which now penetrated all the homes, the epidemic grew less and less until it finally disappeared.

THE AWAKENING.

I predict that the same thing will happen with the spell of prohibition. It will happen as soon as the American people will open their minds to reason. And, fortunately, they have begun to think. Heretofore, local successes of prohibition were largely due, no doubt, to the forbearance and indifference of the people rather than to the merits of the cause. Since it has been proposed, however, to put prohibition into the Federal Constitution, or, in other words, to deface the great Bill of Rights by engrafting upon it mere police regulations, an awakening has been noticeable and a mighty protest has come to us from all sections of the country. Many people who had put up with prohibition as a local makeshift are now thoroughly aroused and startled by the attempt to wipe out State rights and change our system of government. Therefore I believe that the sober second thought of the American people will do to prohibition what fresh air did to the plague.

THE ALLEGED DISEASE AND THE CURE.

Let us, first, as the physicians do, diagnose the disease, and then consider the proposed cure. The fundamental argument of the prohibitionists is that the use of alcoholic beverages is the principal cause of vice, crime, insanity, and poverty, and the only right way of dealing with the matter, they say, is to prohibit, by stringent laws, the making and sale and consequently the use of such beverages.

I take distinct issue with both propositions. First, it is not true that crime, vice, poverty, and insanity are, in the great majority of cases, caused by drunkenness. Second, it is not true that prohibition will prevent those evils.

While drunkenness is one of the many causes of human unhappiness, I contend it is not the sole nor even the chief cause. The nations notoriously opposed to the use of alcohol are not freer of the burden of misery than is our own. Mohammedans, for instance, are prohibited by their religion from using alcoholic beverages, and it has not yet been observed that their lives are any happier than the lives of people in Christian lands. And in our own country, while intemperance leads to the commission of crimes against persons, yet the most serious crimes against life and property are the result of other causes. It would be tedious to enumerate in detail the several causes of crime. But let us select murder as a sample. The most awful and sensational crimes against human life have, as a rule, been instigated by other feelings than that of intoxication. Neither of our three martyred Presidents was slain by a drunkard; nor have the most sensational crimes against life been induced by drunkenness. Jealousy is more of a menace to life and causes more murders and more mischief than does intemperance. Would you try to cure jealousy by law? You could no more do so than you can promote temperance by prohibition.

It is difficult to conjecture where the reason of prohibitionists is when, in view of the numerous crimes against women and against property, that one thing alone, and that not the chief, is singled out as the cause of all human misfortune. The truth is the charge is not true.

The question of insanity is subject to the same consideration. Unquestionably drunkenness may lead to insanity. So do some other excesses. The most reliable statistics of insanity give as the causes: First, self-pollution and sexual excess; second, religious fanaticism or excessive zeal. And intemperance is given as the third cause. If the logic of prohibition is to prevail it would be right to unsex mankind, and also to forbid altogether those religious bodies whose practices or teachings lead to insanity. This alone shows the fatuity of unscientific reasoning on a profound and intricate social problem.

Let us glance at the problem of poverty—

Says a professor of an American university in a pamphlet against prohibition—

What causes it? Are total abstainers, other things being equal, richer than those who are not? (I am not here referring to drunkards. That question comes under another consideration.) It is well attested, beyond the possibility of any dispute, that poverty, whenever it becomes a general social condition, is not in any sense attributable to the use of beer and wine. And any man whose opinion has any value as a student of social economy knows that the causes, not cause, of poverty are complex, are far beyond the reach of the human will, and defy any and every attempt at removal by any act of legislators.

What is the cause of human misery? What is the verdict of history and experience? Primarily the lack of intelligence, the lack of moral energy, the lack of thrift and prudence; and further, and not least, long-established customs and modes of living that defy reason and morals.

It is illogical and unjust to single out instances of want, of crime, and of ordinary wrongdoing and ascribe them to intemperance when human life for ages past bears testimony to other things more productive of suffering. What shall we say about religious fanaticism, which like a scourge has cursed nations and communities and families? No nation has been exempt from this awful evil. But what is the remedy? Legislation? Force? Only so far as to keep the right of the individual inviolate. The panacea for narrowmindedness, for religious intolerance, is education.

Whenever a government has undertaken to rectify religious errors by force of law it has become the abetter of persecution, the friend of hypocrites, the ally of tyranny.

Is it the duty of the Government to deprive every man of his personal freedom because there are instances where men abuse their freedom? Are there no other forces at work for sobriety except prohibition? Is the American home without power and influence for good? Is education powerless in forming habits of temperance and sobriety? Is the influence of woman for good waning? Must the civil power stigmatize as a crime what is not a crime?

Let our self-styled reformers answer these questions if they can.

THE SUPPLY MERELY A RESPONSE TO THE DEMAND.

Let me show you how fallacious their reasoning is. Indeed, it is both fallacious and superficial. Their whole case is based upon the assumption that by withholding the supply you can stop the demand; while, as a matter of fact, the supply of beverages—and of everything else, for that matter—is the effect and not the cause of the demand. If by confounding cause and effect you proceed from false premises it is quite natural that you will arrive at false conclusions. Suppose there were as many taverns in a city as there are houses, and, on the other hand, all the people were educated to be total abstainers, what would happen? Every tavern keeper would be starved to death. But, again, if you succeed in closing all the saloons, would this kill the appetite for drink? Not at all. The people would either find a way to manufacture it themselves or they would resort to substitutes worse than liquor—to drugs such as opium, morphine, and cocaine. Of this we have ample proofs, one of them being that the consumption of cocaine is relatively largest in prohibition States. Another is the testimony of responsible Army officers before the Military Committee of this House to the effect that soldier boys stationed in Maine and Kansas have been discovered to receive supplies of cocaine from drug stores of the larger cities. And the use of this poison, mind you, is followed by direct attacks upon the brain cells. Furthermore, if people were compelled to concoct their own drinks the vilest

kind of rot-gut would take the place of the pure and well-matured beverages which are now consumed. And have you ever considered that the process of home manufacture would be confined almost altogether to the strong spirituous drinks, because these alone can be made by primitive means?

I have always believed that true temperance could be best promoted by the gradual substitution of the milder and harmless beverages for the strong, but if prohibition, as we see, will have the very opposite effect, can you still claim it as a temperance agency? It is certainly plain from what I have said that you can not cure the drink habit by attacking the supply. By legal edict you can destroy all the distilleries and all the breweries and all the saloons, but you can not destroy or even control the human appetite by such means. The only successful way to serve the cause of true temperance will be to attack the demand, and this can only be done by moral suasion. Therefore, I make bold to say that if all the good men and women who are interested in this cause would use their combined influence to train the youth of the land in the art of self-control and moderation instead of invoking the power of the law and the police club, their efforts would show much more substantial results.

NOT REFORM, BUT DESTRUCTION.

Mr. Speaker, I favor temperance and sobriety as strongly as any of the self-constituted leaders of that movement, but I believe neither in reforms so extreme as to be repugnant to human nature and therefore impossible of attainment, nor in methods the futility of which has been demonstrated beyond the shadow of a doubt. Every civilized country has its honest temperance movement, with moral influences as its weapon to lessen the evil of intemperance. Nowhere, however, would anyone dream of resorting to the law as a means of controlling the tastes and correcting the innocent habits of the people. In the United States alone, as far as we know, such an impossible remedy is seriously attempted. Here alone the temperance movement has degenerated into a crusade of extirpation and indiscriminate destruction. Because out of a hundred retail stores there may be objections to one we are asked to close them all. Because among a hundred citizens there may be one drunkard we are peremptorily told to deprive them all of their personal liberty. No distinction whatever is made between innocent social pleasures and boisterous excesses, or between the sum total of contentment which is produced by the social gatherings of hard-working toilers in which are called the poor man's clubs and the disgraceful revelries of drunkards—all are condemned alike. One man may indulge moderately for sociability's sake and to enjoy the company of his friends, another may seek solace from distress and misery, but the happiness of the one and the comfort of the other are bruskly swept aside and all causes which might press the cup into a man's hand are contemptuously ignored. While admitting, Mr. Speaker, that the inclination to be his brother's keeper is always strong in man's breast, yet it is cause for wonder that such an extremist program should ever have found favor with any respectable number of free-born American citizens. Excess is objectionable and unhealthy in all things, but a failure to discriminate between excess and moderation in matters and habits which are not wrong in themselves will in the long run doom the radicals and extremists to certain defeat.

TEN REASONS WHY PROHIBITION IS WRONG.

Permit me now to give the House 10 reasons why, in my judgment, prohibition is wrong. Many more might be cited, but I have formulated the following as the principal ones, to wit:

First. Prohibition is a deathblow to the liberty of the individual because it prohibits what is not wrong in itself. No despot in history has ever dared to prohibit what is morally right, and the attempt to do so would have cost him his head. The exercise of rights which concern persons individually, and whose exercise does not injure the neighbor, is a basic condition of freedom which prohibition violates. The right to eat and drink what we please is an inalienable human right of which even a majority can not deprive us without at the same time robbing us of our liberty. But let us go to the bottom of this matter. It has ever been the aim of the friends of liberty to wrest the scepter of Government from the hands of individual rulers and place it in the hands of the people. Since this has been achieved in America the problem of liberty was believed to have been solved for all time, for no one dreamed that the Nation would ever need protection against its own will or would ever tyrannize over itself. The prohibition movement teaches us, however, that such tyranny after all is possible under self-government by the majority misusing its political liberty or its right to govern for the purpose of restricting personal liberty. In other words, we are dealing in this case with what John Stuart Mill called "the tyranny of the majority," an evil against which the Nation must protect itself if it desires to remain free; for individual liberty, the right of personal conduct, is an inalienable human right which should never be taken away either by majorities or by law or constitution. From this we can see how much larger than the mere drink problem this question really is, for if it were right in one respect to take away from the individual the privilege of self-control it would be right in all other respects, and the final outcome could be nothing less than a condition of complete slavery.

Our opponents say, "We do not propose to prohibit drinking, but merely the manufacture and sale of beverages," but remember that this hypocritical and insidious subterfuge is the very means by which despots always robbed the people of their liberties. In accordance with recognized principles of law an attempt to accomplish by indirection what you can not do directly is dishonest and, consequently, immoral. Hence our great moralists appear to stand convicted of an immoral trick. It is true that in spite of all that they have achieved great successes. County after county and State after State have fallen into their hands. Yet I have not lost faith in the sound common sense of the American people. These successes are solely due, as I said before, to the unparalleled forbearance and indifference of the people and not to their actual approval. The fact is that the question is not yet generally understood. Once let the people fully comprehend the menace to liberty which is involved in this question and they will make short work, I believe, of the sappers and miners who are dynamiting the foundations of our Government.

In this connection let me again quote John Stuart Mill. Speaking of individual liberties he says:

> No society in which these liberties are not on the whole respected is free, whatever may be its form of government; and none is completely free in which they do not exist, absolute and unqualified. The only freedom which deserves the name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs or impede their efforts to obtain it. Each is the proper guardian of his own health, whether bodily, mental, or spiritual. Mankind are greater gainers by suffering each other to live as seems good to themselves than by compelling each to live as seems good to the rest.

Second. Prohibition runs counter to human nature because the taste and appetite of man can not be regulated by law. Human laws are powerless against the laws of nature. Pass an enactment abolishing the law of gravity, then jump out of a 10-story window and see what will happen. You will be picked up in a shovel. But, say our opponents, we should at least remove the temptation which the saloon puts in our way. This is the silliest proposition of all, for if we endeavored to remove everything which might tempt man we would have to abolish gold and money, eatables and drinkables, and finally even woman, for all of these might become a source of temptation to man. And when we would be finally through abolishing all causes of temptation there would be nothing left but desert sands to cry to heaven bewailing the idiocy of man. Why, the Creator himself has placed temptation in paradise in the shape of the fatal apple tree, but evidently, according to the logic of our prohibition friends, He has made a serious mistake in doing it, and if Eve had been a Carry Nation no doubt she would have chopped down that apple tree with her little hatchet. No, gentlemen, we can not remove temptation, but we can and should, by discipline and training, strengthen our power of resistance against it.

Third. Prohibition undermines manliness. Its premise is that men are children, who must be led in the leading strings of law. Our conception, however, is that a man should voluntarily do the right and avoid the wrong, and that an interference with his self-control in personal matters is slavery pure and simple. If a man is honest simply because he has had no opportunity to steal, we do not take much stock in his honesty. If a man remains sober because he has never had an opportunity to indulge, we do not think much of his sobriety. But we do rightly give credit to a man who remains honest in spite of opportunities to steal, and we do believe in a man who is sober in spite of all chances to drink. That is the kind of manly citizenship I believe in rearing; it is the philosophy to which I subscribe.

Fourth. Prohibition undermines respect for law. A thousand ways will be found to evade the law, and the result will be a Nation of lawbreakers, a condition which must inevitably lead to lawlessness and anarchy. If the 82 per cent of our population who are moderate drinkers will satisfy their wants in spite of the law, then every thief will find justification in stealing, every burglar in robbery, and all other criminals in their evil deeds, and many will be encouraged to break the law who otherwise would have remained law-abiding citizens. May Heaven protect us against such a state of affairs!

Fifth. National prohibition by constitutional amendment is unworthy of a great people. A constitution should be a bill of rights for the protection of life, liberty, and property, and especially for the protection of the minority. By incorporating in it mere police regulations our National Constitution, of which Gladstone said that it is "the greatest charter of liberty ever struck off by the mind of man," will be perverted, defaced, and desecrated.

Sixth. National prohibition means the complete subversion of the fundamental theories upon which our system of government rests. By the wise foresight of the fathers of the Republic the police power was reserved to the separate States upon which the exclusive right to pass sumptuary laws was thus conferred. This sacred theory would be torn into shreds by conferring police powers on the National Government. I say "sacred theory" because all State rights men up to this time have tenaciously adhered to it. A thing such as Federal police power could not be reconciled with it.

Seventh. Prohibition means the confiscation of property valued at a thousand million dollars, property which has been acquired strictly in accordance with State and Federal law. Even if all the arguments of the prohibitionists were true, it is inconceivable that a nation, whose sense of fair play is proverbial, could seriously permit the wanton destruction of such gigantic values. Do not forget that the bonds of the United States are based upon the wealth of the country, and that by the destruction of such values the security of the bonds must necessarily be impaired and their market value depreciated. I go so far as to assert that the so-called Antisaloon League, by its crusade for the destruction of a legitimate business, is violating the Sherman antitrust law, and should be called to account by the Attorney General of the United States. When a few years ago Switzerland prohibited the manufacture and sale of absinth a commission was created to assess the damage, and this commission has paid indemnities to those who sustained losses on account of the new law, even to the laboring men employed in that industry. Here is an example which our modern crusaders should study. I do not say that compensation would in any way excuse or justify prohibition, but it is the very least which could fairly be expected, and it is the only honorable way to go about it. As regards the financial consequences of prohibition, a disastrous flood or an earthquake would be mere child's play compared with the destruction to be wrought by it.

Eighth. Prohibition will take the bread from the mouths of hundreds of thousands of employees and workingmen, not only of those employed in the breweries and distilleries, but of coopers, blacksmiths, glass blowers, wagon builders, bricklayers, carpenters, and so forth. Indeed, there will not be a single trade which would escape the calamity. To those should be added all the small dealers and business men who are now patronized by these laboring men, and the damage will be felt even by banks, wholesalers, railroads, and farmers, especially those of our farmers who grow barley and hops. The inevitable result would be an economic panic unparalleled in our history, a panic dealing a terrific blow to the whole Nation and the devastations of which would equal those of a civil war. And what do the uplifters offer to the men deprived of their employment and to the country as a substitute? Nothing! "After us, the flood!"

Ninth. Prohibition will cause a deficit in the National Treasury of at least $280,000,000 a year, for this is the amount which the Government now collects from beer, wine, and spirituous liquors, and which, by the way, far exceeds our total expenses for Army and Navy. It is a tax which every consumer, as Garfield said as far back as 1880, pays voluntarily, because no one need pay it who does not wish to. It is, in other words, the voluntary contribution which the moderate drinkers of the country make to the national household. How, I ask, should this deficit be covered? It must be by direct taxes, of course; but we have just imposed a new corporation tax, a new income tax, and a war-revenue tax. Do you propose to pile an additional quarter of a billion on top of those? No political party would ever survive the attempt.

Tenth. Prohibition does not prohibit, and for this assertion I beg to submit incontrovertible proof.

If the patent medicine of the moral uplifters were effectual, the consumption of whisky should have been reduced by at least 50 per cent, because half of the territory of the Union has been voted dry. But what are the figures? The truth is that the consumption has doubled; in fact, has increased much more rapidly than the population. Again, the greatest percentage of drunkenness is recorded in the prohibition States, because the number of arrests for drunkenness was five to nine times greater in those States than, for instance, in liberal Wisconsin. This proves conclusively that you can vote a town dry, but you can not vote a man dry. Or what was it that our farmer friend said? "Yes," he said; "I, too, voted for this movement against alcohol, for as long as we have beer and wine and whisky, what do we want with alcohol?" Many a one might have thought so who, suffering no want himself, voted to close the saloons of his neighborhood. But national prohibition will open the eyes of the people who have been thus misled and fooled. That the above figures demonstrate the complete moral bankruptcy of the cause of prohibition, it is, I believe, unnecessary to point out further to those who are listening to me.

A PROHIBITION AMENDMENT PROVIDING FOR FREE WHISKY.

Most of what I have said relates to the general subject of prohibition. Now, permit me briefly to discuss the concrete proposition before us—the concurrent resolution proposing an amendment to the Constitution providing for national prohibition. After a careful analysis I have come to the conclusion that this is a misnomer. It should be called "a constitutional amendment providing for free whisky," or "a measure to promote home drunkenness." Surely no one can study its effect without having his suspicions aroused, as well as his doubts, as to the sincerity of its proponents. Are they, we are justified in asking ourselves, really sincere in the advocacy of temperance or is it merely a maneuver, a sort of rallying cry for the unthinking or a signal from the leaders to show the country how high they have already dared to climb with their peculiar nostrum for the ills of mankind?

I must confess, Mr. Speaker, that to me it looks as if the leaders, after they had carried prohibition to the doors of Congress, had suddenly lost courage as a result, perhaps, of the tremendous weight of their burden and had mixed their offering of pure and adulterated water with a goodly alcoholic flavor to make it palatable. Let us see. The amendment reads as follows:

> The sale, manufacture for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States or territory subject to the jurisdiction thereof, are forever prohibited.

Why the repetition of the words "for sale"? Why such cumbersome form of expression? Why, if the amendment was designed to kill the liquor traffic, was it not put in this simple form: "The manufacture, sale, transportation, exportation, and importation, and so forth, are forever prohibited"? In answer to these questions let me quote the words of a good prohibitionist, a Mr. William A. Brubaker, of Detroit, Mich., who writes to the National Issue, a prohibition paper, as follows:

> Anyone who understands the English language can readily see that the Hobson amendment would not prohibit the manufacture of liquor for personal use. Nor its importation for personal use. Hobson admitted in his speech in this city—Detroit—recently that his amendment was not intended to prohibit the manufacture or the importation of liquors intended for personal use.
>
> It will be readily seen that this will open the door to all sorts of evasion and frauds and will make the enforcement of the law exceedingly difficult. If I may manufacture liquor for my own use, several of us may join in such manufacture. A hundred, a thousand, any number of men, may join in such an enterprise. Suppose I own a brewery capitalized at $300,000. When the Hobson amendment is ratified, I at once advertise the sale of 200,000 shares of stock at $1 each, with the inducement that beer will be furnished to stockholders at cost. The entire amount is quickly subscribed and I pocket $200,000 by the transaction. When the amendment goes into effect "our" brewery is furnishing its product only to its owners, at cost—of course, the cost is heavily padded by enormous salaries to the managers—not a pint of it is "for sale." Our product is shipped to its "owners" in all parts of the country, because, as you notice, there is no prohibition against its transportation in the amendment. A "cooperative brewery" could be set up in every town of any size in America, unless prohibited by State law. Clubs would be organized, as they are now in local-option territory, for the importation of liquors, not "for sale," of course, but for the personal use of the members. Beer from Bavaria, champagne from France, whisky from Scotland. The question is, Do the temperance people of America care to spend money and effort for the adoption of such an amendment? Would its enactment better present conditions a particle?

My answer to this last question is, decidedly, no. Not only would it not better present conditions, but it would make them infinitely worse. It would strike down the legitimate business, deprive the Treasury of a revenue of $300,000,000, which would have to be made up by direct taxation, remove all the safeguards which State laws have thrown around the liquor traffic; would rob the 35 States of the Union which still legalize that traffic and their great and small municipalities of all their income from that source; would turn every house into a private distillery, replacing the milder beverages, such as beer and wine, wherever they are now preferred, by strong and impure spirits; and, in a word, would make whisky as free and almost as cheap as water everywhere in the country. In the face of these facts, how any man who has the cause of temperance at heart could vote for such a proposition is more than I can comprehend. Under these circumstances America would be the paradise of the drinker, as well as the drunkard; but what of

that? Have not the crusaders the satisfaction of striking down a legitimate industry, of destroying values amounting to a billion dollars, without compensation and of throwing a million men out of employment, and at the same time depriving them and their families of their daily bread? They started out to ruin the liquor traffic as a business, and this the amendment will accomplish. Alongside of that everything else, including the real issue, namely, temperance, is evidently a matter of secondary consideration.

CONGRESS CAN NOT SHIRK ITS RESPONSIBILITY.

I trust, let me say in conclusion, that the vote on this proposition will not be regarded as merely a referendum. It is not; and when our friends the prohibitionists say that Congress, in permitting the people to decide the question, would not have to pass on its merits they are telling us what is not true. In the first place, the people at large will have no chance to vote on the question at all, because the legislatures will decide it, and this fact alone puts a tremendous responsibility on our shoulders, and for this reason: To be ratified the amendment requires the votes of the legislatures of 36 States. But the 36 States which the crusaders are counting upon to vote affirmatively do not comprise a majority of the people, so that the 12 big States with a real majority would actually be dictated to by a minority, and in a matter which the great liberal States regard as vital. These States are Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Missouri, Michigan, Wisconsin, Minnesota, and California. They have more Representatives in Congress than the 36 smaller States, cast 9,000,000 out of the 15,000,000 votes for President in 1912, have a larger school attendance, less illiteracy, more church communicants, own two-thirds of the church property of the country, have two-thirds of the wageworkers, produce four-fifths of all the manufactured products, pay two-thirds of all the internal revenue, three-fourths of the corporation tax, and five-sixths of the income tax, and have four-fifths of all savings-bank deposits. According to the census of 1910 these 12 States, by the way, had only 115 State prisoners per 100,000 population, while the 9 prohibition States had 124. The number of prisoners for grave homicide on January 1, 1910, was, in the 9 prohibition States, 1,846; in the 12 license States only 1,664.

To come back to my argument, these figures show conclusively that the only protection which we have in this instance against minority rule must be afforded by Congress. Moreover, the founders of the Republic clearly intended Congress to exercise its mature judgment in the matter of amending the Constitution or else they would not have provided for a two-thirds majority to be required for the passage of an amendment; and is it not also true that the House, being particularly charged with the initiative as to all revenue bills, must carefully exercise its judgment regarding all measures affecting the revenue? And is it possible that we could shirk that responsibility regarding a proposition which threatens to bankrupt the Treasury?

In a telegram recently sent out from Washington it was stated that "the responsible leadership of the House does not regard prohibition as a national issue." Permit me to say, Mr. Speaker, that the destruction of lawful property by the mere expression of opinion without a day in court—"due process of law"—and without just compensation for all losses, can never be a legitimate issue in either State or Nation, however an insistent corporation may urge such piracy under the form of law, and however some courts may permit it by substituting the "police power" for the Bill of Rights. Congress is an independent body and should never assent to control which would swerve it one iota from the great principles upon which our Government was founded. [Applause.]

I thank the House for the time and attention accorded to me.

Mr. STAFFORD. I yield five minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, the measure under consideration is, in my judgment, indefensible upon two grounds—first, the means by which it is proposed to inject it into the organic law of the Republic; second, the character and the terms of the measure itself.

A proposition so radical and revolutionary as this, which proposes to repudiate the principle of home rule and local self-government, to invade and violate the reserved rights of the States, to deprive them of a material source of their present income, and to take from them the police power over what has always been considered a subject of State and local jurisdiction and control, ought not to originate in the American Congress, but should first be subjected to local debate and consideration and proposed, if at all, by the States themselves.

We are asked in this joint resolution to submit to the legislatures of the several States, each acting as a unit, for adoption the drastic and far-reaching constitutional provisions following, namely:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

If this measure passes Congress by the requisite vote and is approved by a majority of the legislatures of 36 of the 48 States of this Union, it will have become a part of the organic law of this Republic, although a large majority of the people of the United States may be opposed to its adoption.

Under the peculiar system of representation in the legislature existing in many States, by which the land area instead of the people is represented in their lawmaking body, it is very likely to be the case that the legislature is not representative of the great body of the people. Some New England States have, I understand, a system of town and township representation in their legislatures, thus creating a rotten borough system without regard to population, and practically denying representation to the great body of people residing in the populous centers.

In my own State every county has a member of the general assembly, regardless of its population. Omitting the 15 largest counties, the average population of the remaining 73 is but 30,853, while the populous counties have, under the last apportionment, only one additional member to each 47,671 inhabitants. So that it is entirely possible and very probable that, although Ohio rejected State-wide prohibition at the last election by 84,152 majority, the general assembly, elected at the same time, might swallow this measure with the greatest eagerness if given an opportunity to do so.

I heard a Member of the House from Missouri say a few days ago that the legislature of his State would adopt this measure with avidity if we submitted it to them, and yet only four years ago, and the last time the electors voted on the question, Missouri rejected State-wide prohibition by 218,125 majority, or by more than 2 to 1 of the total vote cast.

In the recent campaign in Ohio those who advocated State-wide prohibition were assisted by the author of this joint resolution, the distinguished gentleman from Alabama [Mr. HOBSON], whose eloquent tongue and ready pen, always forceful and entertaining, no doubt contributed materially to the large vote cast for prohibition. But I submit that he is not according the people of my State fair treatment or consideration when he comes with a motion for a new trial before the Representatives of all the States and asks them to reverse the verdict rendered by the electors of Ohio on this question. The people of my State are much better qualified to pass judgment upon the relative merits of regulation or prohibition as applied to their own Commonwealth than are the Representatives, here or elsewhere, of Utah, Wyoming, or Arizona, or any other State in this Union.

No power is given Congress by the Constitution to submit this or any other proposition to a vote of the electors whether as a whole or by and through the States, and this fact furnishes the reasons for proposing to adopt it from the top instead of commencing at the bottom of our constitutional structure.

No one will seriously contend that anywhere near a majority of the duly qualified electors of the United States favor the adoption of this measure.

The Democratic platform of 1912 contains this declaration:

Believing that the most efficient results under our system of government can be attained by the full exercise by the States of their reserved sovereign powers, we denounce the efforts of our opponents to deprive the States of any of the rights reserved to them and to enlarge and magnify by indirection the powers of the Federal Government.

Article X, amendments to the Federal Constitution, provides:

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people.

This proposed joint resolution is a bald, naked, and palpable repudiation of the letter and spirit of the tenth amendment to the Constitution and of the plank quoted from the Baltimore platform. It proposes to outlaw by prohibiting the use of many hundreds of millions in value of property now utilized in the production, manufacture, and sale of vinous, spirituous, and malt liquors, and to clothe the Federal Government with the police power necessary to enforce this destructive and confiscatory enactment.

It is proposed to do this by a majority vote of the legislatures of three-fourths in number of the States of this Union. Eleven of these States—Arizona, Delaware, Idaho, Montana, New Hampshire, New Mexico, Nevada, Vermont, Rhode Island, Utah,

and Wyoming—represented on the floor of this House by 16 Members and in the Senate of the United States by 22 Senators, had by the census of 1910 an aggregate population of 3,366,313, while by the same census the State of New York had a population of 9,113,614. Neither of these 11 States had as many people as the city in which I live, and all of them combined had 1,400,000 less people than the city of New York or the State of Ohio by the last census. Here we have the actual impelling force behind this proposition; because the people of States like New York, Pennsylvania, Illinois, Ohio, Texas, Missouri, Massachusetts, Michigan, Indiana, and New Jersey refuse to conform to the ideas of rural and sparsely settled States like the first 11 I have named, the latter propose, by their preponderating power in numbers, each State having 1 vote on amending the Constitution, to force this amendment on the 10 States last mentioned, whose combined population by the last census was 234,175 in excess of one-half of the population of all the States in the Union.

If this proposition shall be adopted by Congress, it will remain open for adoption by the legislatures of the several States for an unlimited period of time; its rejection by a majority of the States will not settle the question, and its submission will simply open, and keep open, for an indefinite period a raw and bleeding sore on the body politic of every State in the Union, to the exclusion of intelligent consideration of every other public question, however pressing.

The enactment of the Webb law by the Sixty-second Congress removed the only possible justification or excuse for this measure. By its terms the several States of this Union were authorized to prohibit the importation and transportation of intoxicating liquors into a State, or any part thereof, wherein the sale of such liquors is made unlawful by the constitution or laws of said State.

The preamble to this bill is a mere stump speech in favor of total abstinence, highly colored by fervid rhetoric and gross exaggeration and the frequent use of adjectives and epithets, but as the preamble is no part of the legislation proposed I desire to submit a few observations upon the pertinent provisions of the measure.

It proposes to prohibit in the United States, the Philippines, Hawaii, Guam, Porto Rico, and Alaska the sale, manufacture, transportation, importation, and exportation for sale of intoxicating liquors for beverage purposes, and in section 2 authorizes Congress to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for certain specified purposes deemed proper and necessary, and then authorizes the "needful" legislation to enforce its provisions. If the use of intoxicating liquors is as harmful as stated in the preamble, it is strange that no provision was inserted to prohibit its manufacture for use by the people of the United States; for all that this legislation contains every man can have his own still, brewery, or winery and use or give away intoxicating liquors without limit. No provision is made for supplying the deficiency of about $250,000,000 annually which will be lost to the public revenues of the United States by the adoption of this measure, to say nothing of the loss of revenue to the States and their subdivisions. The consequences of this legislation have not been fully considered by its authors and proponents.

Would the people of States like New York, Pennsylvania, Ohio, and Illinois, after having this amendment forced upon them by the legislatures of such States as New Mexico, Nevada, Wyoming, and Arizona, be disposed to enact the necessary legislation to enforce it? The question answers itself.

The only recourse, then, for its enforcement would be deputy United States marshals. How many would be required for a serious attempt to enforce such a law no one can even estimate. The only result certain to follow the adoption of this measure is a complete breaking down of the whole system of attempted law enforcement by the National Government, and a sickening disregard of this and all other laws as a natural consequence. If it should be adopted, a majority of the States would soon wish to repudiate it, and it would hang like a millstone about the neck of this Nation until three-fourths of the States could be induced to repeal it.

But we are told with vehement emphasis that the question of adoption by the several States of this Union of regulation or prohibition as a means of providing against the evils resulting from the sale of intoxicating liquors is a moral one, which justifies the invasion of the reserved rights of the States and the repudiation of the theory of home rule and local self-government, upon which our dual system is based. There may or may not be force in this contention, since the point of view of each individual and the facts and circumstances in the case alone determine that. If it is contended that legislative prohibition raises the standard of morality in the prohibition States above that of similar States having a system of regulation, I deny it, and cite the experience of the New England States as examples, all of which have had prohibition, and all of which have abandoned it, with but one exception.

There is not much virtue in the term applied, either to an individual or to a system or policy of government. No improvement will be noted in the odor of a jimson weed by calling it a sunflower.

"That which we call a rose, by any other name would smell as sweet."

The gentlemen who propose to assume the guardianship over the morals of the people who reside in the great and populous States of this Union are reminded that the great mass of the people of those States were born and have grown up in their own Commonwealths, are more familiar with the people and institutions of their own States than nonresidents possibly can be, and that the morals of the people, so far as the same are affected by what they eat and drink, are not likely to be improved by outside interference.

There is probably invested in property used in the production, manufacture, transportation, and sale of spirituous, vinous, and malt liquors, by people residing in the territory covered by this joint resolution one thousand millions of dollars. It is proposed to outlaw this property by prohibiting its use for the purposes to which it is adapted, and to place it in the same category with gambling implements and burglars' tools, without notice or compensation.

Whatever may be our opinions of the business of producing, transporting, or selling intoxicating liquors the wholesale confiscation authorized by this measure *does* present a moral question of much graver magnitude and consequence than is involved in the desire to regulate the appetites by controlling through one enactment the business relations of all the people who live under the American flag. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. OGLESBY].

Mr. OGLESBY. Mr. Speaker, this is a proposition to prohibit forever, by constitutional amendment, the sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof.

As the law now stands, the States may decide this question, each for itself, by majority vote of its electorate. In my judgment the manufacture and sale of liquor is not a proper subject for national constitutional provision, but is a matter for regulation by legislative enactment and should be decided in and for each State, or such subdivision thereof as may properly be established for referendum action, by a majority vote of the qualified electors residing therein. Congress has the power, without amending the Constitution, to give full protection to a dry State against importation from a wet State by outlawing liquor as an article of interstate commerce. The amendment, if submitted, is not to be voted upon by the people.

To amend the Constitution as herein proposed, three things are requisite—i. e., first, the resolution must be adopted by a two-thirds vote in the House; second, by a two-thirds vote in the Senate; and third, such action ratified by the legislatures of three-fourths of the several States. The resolution will be adopted by the Senate if it receive the support of 64 Senators, representing any 32 States, and, in the event of its passing this House also, would become effective when ratified by the legislatures of 36 States, though rejected by the other 12.

There are 32 States of the Union with a combined population of about one-half that of the other 16, and 10 with a population exceeding that of the other 38. So that should this House give its consent to the method here proposed of determining the question, United States Senators representing one-third and State legislatures representing less than one-half of the citizens of the Republic could impose their will on the majority.

There are 19 States in the Union whose combined population is less than that of the State of New York. The adoption of this resolution would deprive the voters of the district which I have the honor to represent of all opportunity to express their wishes directly on the proposition and leave them only a wholly disproportionate and unequal representative voice in its determination. It would permit the legislatures of 19 States, with a combined population less than that of my State, to cast 19 votes and the legislature of my State only 1 vote in the determination of this question for my people. It is only in this House that the people of my district and State have an equal representative voice in amending the Constitution.

Whether the method provided in the Constitution for its amendment should be modified or whether it can rightfully be changed without the consent of all the States is open to serious question.

The proposition presented here is in no sense analogous to those embodied in amendments heretofore accepted, for instance, to that contained in the constitutional amendment recently adopted, providing for the election of United States Senators by direct vote of the people. That was merely a change to a more direct method the manner of selecting their United States Senators by the people of the States. It was an amendment of a matter originally contained in the Constitution and properly subject to amendment in the manner therein provided.

I am convinced it was never intended by the people of the States originally entering the Union, or believed by their representatives in convention, that in consenting to the method of amending the Constitution therein fixed a means was thereby provided by which their powers of police regulation could be taken from them against their will. I am clear, at least, that we, the people's representatives, should not by the method proposed here, or in any other manner, foreclose the right of the majority to decide this question as they see fit. [Applause.]

Upon a question which has been long before the people, and opportunity afforded to test public opinion, I deem it to be my duty to vote in accordance with what I believe to be the wishes of the majority of my constituents, and that I should not depart from this rule except upon a matter which threatens the integrity or affects the honor of the Nation.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. BARCHFELD].

Mr. BARCHFELD. Mr. Speaker, in the name of national prohibition there is now at work in this country a political faction which would destroy the frame of the American Government, force a Federal police rule upon every person in the United States, and strike the greatest blow at State rights ever attempted. I purpose to correct some of the falsities of their statements and speak with what skill I have in defense of the system of government which they would disrupt.

The gentleman from Alabama [Mr. HOBSON] has introduced four resolutions for a prohibition amendment to the Federal Constitution. They are all in favor of prohibiting the manufacture and sale of alcoholic beverages, but are all progressive, in that each resolution goes a little further than its predecessor, and the last proposes that the sale, manufacture for sale, exportation for sale, importation for sale, and transportation for sale of all beverages and foods containing alcohol are forever prohibited in the United States and in all territory under their jurisdiction. In passing I may quote from Mr. HOBSON's speech of December 11, 1913, in which he said:

> I want my colleagues to understand from the start, and, so far as we can have them, the American people, that there is no desire, no intent on the part of this resolution to invade either the individual rights or inherent liberties of the citizen, or to climb over the wall that civilization—particularly the Anglo-Saxon civilization—has built around the home.

Probably this has reference to the fact that the manufacture and sale of liquors for sacramental, medicinal, therapeutic, and mechanical purposes is excepted from the grand prohibition of this proposed amendment, and possibly to the idea which the prohibitionists are now seeking to promulgate, that this constitutional prohibition will not prevent the individual citizen being his own distiller or brewer and making for himself in his home all the intoxicating beverages that he can manufacture for his own consumption and gifts to his friends. This does not deceive me, but only adds to my resentment, in the name of our Constitution and of our people, against the colossal fraud which the advocates of this prohibition amendment would commit in the name of temperance.

The prohibitionists must seek one of two things: Either they wish to deprive the States of the power to regulate the liquor traffic and to invade the American home and handcuff the American citizen with a prohibition on his personal habits and individual freedom or else they wish to destroy the regulated liquor traffic and introduce into America in spite of the State and local governments an unlicensed, untaxed, and unregulated free manufacture of intoxicating beverages.

In the first half of the dilemma the prohibition agitators are compelled to admit that their purpose is the invasion of the home with a national police ordinance and the denial to the States of the right to make local liquor laws. All these people who for one reason or another are inclined to give ear to the grand fallacy of national prohibition should take one look at the Hobson prohibition amendment and then conclude, as they must, that it proposes confusion worse confounded and, if nothing more, is an insult to the common sense of Americans.

In the second half of the dilemma the prohibition agitators are reverting to the position of those who insisted that instead of taxing all of the alcoholic liquors manufactured in this country there should be an exemption, so that each man could manufacture not to exceed 80 gallons of whisky a year for family consumption, and this idea was rejected many years ago as offensive to every idea of temperance and decency in the Federal taxation and local regulation of the liquor traffic.

I do not propose, however, to discuss this subject except upon the idea that those who are now advocating national prohibition mean to accomplish what the prohibitionists always have as their single object—that is, to prohibit not only the manufacture and sale of liquors, but to prohibit the use of liquors, and to secure this by compulsion and force through law.

There is no question which more merits calm consideration, and I propose to speak upon it without regard to the hysterical denunciation of those who assume to represent the moral regeneration. I represent a large church constituency, and I do not yield to any agent of any society or organization in the duty of representing those people on this floor. The leader of the prohibition advocates in this House pretends to represent the religious people of this country as a sort of new John the Baptist preparing the way for compulsory constitutional reformation.

He preaches a doctrine of moral coercion in the home and incidentally advocates the construction of a thousand battleships for defense against a host of enemies who are the figment of his own brilliant imagination. The mythical Don Quixote has a fitting successor in the present hero of the prohibitionists. Capt. HOBSON has traveled the chautauqua routes of the country, fighting windmills with windy oratory, finding a Samuri warrior in every inoffensive Japanese servant in America and a great destroyer in every beer bottle that decorates a German laborer's dinner table. He wants to take upon his shoulders the task of Hercules and do what no mortal man has done since time began. In his brief life he would reform the habits and customs which began with Genesis, came down through the history of the sons of Abraham, the records of the children of Israel, and the Acts of the Apostles. He is willing to reform the teachings of the Scripture and prohibit the turning of anything into wine. And he is determined to accomplish this thing, not by teaching, not by persuasion, not by moral reformation, but by amendment of that greatest secular document in history, the Constitution of the United States. Capt. HOBSON fails to realize, however, that his American people can not be coerced even by the supreme law of the land. They may be taught, but they can not be forced.

Prohibition has been the instrument of despotism since the world began, the first aid and last resource of those who would compel where they can not lead. King George tried to prohibit the American Colonies from manufacturing their own wares, from going to market anywhere except in old England, and from having arms. In defiance of these prohibitions the American people created the United States of America, and I, for one, believe that as the American Government grew out of the people's hatred of prohibition in the days of the Revolution, so to-day prohibition of the kind which is fostered by the followers of Capt. HOBSON would meet as great resentment as it did in the earliest days of the country.

Prohibition has now been taken as a trade-mark by the people who want to prevent the sale of intoxicating liquors. They have a good motive, but a wrong method. They want to remove temptation from those who can not resist it. But there is no magnet in the universe so powerful as prohibited temptation. It draws humanity as the flame draws the moth. I do not suppose Adam and Eve would have paid any particular attention to the tree of knowledge if they had not been prohibited from eating the fruit of that tree. There were so many other varieties of fruit in the garden that they could not sample them all. But when that one tree was marked "Prohibited" they went after that particular fruit and neglected all the others. Moses gave the children of Israel several prohibitions and then smashed the tables of stone because they would not obey. The world has been going that way ever since. The striking difference between the Old Testament and the New is the absence of prohibitions in the latter. The Master revised the old version and struck out the word "forbid." He said "forbid them not" when His disciples wanted to keep the children away from Him. He repeated the same request when they wanted to deny tribute to Cæsar and when they wanted to check others from prophesying in His name. Paul rather prejudiced his case with the ladies by forbidding them to speak in public, but he also warned the people against those who commanded them to abstain from meats which God had created.

The one most serious prejudice against Paul has been that prohibition against the ladies. They will never forget Paul or forgive him. In that they show that they are daughters of mother Eve.

It is not simply the people who want to drink or run a saloon or a brewery who object to prohibition; it is the inborn prejudice against the word or any synonym of the word "prohibition." The old Washingtonians tried to make intemperate people temperate by persuasion. John B. Gough and Francis Murphy employed the horrible example. Mother Stewart prayed with the saloon keeper and persuaded him to pour his liquors into the gutter; Frances Willard followed the same example. Gough and Murphy and Mother Stewart and Frances Willard are remembered as great leaders, but who remembers the names of the Prohibition candidates for President in the last 40 years, or even in the last presidential campaign?

It is not because the majority of the people are not temperate and do not want to have all men sober. It is simply the old prejudice against prohibition; against having one man say you shall not eat pork, or roast beef, or oysters, or drink Potomac water, or beer, or something stronger. We have been brought up in the way of regulating our own appetites. We will not even let the doctor prescribe a diet, unless he has us in bed with a nurse on guard. We resent prohibition of any and every kind which concerns ourselves. We have been educated in the way of paying our money and taking our choice. The human race started in that road in the beginning and it has been traveling that road ever since, and we have called that road civilization and enlightenment and progress. So, after many years of this kind of travel, the Americans who claim now to head the procession refuse to have the sign of prohibition put up across the highway.

The question is bigger than the control of the liquor traffic. It is a question of local government; and of the control of the local affairs of the community by the majority of the residents of that community, whether it be a rural township, a village, a town, or a city. We began building this Republic from the bottom, not from the top, as did the people of Mexico. We laid the foundations in local government, and out of these constructed the States, and then from the States the Nation. We did not construct the Nation first and then give it the power to make States, and permit them to construct counties and townships and charter cities, towns, and villages. There have always been different customs in different parts of the country, and there are to-day. We have drawn our inhabitants from all parts of the world, and while we have made them good Americans, combining all that makes a Nation of freemen, we have not tried to prohibit them from following the religious and family customs which they brought with them. There are nearly 200 different religious sects in the United States and 22 great parent churches. The communicants and followers and supporters of these religions and sects are jealous of their rights to worship God as they please, and have their own idea of a God; to accept the Old Testament or the New; to take the Koran or the Book of Confucius or the Vedas.

We have 14 kinds of Baptists, as many kinds of Methodists, and varieties of almost every denomination of the Protestant Church. We have those to believe in Jesus as the Christ, and those who do not; those who have very distinct forms of religious worship and those who have no very definite form. They refuse to be prohibited from following their own form of worship or from having no religious belief whatever. We have infidels as well as Christians. A great many of these people came to America for the specific purpose of escaping just such prohibitions in other countries.

Some of these people believe that no human being should eat meat, some would prohibit particular kinds of meat, or have it prepared for eating after a particular form, and some know no law on this matter except that of necessity and opportunity, eating and enjoying beef, pork, and lamb, fish, or fowl. We have other customs some of them imported and some of domestic development, and the followers of these customs and fads are just as much opposed to being prohibited from following them as are the religious and nonreligious people. Some of them want to go barefoot and some would prohibit that custom as barbarous, some are confident that we should live on predigested breakfast foods, and some believe that thorough mastication is the only rule of health. Some believe in protecting the human form with stays and some disregard the corset as a relic of barbarism. Some have a champagne taste and some a beer taste. It is just as difficult to prohibit one of these customs, fads, or tastes as it is another. The followers of them all hate the word "prohibition." The village may prohibit the drinking of beer or the wearing of Mother Hubbards if a majority of the good people in that village agree that they do not want either. But the residents of that village resent a prohibition of either by a neighboring community. They want to regulate their own domestic affairs. There have been communities from the beginning where the saloon and the barroom in the tavern were unknown, and there have been others where they existed, and the people thought they had a right to have them.

Local option in some States became a popular method of dealing with the question, and the State exercised its police power of taxing the saloon or permitting communities to prohibit it. The people in town meetings, or village or township elections, decided whether they would have the saloon or not. Sometimes the majority voted one way and the next year voted the other way. They exercised their right of local self-government. Then, this option was in places extended to the counties, and the majority took up the question as a State issue, and prohibited the saloon or the manufacture and sale of alcoholic products in whole States.

The State of Iowa did this some years ago, and the people in the river counties resented the prohibition. The majority of the people in the cities, towns, and rural communities along the Mississippi River were Germans, and they wanted their beer just as they wanted cabbage and sausage. They refused to be prohibited from having these things by the State. They elected their city, town, and county officers on an open and distinct pledge that the State law should not be enforced.

Some temperance advocates and prohibitionists thought the open violation of the State law in Iowa was due to close contact with Illinois, a State which did not have prohibition but licensed the saloon. But in Illinois the saloon was regulated, and in some towns on the river next to the Iowa line they were prohibited under the mandate of local option. The people in those Illinois towns who wanted beer or whisky walked across the bridges into prohibition Iowa and were satisfied. The rebellion against prohibition in Iowa was local. The majority in the cities, towns, and counties refused to have their personal affairs regulated by State law. They had been educated in a different way from the people who made up the majority in other parts of the State. They carried their hatred of prohibition to the point of defying the laws of the State and writing this defiance into their local laws. The situation became so serious that the Iowa Legislature felt it wise to enact a mulct law that would recognize the local sentiment of communities, although that law was in defiance of the statute prohibiting the manufacture and sale of alcoholic liquors.

The people of Kansas had similar experience. They have State-wide prohibition in Kansas, with drug stores selling on prescription and furnishing the prescription. In Maine they have prohibition by the State constitution, while bootleggers make up a respectable part of the business community.

Without further discussion of the freaks and failings of prohibition in the States and localities which have experimented with its fundamental impossibilities, I wish to give testimony regarding the great State of Pennsylvania, and more particularly to the marvelous county of Allegheny, part of which I represent here in Congress. We have in Pennsylvania the best liquor law in the United States. I have traveled the States of the Union, have seen prohibition under every condition, and have seen the travesty of local option, where half the community tried to vote the other half into being criminals. I have seen a local option county go wet and dry alternately every two or three years, with the saloons voted in at one election and out at the next, and there was little choice between the irresponsible character of the licensed dealer of one period and the reckless bootlegger of the next. The saloon keeper when the county was wet was so insecure in his business that he had small reason to safeguard his license. The bootlegger had to violate the law to operate, and was subject to no restraint whatever. Under both conditions the people demanded liquors and insisted on a supply.

In Pennsylvania we have the Brooks high-license law. The saloon keeper comes before the court, and under his oath satisfies the judge that he is a proper person to have a license; that he has never been convicted of crime; that he is a man of moral uprightness and has sufficient capital to engage in the business; that he will obey the law and the regulations which the court enforces; that he will religiously observe the first day of the week, commonly called the Sabbath, and refrain from selling on that day. There is not a licensed dealer or a hotel keeper in my county who would violate this law and this order of the court.

Now, what is the result? The licensed dealer is engaged in a lawful business. He has capital invested, and the continuance of his license is his greatest asset. He knows that the court will revoke his license or refuse it at the next licensing period if the law is violated.

We have in Pennsylvania a licensed, respectable, and satisfactory regulation of the sale of liquors. We would not exchange this for the uncertainty of local option, the bootlegger régime of prohibition, or sacrifice our own right of local regulation for a constitutional mandate from Washington, D. C., directing us to forbid the sale of liquors in Pittsburgh.

My district, the thirty-second congressional district of Pennsylvania, is the workshop of the world. I represent a constituency of over 300,000 inhabitants in five city wards and the outlying boroughs and townships of Allegheny County south of the Monongahela and Ohio Rivers. In times of our prosperity 100,000 men go each day, except the Sabbath, to the furnace door of the steel mills, the dark depths of the coal mines, and the furious activity of the factories, many of them with their lives in their hands, and draw from the minerals and materials of the earth the wealth of her resources.

A portion of this section was first called Birmingham, after its counterpart in England, whence came the first English steel workers, to be followed later by the Irish, Germans, the Poles, the Slavs, the Italians, the Huns, and all those others who now make the most cosmopolitan and industrious working community in America. These men of all races and all religions, honest and God-fearing, ask only the opportunity to labor, to live, and to accumulate their savings that they may be happier and more substantial citizens. They are as law-abiding a community as America knows. They wish to have freedom, however, in their ways of life, and to impose upon them rules of sumptuary legislation would be to destroy their confidence in America and her free institutions.

These people look upon alcoholic liquors as a right, inborn and God given. What prohibitionist from the corn fields of Kansas, the cotton fields of Alabama, or the seacoast of Maine, where the bootlegger votes for prohibition, has a right to command a steel worker in my district that faces 2,800° F. at the furnace door that he may not have his beer when his heat is ended? Stimulant to that constituent of mine is a food, and he would tell you it was a necessity. When the long day's work is over, the kind of a day's work that no agitator for prohibition can understand or appreciate, these men, as have their forefathers for generations, drink their beer, their wine, or their whisky, and they will defy all the prohibitionists in America to give one good reason why they should not.

Let me tell you that in times of prosperity the Jones & Laughlin American Iron & Steel Works employs 10,000 men; the United States Steel Corporation, 22,000 men; the Pittsburgh Coal Co., 11,000 men; and other industries similar great numbers in my district; and without drunkenness or excess these men demand places near the mills where they can secure their whisky and their beer, a bowl of soup and a ration of meat, that will replace the mighty energies they expend upon their labors.

I have given you a suggestion of the way liquors are used in my district. Incidentally there are no Keeley cures or other drug sanatoria in my district. You will find the latter in prohibition States. I venture to say that there is just as much reason in principle for insistence on liquors by the people in other parts of the United States, and I am sure that license and regulation will be as efficient and successful in other States and sections as it is in western Pennsylvania.

Just as I deny any stranger the right to dictate to my people, however, I will refrain from even suggesting to other States and localities, regardless of the soundness of my views, the way in which they should regulate their affairs and confine myself to a few observations on prohibitionists and their falsehoods.

I am a doctor of medicine by profession. The Hobson resolution begins with the statement that "exact scientific research has demonstrated that alcohol is a narcotic poison." As a physician I state that this is either a play on words or an outright misstatement. In either event it is misleading, and flies in the face of medical practice and physiological science.

When Capt. HOBSON and his prohibition exponents of denunciation and misapprehension make the sudden discovery in this early part of the twentieth century that alcohol is absolutely destructive the medical profession and all the nonprohibition laity marvel that the civilized population has increased, the wealth, prosperity, and material good have increased, and, strange to say, the moral improvement of the people has been certain despite their universal addiction to this certain destroyer. As a matter of fact, the Empire of Turkey, where alone in all the world alcohol is prohibited by the word of the Prophet, shows the physical, mental, moral, and material palsy which prohibitionists would have us believe is the case with our Anglo-Saxon civilization if alcohol, which we have used, is the agent of degeneracy it is pictured to be. Anglo-Saxon civilization has been destroyed by its use of alcohol. The Turkish people have electrified the world by their abstinence and consequent enlightened progress. Officially and by exact scientific research we are dead, and the Turks are the foremost people of the world, provided Capt. HOBSON and the prohibitionists are right in their diagnosis. Not only are we Americans dead, but the great Germanic peoples of central Europe have, instead of making wonderful progress during the past 50 years, disappeared from the face of the earth.

It is the Christian civilization that is now decadent, while that of the Moslem is triumphant throughout the world. Are we living in the twentieth century and not in the age of Mohammed? After listening to the gentleman from Alabama, as he pictured the failure of our civilization, I was almost persuaded that he had turned back the dial of Father Time a thousand years and that it was the star and crescent rather than the star of Bethlehem that was leading us on.

So far as this scientific aspect of the liquor question is concerned—incidentally, it is exactly the same to-day that it has been since that early day in the dawn of civilization when alcoholic liquors were first made a part of the civilized human's diet—I refer all true students of this great question to the report of the Committee of Fifty on the Physiological Aspects of the Liquor Problem, published in 1905. The conclusions reached by that eminent body of impartial investigators are at variance with the new discovery. Undoubtedly, however, in the prohibition propaganda we will always have the type of expert who, for his preconceived notion or the mere sake of his employment, will reach the kind of conclusion which Capt. HOBSON has so elaborately set forth when he demonstrated that 3 ounces of alcohol, instead of having a food value or a fair effect of stimulation, was truly the great destroyer.

I am not defending alcohol for excessive use or advocating its use at all. I decry drunkenness as much as Capt. HOBSON, and we have little of it in Pittsburgh. I simply say that wanton denunciation of alcohol does more harm than good; that we should honestly teach temperance and not dishonestly preach prohibition; that we should, above all, tell the truth and abstain from lies, and remember that after all each man must control himself, and if he uses liquors be temperate in their use. It is well to remember that a man may kill himself by overeating, and that a favorite method of committing suicide in China is by eating a half cupful of common table salt at one sitting.

So much for the new discovery that alcohol is a poison. Let us now consider what the prohibitionists propose to do with this new discovery as a premise.

Capt. HOBSON and the prohibitionists want to introduce into the Federal Constitution something that is not there now and has never been there—a limitation upon the personal liberties of the citizen. In both Federal and State Constitutions are express restrictions upon the powers of the legislatures, restrictions which were adopted to protect the liberty and the property of citizens and to prevent confiscation and oppression by the mere vote of temporary majorities. In order to prevent local abuses by legislative enactment, the safeguards of liberty embodied in the Federal Constitution were made the supreme law of the land, controlling the action of all courts, Federal and State. It was directly and explicitly provided that the privilege of habeas corpus should not be suspended; that no bills of attainder or ex post facto laws should be enacted against the levying of disproportionate taxes or duties upon articles exported from the States; prohibiting any State from enforcing any law impairing the obligation of contracts and from levying any impost or duty.

This same supreme law prohibits Congress from interfering with the establishment and free exercise of religion, with freedom of speech and of the press, or the right of the people to peaceably assemble and to petition for redress of grievances; against quartering soldiers in any house without the consent of the owners, violation of the security of person and property, and against unreasonable search and seizure without warrants properly verified and issued, and the taking of private property for public use without compensation; insuring the right of trial by jury for criminal prosecutions and the protection of the accused against arbitrary and illegal punishment; prohibiting any State from making or enforcing any laws which shall abridge the privileges or immunities of citizens of the United States, or which shall deprive any person of his life, liberty, or property without due process of law, or from denying to any person within its jurisdiction the equal protection of the law; and prohibiting either the United States or any State from denying or abridging the rights of citizens on account of race, color, or previous condition of servitude.

If these limitations and restrictions are to be taken out of the Constitution as applying to one article of commerce and one class of business, how long will they remain to protect other articles of commerce and other lines of business? If the property of the brewers and distillers, of the wholesalers and retailers is to be taken without compensation, how long will it be before a temporary majority will take other property without compensation or force upon the people some other great privation of rights? Human nature is the same in its prejudices, and retaliation is a favorite weapon with man in his passion.

I have heard the campaigner of the Socialist Party declare that the ultimate object of his party—and they have a national party, just as have the Prohibitionists—was to smash our present form of government and the individual rights of persons and of property, of which it is protective. He inveighed against our government of laws and urged a régime where there will be no legislatures, no courts, because there will be no functions for them to perform; where there will be no master or servant, no distinction between workers and drones, no wage and no private ownership of property. He demanded that the people should take back to themselves the railroads, the mines, the ships, the lands, and the buildings and improvements thereon, the business, the industries, the accumulation of profits—to take these properties without compensation from their present owners, because, as he declared, "all property privately held has been stolen from you and from me." That man was a Socialist, and he was just as earnest, and perhaps as honest, in his convictions as are the Prohibitionists, who propose to follow his program as to one line of business to which they object and the one line of personal conduct which they would control.

If this doctrine of destruction, of removing the protection to life, liberty, and property from the Constitution is to be applied, why not apply it as the Socialist does and remove it absolutely, instead of piecemeal? For if it should be begun as the Prohibitionists demand, it will continue until there is no safeguard to anyone of any class, not even those who claim to represent the religious class. This doctrine has in other countries stripped the religious organizations of their property, taken the churches, and banished those who professed the Christian religion.

Above all else, national prohibition is an attempted coercion of the habits of the people by placing in the Constitution a mere police ordinance which, when stripped of its high-sounding phrases, is still only a rule of conduct operating as organic law in every State and hamlet in the Union, by which the lives and customs of the people are to be constrained and regulated. Coupling this idea with the purpose of the prohibitionist to curtail the freedom of the State governments, the full evil of the proposal is made plain.

How do the prohibitionists propose to bring about this national prohibition? The petitioners for the passage of this resolution say they do not ask Members of Congress to agree with them that national prohibition is necessary. They only ask that Congress submit this amendment to the various State legislatures, that they may decide in harmony with the will of the people. The presumption is that the majority of the State legislatures would represent the will of the majority of the American people. That is not true. The majority of the State legislatures and the majority of the people are two very different propositions. The New York Legislature represents more than 9,000,000 people, and the Nevada Legislature represents less than 90,000 people; the Pennsylvania Legislature represents more than 7,000,000 people, and the Maine Legislature represents little more than 700,000 people. In ratifying an amendment to the Federal Constitution the vote of Nevada is equal to the vote of New York and the vote of Maine equal to the vote of Pennsylvania. The will of the people as expressed by majorities does not enter into the calculation. But the petitioners for this resolution say to the Members of this House: "We do not ask you to believe in national prohibition; we simply ask you to pass this resolution and put the question before the State legislatures, that they may decide in harmony with the will of the people."

They ask us to surrender our convictions, violate our oaths of office, misrepresent our constituencies, and hand this question over to the State legislatures for decision as three-fourths may vote.

An amendment to the Federal Constitution can be submitted to the States by a vote of two-thirds of the House and Senate and ratified by three-fourths of the State legislatures. This House is the only place where the people are represented and where a majority of the people can express their will on such a question. But we are calmly asked to submit this amendment to the State legislatures, regardless of the demands of the people. Now let me give you a little mathematical demonstration. There are 48 States, and 36 of the State legislatures can ratify this amendment; but those 36 States might represent a minority of the American people. They might have a minority of the Members of this House, a minority of the wealth, industry, education, and all that goes to make our boasted civilization and progress. The Anti-Saloon League claims to have great influence in many of the rural States. But there are 12 States which are not in favor of either National or State-wide prohibition, and they represent the majority of the whole people and have a majority of the Representatives on this floor. These States are Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, and California. These 12 States have nearly 49,000,000 of the 93,000,000 people in the United States and 230 of the 435 Members of this House. They have the great centers of population, the great industries, the great armies of labor, the great centers of trade.

They also produce three-fourths of the manufactures of the United States and have nearly one-half the total farm values; they have more than one-half the school children of the United States, spend more money for education than do the other 36 States, and have only one-third the whole number of illiterates in the country. They also have more than one-half the church members and church property in the United States. They have a less per capita of crime, a less per capita of divorce, a less per capita of poverty than have the other 36 States. But the Representatives of these 12 States are coolly asked to surrender their own convictions and misrepresent the majority of the American people, a majority of the educated, church-going people, a majority of the wealth and industry, and all that makes the majority sentiment of our civilization, to submit this amendment to the Federal Constitution to the State legislatures on the theory that we are submitting the question to the will of the people. We are asked to surrender our people to the will of the State legislatures in a contest where the unanimous vote of the majority of the people would count for nothing, and run the chance that a minority may fasten upon them a Federal law in place of their own State and municipal regulation of a great local problem.

Does the gentleman from Alabama think that New York and Pennsylvania, Ohio and Illinois would give any better observance of this prohibition amendment than his people do to the fifteenth amendment, which they have openly defied for half a century?

Some people say that prohibition is a church movement. I doubt it. Oklahoma, the latest State to have state-wide prohibition, has the smallest percentage of population identified with the churches of any State in the Union. Kansas stands next lowest and Maine third. Oklahoma had only 18 per cent of her population given as church members in 1906. Kansas had 28 per cent of her population identified with the churches. Maine had 30 per cent of the population recorded as church members. These are all prohibition States. New York has 44 per cent of the population recorded as church members, Pennsylvania 43 per cent, Illinois 38 per cent, and Wisconsin 44 per cent. So the States having the largest percentage of the population recorded as members of churches permit the sale of liquors and the States with the smallest percentage of population identified with the churches are committed to State-wide prohibition. These figures would seem to deny that prohibition is a church propaganda. The same thing is true of the population of the Southern States. Tennessee has 32 per cent of the population in the churches and has prohibition; Louisiana has 50 per cent of the population in the churches and does not prohibit the manufacture and sale of liquors.

The census figures also show that the cities of the country have a greater percentage of the population recorded as church members than have the rural districts. For instance, 225 cities with populations ranging from 25,000 to 2,500,000 have 27 per cent of the population and 32 per cent of the church members of the country. In these 225 cities 47 per cent of the population are church members while in the rest of the country, the small cities and the rural districts, only 36 per cent of the population is identified with the churches. The cities are opposed to prohibition, either State or National, and they not only have a greater percentage of church members, but they also have one-third of all the church members in the country, while having less than one-fourth of the total population. If the religious people should unite in behalf of prohibition, they could more nearly control the cities of the United States than they could the small towns and rural districts. They could control such cities as Chicago and New York and prohibit the sale or use of alcoholic liquors.

That the religious people do not unite in the cities and have prohibition appears to indicate that they do not take that view of this question. It also appears to indicate that those who claim it is a church movement are leading and commanding organizations without the support of the men and women who make up the organizations. In other words, they are professing to represent what they do not represent. In that they are like some other political bosses who pretend to dispose of the influence of great bodies of people they do not represent.

And yet the petitioners for national prohibition say the rural States must come to the relief of the great centers of population and make prohibition nation wide.

I, in part, represent the church people of Pittsburgh; and we have as many church members in Pittsburgh as they have in the whole State of Maine. Allegheny County has as many church members as the whole State of Kansas. More than that, we have a greater percentage of church members in Pittsburgh than can be found in any prohibition State or district anywhere in the United States. Pennsylvania and New York have one and one-half times as many church people as all the prohibition States of the Union put together.

So I assume to speak for the majority of the church people as well as others of my constituents, and I do not leave that to Brother HOBSON or the officers of the Anti-Saloon League.

A great Speaker of this House once said that the most common weakness of the Representative was fear in the presence of hysteria. We have a hysterical demand here from an organization which sets itself up as the real representative of the moral, sober, industrious, and God-fearing people of this land to dictate to the Congress and employ weapons that belong to the old age of absolutism.

The Anti-Saloon League has adopted the methods of the Cæsars and threatens us with proscription—that men shall be set aside and parties abandoned if we Republicans and Democrats do not bow to its will. The legislative superintendent of the league who watches over this Congress publishes to the world the warning, "The graves of many State legislators and Members of Congress can be seen along our line of march." He has put in plain prose what Shakespeare put in poetic form in his Julius Cæsar:

> By proscription and bills of outlawry
> Octavius, Anthony, and Lepidus
> Have put to death an hundred senators.

We have repudiated the lobby, but the boldest, most pretentious lobbyist in Washington still watches over us, and some men may fear his vain threats to consign them to political graves. Away with such pretenses and such threats, and away with the false doctrine they would ingraft on the Federal Constitution. Let us represent our own constituencies without fear or favor of the political organization—they would have us believe it is religious—which employs such methods. It is the legitimate heir to the old Know-nothing Party and its grandchild, the A. P. A.

We Republicans have our national platform, you Democrats have yours, and prohibition is in neither. That is the platform of another party, adopted by another national convention, and I for one propose to stand by the national platform of my party, by the wishes of my constituents, and in defense of the Constitution as a guaranty of local State government and liberty to the people—not as a proscriptive, prohibitive charter which will be hated, scoffed at, and disregarded.

Lest I be entirely misunderstood, I declare now that I am opposed to these resolutions. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. THACHER].

Mr. THACHER. Mr. Speaker, I wish to state my position in regard to this very important resolution and some of the reasons why I shall vote against this resolution. I would say that there are men and women in my own State, for whom I have the highest respect, who favor the passage of this resolution. I believe that temperance is a blessing and intemperance an evil. Permit me to say that my grandfather, Henry Thacher, was the secretary of the first temperance society, if I am not mistaken, ever organized in this country, which met at Yarmouth, Mass., in February, 1815, just a century ago.

I believe that this very important question of prohibition is one which should be decided by the individual States for themselves and not by the National Government. I believe that these States have the ability to decide this question so far as it relates to themselves. At present some of the 48 States are what are known as prohibition States, while in some other States, as in the case of my State of Massachusetts, the question is left to each town and city to decide annually whether such town or city shall adopt prohibition or local option. In my own town of Yarmouth, where I always attend the annual town meeting when it is possible for me so to do, I have always voted in favor of prohibition. I believe that prohibition or any other law which may be on the statute books should be enforced. I believe that this important question should at this time be left to the States to decide.

Mr. HENRY. Mr. Speaker, I yield to the gentleman from Iowa [Mr. VOLLMER].

Mr. VOLLMER. Mr. Speaker, I am opposed to the pending resolution on philosophical, legal, moral, and economic grounds. I desire to discuss it with entire good nature, but with perfect frankness, and I will call a spade a spade.

It is a matter of regret that political, moral, and religious causes in this country seem to get action only when riding the high waves of hysteria. The emotional insanity of the religious revival as frequently conducted, with its unmeasured and often profane vituperation, with its vocabulary of the baseball field and the prize ring, finds its counterpart in the tornado of fanaticism engendered on the subject of the prohibition of the liquor traffic by a Nation-wide propaganda, thoroughly organized and abundantly financed with Rockefeller's tainted millions.

This is not the atmosphere of calm discussion in which reason, the highest faculty of the mind, can have even-tempered sway. Those who suppose they are the only opponents of drink and drunkenness themselves betray a state of mental intoxication so complete that it justifies doubt as to the trustworthiness not only of their statements of fact but of the inferences which they seek to deduce therefrom. They have not the appearance or attitude of sound counselors, and therefore we need not be surprised to find that their alleged panacea is unsound in theory and a colossal failure in practice.

The question comes to us to-day not in its ordinary form, but in one unprecedented in every way.

It is proposed to put a mere police regulation in the Constitution of the United States.

In voting to-day we are not performing a ministerial act, but are exercising a responsible discretion invested in us by the Constitution.

Those afflicted by moral cowardice or mental lethargy can not escape and shirk this responsibility with the plea that they are merely giving the people a chance to vote on it. This is not a simple referendum.

In the solemn proceeding to change our organic law, the most important act of legislation under our form of government, each Member of Congress, under his oath, must register his individual opinion on the merits of the proposed amendment. He is not an automaton, without intellect or conscience, mechanically passing the proposition on to the legislatures of the States.

The fathers of the Constitution in requiring a two-thirds vote here made certain, or intended to make certain, that no such important step should be taken without the concurrence of twice in number of those elected to this body by the people, Representatives who were supposed to be specially qualified by study and experience to judge such questions, before they were sent to the States for ratification.

The Member who dodges his plain duty in this way violates his official oath to support the Constitution, which, in both letter and spirit, is plain in defining his individual duty in the premises. In this connection it should be remembered that, if this resolution should receive the necessary two-thirds here, it would be on the legislative carpet forever, subject to ratification by the States in the next generation, if not in this.

This is a legislative anomaly that should not exist, but it does exist, and must be borne in mind when you take this vote.

It is barely possible that certain people want the issue kept on the boards this way for an indefinite future, a perpetual disturbing element, a prolific source of income for Chautauqua lectures, and an opportunity for freak statesmen to break into public office and displace those of the safe and sane variety, who do not bend with every wind that blows—a process of elimination of the stronger and better men in our public life recently observed by the President of the United States.

Suppose that we pass this resolution with the necessary vote and turn this proposition over to the populace, already in part in a state of acute hysteria, and suppose that hysteria develops sufficiently to put two-thirds of the State legislatures non compos mentis, and this ripe fruit of madness is finally placed where it can not be removed, in the Federal Constitution. The legislation required of Congress in pursuance thereof to execute it would necessarily displace the legislation of the States on the subject.

Here at Washington would be the center of mobilization of an army of Federal officials to enforce it. A deputy marshal for every township in the United States and one in addition

for every city block in our great cities would be required. In addition Federal prosecutors, Federal jails and jailors, and all the other instrumentalities of the most colossal, most centralized, and most dangerous police system that this old world has ever seen would have to be provided. Where would the money come from with which to pay them? You are now at your wits' ends to raise enough revenue to pay the ordinary expenses of the Government. And you have now, what you would not have then, the internal revenue now collected from this traffic amounting to $222,000,000 a year. Not only must you tell us how to make up the Federal budget, but you must also tell us how the States and the local communities would make up the loss of the many hundreds of millions now raised by them by taxing the liquor traffic.

When the emergency war-tax bill first came up I predicted that when you got all through with the preparation of that measure it would be found that the "Dutchman's" beer had been saddled with the major portion of the burden. And so, indeed, it has come about. When other subjects for taxation were suggested, that superpatriotic part of our citizenship that is always in favor of the old flag and a big appropriation, if somebody else pays for it, emitted a succession of screeches of mortal agony horrible to hear, and one subject after another was dropped until you came back, as you always did come back, to the never-failing resource.

The great American superstition is belief in the miraculous potency of the magical formulæ: Be it resolved, and Be it enacted.

All the ills of humanity are supposed to vanish before this universal panacea in spite of the fact that our codes—municipal, State, and Federal—are littered with dead-letter laws, laws unenforced and unenforcible. One of the great evils of the day, as Herbert Spencer has shown, is overlegislation.

No law should ever be enacted that has not behind it the public sentiment of the community in which it is to operate, because it can never rise higher or go further in operation than that public sentiment which is the motive force without which its machinery stops.

And here we have the explanation of the monumental failure of prohibition to prohibit. I could bring you statistics from every State which has tried it. All teach the same unvarying lesson when studied with the requisite intelligence to separate the wheat from the chaff, the temporary from the ultimate consequences of so complex a matter as the determination of the real effects of a piece of social legislation. The student of such legislation knows that this is not always such a simple matter as it seems to the tyro. However, in this instance the whole matter can be made plain beyond possibility of dispute.

The Antisaloon League claims that approximately one-half of the territory of this country is dry territory—that is, it has dry legislation. This is announced as the triumphal achievement of 60 years of prohibition agitation, lawmaking, and law enforcement. Well, let us go back to the beginning of that period. According to the internal-revenue statistics of the Federal Government—which none can gainsay, for unless the liquor is both produced and consumed taxes will not be paid on it—in 1850 the per capita consumption of alcoholic beverages in this country was 4.08 gallons. In 1860 it was 6.43 gallons. In 1870 it had risen to 10.08 gallons; in 1890 to 15.53 gallons; in 1900 to 17.68 gallons; in 1910 to more than 23 gallons per head of our population. The redeeming feature of this matter is that the average man now consumes far more beer, containing only a small per cent of alcohol, than spirits, containing a large percentage; but for this change prohibition is not responsible, because prohibition increases the sale of ardent spirits, which lend themselves more easily to clandestine sale than the more bulky less-intoxicating beverages.

These paralyzing totals, to my mind, absolutely prove that the American people propose to drink alcoholic beverages, no matter what the law may be. And the only question that remains for the practical legislator, as distinguished from the fanatical zealot, is, How is it probable that the effects of drink will be least harmful to our people? Will it be if they take their beverages by the drink or by the bottle or the jug; in decent, licensed, responsible, well-regulated inns or clandestinely, with proportionate loss of self-respect and proneness to overindulgence and drunkenness in the blind pig and blind tiger and hole in the wall of the prohibition community?

There is another curious, unjust, indefensible result, if you pass this resolution. You put the big States in the power of smaller States, since on ratification of a constitutional amendment after it passes Congress each State counts one, the little jack rabbit, coyote, and sage-brush State of the far West, with its population not equal to a third or fourth class American city, has just as much power as the imperial State of New York, with its 10,000,000 people.

The 10 most populous States of the Union, being precisely those States that are most opposed to prohibition, have more than a majority of the American people in their boundaries. Thus a minority of our people might impose its will by the pending proceeding on a majority in a matter of primarily local concern in which each, even the smallest social unit, should have home rule. Could fanaticism proceed to more monstrous and absurd conclusion than to have Nevada and Arizona tyrannize over New York and Pennsylvania? It would be bad enough on any question, but when it means the confiscation of many hundred million dollars' worth of legal property in their borders without compensation, and an unwarranted invasion of the personal rights and constitutionally guaranteed liberties of their people, it is impossible to fittingly characterize it.

I append hereto figures showing that for the whole country the property values that would be thus confiscated and destroyed amount to the stupendous total of over $4,000,000,000, taking the trade itself and the allied trades affected.

Those afflicted with the prevailing fanaticism often manifest the utmost complacency at such wholesale destruction. I think it was Artemus Ward who said that he was perfectly willing at any time to sacrifice all of his wife's relations for the benefit of the country.

"It all depends on whose ox is gored."

In my State this property is largely owned by people of German birth or descent, who 60 years ago were invited by the immigration commissioners of the State to come to Iowa and build their breweries and raise their barley and establish their vineyards on the banks of the Mississippi, as they had done on the banks of the Rhine.

Is it right now to say after the investment is made, "We have changed our minds on the question and will destroy without reimbursing you the value of your property thus acquired and held by you"? No compensation is proposed in the resolution, and none is intended. Now, the proponents of this measure claim exclusive title to all the ethical sentiment, moral and religious feeling, and working conscience of the country. And yet their proposition involves an outrageous injustice.

I imagine that many silence their consciences on this score with the thought that they are all bad people who make alcoholic liquor and that it is right to smite the Ishmaelites. Among such in the past, it is said, were George Washington, the brewer; Thomas Jefferson, the distiller; Abraham Lincoln, the saloon keeper; and Jesus Christ of Nazareth, who turned water into wine. And, believe me, that was not grape juice, because He made it to add to the festivity of a wedding ceremony. It was His first miracle. By performing miracles He wanted to prove to the people His divinity. If He had made grape juice on that occasion, it would not have made much of a hit with those wedding guests who were accustomed to something with a "stick" in it. Grape juice never added to the joyousness of either wedding or wake.

This proposition, this inherently immoral proposition, to substitute force and compulsion for self-direction and moral suasion, to invade personal rights and destroy personal liberties and confiscate billions of legal property, comes to us in this monstrous form as here presented after a consistent failure of 60 years in every larger city in which it has been tried to accomplish the declared object of its enactment—to cure the evil of intemperance.

Voluminous statistics from all parts of the country show an enormous increase in the number of arrests for drunkenness in all such places. Not only that, but perjury, subornation of perjury, hypocrisy, the evil of spies and informers carrying strife and hatred into the bosom of communities previously harmonious, contempt for all law, secret indulgence, resort to harmful drugs, and horrible secret vices are the ugly procession that accompanies the progress of this great "moral reform."

I do not regard the policeman's club as a moral agent. Morality that is not self-imposed is not morality. The faculty of self-control is only developed by its exercise. To remove temptation would not improve character. Vicious propensities find an outlet in other directions if this one be closed. Dry towns are frequently dead towns, with grass growing in the streets. Wet towns usually flourish. The reason is not to be found in liquor, but in liberty. American liberty can not enlighten the world if its heavenly light be kept from our own people by the shadow of oppressive law.

It becomes ultimately a question of right. If you have the right to tell me I shall not drink, I have the right to tell you

that you shall drink. So said a great American divine, and a great English bishop said:

I would rather see England free than England sober.

Fortunately we are not forced to a choice between liberty and sobriety, because true temperance goes hand in hand with freedom.

Why, oh why, can not sensible, conservative, fair-minded people on both sides of this great question—there are bigots on both sides—get together on some measures within the limit of reason to reduce the admitted curse of intemperance? Great progress has been made in the public attitude toward this evil, and possibly—you see I try not to be bigoted—possibly the prohibition agitation has done some good by arousing the popular sense of it.

There are good people on both sides. Let them get together on a rational solution, in whole or in part, and let all the bigots and fanatics, drunk with their own emotions, be banished from that council. Let reason govern.

I append hereto an article which appeared in a New York paper, giving the statistics which I promised above:

[From the New York Sun, March 7, 1909.]

When the prohibitionist makes his declaration that he wants to drive the brewery and the distillery from the face of the United States he signifies by that word that he wants to wipe out industries that represent at this moment $3,748,826,562 of investment. That is a pretty big contract, sweeping off the map in one signature of the pen property amounting to so much. It means that the annual investments of the brewers and distillers of $359,951,097 to produce and put upon the market their goods no longer are to be made.

The farmer who grows the barley, rye, corn, hops, and other grains used in the processes will be hurt annually more than $108,000,000 worth. A sum of more than $52,000,000 no longer will be put into the labor that produces the beer, liquors, and the like. A mere trifle of $10,000,000 for coal will not be expended when the chimneys of the breweries and distilleries are cold.

There are countless other items which figure in the table of the annual expenditures of the brewers. The lumber, rubber goods, steam engines, machinery, tools, plumbers' supplies, wagons, harnesses, builders' supplies, glass, filtering material, chemical supplies, paint, varnish, furniture, brushes, packing-house products, advertising signs—just a few things, to mention no more—amount to about $150,000,000 every year.

SOME OTHER ITEMS.

The buildings are insured; consequently there are fire-insurance premiums. These are estimated at about $15,000,000 in the course of a year. The railroads get about $20,000,000 a year out of the brewers and distillers who send their produce by freight and express. These are the main items which make up the annual expenditures every year of $359,951,097. Here is the way the figures are put up:

Corn, 36,361,975 bushels (cost to distiller)	$27,274,208
Barley, 62,760,000 bushels (cost to brewer)	62,760,000
Rye, 5,595,000 bushels (cost to distiller)	3,916,889
Hops, assorted grains and other products	16,358,000
Labor (producers only)	54,542,000
Coal and other fuel	10,000,000
Lumber, etc	150,000,000
Fire-insurance premiums	15,000,000
Railroads, freights, and express	20,000,000
Total	359,951,097

There is invested in the brewing and distilling interests in the United States, besides these things, the sum of $650,000,000. This takes in brewery and distillery plants, their machinery, and the like. When it is recalled that some cities owe their entire commercial importance to the presence of these plants it must be realized that they have a keen financial interest in these matters that should not lightly be attacked.

There are interests allied to the actual manufacture of liquors which also involve great sums of money. It is figured that these amount to no less than half a billion of dollars. These are the industries that could not exist without the presence of breweries and distilleries, the bottling works, the manufacturers of brewery machinery, and so on.

SOME INTEREST IN RETAIL TRADE.

The breweries have some interest in the retail trade, because in some cases the saloon dealer gets his start in business with cash advanced by the big men in the trade. There are others, however, who run their saloons and restaurants supplied with their own money only, but they figure in the allied interests.

An estimate of the capital involved in the retail business is something enormous. The saloons and restaurants and their stocks as well as the real estate are figured by those who are close to the trade to total nearly $2,000,000,000. The estimate is $1,900,000,000.

When one considers the number of cities in this country that have saloons, remembering, too, that many of them are located on sites that are very expensive, this estimate is not so startling as at first appears.

It is from these figures that the sum of nearly $4,000,000,000 mentioned at the beginning of this article is derived. It can be seen at a glance that the industry is one of the most important in the country. There are very few which come ahead of it in monetary importance.

The liquor industries are all taxed. Every year the sum of $268,875,465 is paid for State and Government licenses. This is a pretty huge slice to take away from the State and Federal income; but with the driving out of business of these enterprises this will be done. Furthermore, these interests pay every year for city licenses, real estate, and property taxes $70,000,000. This is another large item that will have to be deducted when prohibition becomes general, if, indeed, it does.

About 10 years ago the breweries employed 38,385 helpers of more than 16 years of age, paying them in wages $25,573,612. That was an average of $665 a year. In 1905 the number had increased by nearly 10,000, the figures showing that 48,139 workers were employed in these lines. The sum of the wages had increased by nearly $10,000,000. The actual total was $34,542,897. This makes an average of $718. In comparison with such figures it must be remembered that in 1900 the mean wage was $438. The highest average was that in the engraving trade, where $753 was paid. Compared to this the average wage of the liquor worker, who got $655, is high.

A MILLION MEN EMPLOYED.

It is well nigh impossible to estimate the figures of employment in the entire liquor trades. Taking in everything, from the very lowest form of help in the breweries and distilleries right through to the offices and agencies, and then considering saloon keepers, bartenders, and so on, it is safe to say that the industry runs well up to a million. Surely there is no one other branch of work which has so general an appeal. There must be more than 1,000,000 men employed.

Take merely the production of beer in the last 10 years. A census report which takes in 1900 and 1905 shows that certain industries which produced about $11,411,121,122 in 1900 five years later were producing $13,004,400,143. That was an increase in production of 14 per cent. The gain in beer in the 10-year period has been nearly 28 per cent, or twice that average increase. This gives a very good idea of what is done in one line like that. Brewing is one of the biggest industries in the country.

It is small wonder that the liquor interests are fighting hard against the destruction of so much value. They don't want to be put out of business and to lose all that. With them it is a business proposition, and they contend that as long as they are satisfying a public want, as shown by the figures of production and demand, they should be permitted to go along in that way.

It is said by one man prominent in the trade that the destruction of the brewing and distilling interests will result in the farmer and the men in allied trades in all lines of manufacture being made to suffer great losses through the destroyed market for their products. The brewers and distillers are not so altruistic that they make this the only basis for their plea, but they cite it merely to show that the effect will be much farther reaching than is imagined by those who are waging war on the liquor trade.

GRAIN MARKET DESTROYED.

"The prohibitionists," says this man, "propose to destroy a market for the farmers' grain that takes a territory equal to two States to grow, and all this and the millions it cost may be laid waste and the people employed thereon may wander to the four corners of the earth, for all the prohibitionist cares. The prospect of making deserts of farms and paupers of workingmen and their families does not deter them.

"The thousands of brewery workmen who have learned the trade will find themselves without an occupation and will be thrown out upon an already panic-stricken labor market. The trained workman will be forced to secure work at anything that offers at wages anybody wants to pay him.

"The consummation of the prohibition movement will paralyze the woodworking industry for years, and the woodworkers will be left without jobs. Glassblowing will be an extinct industry, and the plate-glass workers' ranks will be cut almost in two. Union cigar makers will find the market for 50 per cent of their output destroyed, and they will have to look to some other occupation to earn a livelihood. The thousands of boxmakers and coopers who make the millions of boxes and barrels used in the trade will be left destitute, and the thousands of teamsters engaged in hauling these products will find their occupation gone.

"Brick makers, masons, builders, machinists, steamfitters, plumbers, wagon makers, waiters, bartenders, printers, electricians, persons engaged in transportation, and thousands of other workers will find that the prohibition movement is one of the farthest reaching that can be imagined."

EFFECTS OF THE MOVEMENT.

There are many folks at the present time whose only organization is that of the unemployed, but the liquor interests make it appear that they will be as nothing compared to the hordes that will be let loose if the prohibition movement is to have its swing over all the country. When it is looked at in this light, the effects of the movement certainly are not at all small.

What will be the outcome of the general prohibition movement the liquor interests can not yet determine. Throughout all the campaign the men who run the wholesale end of the trade have shown a by no means uncertain willingness to align themselves on the side of good order. They want to see the habits of drunkenness decrease, solely for the reason, if for no other, that it is not good business for them. Their contention is that too much drinking is a bad advertisement for their trade.

They want, moreover, to have the saloon keepers more particular in the management of their places, so that a disorderly element will not be permitted to frequent them. Keeping of dissolute women and minor children out of saloons and making them fit places to enter will help the business and will act to combat the advance of the prohibition movement.

It is pointed out that, for instance, the saloons where German folks go a great deal are orderly enough. They are gathering places for families, and there is nothing that is considered distasteful in having folks sit around in them with women and children in the groups. If that is the case with these, clearly it is not the fault of the liquor trade or of the saloon in general, but of the saloon in particular, that the whole business has got a black eye. The prohibitionist, it is urged, takes no account of particular cases, but says, in a general sweeping statement, "All saloons are bad, therefore all saloons must go."

AS TO TRADE REFORMS.

The liquor interests do not deny that some places certainly could be better managed. They know that there are places where the conditions are not all that they should be, but they can not interfere in places which they do not own. Their only resource would be to refuse to sell to these disorderly places, but then again they know it is practically impossible to prevent a saloon keeper from getting liquors if he wants to buy them.

That is the whole trouble, some of the men in the liquor interests say. If the police and other guardians of public morals and safety were only as eager as they to have the saloon business managed on decent lines, there would be much less complaint. The trouble is that those who are attempting reforms do not have the same reasons for wanting to keep the saloons decent as do the wholesalers. With them it is, if nothing else, a matter of business.

It is contended that if the proper persons went to these saloon keepers who are doing a distasteful business and closed them up effectually, all trouble would cease. But the point is that these men have some means of keeping going, no matter how badly they may conduct themselves. These conditions exist in all cities, the less as well as

the great, and it can not all be blamed on the wholesaler by a great deal.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BUCHANAN].

Mr. BUCHANAN of Texas. Mr. Speaker, finding the proposed amendment to the Constitution of the United States providing for Nation-wide prohibition in disagreement with my political principles and contrary to the fundamental principles of our republican institutions, I wish to respectfully enter my protest to its adoption.

The necessities of man in community or natural society require organization, and organization necessitates organic law, or a constitution. The Constitution of the United States is the most important of all written instruments of its kind. Its most distinguished virtue consists in its recognition of the fact that the United States is composed of widespread geographical sections materially differing not only in climate, but in social and domestic institutions uninhabited by homogeneous people. That each State possessing different social, racial, and economic problems might justly deal with these diverse and in many instances antagonistic interests and problems the framers of the Constitution of the United States devised a system of confederate and representative sovereign republics, with an appropriate distribution of governmental powers, leaving to each sovereign State full power to conduct its local administration, dispense private justice, and create, control, or eradicate all intrastate institutions, and delegating only such powers for the National Government as were essential for national purposes.

The peculiarities of this Constitution are so significant that the most skilled casuists have engaged in its analysis, and the schools of political thought have barricaded themselves in their respective strongholds of constitutional construction. No field has called for greater statesmanship in creating and determining the application of the provisions of the Constitution of the United States, and no subject has been expounded by greater minds or on greater occasions. Through the passing years of heated debate in Congress, the hustings, and in the public prints the contentions and excitement grew until the distracted Nation, in its maddened spirit of dissension, drove itself to the passionate climax of disunion and engaged in the bloodiest civil strife of all times. Thus was the stability of our great organic charter tried through its ordeal of armed conflict, with the result that the sovereign autonomy of the State was reduced to the right to manage its internal domestic affairs. Then came the amendment to enable the State unit to adjust and agree with the revolutionary changes through which the country has passed, and for half a century of fair tranquillity it has served us a mighty monument to its day and generation.

On the subject before us not another word can be added to explain and expound the State rights doctrine, so long ambiguous, because so ably misrepresented. At last, however, the comment, fact, and logic of controversy are so convincing that the wayfaring man, though a fool, can not fail to see that the jurisdiction of the State and the delegated powers of the General Government are distinctly subordinated to each other by reciprocal and mutual checks and both supreme in their respective spheres.

We now know that the grandeur of the rhetoric that expounded "we the people" as inconsistent and a contradiction to "we the States," and declared that no "compact" of States had organized the sovereign States into a Union of States, was but the florid fervor of great oratory. Though force of arms has substituted conquest for compact and the right of secession has forever disappeared, the State-sovereignty equation is intact in all other respects, and it will be a sad day for this Government and this people when this vested sovereign authority in each State to direct and control its own domestic affairs in its own constitutional way is impaired or destroyed.

Our problem does not therefore, since the blood-red finger of war impaired the sovereign entity of the State, involve the right of a State to cease to move in its own planetary orbit around the sun of centralized gravity, for we know it can exercise no such arbitrary existence, but the happiness and eternal welfare of our people are wrapped up in knowing if the home-bred hand of domestic rule and neighborly intimacy may still lead the way and correct and control in the customary fashion, or shall the distant and imperious voice of an unsympathetic and disconnected centralized power be delegated to wield the authority of another of the reserved rights of the States and be vested with the function of domestic supervision of the State, the community, the home, and the fireside.

Strip this national prohibition controversy of every phase of the question of intoxicating drink or place it in company with any conceivable attempt to usurp or abrogate any of the functional rights of the sovereign State and we would have before us essentially the same problem—no problem at all if we accord the individual his natural accountability to himself, his family, his community, and his God and to the State its constitutional rights as reserved and to the Nation its jurisdiction as delegated by the States.

The gist of the question is: Shall the Constitution of the United States be amended to enable the Federal Government to destroy a State concern heretofore subject alone to the State rule as related to the civil welfare of the citizens of such State?

Under our theory of government and the fundamental principles of the Democratic Party all personal and local emergency is specifically assigned to the home, the community, and the State for whatever relief is demanded. The United States Government can no more challenge the State policy toward its citizenship than can the State executive assume the right to require the Calvinistic theology to be taught in the schools.

This fantastic nostrum by which the National Government shall be equipped and commissioned to cripple and to kill the "drink devil" can no more, under our present Constitution, cross the barriers of State sovereignty to throttle a drunkard than it could by national authority strike from his palsied hand the red liquor lifted to his lips, nor than the Supreme Court of the Nation could by its own dictum prescribe and dose for the insistent craze that pleads and plots for the extinction of the reserved rights and liberties of the individual consecrated and imposed as the sole prerogative of the States.

Mr. Speaker, there is not the slightest danger that the Constitution of the United States will or can be summarily overthrown. There has never been a hostile sentiment of consequence against this great constructive covenant of the States except that the marplots of the Hartford convention of 1815 contemplated "treason, stratagem, and spoils," and the nullification excitement of 1833 defied the national enactment, and the abolitionists of the Garrison and Phillips school denounced the Constitution as "a covenant with death and an agreement with hell," and in their secession frenzy declared that "in withdrawing from the American Union we have the God of Justice with us." In the War between the States was the awful culmination of differences about the doctrine of peaceable withdrawal. But all of these troubles of incidental turmoil and their realities of bitterness and destruction were occasioned by a misunderstanding and interpretation of the organic law and an obstinate appeal to the interpretation that favored a selfish construction. Each and all of these inglorious disturbances were not because of enmity to the Constitution, but were because the fathers were merely mortal, and as to the future were in the same boat with the Dickens character who explained that his vision was limited. Since the secession question was settled by the arbitrament of arms the danger to the Constitution has not been that of any direct assault. No cataclysm threatened our cherished charter of liberty and freedom.

The determination to recast the original Articles of Confederation into the remodeled Constitution of the United States was "to form a more perfect union." The necessity for an authorized general agency to transact certain specified duties and responsibilities for the confederated good of all the States was a pressing question. Thus was the Government of the United States organized, and through this "more perfect Constitution" it was delegated as the creature of the States to represent them in those enumerated respects alone. All such powers as were specifically delegated to the General Government were thus constitutionally imposed upon it and were correspondingly relinquished by the States for the benefit of the general good. All other powers were, of course, to be within the keeping of the States and sacredly regarded as State rights, and specifically provided for and reserved by Article X of the Constitution. This grant of specified powers to the United States Government and specific retainment by the States of those not granted does not involve the question of sovereignty in any controversial sense. It is commonly accepted that the reserved rights are appropriately the sovereignty on which our local self-government depends. Indeed, the fact that this amendment is an appeal to the States for consent by the States to its adoption is an absolute indorsement of the impregnable position that it is an invasion or a proposal for the surrender of the rights of the States. Upon these reserved rights, undisputed by any authority and emphasized whenever amendment is sought by which one of these specific reservations is to be surrendered to the National Government, we may rest our sense of security. It can be disturbed only by some attempt to obtain the surrender of one or more such inherent privileges. This proposed amendment seeks a relinquishment by the States of one of these local rights; though but one, it is but the entering wedge of centralization.

There are those who have preceded it, and regret over an unrepeatable mistake but haunts the memory with unavailing remorse. Others now standing by and joining in the discordant chorus of "me, too," are ready and insistent that the organic law shall yield before them and shall countermand its primal principles, even though it doom the righteousness of local self-government to hades and embark on a very questionable theory of prospective good. And so we are beset by the revolutionary ideas that seek their success by removing the constitutional barriers that obstruct the way, and these radical advocates flock to their unholy work like birds of prey from every point of the compass, and unless we can withstand the muckraking mania of misguided sentimentalists our Republic is to follow the Governments that strew the paths of history with the wreckage of the fickle and truculent infidelity of the pretentious reformers.

A glance at the columns of our dailies is enough to awaken the sentinels of civilization to the extreme dangers of that concentration of power that by any process under the sun proposes its arbitrary reign. Over yonder where human beings crowd the shambles of autocratic empire with its victimized hordes of sacrifices, we may read the consequences of the fatal delusion that has impelled mankind since the creation to yield its trust to a remorseless centralized control.

You may brand the liquor habit and traffic with all the iniquity ascribed to it under its most exaggerated denunciation, and all the ills of its infamy can not curse the world like the despotic scourge of inhumanity that so frequently has characterized the tyrannical rule of centralized government. From the cruelties of monopoly and oppression, whether dictated by the scepter of monarchy, the intolerance of ecclesiastical control or influence, or the unbridled riotous license of a pure democracy, there is no defense or relief as real and effective as the safeguards of a well-regulated local self-government. This, our best inheritance, is in danger from our own thoughtlessness and lack of vigilance. We can not afford it. It is the stealthy insidious encroachment of the "Executive act" and the ill-considered amendments that constantly threaten its deadly usurpation.

Mr. QUIN. Will the gentleman yield?

Mr. BUCHANAN of Texas. I will.

Mr. QUIN. The gentleman does not think that any such disaster will follow if this amendment is adopted?

Mr. BUCHANAN of Texas. I do.

Mr. QUIN. The gentleman does not think it is going to ruin the country when you do away with the liquor interests?

Mr. BUCHANAN of Texas. I say that when you stand up and advocate this resolution you are writing your own indictment of an effete State influence which you are supposed to be dedicated to teach and consecrated to preach.

The superficial reformer who encounters some stubborn trait of human infirmity that he feels called upon to oppose jumps at the conclusion that local, city, county, and State governments are too weak and that the national power must cope with the vicious depravity of the man who manufactures or sells a drink of liquor, and he would set aside all the known influences of effective restriction and reformation and summons the General Government with all its constabulary, and, if need be, backed by its Army and Navy, to coerce the State and dictate the family discipline and to inculcate good morals by a declaration of war. Our would-be reformers seem not to know that every advancement of civilization has been at the instance of the teacher whose chart and compass have been the fundamental truth embodied in the proverbial wisdom:

1.

Train up a child in the way he should go, and when he is old he will not depart from it.

2.

'Tis education forms the common mind;
As the twig is bent the tree's inclined.

"Go into all the world and preach" is the watchword of civilization, and the religious and moral uplift of mankind can be accomplished by no other agency than education, the persuasive voice of sympathy, and the inviting promise of reward, leaving the penalty of violated rules or unworthy conduct to effect one by one whatever result the individual brings upon himself, and this is all of it—good Democratic doctrine. It tends to great individuality and will power and insists upon a government "of the people, by the people, and for the people" as the true gospel of liberty that shall not perish on the earth. This it is that brought into being the Democratic Party, that constitutes its lifeblood, recognizing as its corner stone the mighty principle of local self-government it challenges the trend of the day, to a central power as its most inveterate foe.

It is proposed by this absolute amendment and its advocates that this crowning glory of our nature must be subjected to the whims of the political smart Aleck, who looks at the far-off future through his microscopic eye and beholds his surrounding blessings through the prism of a disordered brain, that variegates the Star-Spangled Banner to suit the lurid colors of his morbid fancy, degrading it from its high function of "o'er the free and the brave" to the low level of the banner of the fanatic and the slave.

And in imagination frames events unknown,
In wild, fantastic shapes of hideous ruin,
And what it fears, creates.

There is no autocratic power to menace personal liberty in America. Our threat is from the misguided, who indict the Almighty for "man's inhumanity to man," and who construe the mistakes of the Garden of Eden as up to them for correction; and in this topsy-turvy recourse to artificial morals mutinies against constitutional local self-government, the best the life of man has ever produced, and proposes the usurpation of the rights of the State and the individual. And for what? That the day of the fanatics and all the dissolute is at hand, and they propose that the shackles of the law shall pinion the mastery of the manhood and womanhood of America and force them from their stronghold of the Bill of Rights and their enjoyment of their constitutional guaranties, through whose instrumentality, as free men and women, they have won and hold their leadership; and through this fanatical craze all of these must go that the drunkards may flourish as they see the agents of State prosperity pilloried in stocks and shambles, that they may be able to spend a virtuous day or draw a sober breath.

But, Mr. Speaker, the proposed amendment is so impracticable from every viewpoint and so at variance with all preconceived American ideas of right that it could not be enforced. There is no proposition to delegate to the Federal Government the right to direct the domestic business of the States that would not be resented and resisted by the people. You can enforce no law that is not demanded by the sentiment of the people, and no matter how great the provocation or how unmitigated the nuisance to be met and corrected the people, always depending on State control and knowing its efficiency, would not entertain for a moment any motion to place their intimate affairs under the direct supervision, control, and direction of a distant Federal power. The necessity of antagonizing remote and unrelated individuals, communities, and States and dictating to them the personal tastes and habits of their daily lives, respectively, from State to State contemplates a monstrous wrong and an impossible success.

The natural right of local self-government and the emphasis with which the consent of the governed has always been sanctified to the American citizen severally by the States, and by their combined voices in the Constitution of the United States, must by this amendment be hushed forever.

Think of it, Mr. Speaker, three-fourths of the States can consent to this legislative act and compel the other one-fourth, against their will, to accept it. Then, by the logic of the situation, each State surrenders its own identity to any system of morals to be imposed by its fellow semisovereigns, when by this amendment this fallacious monstrosity has gone into effect forever.

By this amendment the "Pine Tree State," that has so long and so wearily enacted the farce of trying to suppress the habit and the liquor traffic in a seaport, must yield to the novel absurdity and, by implication, say to California that her vintage pride is so immoral that she, by my "Pine Tree State's" command, must not make nor sell any more wine forever. And grand imperial Texas must confess to her people when we ceded our independent Republic, won and constituted through unparalleled trials of toil, danger, and matchless heroism, to the Union of free and independent States for our own and your community convenience and comfort we did so in the faith that the civil and religious liberty, immemorial spirit of consecrated manhood, was the perennial glory of our country and our days; but now, not by but against her consent, and by the dictation of three-fourths of the States, possibly a minority of the popular vote, we are to be bound in our everyday living and local usages by the hateful shackles of national sumptuary legislation "forever."

And in every nook and corner of this great Christian land numerous alien spies and detectives of the national constabulary will be empowered to thrust aside the social rights of family and community as he insinuates his unwelcome presence

and prying eyes into our most private retreats of home and office and business establishments "forever."

The brain reels and the heart sickens as we contemplate the possibility of the mischievous Utopian dreams that would formulate their impossible theories in the name of human morality and for human progress. It must be borne in mind that human perfection can never be attained and that every successful scheme of Government must allow for the inconsistencies and imperfections of human nature. The idea of a perfect government must logically provide for a virtuous subject. If we were angels in nature and character, there would be no need for government or law, but since "man, born of woman, is of few days and full of trouble" the provisions for the best public welfare must consider him with all his faults and provide for him and his natural, unavoidable infirmities through the everlasting and fundamental principles of the Golden Rule.

The despotism of an individual or of an organized government can never assert its tyrannies acceptably, for the reaction is as certain to follow as the night the day, when the revolutionary spirit is rife. The conservative, successful government considers the character of all the people to be served and provides for their respective peculiarities.

Mr. Speaker, "the thousand ills that flesh is heir to" presents its analogy that should appeal to the reasonable temper. All scientific doctors' treatment is the conservative, careful cooperation with nature and the gentle ministration of the trained nurse.

So it is in the social universe. It is foolhardy to think that the sweeping dictum of the law can effectively treat this infirmity of man, coexistent with time itself. The regenerative effect of a law has never been experienced. Our Government is a union or family of States, bound together by family ties—by the Constitution—and no family was ever governed well or for the household good when the punishment to be inflicted upon a guilty one must penalize alike the entire membership. No community would tolerate the wholesale infliction of pain to compensate a broken law by a single guilty malefactor. You can not incarcerate a whole people to prevent crime by a few of them, nor can a general barrier annul the taste or control an appetite; nor has any agency of history—and it has been the experiment of the race—succeeded in preventing the indulgence of an inborn propensity. Like the pent-up flood that overflows the crest of the dam or the insidious leak that eats and undermines the opposing structure, the ingenuity of man and the nerve of the dare-devil will compass his own wishes in gratification of his inborn appetite.

As I see it, the magnitude alone of this world-wide commercial and domestic concern, distinguished by its universal interest and characterized by the sharpest and bitterest division of sentiment, involves, in its pro and con, even the ecclesiastical world. If for no other reason than its commercial importance it should not become a part of the organic law of our country, to sanction or limit or prohibit it at the instance of the United States Government in conflict with a State prerogative. And especially should our Republic be kept immune from every possible conflict with the States and citizens whose habitual free speech has taught and accustomed him even to the license of invective, and whose independent authority over himself even invests him with the right to expound the Constitution and criticize the law. That alone should check this rampant legislative spirit, for the second nature of habit, ingrained by years of community and legal tolerance, is a dangerous thing to offend and often impossible to control.

The discipline of the family with that of the community and the State, within the scope of our republican idea, has shown and approved the conservative way in dealing with the vicious and excessive practices of humanity. And the State to-day, as always, is treating even the crimes within their borders with admirable efficiency, as it does those inherent and inevitable tendencies that afflict our poor human nature. If the criminal has been handled with satisfactory results by the State, why invoke the national authority to control the simpler indulgence of appetite?

The ingenuity of the most accomplished men of science and the most powerful writers and orators have been enlisted to prove admitted truths and facts, conceded since the divine utterance that the heart of man is "prone to evil as the sparks to fly upward." Not only do I denounce destructive and unseemly immorality, "the exceeding sinfulness of sin," the abusive indulgence of an appetite, but I can join hands in condemnation of all the injuries incident to the liquor traffic in any violation of the law of which it may be guilty and be perfectly consistent in my unequivocal opposition to the enactment of this proposed amendment to the Constitution.

All of these personal, intemperate interference movements have the same erroneous fundamental basic element, namely, that human nature changes in response to the statutes; and all of them are swollen with the same dangerous heresy—the direct governmental control of the personal affairs of its individual constituents.

The police factor, though so regarded, was never a moral or educational agency, and the "big-stick" idea does not and never will accompany the growth of the graces of virtue and character, never incubated nor fostered save under the gentler leading strings of persuasive counsel, education, and sympathy.

This clamor for new police enactments will, if heeded, result in a people in shackles and the mandatory exactions of a machine whose cogs and wheels and bands must reduce manhood to the nakedness of the machine precision. Like the ear of corn that goes through the sheller but leaves the grains behind, so man must go through the legislative grind stripped of individuality and moral manhood, and "the last state of that man is worse than the first."

The man who does not indulge in stimulants becomes possessed with a desire to save his neighbor from doing so, and forthwith would prevent him by the enactment of a law. This has been the unquenchable cry of the unreasoning advocate of virtue according to law; and not only has the letter and spirit of the law been prostituted but the public itself, trained by the constant declaration of these advocates of artificial enforcements, has become hardened as it breathes the atmosphere of the strait-jacket control so persistently taught by the pure and undefiled apostles of national prohibition as the very eureka of temporal salvation.

And so we have a most complicated list of political ailments submitted for treatment by the political doctor, who has already crowded his hospital with a marvelous variety of political patients. What a world of philanthropy and benevolence and home mission work has been already taken from the appropriate field of individual and association enterprise. And it is constantly disturbing and distracting the legislative duty from those problems that alone constitute the great mass of legislative requirement and should command the time and attention due them.

Think of it, Nation-wide prohibition, national woman suffrage! Various acts of Congress encroaching upon the various rights of the States, judicial and departmental invasion of the rights of the States, proposals to nationalize our primary and election laws, contrary to the principles of a Democratic Party, as announced in practically every platform since its creation. All of these and others. Natural to this war of extermination of the reserved rights of the States it is proposed and advocated upon the preposterous proposition that each community, that each State, shall be sacrificed; that each man—yes, individual man—can not and shall not "work out his own salvation with fear and trembling."

In defiance of every divine admonition and the most palpable injunctions of the civil and religious doctrines of our political faith and the unmistakable example of time and tide, these reformers propose not only to destroy the sovereign autonomy of the State and centralize the powers of government in Washington, but they invoke the manacles of the law, the fines and imprisonment of the law and every penalty of the law, to constitute the bulwark of American virtue and to become the compulsory refuge of patriotic manhood. And to this the boasted Anglo-Saxon race is to be reduced from its proud palladium of liberty; and now, then, instead of an independent royal road to a great individuality, a great Americanism, we must tread the by-ways of hypocrisy and call the product of our servile compliance to this Puritanic tyranny, the American citizen, though he be but a machine, the cut and stamped and tagged abortion of a veritable manhood.

Mr. SAUNDERS. Mr. Speaker——

The SPEAKER. The gentleman from Virginia is recognized for one hour.

Mr. SAUNDERS. Mr. Speaker, I will yield 15 minutes to myself. Mr. Speaker, the gentleman from Alabama [Mr. UNDERWOOD] speaks of this resolution as an invasion of fundamental rights. Further he describes it as a movement to rob the States of their jurisdiction over this immediate subject matter. These are not very happy phrases, but adopting them for the purposes of debate, I would like to inquire of the gentlemen who oppose this resolution, whether our Constitution is not in itself an invasion of States' rights?

Before this Nation was formed, every State now in the Union had every right that attaches to sovereignty anywhere in the world, and the formation of the Government under which we now live was of necessity an invasion and curtailment of the rights of the component States. The Constitution contains

a body of provisions which inhibit the States from doing certain things. What are these, but an invasion of States rights?

Further, in the same instrument are found certain powers either afforded directly, or by necessary implication to the Federal Government. These constitute a further invasion of State rights. How then can this resolution be critically assailed as an invasion in any proper sense, of States' rights, when it is a proceeding under the Constitution, by virtue of the Constitution, and in conformity with the Constitution to amend the Constitution, conformably to a reserved right contained in that very instrument? Yet we talk as if some outrageous thing was being done to-day, as if the States were to be robbed of some precious rights, in defiance of the law. Why, we are proceeding in conformity with one of the rights of the States, namely the right to approach this body, and call upon us to exercise our constitutional function by affording to the States of this Union the opportunity to determine whether, or not, they will amend the organic law. That is the proposition with which we are dealing to-day.

Our Constitution is not a fetish, nor a fossil. It must keep step, and be in touch with popular sentiment. The Constitution and the spirit of the age must be one. I do not mean, of course, to say that when the sentiment of the day is out of touch with the provisions of that instrument we must violate the organic law, but I do mean to say that when public sentiment so requires the Congress shall respond to public sentiment and submit the amendments proposed for action. It is a part of the wisdom of that instrument that such is the case and that opportunity to make amendments shall be afforded to those constituent elements of this Government which alone can make effectual amendments to our Federal Constitution.

This instrument has been much amended. The men who lived under the very shadow of the convention which first formulated its terms, were not slow to add something like 10 amendments to our organic law. They were not deterred from taking this action by the imputed sanctity of this instrument. And yet strange to say, with the growth of public knowledge, with the increase of general information, with the development of a larger sense of liberty, there seems to be, on the part of a portion at least of the public of this country, a great, and ever increasing aversion to use the knowledge which we have accumulated during many decades of the past of the operations of our Government, of its merits, and its defects to make that instrument conform to the demands of the intelligent sentiment of to-day. Our Constitution must develop peacefully, else there will be stagnation, retrogression, and revolution.

What is this proposition which has been so vehemently attacked this evening? What is it, I say? Merely a proceeding under the Constitution to determine whether the sentiment of to-day desires to amend our organic law. Is that treason? Is it treason to propose a resolution of amendment for the action of the States? Is such a course treason to the people? Is it treason to the intelligence of modern times for this Congress to realize that there is a sufficiently large and intelligent public demand for this resolution, to justify us in submitting it to the States for their several action? Can we undertake to oppose ourselves to that sentiment, and say that the public shall not even have the opportunity of making that determination which belongs exclusively to the States? Shall we undertake to say that however intelligent or universal may be the demand upon this body, we shall turn a deaf ear to this appeal, and arrogate to ourselves the power to anticipate the action of the States?

The gentlemen who have discussed this proposition seem to me to have lost all sight of what is actually before us for consideration. We are not amending the Constitution of the United States. This body will never vote upon an amendment to the Constitution of the United States. We merely afford the opportunity to the States to exercise their constitutional powers of amendment under the terms of our Constitution. The States will determine whether or not in their wisdom they will add to our fundamental law. May I ask the gentlemen who have spoken in opposition to this resolution, when do they think that the time will arrive when this body ought to submit a constitutional amendment to the States for ratification or rejection? The Constitution says that this body by a two-thirds vote may submit propositions of amendment. Tell me when should this body be informed by public opinion that the time has arrived when a proposition of amendment should be submitted?

State's rights? I am as jealous of them as any Member of this body, when I conceive that they should be conserved, or am not confronted with a demand by a considerable and respectable portion of the public, asking for the opportunity to determine whether the organic law should be amended, even to the extent of a curtailment of present rights. The people have given, the people can take away, and from time to time, in conformity with their demands the amendments to the Constitution must be submitted for their consideration. If State's rights means that the Constitution shall never be further amended, or the opportunity to amend it be afforded, then that is a doctrine to which I, for one, can not give my adhesion. Twenty years ago the first proposition to amend the Constitution in respect of the manufacture and sale of ardent spirits, was submitted in a report from a committee of the Senate of the United States. There were great men upon that committee. The State of Alabama was represented by Senator Pugh, a great lawyer, a man who was as jealous of the rights of his State as any Representative who ever sat in the Congress of the United States. The great State of Mississippi was represented by an even greater lawyer, Senator George.

Yet as members of a committee, dealing with a proposition to submit a constitutional amendment to the above effect they agreed that without regard to whether or not they favored in the ultimate the adoption of the amendment suggested, the committee could not stand in the way of the public sentiment which demanded that the resolution should be submitted to the States. They stated in that report that having in mind the moral forces, having in mind the intellectual forces which even then were demanding that this proposition should be submitted to the States, they did not conceive that in the exercise of their constitutional function they could appropriately withhold it. If the sentiment of that time justified that action, by so much the more, having in mind the multiplication of those forces since that day and the actual results of voting in State after State, should we respond to the call of the people, and not undertake to interpose ourselves as a barrier to the constitutional demands upon us to submit this proposition to the determination of the States.

The public craves at our hands but one boon, namely, the opportunity to determine whether or not they will amend our organic law. In this connection I wish to submit as a part of my remarks a citation from the Senate report filed by Senator George and his associates. That report develops in the most felicitous fashion the rule of action which should control our course in this matter. The analogy of our action in this situation may be found in the action of the very gentleman who reported this rule, the gentleman from Texas. Our friend did not think that he could afford to withhold this proposition from a vote in this body. Hence he reported the rule to the House. But in debate he has avowed his purpose to vote against the very rule which he reported. I have no criticism to make of him for this action, nor do I regard it as inconsistent. Yet our friend seems to think that this body following that analogy should not submit to the States of this Union this proposition of amendment, a proposition which in the ultimate, if it is adopted, will be adopted only after discussion, only after debate, only after the necessary affirmative action on the part of three-fourths of the States of the Union.

One of the participants in this debate stated that he was opposed to the method by which this resolution would be submitted. Will the gentleman pray tell me how he would proceed under the Constitution to submit a proposition of amendment? This is a proceeding by virtue of the Constitution and in strict conformity with its terms. Pray tell me if you are not criticizing the Constitution, when you criticize the present procedure?

I will now read from a report made something like 20 years ago to the Senate by the committee to which I have referred:

> Your committee are of the opinion that the resolution should be favorably reported and should be submitted by Congress to the action of the States for another reason. It being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolution, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided, whether the National Constitution shall be amended. That Constitution points out definitely the manner in which a change in its provisions may be effected. The Constitution of the country must be amended from time to time to correspond with the evolution of the Nation itself, for it is impossible to fetter the growth of the Nation in any direction.
>
> It will grow, peacefully or otherwise. The Constitution must yield here and there, corresponding the necessities of the times and of the people, and the necessary changes be peacefully made, in accordance with the methods of amendment pointed out in the Constitution itself, or revolution and bloodshed will perform their work. The Constitution and the spirit of the age must be one. Whenever any considerable and respectable portion of the American people (and no considerable number can fail to be respectable) desire changes in the fundamental law and ask respectable consideration of their propositions by the Nation at large, we hold it to be the duty of the Congress to give them a status in the court provided by the Constitution for its own amendment. They have a right that their contention be placed in proper form before the local legislatures and the people before they have demonstrated that they are able to secure its ratification by three-fourths of the States. That ratification, if it comes at all, will come as a result of agitation and discussion of the very proposition which they ask to have submitted. The true question for Congress to consider is not whether three-fourths of the States will ratify, after discussion and agitation,

but whether the subject concerns the public welfare, and whether those who desire the submission of the resolution be of sufficient number to relieve the proceeding from the charge of triviality and inconsequence.

To-day facing the gigantic petition filed with this body, and having in mind the appeals from countless societies of this country from one end to another, is there a man before me who will charge that the present proceeding smacks or savors of either triviality, or inconsequence?

Deciding upon grounds like these, your committee are impressed by the overwhelming importance of the subject to the Nation and to the world, and by the vast number, not to say the majority of the moral and intellectual forces of the country, which demand a submission of this joint resolution to the consideration of the States. We therefore report it favorably and recommend its passage.

The SPEAKER. The gentleman has used 15 minutes.

Mr. SAUNDERS. I yield myself two more minutes, merely to put into the RECORD one further citation, and then I will have finished. In the course of this debate some of the opponents of the Hobson resolution have drawn a direful picture of the host of officials who will invade the States, should we adopt this constitutional amendment. Let these gentlemen compose themselves. So far as these agents are concerned they are already with us, to enforce the execution of the present revenue laws. Special agents, collectors, deputy collectors, and other revenue agents, now swarm in all of the States, operating under Federal authority. The officials to whom these gentlemen have referred are to-day to be found in every State of the Union. Other participants in this debate have concerned themselves about the possibility of conflict between the two jurisdictions.

I desire to say that up to the present time no conflict between the two jurisdictions in the enforcement of the revenue laws have caused confusion, trouble, or disorder. There is nothing in this law that will bring about any conflict which portends or forbodes evil to the Republic. May I read what the Supreme Court says in this connection upon the subject of concurrent jurisdiction.

Our dual form of government has its perplexities, State and Nation having different spheres of jurisdiction, as we have said; but it must be kept in mind that we are one people; and the powers reserved to the State and those conferred on the Nation are adapted to the exercise, whether independently or concurrently, to promote the general welfare, material and moral. This is the effect of the decision. (Hoke *v.* United States, 227 U. S., 321–323.)

And so, in the future as in the past, the two jurisdictions will work together conjointly, without collision or conflict, to promote the larger interests of all the people of the United States. [Applause.]

Mr. Speaker, I reserve the rest of my time.

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] is recognized for one hour.

Mr. DUPRÉ. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WITHERSPOON].

The SPEAKER. The gentleman from Mississippi [Mr. WITHERSPOON] is recognized.

Mr. WITHERSPOON. Mr. Speaker, I am rather a radical prohibitionist. I am a prohibitionist because the use of liquor impairs and destroys the mental, moral, and physical natures of man; because it produces disease, insanity, and distress; and because I think the evil should be eradicated by the power of the Government. I became a prohibitionist when there was a saloon at every crossroads in Mississippi and when the people of Mississippi, the people of my own county, and the people of my home town were overwhelmingly in favor of the saloon. My prohibition views did not originate after prohibition became popular in my country, but I have never entertained any such conception of prohibition as would make me an imperialist. I have never had any thought of prohibition which would make me willing to engage in an assault upon the Government of my own country [applause], to overthrow the right of local self-government, to transfer the police power of the State to the Federal Government, and to substitute an empire for our dual form of government. [Applause.] I regret that this matter has been brought here under circumstances where it is impossible to discuss it, and for this reason I am compelled to submit to you a small part of my views upon this subject.

THE MEANING OF RESOLUTION 168.

The first section of resolution 168 prohibits the sale and the manufacture, transportation, importation, and exportation for sale of intoxicating liquors for beverage purposes. The power to make this prohibition of the manufacture, sale, and transportation is one of the reserved powers of the States, and the amendment transfers the power from the States to the Federal Government.

The second section of the amendment also transfers from the States to the Federal Government the reserved power to provide for the manufacture, transportation, importation, and sale of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, and scientific purposes, and for use in the arts, and also the exclusive power to legislate upon these subjects.

If this amendment should become a part of the Constitution, not only will all powers on these subjects be divested out of the States, but the Federal Government, having secured the sole and exclusive jurisdiction to make the prohibition in the cases named, and to provide intoxicating liquors for the purposes mentioned, and the exclusive power to enforce the provisions, will become in duty bound to supply intoxicating liquors for the purposes desired, for the proposed amendment does not authorize the Government to regulate the whisky traffic, but to provide intoxicating liquors for all the purposes enumerated. We must therefore behold the greatest Government on earth provide itself with a sufficient number of stills, a sufficient quantity of corn, rye, fruits, and other raw material out of which intoxicating liquors are made, a sufficient number of railroads, steamboats, wagons, carts, horses, mules, oxen, and goats to transport and import intoxicating liquors into and throughout the 48 States of the Union, and thus supply all demands that may be made upon it for intoxicating liquors desired for sacramental, medicinal, mechanical, pharmaceutical, and scientific purposes, or for use in the arts.

I hope I shall never live to see our great Government embark to any extent, however limited, in the most disreputable business which, by common consent, men now pursue.

THE DIVISION OF THE POWER.

The transfer of these powers over intoxicating liquors from the State to the Federal Government would leave all other powers on the subject as a part of the reserved powers of the State. The State could still authorize or forbid the manufacture, sale, and transportation of intoxicating liquors for all purposes except those named in the proposed amendment. It could still provide that intoxicating liquors should or should not be manufactured or transported for the purpose of being bartered, or for the purpose of influencing elections, or for the use of the manufacturers, or transported to give away to induce trade, or for any other purpose except those named in the amendment. The amendment therefore separates all governmental powers on the subject of intoxicating liquors into two classes, giving the Federal Government exclusive jurisdiction over one class and leaving the other class as one of the reserved powers of the State.

This separation of all governmental powers on the subject of intoxicating liquors into two classes is based on the purposes to which the liquors are designed. If the liquors are to be used for beverage purposes, then the Federal Government is given sole jurisdiction to prevent the sale, transportation, exportation, and importation of liquors, and if the liquors are for certain purposes named in the second section of the amendment the Federal Government has the sole power to supply them. On the other hand, if the liquors are for any other purposes, the State is left to deal with it as it chooses.

THIS DIVISION OF POWERS IS CONTRARY TO OUR THEORY OF GOVERNMENT.

The question is therefore presented whether this separation and division of governmental powers between the Federal Government on the one hand and the States on the other, based solely on the purposes for which the liquors are to be used, is wise or not. Such a line of demarkation between the powers of the Federal and State Governments is contrary to the very genius and theory of our dual form of Government, and if we assume that the principle underlying the amendment is correct the very framework of our dual form of Government rests upon a wrong basis. If the principle upon which all governmental powers are divided between the States and the Union is right, then the principle of the amendment is wrong and leads us to consider whether we are ready to abandon the fundamental principle of our dual form of Government.

THE PRINCIPLE OF THE DIVISION OF POWERS OF GOVERNMENT.

It is not difficult for anyone who has ever read the Federal Constitution to discover the principle upon which all governmental powers are separated into two classes—one of which is vested exclusively in the general and the other in the local government. Within the class of subjects over which the General Government is given exclusive jurisdiction we find the Navy, the Army, the post offices and post roads, the coinage of money and the regulation of the values thereof, the standards of weights and measures, patents, and other subjects which in their natures are matters of general concern and whose natures demand the same laws throughout the Union. On the other hand, we find that the suppression of crimes, the public highways, the education of children, the establishment of benevolent institutions, the right of suffrage, the election of officers, and all other subjects of a local nature in which the States have a special interest are subjects not confided to the jurisdiction of

the General Government but reserved to the control of the States.

The wisdom of this distinction lies in the fact that the General Government can legislate with greater wisdom on all matters of general concern than a local government could possibly do, and that the State governments, legislating upon subjects of general concern, would be in constant conflict with one another and produce endless confusion in laws affecting the interests of the entire country. On the other hand, it is manifest that a local government, on account of a deeper interest in and a more perfect knowledge of local conditions, will pass wiser laws affecting local questions than a central government could possibly do. For this reason the principle of local self-government is not only left to the States but is extended in the subdivision of the States into counties and cities, to whose governments are committed such matters as especially affect them.

The separation of governmental powers, therefore, between the Federal and State Governments and between the State and its subdivisions are based on the principle that to each government in our system should be committed those governmental powers which it is best capacitated to exercise with the greatest wisdom and to the best advantage to the people concerned. To substitute for this fundamental principle a separation and division of governmental powers, as the amendment proposes, on the principle of the purposes for which intoxicating liquors may be used, would be a fantastic experiment of the wildest folly.

THE JURISDICTION OF EACH GOVERNMENT EXCLUSIVE.

Another characteristic of our form of government is that whenever, for any reason, any power is vested in any government, whether Federal, State, county, or municipal, the jurisdiction is made exclusive, and it is manifest that the confusion of jurisdictions over any subject would result in conflicting and unwise laws. If the States, as well as the General Government, had the power to provide and maintain the Navy, it is certain that some of them would provide 10 battleships and some none; and if the jurisdiction to provide and maintain a navy were divided between the General and State Governments according to the purposes for which the ships are to be used, as the proposed amendment divides the jurisdiction over intoxicating liquors according to the purposes for which they are to be used, giving to one government the power to provide such ships as are to be used on the surface of the water and to the other such as are to be used under the water or in the air, or to one government such ships as are to be used as scouts and transports and to the other such as are to fight, the Navy resulting from such a division of powers would be a ridiculous farce.

No Government can deal wisely with any subject and intelligently solve all the questions which will arise out of it unless it has the sole and exclusive jurisdiction thereof. The Federal Government will find it to be impossible to destroy the evils of intemperance with the limited jurisdiction which this amendment will confer upon it. Even if it could perfectly enforce every prohibition in the amendment, the manufacture, transportation, and importation of intoxicating liquors for other purposes than for sale for beverages would result in an evil and drunken debauchery far greater than exists under the prohibitory laws of the States; and in the midst of this evil we will wonder why in the case of intoxicating liquors we departed from the sound principle of substituting a divided for an exclusive jurisdiction over this subject.

WHISKY TRAFFIC A LOCAL EVIL.

But the whisky evil is a local evil, and its removal is a local question. The evil in any community disturbs and injures that community. Of its existence there other communities are ignorant. The community which the evil hurts is the one interested in its removal and is the only one that can and will remove the evil. This it must do through its local officers.

The Federal Government was not designed to deal with such local questions and is not equipped to remove such evils. It has no officers corresponding to justices of the peace and constables, nor to town marshals and policemen, upon whom each locality depends for the enforcement of whisky laws; and if the Federal Government should undertake the enforcement of laws against whisky in every community in the country, it would require such a horde of spies and detectives as would make the soldiers of the Army and the sailors of the Navy look insignificant, and the Federal courts would have to be multiplied a hundredfold to try the cases now disposed of in the State, county, and city courts. The expense of this new departure would double the burdens of the people, and if the Federal courts could not enforce the liquor laws any better than they enforce the anti-trust laws national prohibition would be a national farce.

The absurdities of resolution 168 constitute a good reason for the introduction of resolution 277, which seems to be a lame attempt to escape the objections to resolution 168.

THE MEANING OF RESOLUTION 277.

The first section of resolution 277 is practically the same as the first section of 168. It forever prohibits the sale and the manufacture, transportation, importation, and exportation of intoxicating liquors for beverage purposes and leaves the citizen free to transport, import, and export it for any purpose other than for sale, and to sell it for any other purpose than for beverage, unless prohibited by State laws. The enforcement of the prohibition would be wholly dependent upon the proof of the hidden and unexpressed purpose in the mind of the manufacturer, seller, transporter, importer, or exporter. If any citizen should order intoxicating liquors for medicinal purposes expressed, and the liquor should be made, transported, imported, and sold for said purpose, it would all be lawful under the terms of this section, and it would be no violation of the law on the part of the purchaser if he should then use the liquor for beverage purposes.

In every indictment against the manufacturer, transporter, importer, or seller the proof would be made that the liquor was not for beverage purposes, and prohibition would become a failure and a farce.

Resolution 277 is thus subject to these objections in addition to those urged against section 1 of resolution 168. Section 2 of resolution 277 omits that provision contained in section 2 of resolution 168 which seeks to embark the Federal Government in the whisky business and imposes upon it the duty of supplying intoxicating liquors for the purposes therein enumerated. It leaves the citizen free to manufacture, sell, transport, and import intoxicating liquors for all other purposes than the one single one of beverage.

Section 2 reads as follows:

SEC. 2. The Congress or the States within their respective jurisdictions shall have power to enforce this article by all needful legislation.

Here we have a provision that either the Federal Government or the States shall have power to enforce the prohibition in the first section, but it is clear that both of them can not do so. Which of the two Governments shall exercise the power is left for construction. The first section of the resolution will, of course, give the Federal Government exclusive jurisdiction of the subject matter and oust the States of all jurisdiction. If, therefore, the second section means that under any circumstances the State shall have power to enforce the prohibition, then we will have the anomalous spectacle of a Government enforcing laws on a subject of which it has no jurisdiction. If the second section means that Congress shall have power to enforce the prohibition, if it should exercise the power before the State acts, and that the State shall have the power, if it exercises it before the Congress shall act, then the question of which Government shall exercise the power will depend, not as all other powers depend upon which can exercise the power more wisely, but upon the speed and haste which will enable the one or the other to pass the law first. If section 2 means that both the State and Federal Governments can pass laws at the same time and that both Governments can enforce their laws on the subject, then there will be an inevitable conflict between the laws passed by Congress and by each of the 48 States of the Union.

If Congress should in its laws on the subject provide for the punishment of its violations and a State government, controlled by the advocates of whisky, should provide for small punishment, if, for instance, the Federal law should punish the violation with imprisonment and fine of $1,000 and the State law should punish it with a fine of 5 cents, then we will have one of two results: Either the defendant could be made to suffer both punishments in violation of the constitutional guaranty that he shall not be placed in jeopardy twice for the same offense, or else if the State court should first punish him with the 5-cent fine he could plead that judgment as a complete defense to the Federal prosecution. And in all cases either Government would fail to enforce the law unless it could prove to the jury that the manufacture, the transportation, the importation, or the exportation of the liquors was both for the purpose of sale to the consumer and that the consumer purposed to use it as a beverage. The railroad company and the express company could always prove that they had neither of these purposes and that they knew of no such purpose in the mind of the manufacturer and the purchaser. The manufacturer could always prove that he made the liquor for some other purpose than to be used as a beverage, and that he had the written assurance of the purchaser that he had no purpose to use the liquor as a beverage.

If the rankest antiprohibitionist in the land were intrusted to frame a prohibition law, he could not devise one that would more certainly fail to eradicate the whisky evil than this one. In fact, any careful study of this amendment excites the suspicion that it is conceived in the interest of the whisky traffic.

THE DIFFICULTY OF PROHIBITION.

If anyone sincerely and in good faith desires to eradicate the whisky evil, his mind will logically inquire, first, What is the difficulty and obstacle in the way of such eradication? In all the prohibition States we find the most stringent laws, making ample provision against every phase of the evil and covering every condition that has arisen for many years, so that no one can study those laws and discover any defects or imperfections.

Instead of trying to discover and remove whatever difficulty remains, this amendment purposes to substitute for a perfect system of laws on the subject of liquors a law that is as crude, as defective, as impracticable, and as absurd as any whisky man could desire it to be.

The only legal difficulty in the prohibition of the whisky traffic by the States is that Congress has exclusive jurisdiction over interstate commerce, and the importation of liquors is a part of that commerce. The States have no power to prohibit the importation of liquors into their territories. The State is therefore in this condition: It must permit liquors to come into its territory and then do what it can to stop the sale of what it has already received. If the State could inflict adequate punishment upon every railroad company and every express company which brings liquors into it or through it, it could as easily enforce its prohibition laws as it can suppress any other crime. And any real bona fide prohibitionist who wants not to advertise himself, not to bask in the sunshine of popular favor, and whose judgment has not become unbalanced by a long consideration of the enormity of the whisky evil, as portrayed in the premable to the resolution, but who really wants to remove the difficulty in the way of prohibition, would like to see the Constitution so amended as to give the State the power to prohibit the importation of liquors into its territory.

No real prohibitionist who believes that its success would be a blessing to humanity will under the cloak of prohibition seek, as resolutions 168 and 277 seek, to overthrow the Democratic doctrine of local self-government, to abandon the fundamental principles of our Government, to transfer the police powers of the States to the Federal Government, and to concentrate in the Federal Government a power whose exercise would fill the land with spies and detectives and crush out the liberties of the people.

THE REMEDY.

To remove the only difficulty in the way of prohibition we would only have to adopt the following amendment to the interstate-commerce clause of the Constitution, making it read as follows:

3. *To regulate* commerce with foreign nations and among the several States and with the Indian tribes: *Provided*, That intoxicating liquors shall not be considered as a part of such commerce, and that the right to regulate or prohibit the transportation, importation, and exportation into, from, and within each State shall forever remain one of the reserved powers of each State.

For such an amendment I would gladly vote, for it would remove the only difficulty and overcome the only obstacle in the way of prohibition.

The perception of the difficulty and the willingness to apply the proper remedy is disclosed in resolution 389, the first section of which reads as follows:

SECTION 1. The importation of any spirituous, vinous, malted, fermented, or any other intoxicating liquors into any State of the United States or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

This amendment is entirely free from the absurdities and follies inherent in resolutions 168 and 277 and sounds like its author is really in favor of prohibition. There are only two objections to it. One is that it is in apparent conflict with the interstate-commerce clause of the Constitution. The other objection to it is that the State could not enforce it and would be entirely dependent upon the Federal Government to protect it against the violation of the provision. However, the State is now helpless in this regard, and the provision is such a vast improvement on the conditions as they now stand that I shall vote for resolution 389.

IMPERIALISM IN THE GUISE OF PROHIBITION.

This pretended attempt to secure national prohibition is strange, even mysterious. The facts that it divides the jurisdiction between the States and the Federal Government, making it impossible for either to deal intelligently with the question; that so many loopholes are provided for the escape of violators from punishment that every suggestion or amendment to make the remedy effective are so readily rejected; that the aim is not to unite all the believers in prohibition on the same side, but to drive as many as possible from its support suggest that there is something hidden and concealed behind the movement. It is a part of a scheme of the imperialists, carefully concealed from the great mass of patriotic prohibitionists, to substitute a great empire for the American Union. Afraid to attempt this openly and confessedly the enemies of our country, who have always believed in a great central government, who have never had any love for or confidence in our dual system of government, and who would like to blot out all State lines and concentrate all power here at Washington, have for half a century, under the cloak of some popular reform, endeavored to transfer one after another the reserved powers of the States to the Federal Government. Whenever the people become aroused by some great evil and the remedy therefor it has afforded an opportunity for the imperialist to strike a blow at the Union. The first attempt in this direction was soon after the Civil War, when, under the influence of sectional hate and bitter resentment against the white people of the South, the idea became popular that in order to safeguard the freedom of the negro it was advisable to give him the right of suffrage, and under the cloak of a wild-eyed frenzy to substitute the ignorance and vice of the negro for the intelligence and virtue of the white man in the electorate of the Southern States, the imperialist secured the adoption of the fifteenth amendment to the Constitution and thereby divested out of the States the power to regulate and control the purely local question of the franchise and lodge it in the Federal Government so far as it is affected by race, color, or previous condition of servitude.

When the constitutional amendment for the popular election of United States Senators was considered in Congress there was such a unanimous demand for its adoption that neither political party was willing to oppose it, and the imperialist saw another opportunity to strike a blow at the Union and to transfer another power of the States to the Federal Government. They therefore fastened upon its provisions the Bristow amendment, and thereby effectually transferred the power of the States to control their elections of Senators to the Federal Government.

The American people have been in late years aroused to the importance of good roads, and while the public highway is the most local of all subjects, and from its nature can be best and most economically built by the communities in which they are located, yet the widespread favor of the people for these improvements was a cloak under which the imperialist attempted to have the Federal Government take charge of the public highways of the country and thus transfer to it one of the most important of all the reserved powers of the States. The first step taken in this direction was the passage through the House of the so-called good-roads bill.

In line with all these assaults upon the Union of our fathers is the present attempt, disguised under the name of prohibition and under a hypocritical plea to the moral sentiments of the people, to transfer the police powers of the States to the Federal Government; and it is accompanied by the woman-suffrage amendment, which seeks to transfer the subject of franchise also from the State to the Federal Government so far as it is affected by sex. What the next assault upon the Union of our fathers will be no one knows, but it is certain that the success of each one of these assaults will result in another.

While the Constitution is by degrees being changed and disfigured, and while congressional legislation is usurping the powers of the States, the Federal courts have also been busy in construing the reserved powers of the States into the imperial receptacle of the General Government.

If this dangerous drift of the Union toward the empire were wise and best for the country, if any good reason or plausible argument could be given why we should abandon our dual system of government and concentrate all power in the Federal Government, the advocates of it would not hide their designs under the cover of popular reforms or conceal their purposes under statutory usurpations and judicial interpretations which can never be explained to the people, but would boldly declare their purpose for an empire. If it is wise and best to convert the Union into an empire by slow degrees, by transferring one power of the States to the Federal Government at a time, why would it not be wise to blot out all State lines and to establish an empire on the ruins of the Union all at the same time? Why should we by piecemeal demolish the sublime structure when we could substitute what the imperialists consider better at one stroke? If the dual character of our Government is wise and best, we should maintain it, preserve it, love it, and defend it from every assault; but if it is a mistake, then we should abandon it for something better.

But before we discard it we should ponder well what it is. It is the first and most important principle of the Government which our forefathers transmitted to us as their solution of the great problem of human liberty. This principle, together with the doctrine of representative government, the separation of all governmental powers into the three distinct and independent departments of the executive, legislative, and judicial branches, and the constitutional prohibitions against the impairment of the inalienable rights of the citizen constitute what they determined was necessary to the preservation of our liberties. They had no precedents to guide them in the formation of our Government, but they knew from the teachings of history, as well as from long and bitter experience under the best of all imperial governments, that the tyranny and oppression of the empire is intolerable to a free people. They knew also that all the republics of history had either emerged into an empire or had been dismembered and broken up, because they were not founded upon the principles on which ours was made to rest. Their wisdom in this regard is not only established by the experience of a hundred and twenty years, but is acknowledged by the imperialists themselves, whose conduct shows that the only possible way to destroy the Union is gradually to overthrow the principle of the separation of all governmental powers between the States and the Federal Government and the other great principles which insure its preservation and stability. In solving the problem of human liberty and in adopting a form of government which they believed would preserve it, our forefathers could not have been led into a mistake by any selfish desire to get into the limelight of notoriety, for their fame was already complete, and no motives except the purest patriotism, which had been tested by seven years of suffering and sacrifice, impelled them to seek the truth of the question.

Their wisdom and genius have given them a luminous place in the annals of history with which no one would be cruel enough to contrast the obscurity of the petty imperialists who are struggling to undo the work of their hands. When we study the sublime fabric of our Government, when we recall the heroism of those who framed it, when we read the story of the sacrifices they made to secure the liberties it was framed to perpetuate, when we look upon the pure and unselfish motives in their hearts softened with sorrow for their comrades who had fallen in the strife, how can we fail to admire, to love, and to worship the Union of our fathers? How can we view with patience or tolerance the unholy efforts of the imperialist, as with stealthy steps and hypocritical pretense he removes one stone after another from the foundation of the glorious structure? If the last days of my life should be spent amid the ruins of the great Republic, it will be some consolation that no word or acts of mine ever hastened the drift of the American Union into an empire of its enemies.

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker: I shall avail myself of the opportunity offered to give some, at least, of the reasons why I vote for what is known as the amended Hobson resolution.

As I understand the proposition, and as everyone must of necessity understand it, we are not called upon to-day to vote either "for" or "against" prohibition. The single question that a Member of this House must now answer is: Is he willing or unwilling to have the question of prohibition submitted to the people themselves for their determination?

More than 6,000,000 good citizens of this country have availed themselves of the privilege of "petition" already given them under the Constitution of the United States. By that "petition" they ask the Congress to give to them nothing more than a submission of the question whether they may or may not have prohibition.

Thousands of those who live in the congressional district which I have the honor to represent have petitioned me, not as an individual citizen but as their Representative, to give them the right of suffrage upon this question.

Those who oppose prohibition ask me to vote against prohibition, while all those who favor it ask me, as a Member of Congress, to vote, not for prohibition, but for a measure which will let them vote.

Can I justly answer their plea by saying to them that I concede their right to vote for me as their representative and at the same time deny them the privilege of voting upon the most agitated question now before the American people?

If the question were one wrong or vicious in itself, or if the question were one urged by only a small portion of the people, I might, with the very best of reasons, stand against submission.

But how can I, in my representative capacity, refuse the thousands and thousands of my own constituents their plea for the right to vote upon a question that is not vicious in itself? This is the question which I must answer by my vote upon this occasion.

The fundamental doctrine upon which this great Government is founded is: All power is inherent in the people.

Does any man question that our ancestors could have inserted a prohibition clause in the Constitution if they had so desired? The people were then given a clean piece of paper upon which to write a constitution. In writing it they were careful to protect future generations by reserving to them the right to add to that Constitution such provisions as the people themselves, later on, deemed best for their own welfare.

If our fathers had thought that the original Constitution contained wisdom enough for all ages, they would not have made provision for amending that instrument.

Because the 3,000,000 people who then made up the United States did not see fit to include prohibition in the Constitution is no argument that the 100,000,000 who now, a century and a quarter later, make up the Nation should not have the right to vote upon the question as an amendment to that original paper.

Millions of our people petitioned Congress to give them the right to vote upon the question whether or not we should submit the income-tax proposition. That right was granted them by Congress.

Again, millions of our people petitioned Congress to give them the right to vote upon the question whether or not we should elect United States Senators by the people. That right, too, was granted them by Congress.

In my humble judgment there is no better way to have government of the people than to have it by the people.

That is all which the proposed amendment to the Constitution seeks to accomplish.

When the question of prohibition has been submitted to the people every man can then vote just as he pleases.

The majority in this instance, as in all other instances where we have popular government, will control.

Some of our "wet" citizens oppose submission because they already have the condition which meets their views.

But suppose we now had constitutional prohibition. Would those who are "wet" be entirely satisfied with the vote of their Representative in Congress if he, by his vote, denied their petition for a submission of the question to the people in order to give the opportunity to do away with prohibition?

Would they not feel aggrieved if their Representative, by his vote, denied them the right to vote?

The old question, "Whose ox is gored?" comes up now.

Those who are satisfied with present conditions want no submission of the question.

Those who are dissatisfied with present conditions clamor for the submission of the question to all the people.

This question, in my judgment, is the property of all the people.

I, for one, therefore, am willing that they take their own question to themselves for final determination.

I am convinced that all fair-minded men will—within themselves, at least—admit that there can be no just complaint or criticism of those of us here who delegate to the people the right of government by the people.

Therefore, Mr. Speaker, I shall cast my vote as a Representative of the people to let the people control.

Mr. LINDBERGH. Mr. Speaker, I take it that every individual is willing to yield some of what he may deem to be his personal rights, whether he indulges them or not, for the general welfare. I have never questioned the right of anyone to use liquor, nor to manufacture and sell it, and have no objection to its manufacture, sale, and use in a proper and reasonable way. But it has been shown by a long course of experience that the manufacture and sale of liquors is attended with practices that are extremely detrimental to good government, very bad in its effect on many drinkers, and especially their families, causes much suffering and crime, and serves no sufficient requirement of men and women to offset the damages it causes. The consideration of this resolution therefore becomes one of morals, good government, and economics, rather than one on which to split hairs in discussing technical personal privileges. Besides, no Member should vote against this resolution, because it is simply referring the question to the people, and for that reason I would vote for the resolution even if I opposed prohibition.

As to the evil effects of indulgence in the use of liquors, they are so many and have received so much thought and expression that they may be considered well known without a restatement of them here. I will say, however, that there is

no doubt in my mind that the moral side of this problem is of supreme importance for all the people and furnishes abundant reason for the prohibition of the liquor traffic.

The economic side of this proposition is of very great importance. I shall refer to only one phase of this, however, because I believe the others have been discussed from every viewpoint. The phase that I wish especially to consider is suggested by an argument which appeared in the New York Herald June 7, 1914. The following statement appeared in the argument:

Facts about the liquor business and allied industries in New York State.

Number of persons employed	152,000
Annual wages and salaries	$128,000,000
Value of product and trade	$842,000,000
Internal-revenue tax for 1914	$72,000,000
Number of farms devoted to hop culture	2,227
Acreage of farms devoted to hop culture	12,850

Statements of the above character are often made with the intent that they should impress the public and win them to the support of the liquor interests. They begin at the wrong end of the argument. If the liquor traffic in itself is not desirable and useful, then the employment of 152,000 persons in New York alone, and a much greater number in all the States, is to be deplored, for to take the time of so many persons in a useless and even harmful occupation is a waste. These persons should be engaged in a work that would help in the production and distribution of the things that we need and that are useful. Likewise the investment of $842,000,000 in the liquor product and trade would be immensely more valuable in its service if it were employed in operating enterprises in which the common necessities of these and all other people are produced. It is a mistake to employ anyone in an enterprise that does not serve actual necessities. In the final analysis labor pays for all production, and therefore the production should be of a character to serve our common requirements and not merely to keep persons employed irrespective of the need of the products of their employment.

It is also foolish to claim that the liquor traffic should be supported to furnish revenue to the Government and to villages and cities collecting for licenses. In the first place, the evil effects resulting from the business in themselves create more expenses than all the revenue and license collections amount to. And, furthermore, in accounting for the collections made for village and city licenses we know that the dealers must pay for their stock and the costs of running the business as well as a profit in addition. Since what they sell serves no actual need of the buyers here again is a waste, and the funds used might much better be invested in enterprises that would serve actual needs.

Merchants and other business men in some of the towns in my district, when two or three years ago an effort was made to close the saloons to carry into effect the terms of the Chippewa Indian treaty of 1885, requested me to oppose its enforcement. After the saloons had been closed a few weeks, as some of them were, most of those who had askd me to oppose the closing informed me that it was a mistake for them to have made the request, because they had since discovered that the money that had been paid in the saloons was, after their close, being used in the purchase of goods and services that other business could furnish. Leading merchants in those towns have said that during the time when the saloons were closed they sold more children's shoes and clothing and more Christmas presents than they had ever done before, and that most of the people who had been delinquent came in and paid their debts.

The time will come in the history of this country, as it has done in others, when it will become essentially important to eliminate waste. The ancient Aryan finding his restricted area too small to support the rapidly growing population on the product and increase of his flocks and herds found it necessary to swarm forth to new fields and pastures. Because of the fact that they must conquer a wilderness filled with unknown terrors beyond a natural mountain barrier which would prevent their return to the parent land, they selected for this purpose the best and strongest of the young men and young women. After a feast of farewell to home and kindred, these pioneers of a new race went forth and began anew.

Man has made many improvements since that day until now, by tilling the soil, improved means of transportation, and many mechanical inventions, he is able to support many more people on a given area than was possible in the days of the ancient Aryan. Nevertheless, population is constantly increasing, and man must learn to eliminate waste, else when again he becomes too numerous, where shall he migrate?

I am more than convinced—I am morally certain—that waste caused by the different phases of the liquor traffic is one that mankind can eliminate with none but good results to the great body of the people.

One more objection to the liquor traffic is its persistent meddling with the politics of the country—village, city, State, and national. No one other influence has been so persistent in this work, and it has forced the other special interests to join with it in this work of controlling, wherever it could, the actions of legislatures and Congress, as well as village and city councils, all to the enormous detriment of the country. Everybody knows this, and the people are tired of it. Therefore give them the opportunity to rid themselves of it if they wish, which they can do by a concurrence of three-fourths of the States if we pass this resolution.

During the time that this joint resolution has been pending in the House I have received many circular letters, the purpose of which has, of course, been to influence my mind to cast my vote against it. I do not object to this in the least, as I feel it to be a part of my duty as a representative of the people to seek enlightenment from every possible source. But the peculiarity of all these appeals is that they demonstrate to my mind, at least, a truth exactly opposite of that they wish to establish. In addition to that already quoted, I have before me now a letter sent out by the United Brewery Workmen of America. It claims that there are 75,000 brewery workmen and their families dependent upon the business and that 10,000 miners also are. Also, it is added, that it requires—

Brickmakers, masons and builders, machinists, steam fitters, plumbers, wagon makers, waiters, bartenders, advertisers, printers, electricians, persons engaged in transportation, cash-register makers, and thousands of other workers.

From all the States come these statements from the brewers and their allied industries, showing the great number of people employed and the vast amount of capital and property required to carry on the liquor traffic. The more they show, the stronger I am impressed with the need of passing this resolution in order to take these unfortunate ones out of serving a trade that is a drain on the country's resources without supplying any real necessity. These 75,000 men employed by the great brewery interests and all those others dependent upon the liquor traffic are seeking to have perpetuated an occupation which, indeed, gives them support, but at the expense of very many times their number, whose wives and children must be deprived of all the luxuries and most of the necessities of life, because of this superfluous and unnecessary trade.

Enemies of this joint resolution ask: "What shall these men do to obtain a livelihood after the traffic has been prohibited and their present occupation thereby destroyed?" They talk of confiscation of property involved when it is proposed to cease permitting a small proportion of the population to live off the rest. If the laboring people had their just rights and there were anywhere near a just distribution of the proceeds of labor, there would be no talk of the unemployed, because all would be employed. But I say that even under existing conditions, which are largely the result of the interference in our politics of the liquor and other big special interests, it is not necessary to talk about the increase of the number of unemployed in order to bolster up this losing cause. In northern Minnesota alone—in the three districts represented by my colleagues, Mr. STEENERSON and Mr. MILLER, and myself—there are enough wild, uncultivated, and unoccupied, yet exceedingly fertile lands, to support in comfort a population several times greater than all the unemployed; lands that when subdued are so fertile and productive that this part of our State is becoming known far and wide as "the land of the big red clover"; lands perfectly adapted to general farming, dairying, and stock raising, and only awaiting the coming of capital and labor to make them blossom like the rose.

Let me suggest to my anxious friends who fear that their capital invested in the liquor and brewery interests, and to those who foresee a failure of employment through the adoption of this resolution and its incorporation as an amendment into the Constitution of our country—for that is surely coming, whether we adopt this resolution to-day or not—that they look carefully over the opportunities afforded by our State for the investment of capital and the employment of labor. To all who fear a loss of occupation by reason of the righteous increase of sentiment in favor of prohibitory enactments I say come to northern Minnesota, use your swelling muscles in subduing a portion of the wilderness, and enjoy the rewards of a well-spent life in the old age of comfort that may easily be derived from a well-tilled farm.

Across the sea eight nations are engaged in destructive homicidal war. Practically whole populations have been called from their usual occupations, have been forced to abandon all that heart holds dear and to sacrifice even life itself upon the altar of their country. After the cruel war is over they will be burdened with enormous and oppressive taxation for generations to come. Talk about confiscation! Compared with

what these people will suffer of privation and want, we do not know the meaning of the word. Yet they respond with enthusiasm to a cause, win or lose, which will give them no actual benefit. To-day we are called upon to record our votes in favor of the preservation and not the destruction of our race—to save the boys and girls who will become the future citizens and rulers of our country.

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker and gentlemen, I have the honor to come from a prohibition State. I am a prohibitionist, natural born [laughter], and I want to say that the leader of my party, the Democratic Party, said that we ought to fight this matter out in the open, and as a prohibitionist I am willing to strip down to the belt and go to fighting; let us smite them hip and thigh. You can not fight the devil in any other way. [Applause.] I realize the fact that the corrupt agencies of this Government are backing the liquor traffic. I realize the fact that the good Christian people of the United States as a rule, the good women of this Republic, the charitable organizations and churches, all the elements that go to build up society and good government, to make better a virtuous womanhood in this Government, are on the side of prohibition.

The forces of evil, the liquor traffic, with all its chain of corruption and the evils that attend it, are fighting this proposition to-day, and they come in on the ground of State rights. I believe in the doctrine of State rights. I represent the district where Jefferson Davis, the President of the Confederacy, was reared. My father went out and fought for State rights. But we are not living in the past; we are living for to-day and for the future. We can not bring up the traditions of the past to govern this country to-day. I do not believe it is an infringement upon the rights of my State to prevent New York or any other State from emptying its sewage, its corruption, its poison, this liquor that it makes, down into my State. I do not believe in the open saloon, "blind tiger," or any other agency that pollutes society and debauches man, and the way to keep the "blind tiger" out of your country is to keep these men from manufacturing beer and alcoholic liquors for sale. You can not keep them out in any other way. We want to protect society; we want to protect the boys and girls that are growing up; we want to protect our institutions, and the way to do it is to stop the worst evil that is cursing the human race to-day. You need no enlightenment on that, as it is the common knowledge of all men. We all know the liquor traffic is the worst evil that concerns our Republic. We all know it builds up all the houses of prostitution, that it fills up the insane asylums and the jails, and tears down society; and the question resolves itself in the final analysis on your vote here to-day, Are you with the forces of evil and corruption, or are you with the good people who are trying to build up your country? Talk about your little finalities of State rights as you please, it resolves itself down to this: Are you on the side of evil, the forces that are corrupting your Government, the forces that are destroying humanity, the forces that are destroying every environment that will build up society?

They talk about the revenue. Are we willing to debauch men because we can raise a little revenue on whisky? It would do just as well to legalize gambling and take out some small rake-off for the "kitty" to pay the expenses of your Government. [Laughter.]

The American people do not propose to support their Government through the agencies that will finally destroy the Government. The fact that the United States Government is a partner in crime with the liquor traffic is one of the stigmas against the fundamental principles of the civilization of this country. We want to divorce the American Government from its copartnership with the liquor traffic. That traffic has great influence in some sections of this country, and it is going to continue those influences unless this resolution is adopted and is finally ratified by the States of the Nation. Some of the States of this Republic never will vote whisky out of them. We know that. There are certain elements of citizenship that do not care for the country to build up and grow up on those high planes of Christian civilization that every man hopes the American Government will reach. [Applause.]

You gentlemen who have such a fear that the rights of some State in the South might be involved if we pass this resolution proposing to amend the Constitution so as to prevent the manufacture and sale of intoxicating liquors anywhere in the United States seem to be unduly excited. Can not the people amend the Constitution any time they please? All of the antiprohibitionists pretend to adore State rights. Did you have that same reverence for the rights of the States when you abolished slavery and enfranchised the negroes of the South by illegal amendments to the Constitution? You have that same love for us now that you had then. You talk about the wrong we would do to the liquor people if we stop their business and not pay them for their property. Surely slavery was no worse in the South than the manufacture and sale of liquor. You took $4,000,000,000 away from the South when you freed the slaves and never paid a dollar for a single negro. The liquor business is contraband, unlawful, and outlawed by society, and is existing in a few States at sufferance. What right have the few thousand men engaged in that "outlaw" business to expect the Government to pay them for their property invested, engaged in polluting society, and destroying the foundation stones of the Government?

Mr. Speaker, these men who "rear up" on their hind legs and holler that we can not afford to confiscate the property of the liquor traffic know that many of the States have laws to destroy every pistol they find concealed on any person carrying such weapon in violation of law. Is that statute wrong or unsound in principle? You confiscate and destroy the paraphernalia and all property used in carrying on gambling games. What court has ever held such statutes to be unconstitutional? My friends, the trouble is the liquor interests in the United States have powerful and potential influences at work in their behalf. The invisible government that works unseen and in an unknown manner has as its chief ally the liquor interests. These agencies stand for graft and corruption in politics. They stand side by side and shoulder to shoulder with the corporations, trusts, combines, and monopolies. Whenever it is necessary they pool their interests together to make a combined and effective fight. The people engaged in the cause of prohibition work single handed and alone. You find the Christian people, men and women, as a rule, engaged in the fight against the saloon. They are actuated by the highest and purest motives. They know that the liquor traffic is a destroyer of the home. They know that the blind tiger is the offspring of the barroom. They know that the only effective way to eliminate the barroom and blind tiger is for the Government to prevent the manufacture, importation, and sale of intoxicating liquors. These good people have come to Congress and asked us to pass this resolution to let the States vote on it and see if three-fourths of them will not ratify this amendment. The people have that right, and as one Congressman I am going to vote for them to have the privilege in this case to vote for themselves. What man can tell one single good thing the liquor traffic has done for society and the human race? Can you name any good this evil has done the American Government? Mr. Speaker, I can tell a thousand bad things that this great demon has done to the human family and our Government. This demon, the whisky traffic, has reached out his uncanny hands and despoiled homes in every bailiwick in the United States. Aye, the scars of the liquor traffic have been left in almost every household throughout the broad domain of this great Republic. I know its forked lightning has struck close around me and left its sign in an untimely grave.

Mr. Speaker, I shall support this resolution with my whole soul, and hope the prayers of the good mothers of this country will soon be answered and this awful curse to the human race will be no more in our Republic. Would to God this very night that this Congress would by a two-thirds vote pass this resolution. The good people in three-fourths of the States of this Union will do their part. I am conscious of doing my duty on this great occasion to myself, my people, and my country. [Applause.]

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. BARKLEY] 10 minutes.

Mr. BARKLEY. Mr. Speaker, among the important votes which I have had the privilege of casting during my membership in this House I have cast none which I consider more important and far-reaching than that which I shall cast to-day. Likewise, I have cast none with a greater degree of conscious rectitude than I entertain for the vote which I shall cast to-day.

When our forefathers ordained and established the Constitution of the United States, for the purposes set forth in its preamble, they recognized the fact that all human effort is frail and subject to mistakes and errors. They foresaw that there might come a time when change and amendment might become necessary in order to meet new conditions and keep the Government responsive to the will of the people. Therefore they provided in the Constitution a method by which it might be amended by the people in the coming years as they might see fit and proper.

Their foresight and wisdom has been justified by the adoption of 17 amendments to the Constitution of our Nation in the century and a quarter since its first adoption.

The question before this House now is whether we shall vote for the submission to the various States of an amendment to that

Constitution providing for national prohibition with respect to the manufacture and sale of intoxicating liquors. In settling the question of my vote upon the pending resolution, I must approach it from the standpoint not only of my duty as a man, but also from the standpoint of my duty as a representative of the people.

I am not afraid, Mr. Speaker, of the adoption of this amendment, nor of its submission to the people of the United States. There have been some who have spoken against the submission of this amendment because they were afraid the legislatures of the States would not truly represent the people of the States in determining its ratification or rejection. This is one of the methods provided by the Constitution for ascertaining the wishes of the people, and so carefully were the rights of the States guarded in that respect that it provides that before any amendment can be adopted it must be ratified by three-fourths of the States of this Union. But if you are afraid to submit it to the State legislatures, I ask if you would vote to submit it if the people themselves could vote directly upon it? Would you be willing to submit it if Congress should provide that it should be submitted to State conventions, as the Constitution provides may be done, wherein the delegates would be selected upon that issue alone and pledged upon it, one way or the other? You need not offer that as an excuse why you can not vote to submit this amendment, because if that were a valid or sufficient argument it would have prevented the submission of the amendment for the election of Senators by direct vote of the people. If that argument were valid as against the submission of this amendment, it would have been equally valid to have prevented the submission of the amendment authorizing the levying and collecting of an income tax. Such an argument would have been a valid objection to the submission of all the 17 amendments which the people have adopted since the foundation of our Government. But such arguments were not valid then, and they are not valid now, but offer only an excuse for those who desire to vote against the submission of the amendment itself.

Others object to the submission of this amendment because they say it takes from the States the right of local self-government. But they forget that the very fact that this amendment can not be adopted without the concurrence of three-fourths of the States is a recognition of the rights of the States to be heard either in advocacy of or protest against the adoption of constitutional amendments. If the States do not want to adopt this amendment, they have the power to reject it. If they desire to adopt it as a part of the fundamental law of the land, they have a right to its adoption. If 36 of the 48 States of this Union are willing or desire to yield to the National Government a portion of their authority with respect to the regulation of the liquor business, I am willing to go down the road with them and live under that government and abide by the will of the sovereign States. If the States desire to give up a portion of their authority upon this question, they have both the power and the right to do it. If they do not desire to yield even a portion of that authority to the National Government, they have both the power and the right to prevent it. [Applause.]

But this amendment does not deprive the State of its local authority to prevent the manufacture or sale of liquors or to enforce its prohibitory laws upon that subject. The adoption of this amendment, if the people want to adopt it, no more deprives the States of the right of local self-government than does the enactment of a national bankruptcy law, and not nearly so much as does the issue by the Government of what is known as a Government license to sell liquor in local-option territory where the people have said they do not want it sold. [Applause.] If you are so deeply in earnest about the preservation of the rights of the States, why are you not willing to help pass a bill which I have introduced in this House compelling the United States Government to respect the local-option laws of the different States by refusing to issue Government license to sell liquors, thereby encouraging the violation of State laws? [Applause.]

Mr. Speaker, I am not afraid to submit this question to the people of the United States, through their legislatures or by conventions or through the arbitrament of the ballot box, if that were possible. Many millions of the people of this country in all the States have petitioned Congress to submit this question to the people and let them determine whether they want to amend their Constitution so as to prohibit the manufacture or sale of intoxicating liquors. This is their Government. It is their Constitution. As one of their Representatives, I shall cast my vote for this resolution giving them the right to pass upon the questions involved in the proposed amendment. [Applause.]

My friend from Alabama [Mr. HEFLIN] and others have said that they are afraid to submit this question to the people, not because they are adopting it when they vote to submit it but that although all the States might adopt it by a unanimous vote they are still against it because they are afraid of the National Government. What is this National Government of which they are afraid? It is that Government we have all been taught to love. It is that Government which was founded by the suffering and the sacrifice of our forefathers, which has grown from three millions to a hundred million souls. It is that Government which we are all proud to call "the land of the free, the home of the brave," and it can be no worse than the aggregate of all the parts of which it is composed. I am glad, Mr. Speaker, that I do not look upon this great Nation as a monster, as a tyrant, or a despot. If I did, I would not feel like swearing allegiance to that beautiful flag that floats in every breeze. I might not look upon it, as I now do, as being the greatest, the best, the most benign, just, and righteous Nation in all the earth. [Applause.]

My friend from Alabama [Mr. HEFLIN] says he is against the submission of this amendment because, if it were adopted, he is afraid of the Federal officers who might seek to enforce the law in Alabama. We have Federal officers now all over the country enforcing every law upon the statute books of the Nation. Who is afraid of them? Nobody except the criminal or the violator of the law, and I regret that my good friend has been indiscreet enough to admit upon this floor that he is afraid of a Federal officer. [Laughter and applause.]

Mr. BURNETT. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. BURNETT. I will ask my colleague if the State-rights fellows did not vote just yesterday for the Government control of warehouses all over the country?

Mr. BARKLEY. They did vote yesterday for Government control of warehouses all over the country without even raising the question of State rights. Not only that, but not long ago we appropriated out of the National Treasury half a million dollars to exterminate hog cholera in the various States. Nobody then claimed that we were infringing upon the rights of the States by taking from them the right to regulate and control hog cholera. Do you think more of your hogs than you do of your children? I voted for the appropriation to check hog cholera, because I believed it was a proper function of the Government to use its efforts and its accumulated scientific knowledge to check the ravages of a disease among the food-producing animals of the Nation. But I would have a contempt for myself if I would vote to help preserve their hogs and then deny them the right to pass upon the adoption of a constitutional amendment which may in the long years to come be instrumental in preserving the lives, the character, and the happiness of their children and their homes. [Applause.]

The gentleman from Alabama [Mr. HEFLIN], who is so afraid of Federal officers, made a speech and voted in this House not long ago for the abolition of all the cotton exchanges in the United States. The doctrine of State rights did not bother him then. But, Mr. Speaker, as I stated, the question of State rights is not involved in this resolution. The question of the regulation and control of the traffic in intoxicating liquors is one which is nation wide. It is one upon which millions of people in this Nation are asking the privilege of passing, and I shall without hesitation vote to submit this national prohibition amendment to the 48 States in this Union, and will abide the result of their verdict upon it. [Applause.]

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Idaho [Mr. SMITH].

The SPEAKER. The gentleman from Idaho [Mr. SMITH] is recognized.

Mr. SMITH of Idaho. Mr. Speaker, I am heartily in favor of the pending resolution, because I believe the people in the various States are entitled to an opportunity to express themselves on the liquor question or any other question which so vitally affects their happiness and prosperity.

I am also in favor of the resolution because I believe its enactment will give such an impetus to the temperance cause as will result in the amendment of our Federal Constitution, so as to give the Government complete control of the traffic in intoxicating liquors, and thus insure the enforcement of any laws which Congress may enact under the authority extended by the proposed amendment.

In all the arguments which have been advanced here to-day no defense has been made of the traffic in intoxicating liquors.

Its evils and baneful influences are admitted. The advocates of the resolution contend that complete elimination is the only cure, while the opponents of the measure believe that high license and regulation is the remedy.

It seems incredible that it should be necessary for a portion of the people of this Christian Nation to band themselves together against an insidious foe to the material advancement

and prosperity of all. But like the pioneers of our country who built stockades to protect themselves against the Indians, the temperance people are endeavoring to protect themselves against a traffic which is breaking up homes by the thousands and ruining the prospects of millions of young men throughout this broad land.

From the time our boys reach their teens they are constantly exposed to temptations which, if yielded to, corrupt their morals, weaken their intellect, and unfit them for occupying those spheres of usefulness in life for which they are so well equipped by education and natural accomplishments.

We are all struggling to establish and maintain our homes, to educate our children, and prepare them for the responsibilities which they are to encounter as they grow into manhood and womanhood. We have our churches presided over by loyal, devoted ministers who are constantly endeavoring to upbuild the character of the people and inculcate in them that reverence for religious principles which is necessary to a happy and successful life; Sunday schools to which we send our children; and faithful teachers who are giving their time and strength to guide their feet in the right way. We are doing our utmost to properly clothe and feed our children, to make them comfortable, to encourage them in their effort to get an education, and above all to give them that strength of character which will enable them to resist the temptations and diversions which are so disastrous to the young.

Walk down the streets of many of our towns and cities where the selling of liquor is licensed and you see on every hand the open door of the saloon, the grog shop, and the dive, with brilliant lights and decorated walls. The rooms are warm and comfortable in winter and delightfully cool in summer—made as attractive as possible with a view of enticing the young men and women—for what? That the proprietors may reap a monetary reward, regardless of the fact that they must know that they are contributing to the destruction of the character, self-respect, and reputation of their customers.

The liquor dealers advise moral suasion and education with reference to the evil of intemperance; but what are they doing toward cooperating with the temperance people in influencing the drunkard to reform? Do they issue pamphlets, deliver lectures, or in any other way attempt to influence the tippler to be more temperate? Is it not their business to extend their trade by increasing the number of their customers?

It is most surprising that a great many persons engaged in the liquor traffic are apparently good, kind-hearted men, and yet, because of the profit in the business, shut their eyes to the injury done to the individual and society by the sale and use of intoxicating liquors. These men are banded together with a view of self-protection against the penalty of the laws which are enacted for the control of the liquor business. They employ the best legal talent available with a view of preventing the enactment of laws which will in any way restrict the sale of intoxicating liquor or interfere with their business. They strive to have sent to the legislative bodies men whom they know will prevent the passage of any laws which are intended to restrict the sale of liquor. They appear before committees of legislatures and Congress, through their trained attorneys, and endeavor to prove that their business is honorable and justifiable, and that there is no occasion for legislation restricting it.

Of late years the necessity of the conservation of our national resources has been occupying the attention of our legislators, State and National. Laws have been enacted to protect our forests and water supply. Millions of dollars have been spent in controlling cholera and other contagious diseases among our domestic animals, and to eliminate the boll weevil from the southern cotton fields and the various blights from our fruit orchards. What greater national resource has our country than our boys and girls, and why should not the Government protect them from the blight caused by the use of intoxicating liquors? If the Federal Government can protect the people against the use of opium, why should it not protect them against other poisons.

Many of the young men of the country are realizing that those who drink are greatly handicapped in the battle for employment or advancement of salary. Where can a clerk get a position if he drinks? Who will employ a lawyer if he is known as a drinking man? Who will trust the health of himself or family to a physician who is known to frequent the saloons?

It has been my privilege to train nearly a score of young men as clerks, and every one of them who drank has failed to progress, while the others have been gradually promoted and now occupy positions of trust and responsibility. Those who have failed were brilliant and naturally capable, but drink soon showed its effect; they would come to work late, were drowsy and indifferent; their interest in their work lagged, and they were watching the clock and impatiently waiting for the end of the day's toil; they were disinclined to show initiative or to improve themselves by study and close application; they ceased to be interested in their duties and took no pride in excelling their associates, and as a result they lost their positions and were compelled to take a lower grade of work at a lower salary. I could give you many instances of such failures, but I will not take the time to do so.

Many of the great railroad companies, manufacturers, and other employers of labor employ only men who are abstainers. Sixty-five of the fraternal insurance companies will not admit as members those who are known to frequent the saloons.

If there is a young man within these walls who is inclined to think that he can tipple with safety, I implore him to cease, for he is fastening upon himself a habit that will surely drag him down to failure and despair. Learn from the experience of others, and not attempt to prove that you can drink when you please and stop when you please. It can not be done, and you can not safely undertake it.

In calling the roll of our boyhood friends we observe that many of them have failed to succeed in life. They had good educations and splendid opportunities, but because of being addicted to the drinking of liquor they have been so handicapped in the contest that they have fallen by the wayside, and a large majority of them have already passed over the great divide as the result of this habit.

More progress has been made during the last 50 years in curtailing the liquor traffic than during the entire history of civilization prior to that time. During the dark days of the Civil War the women of this country North and South were left in charge of the families of the brave men and boys at the front. After they had welcomed home the survivors of that terrible conflict they attacked the great dragon of intemperance, which had ruined so many of their sons, fathers, and brothers, and about 40 years ago a number of women gathered in Hillsboro, Ohio, and laid out a plan of campaign against the liquor traffic. These Christian women with prayer and entreaty began to plead with the saloon keepers to give up the business. Great mass meetings were held, which were addressed by reformed drunkards. I remember as a boy attending these meetings in Cambridge, Ohio, and seeing the women daily kneeling in the streets praying that Almighty God might touch the hearts of the saloon keepers and spare their boys from acquiring the habit of drink. Many of them, I am pleased to say, did quit the business. They have kept up the fight, and it seems that victory is in sight. By education, organization, and systematic effort they succeeded in convincing the business men, the professional men, and the farmers of the country that it was their duty to themselves and their families to help annihilate the liquor traffic, and under the leadership of some of the brainiest men and women of this country an organization has been effected which has resulted in 14 States going into the prohibition column, and more will pass prohibitory laws when the legislatures meet next month.

In my own State of Idaho we have local option, and there are no saloons in three-fourths of the counties. The three principal political parties at recent conventions adopted platforms committing the party to prohibition, and I predict that within one year there will not be a saloon in the State.

The liquor dealers admit that their business is of such a nature that laws are necessary for its control. They realize that much of the argument against it is true, and some of them are urging certain reforms, evidently with the hope that the onward march of sentiment in favor of the abolishment of the liquor traffic may be halted.

Many of our most active temperance men throughout the country were only a few years ago indifferent to the cause of temperance, but after they had observed the great injury resulting from the traffic and considered the increase in our criminal population, and the increase in poverty and unemployment because of the drink habit, they had their eyes opened to the necessity of eradicating the saloons. In dry counties and States the number of inmates in the jails has greatly decreased and there is less poverty and distress among the working classes. With the eradication of the saloons the brewery buildings are being turned into flour mills and factories, and the rooms formerly occupied by the saloons are being used for other lines of business. The young men, instead of being tipplers and loafers, are turning their attention to business, the professions and trades, and making homes for their families. How anyone can stand for the saloon in the light of the crime, poverty, and broken hearts it is daily causing is a mystery to me.

TEMPERANCE SENTIMENT IS INCREASING.

In the early days of our Republic it was no uncommon thing for our statesmen, business men, and even ministers of the

gospel to partake of intoxicating beverages. To-day it would be a disgrace for any official or professional man to be seen under the influence of liquor, and if a minister of the gospel should drink intoxicating beverages he would be expelled from the church in disgrace.

I recently talked with men in my State who have always opposed local option, who said they are heartily in favor of State-wide and Nation-wide prohibition because they believe if the liquor traffic could be completely driven out all the people would be more prosperous and happy, thousands of young men who are now addicted to the drink habit would become sober and industrious citizens and be real factors in their community in the upbuilding of the country, and that the money now being spent for intoxicating liquor would go into channels which would make for the prosperity of all the people.

A dozen years ago there was a saloon in either end of the Capitol. It was just as easy to get a drink of liquor there as at any saloon. Senators and Representatives were often under the influence of liquor while engaged in the discharge of their important official duties. Just think of men, who were sent here to represent the interests of the millions of people of this great country, deliberately incapacitating themselves for the transaction of business because of liquor drinking. But, thanks to the good men and women of this country who have been fighting the liquor traffic, public sentiment drove the saloons out. You never see a drunken Member of either House in the Capitol, and if there should be such he would be so discredited by his colleagues and his constituents that he could not be reelected.

Twenty years ago there were 1,100 barrooms in the District of Columbia, and now there are only 300 because of restrictive legislation.

I sincerely hope this resolution to amend the Constitution to prohibit the sale or manufacture for sale of intoxicating liquors will pass and be speedily ratified by three-fourths of the State legislatures. We are making wonderful progress, and if we continue the fight we will surely win, and then the youth of this country will be freed from the awful temptations which are now carrying so many of them to ruin. No more saloons mean less jails and penitentiaries, fewer hospitals and insane asylums, more happy homes and successful young men and women, and a more contented and prosperous people.

In Lincoln Park in this city there stands a bronze statue of the great emancipator, Abraham Lincoln. In one hand he holds the emancipation proclamation, while the other is stretched out as if in protection over the black man who crouches at his feet. This poor creature is bound hand and foot by heavy chains, typical of the condition of slavery which his race endured for centuries. Upon his back are the marks of the cruel lash. In gazing upon that statue, are you not reminded of the slaves of strong drink, who are bound by chains more galling and hateful than those which bound the African slave, and whose wives and children are appealing to the sober people of this land to send them relief by banishing forever from this country the liquor traffic?

Mr. EDMONDS. Mr. Speaker, I am opposed at this time to voting for House joint resolution No. 168, providing for an amendment to the Constitution to prohibit the beverage-liquor traffic, because I believe that the liquor question is one for the States to solve. This matter, so far as the States are concerned, is still in an experimental stage, and until it has been conclusively proven that it is impossible for the States to eradicate the evil caused by the excessive use of alcoholic beverages, it would be unwise to pass a constitutional amendment which would be so difficult to repeal in the event that it is found that the State laws can better regulate the liquor question than any law that might be passed by our National Government.

Mr. SAUNDERS. Mr. Speaker, I yield to the gentleman from Missouri [Mr. BORLAND] five minutes.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] is recognized for five minutes.

Mr. BORLAND. Mr. Speaker, some clever writer has said that the average tory mind has just four mental attitudes toward all public questions. Whenever anything new is proposed, especially if it be in the interest of the people, the tory mind at once adopts toward it its first mental attitude. It says, "Why, this thing never was done before. Therefore it is wrong, immoral, and unconstitutional. Our fathers never did anything like this, and that is sure proof that it is wrong." Then, after the people have begun to think the thing over a little and have come to the conclusion that it is not quite so wrong after all, the tory mind adopts toward it its second mental attitude, and it says, "Why, this thing may be all right as a theory, but it is not practical. It will not work. This is a practical world, and you can not make this thing work." And then, after the people have thought it over a while longer and concluded that not only is it right, but that it probably will work, the tory mind adopts toward it its third mental attitude, and it says, "Why, this thing may be all right as a theory, and it may be practical some time, but not now. This is the wrong time to try it. It will unsettle business conditions if you try it now. It is not an issue in this campaign anyway. This is the wrong time to bring it up." And then, after the people have thoroughly made up their minds that it is right and that it is practical, and that they want it, the tory mind adopts its fourth and final mental attitude, and says, "Why, we were for this thing from the very beginning." [Laughter and applause.] I have seen on this floor gentlemen in all four of those mental attitudes this afternoon.

I am going to vote to submit this great question to the arbitrament of public opinion in the United States, and I refuse to place my judgment above the judgment of my fellow-citizens in this country.

I refuse to take the position that a man on this floor may not submit a constitutional amendment, demanded by a respectable number of American citizens, for fear, forsooth, that 36 States in the Union will do an unconscionable wrong. I can not take that position. I am surprised that our friends who frankly represent the liquor interests, and who are opposed on principle to prohibition, should themselves be unwilling to submit the question to the issue of the popular vote. Any man who votes against submitting this proposition votes that he is not willing to trust the manner provided by the Constitution for its own amendment. He is not willing to trust the legislatures of 36 States in the Union. They say that 36 States may control the judgment of 12 States. Aye, they can; and the Constitution was formed upon that very basis. That is the very bond of our Union, that when three-fourths of the States conclude that something is inimicable to the national life they have a right to banish it from our borders. Twelve States have no right to control 36; but every State admitted under the flag, every star planted in that field of blue, was planted under the expressed agreement that it had an equal right with all the other States to vote upon constitutional amendments.

Therefore I say this question must be submitted. I can not understand the attitude of the gentleman from Alabama [Mr. UNDERWOOD], who says that there is a demand of the American people that this question be voted on on the floor of this House, but that there is no demand that it be voted on at home in the several States of the Union. He may be able to reconcile those two statements, but I am not. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SAUNDERS. I yield five minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Speaker, up to this very moment I did not know that I was to be recognized. I had agreed to give up the time, and I thought I was not to speak; but I am glad enough to occupy a few minutes on this subject.

In the first place, the city of Seattle, in which I reside, went 15,000 wet in the last election, and the city of Bremerton, in which I resided before I moved over to the city of Seattle, the principal city in the district in which I now reside, went wet by a substantial majority. So that the district in which I now reside, about 90 per cent of it, is about 15,000 wet. But I was elected from the State of Washington at large, and the State of Washington at large went about 19,000 dry. So that if I were to depend upon the verdict of the people who elected me to Congress, I should vote dry. If I were to depend upon the verdict of the people in the district in which I now reside, under the new apportionment, I should vote "wet." But I think there is a greater obligation than that resting upon me. I believe that the subject at issue is so important that any vote of the people of my district, or of my State for that matter, given subsequent to my election, should not in any manner be controlling of my vote. I would not vote with the saloon interest, I would not vote the way the saloons and the liquor dives of this country wanted me to vote on this thing, under any consideration on earth. [Applause.] There are only two sides to the question, according to my idea. They are the wet and the dry. There are those here who by their votes are going to serve the liquor interests, and are going to help the dives and brothels, and the dirty, low places where liquor is sold in this country, and there are others who are going to oppose it. There is no use pretending that you are dry, but are going to vote wet.

I have some respect for the men who stand up here and say that they believe, under all the circumstances and conditions that exist, it is best to vote wet, and that they therefore are

for the liquor traffic continuing; but I can not bring myself to a position where I can respect the views of those who say that they are dry, but nevertheless are going to vote wet. So I say that in this instance I am glad enough to give my vote and my voice against the saloon and against the liquor traffic. My position is in the RECORD here on the subject of the Philippine bill, to which I submitted an amendment to effect prohibition in the Philippine Islands. I am glad enough to say that in the State of Washington, where we had a lick at it the other day, we wiped out the liquor business, and I believe that the people of the State of Washington favor national prohibition. I believe that the people of this country favor national prohibition, and I do not believe it is right or proper, or that it is American, to advance the idea that one-fourth of these States in this Union should be permitted to maintain their brothels and to invade the dry territory in opposition to the will of three-fourths.

There is one gentleman who made a speech here to-day for the wets who, I think, is the most consistent of all who have spoken, and that is the gentleman from Pennsylvania [Mr. MOORE], who stood here and defended the saloon as an institution—not liquor drinking, but defended the saloon as an institution—and right along with it he defended open prostitution as an institution. He believed that the house of ill-fame was right as an institution. He did not defend the practices, but he believed in maintaining the segregated district. He believed in maintaining segregated districts in this country for houses of prostitution, and the two go together. [Laughter.] You may laugh or you may make fun, but the two go together—the saloon and the house of prostitution—and I do not see why any man should stand up here and defend the saloon unless he also does as the gentleman from Pennsylvania [Mr. MOORE] did—defend the houses of prostitution and oppose the Kenyon bill, and oppose any bill that tends, in our cities and municipalities, to put the brothels of any kind out of business. He is consistent, and I glory in his consistency.

The SPEAKER. The gentleman's time has expired.

Mr. BRYAN. Have I any time to yield back?

The SPEAKER. No; the gentleman has consumed his five minutes.

Mr. SAUNDERS. I did not intend to surprise the gentleman from Washington [Mr. BRYAN] by yielding time to him; but the memorandum that I had from the gentleman from Alabama had the gentleman down for five minutes. I now yield five minutes to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, it is not my purpose nor my desire to discuss the merits of this resolution, but to give very briefly the reasons for my vote. I have never been extreme in my views upon this question, and while I have always believed that the excessive use of intoxicating liquors is one of the greatest evils of our country, I have believed that under local-option laws enacted by the several States communities could better regulate their sale and with more hope of a proper enforcement of the law when adopted than could be done under State or national prohibitory laws that might be in conflict with the sentiment of such communities.

I have in my home county voted for local option, where I believed it could be and where it has been successfully enforced; but four years ago I voted against State-wide prohibition, believing that, if adopted, it could not or would not be enforced in certain cities and communities of the State where the majority of the people were against it.

I have grave doubt about the wisdom of the consideration of this resolution by Congress, as the most ardent friends of the measure frankly admit that it is marked for certain defeat. I have grave doubts about the wisdom of its adoption even from the standpoint of the temperance people, as it would have no effect till ratified by three-fourths of the States, which probably can not be had now, nor for years to come.

I have no patience with some of our leaders who have told us to-day that this resolution should be considered by the House; that it is a great national question that the people demand us to consider and to settle, but that we should defeat it. They misconstrue the demand of the people. The demand is not that we shall consider it, but to pass it and submit it to the States for their consideration.

I have no patience with these guardians of the old Democratic doctrine of State rights, who stand here to-day and by their votes refuse to give the States an opportunity to pass upon this question.

This resolution is before us, and as I am called upon to vote upon it I will vote as I believe a majority of my constituents desire me to vote. I have received many thousands of requests by petitions, letters, and telegrams from representative citizens asking me to vote for it. True, many good friends—good men and good citizens—have asked me to vote against it; but I believe a large majority of my constituents desire the resolution passed, so as to submit the question to the States for ratification, and acting upon my best information of their wishes, I shall vote for it in obedience to their requests. [Applause.]

The question was taken, and there were—yeas 197, nays 189, answered "present" 1, not voting 41.

LEGATION BUILDING AT HABANA, CUBA.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying documents, referred to the Committee on Foreign Affairs and ordered printed:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, addressed to the Secretary of the Treasury, requesting that the Secretary of the Treasury transmit to the House of Representatives an item for the acquisition of legation premises at Habana, Cuba, amounting to $100,000.

This request has my hearty approval, and I venture to urge this appropriation upon the Congress with great earnestness. I think that the whole country now sees how desirable it is that we should be upon the same footing of advantage in foreign capitals that other Governments are. This purchase is recommended in the spirit of the recent policy sanctioned by Congress in these matters, and I sincerely hope that we may not miss this unusual opportunity in the city of Habana.

WOODROW WILSON.

THE WHITE HOUSE, *December 22, 1914.*

PROHIBITION.

Mr. SAUNDERS. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. SELDOMRIDGE].

Mr. SELDOMRIDGE. Mr. Speaker, the last session of the Sixty-third Congress is rapidly drawing to a close. This has been a Congress of great moment to the American people, but no vote that has been taken during this session is more pregnant with interest and is more fraught with concern to every American home than the vote that will be taken in this body to-night.

We have listened with patience and consideration to the arguments which have been presented on both sides of this question, and we are now to decide if we shall give to the American people the simple right that is vouchsafed to them by their Constitution to express themselves on the great question of national prohibition of the liquor traffic.

I am not disposed to take responsibility as a legislator to say to the people of my country that they are not entitled and qualified to render a verdict at the ballot box upon a question of such momentous importance.

I represent a State that has recently passed upon the question of State-wide prohibition, and by an overwhelming vote Colorado has joined the number of States which have banished the open and licensed sale of liquor from their borders. We realize that the suppression of the liquor traffic is an advance along lines of social uplift and economical advantage, and we believe that these advantages should be enjoyed by the Nation and not be limited by State lines. The arguments that have been presented here against the adoption of this resolution were advanced against the amendments relating to the income tax and the election of United States Senators by the people. Every reform that has ever been advocated in the interests of the people has been fought by those who were satisfied with present conditions and who saw no evils to redress. They keep their faces to the past and can not read the signs of the times aright. This great issue will not down. This House may defeat it to-night. Congress may refuse to submit it to a vote of the people, but it will come back to this Chamber during the next two years with more insistency and backed by a stronger popular appeal than it has come to-day. Those Members who refuse to give the people the right to vote upon this question may rest assured of the fact that they will have to answer for their votes before a tribunal which will be most eager to justify its right to pass upon this question.

My friends, we are coming to higher ground in this country when as legislators and citizens we are debating and considering questions that touch the welfare and social condition of the American people. All other matters of domestic importance, the tariff question, and all the manifold questions that relate to the lesser life of the people, are subordinate to this question, which not only affects the economic, intellectual, and social life of this

generation, but which relates itself to the life and character of generations yet unborn.

This question has now entered the arena of discussion along economic lines. It has ceased to be solely a moral or altruistic question, and whenever you bring a question to the front in this country that touches the American pocketbook, that increases the efficiency of labor, and adds to the strength and power of production, you have raised an issue which will not down, but will widen its scope until it affects every State and municipality in this country. [Applause.]

Much has been said in this debate which has not been germane to the question at issue. Much time has been given to discussing the ineffectiveness and nonenforcement of prohibitory laws, and the charge has been made that the sacred right of local self-government is being assailed by this legislation. Some Members affirm that this measure is not in the line of true temperance, and predict that its adoption will lead to a greater use of intoxicants through the violation and disregard of prohibition laws. These and other related matters should be left to the sober and intelligent judgment of the electorate. Thousands of our citizens representing every State in the Union have appealed to Congress to submit this amendment. This is the only question at issue. Shall we deny to the people an opportunity to pass upon this question in the constitutional manner provided by the framers of our organic law?

The evils of the liquor traffic have been generally admitted, and its control and regulation by law has been recognized as necessary to the safety and good order of society. The plea is made that we are taking away from the States some right of self-government, and yet Congress has been legislating for many years past on many questions affecting individual and property rights which were formerly regarded as purely within State control, but which Congress has now placed under Federal jurisdiction. Our national growth has been so rapid, means of transportation have become so widely and easily available, the social and commercial interests of individuals, communities, and States have become so intimate that the need for general legislation on all questions arising from these conditions can not be disputed. If the Civil War had never been fought, and if slavery had been abolished through peaceful agencies, the development of the Nation's powers and the needs of our people would have required a substantial modification of the old State rights theory so strongly held by the fathers of the Republic. The advocates of this doctrine have yielded their views so many times, when local interests were to be helped by Federal aid, that they can not justify their opposition to this measure on any such theory.

We have all the facts we need to guide our judgment in our attitude toward the liquor traffic. We know it to be a social, an economic, and a political evil. Its suppression will contribute to a better manhood and womanhood. It will lift the curse of inherited tendency and disease from childhood; young manhood will be free from its tempting allurements; vices which flourish in the physical and mental atmosphere which it creates will find no fruitful human soil in which to be propagated; life will become more sacred; the standard of living will be raised, and there will be an increased demand for the products of the farm and factory; ignorance will be banished through the efforts of State and Nation when relieved of the burdens imposed by the liquor traffic; the school and college will have a much larger place in the thought and purpose of the people. We are pleading to-day for the protection and security of the American home. There are forces at work to break down its influence. We can not build up our Nation if we allow the character and usefulness of the home to be weakened and destroyed. We are opposing one of its greatest enemies when we seek the suppression of the liquor traffic. It contributes no benefit either to the individual or to society; if it could only limit its victims to those who directly surrendered themselves to its control, the cost to society and the Nation might not be so great; but when we see our childhood and womanhood attacked and the State and Nation even becoming accessories to the assault, does not every instinct of humanity and patriotism demand that the Nation, instead of permitting the downfall and destruction of our homes, should become their defender and upbuilder? The adoption of this amendment will place a safeguard around every American fireside. It will brighten the lives of thousands of devoted wives and mothers and give to all our children a free opportunity for the fullest exercise of mental and physical powers.

There is a rising tide of prohibition sentiment throughout the entire Nation. We are giving ourselves with increasing interest to the solution of problems affecting national production and the elimination of waste in the development of our natural resources. We have expended large sums in making investigations and experiments along these lines, and much valuable information has been secured and wise and salutary legislation has been enacted. We are now proceeding to think and plan legislatively for the conservation of the citizen. We can not put into operation agencies of a constructive character without recognizing the necessity of destroying those that make for individual weakness and waste. The movement against the organized liquor traffic, which began as a religious and moral propaganda, has now gathered to itself a mighty company of those who realize that it blocks the way to national and social betterment. The strain of competition for domestic and foreign markets which rests upon our industrial system has produced an intensive study of conditions affecting the output of labor. The employer must not only concern himself in providing his workmen with the most efficient tools and machinery and in giving them a healthful and suitable working environment, but he must be concerned about the lives these men live when they are outside his factory and have some knowledge of conditions affecting their social and family life. The employer, whether individual or corporate, who gives no thought to these matters is neglectful of his economic interests. Society is demanding that the exploitation of labor under unhealthful and needless dangerous conditions shall cease and that the laborer shall be decently housed and fed. In the face of these salutary requirements is there any reason why the State or the Nation should allow a traffic to exist that operates directly against the welfare of the individual and makes for economic loss and waste? The laborer who gives his support to the liquor interests is doing himself the greatest possible injury. It weakens his efficiency and lays upon himself a burden of production he should not bear. The toll of charges laid upon the Nation by the liquor traffic in the suppression of crime, the care of the insane, the relief of pauperism must ultimately be borne by the producers of the country. Those who work in the factory and on the farm must largely carry the load of taxation that is necessary to support the Government and all of its local subdivisions. If we can abolish the liquor traffic we will lighten this burden and contribute much to the welfare of every producer and laborer. The day of national deliverance from the power and influence of the saloon is rapidly approaching. Every contest waged in the cause of temperance is contributing to that end. Those of us who are supporting this amendment will never regret the opportunity which is here given us to enroll ourselves on the side of the Nation, the family, and the citizen. We are voting to dissolve the partnership which has existed for so many years between the Nation and the liquor business. This dissolution must be absolute and perpetual. Let us give the voter an opportunity to express himself on the question of national prohibition.

In conclusion, I desire to append an excerpt from a speech delivered by the great orator and statesman of the South, Henry W. Grady, during a campaign that was waged in Atlanta for the readmission of the saloon. Mr. Grady never rose to a greater height of eloquence nor rendered a more telling service in behalf of his fellow men than when he uttered this terrific and unimpeachable indictment of the liquor traffic:

> My friends, hesitate before you vote liquor back into Atlanta, now that it is shut out. Don't trust it. It is powerful, aggressive, and universal in its attacks. To-night it enters an humble home to strike the roses from a woman's cheek, and to-morrow it challenges this Republic in the Halls of Congress. To-day it strikes a crust from the lips of a starving child, and to-morrow levies tribute from the Government itself. There is no cottage in this city humble enough to escape it; no palace strong enough to shut it out. It defies the law when it can not coerce suffrage. It is flexible to cajole, but merciless in victory. It is the mortal enemy of peace and order; the despoiler of men, the terror of women, the cloud that shadows the face of children, the demon that has dug more graves and sent more souls unshrived to judgment than all the pestilences that have wasted life since God sent the plagues to Egypt, and all the wars that have been fought since Joshua stood beyond Jericho. Oh, my countrymen, loving God and humanity, do not bring this grand old city again under the dominion of that power. It can profit no man by its return. It can uplift no industry, revive no interest, remedy no wrong. You know that it can not. It comes to destroy, and it shall profit mainly by the ruin of your sons or mine. It comes to mislead human souls and to crush human hearts under its rumbling wheels. It comes to bring gray-haired mothers down in shame and sorrow to their graves. It comes to destroy the wife's love into despair and her pride into shame. It comes to still the laughter on the lips of little children. It comes to stifle all the music of the home and fill it with silence and desolation. It comes to ruin your body and mind, to wreck your home, and it knows that it must measure its prosperity by the swiftness and certainty with which it wrecks this work. Now will you vote it back?

Mr. SAUNDERS. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, the Committee on Rules deemed it their duty to report a rule to the House for consideration of this pending proposition or joint resolution proposing an amendment to the Constitution of the United States

relating to the prohibition of the sale, manufacture for sale, transportation for sale, and importation for sale of intoxicating liquors for beverage purposes in the United States, and so forth.

After presenting the rule, the majority of that committee immediately proceeded to hammer the very proposition authorized by the rule for the purpose of withholding consideration of this proposed amendment from the people, the primary source and final arbiter of all political authority.

For my part, I am not willing, by my vote, to withhold consideration of this proposed amendment from the people of my district and of the States who are asking for an opportunity to be heard on this question, and I shall vote in favor of the submission of the proposition to the people of the States, who may determine for themselves, through their several legislatures, whether the Constitution of the United States shall be so amended or not.

What the final result may be I know not, but I believe the majority of the people of my district desire an opportunity to consider this question for themselves, and I believe I would not be doing my duty to the people of the district responsible for my occupying a seat in this body to so vote after the proposition has been submitted to the House for consideration. I am not willing to assume the authority to help kill this resolution in this House. I value not the suggestions made that it violates the rights of the States, nor do I regard the claim or threat made that the law could not be enforced or would be nullified by deliberate violation thereof. If the Constitution should be so changed, there ought to be enough power in the Republic to enforce this law and all laws provided for in the Constitution. It will require three-fourths of the legislatures of the several States to adopt or ratify said joint resolution before this can become an amendment to the Federal Constitution. If there is not sufficient public or general demand for this proposed amendment, why should the opponents fear its submission? Let the people of the States be heard. It is their right.

Mr. SAUNDERS. Mr. Speaker, I yield two minutes to the gentleman from Washington [Mr. FALCONER].

Mr. FALCONER. Mr. Speaker, this day is a record-making day in this the greatest legislative body in the world. No problem or question that has been presented to this Congress is commanding the attention of the people of this country more than the question now before the House. There is a line of demarcation, sir, between the forces in conflict. On one side are those who favor liquor, or at least the liquor saloon, and on the other are the men who favor the prohibition of intoxicating liquor. I get as much satisfaction personally by voting on this proposition as on any problem or question on which I have had the opportunity of registering my vote since I have been a Member of Congress. One characteristic is always observed in a discussion of the liquor question. The opposition to this resolution to-day has used the old stock phraseology that is characteristic of opposition in every city or State in this Union that has debated temperance legislation. It has been suggested by the gentleman from California [Mr. KAHN] that the adoption of this amendment would breed liars, hypocrites, and bigots, and it has been suggested by the gentleman from Missouri [Mr. BARTHOLDT] that the adoption of this resolution would breed hypocrites and bigots. We have heard that stock argument so long and so often that we feel that the antitemperance interests of the country have a subsidized right to use these terms. Out in the State of Washington, some years ago, we were involved in a conflict of this kind. We voted for local option, and the burden of the opposition's argument then was that this was not a local question but a State question. Recently the State of Washington had a contest, and the men who opposed temperance shifted again to what they thought was a safe position, and said that this is not a State question but a National question.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman two minutes more.

Mr. FALCONER. And so we come here to-day, and the eminent gentlemen—men who are high in the affairs of this House and in the affairs of this Nation—tell us that we ought not to destroy property—tell us that prohibition does not prohibit. I would like to see the color of the man's hair who says that prohibition does prohibit absolutely. It does not prohibit in every particular; and when we come to a moral status where prohibitory legislation absolutely prohibits we will not need prohibitory laws. At the present time prohibitory laws do not prohibit murder or thievery. Gentlemen, prohibition is coming. This is the opening gun; and the gentleman from Alabama [Mr. HEFLIN] who said to-day that if you defeat this resolution now it will not come up again for 20 years will have a rude awakening, because the temperance forces of this country will knock continually and continuously at the doors of Congress and demand that which brings much good to the men, women, and children of America. Property destruction! Is there a man on the floor of this House who opposes this resolution who would vote to-day to make Alaska dry, when there is now no property to be destroyed? Alaska has 35,000 white people, and we have just appropriated a thousand dollars per capita for a Government railroad up there; and if we were to come and ask you to vote to make Alaska dry, what would you say? Would you go behind the excuse and say you do not believe in the Government of the United States telling the citizens of Alaska what they should do, notwithstanding the fact that we have more wards and dependents in Alaska whom we are morally bound to protect than there are white citizens, and when it is a fact that this Federal Government owns 99 per cent of the 580,000 square miles of Alaska Territory?

In every mark of the procedure in an antiliquor fight the forces favoring the saloon find one excuse after another, and to-day is no exception.

Here in the Congress of the United States the author of this resolution [Mr. HOBSON] and his supporters are referred to as wreckers of the Constitution, and the gentleman from Alabama [Mr. UNDERWOOD] suggests that the very foundation of this Republic is being threatened. Threatened by whom? The temperance forces of the country. Is there a man in the Congress who seriously believes this? No man says aye.

The gentleman from Wisconsin [Mr. LENROOT] would not vote for this resolution on constitutional grounds, and further asserts that he does not believe in this method of amending the Constitution. Would the gentleman forever bar the people from amending the Constitution? If not, he and they will have to submit to this very method.

The gentleman from Iowa [Mr. VOLLMER] protects his action, voting against this resolution, by stating that Washington was a brewer, Jefferson a distiller, and Lincoln a bartender. Mr. Speaker, there are no limits to which a sympathizer with the modern saloon will not go to attain an end. Every man in America endowed with an average degree of patriotism would hesitate to indulge in such reckless chicanery.

The call comes to-day to every Member to face this issue on his own responsibility. Here is a great opportunity to do a good act with a correspondingly great responsibility.

Mr. Speaker, I recognize the opportunity, and willingly do I accept the responsibility.

Mr. Speaker, my term in the Congress of the United States is limited to two years, a term extraordinary in actual service and the enactment of advanced legislation, and, sir, from the bottom of my heart I am glad of this opportunity to register in the Journal of this legislative body and in the permanent records of my country a vote favoring the passage of this national prohibition resolution, which, in the final analysis, gives the people of each and every State of this Union an opportunity to go on record in electing men to the legislatures of the several States who will vote to eliminate the saloon and its product from our governmental fabric, and eliminate intemperance from the social features of American life. [Applause.]

The SPEAKER. The gentleman's time has expired.

Mr. SAUNDERS. Mr. Speaker, the gentleman from North Carolina [Mr. SMALL] will have time yielded to him later. I want now to yield one minute of my time to him, to be added to that which he will be yielded later, and to reserve the balance of my time.

Mr. DUPRÉ. Mr. Speaker, I yield nine minutes to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER. The gentleman from North Carolina [Mr. SMALL] is recognized for 10 minutes.

Mr. SMALL. Mr. Speaker, I have endeavored to consider this proposed amendment to our Federal Constitution with care and deliberation, and I have reluctantly reached the conclusion that I can not conscientiously support it. I use the word "reluctantly" with all sincerity. North Carolina is a dry State. Several years ago by legislative authority a referendum was taken upon this question, and the electorate by a large majority ratified a law forbidding the manufacture and sale of intoxicating liquors. So far as I am advised, a majority of our people still favor State-wide prohibition. I have received telegrams, letters, and petitions from citizens and organizations asking me to vote for this amendment. Some of these are from valued friends and estimable citizens who are strongly opposed to traffic in intoxicating liquors, and who sincerely wish the National Government to place a ban on the traffic. I wish I could comply with these requests.

It may be quite true that an affirmative vote would offer the path of least resistance. It would be the easiest thing to do and would require less explanation. Let me say, in the first place, that one's duty is not to be tested by the fact that one believes in prohibition or the contrary. One may be the most ardent advocate of prohibitory laws in the form of local option or State-wide prohibition and yet feel impelled to oppose the transfer to the Federal Government of the power to regulate and control its manufacture and sale. This is my position.

Upon my responsibility as a Member of the Federal Legislature I must take a broader view of the subject. In my opinion the right to control should remain with the several States, where it now resides. To surrender this right would constitute a dangerous precedent and would seriously impair our organic form of government. It would return in many ways to plague us in the future.

Whatever method of reasoning others may adopt, no Democrat, and particularly no southern Democrat, can afford to vote for this amendment. My earliest lessons in the fundamentals of Democracy were taught me in North Carolina, beginning about 1885, when I heard our veteran Senators, Vance and Ransom, and other learned and patriotic men condemn the efforts of the Federal Congress and administration to control our elections and regulate the qualifications of franchise. Our press united in maintaining the right of the State to control not only the right of suffrage but all its local affairs. All sumptuary laws have ever been regarded as distinctly local.

The people of every State, one and all, should remain jealous of any invasion of this right. It will constitute a disastrous blow at our form of dual government when the States cease to safeguard their exclusive rights to exercise and enforce all the police powers which they reserved when they framed the Federal Constitution.

Temperance and total abstinence can not be created wholly by law. They are attained by a process of education of the individual conscience and by gradual evolution. Unless a fair proportion of the people in a given community or State have been induced voluntarily to adopt temperate habits or to abstain from the use of intoxicating liquors and to favor the adoption and enforcement of prohibitory laws, then such laws will not be enforced, and the last stage will be worse than the first. Who doubts this proposition? Now, it is true that this process of evolution in the civic mind and conscience has progressed more in some States than others. There are a number of States where a referendum on prohibition would disclose a large adverse majority. It is now seriously proposed to enable these States a majority of whose citizens favor prohibition to impose prohibition on these States whose people do not favor prohibition. Suppose the plan should be successfully carried out; what would be the result? Either the law would be a dead letter and openly ignored, with a consequent disregard of all law, or the Federal Government would send its spies and deputies to enter the homes and shops of the people and arraign its citizens before the courts. Even then the law could not be enforced, but such attempted enforcement would array the people of the States against the Federal Government and promote disorder and crime.

I stated that the growth of a sentiment for prohibition was a matter of education and gradual evolution. Let me illustrate the above proposition by applying it to North Carolina. In 1881 a referendum was had in that State upon the question of State-wide prohibition, and it was defeated by a large majority—more than 50,000, as I recall. Suppose at that time, in the face of that adverse sentiment, the Federal Government had attempted to enforce a drastic prohibitory law. What would have followed? The people would have rebelled. Not only this, but the cause of temperance or total abstinence would have been seriously retarded, if not permanently checked. By a parity of reasoning, why would not the same result follow in Ohio, Wisconsin, Illinois, or New York, assuming that these States are not yet ready to adopt State-wide prohibitory laws? I ask why?

The States of the South have contended that the fifteenth amendment to the Federal Constitution was an egregious mistake and a crime against our civilization. Why? Primarily because this amendment invaded the right of the States to control the qualifications of suffrage and sought to invest the qualifications of an elector upon an emancipated race unfitted to exercise this privilege. This amendment was adopted upon the crest of a wave of human and civic reform stronger even than the present propaganda for prohibition. Thousands—many thousands—of patriotic citizens in the North and West thought they were serving God and their country by advocating the fifteenth amendment. What was the result in the South? The reconstruction era ensued. A saturnalia of disorder and righteous indignation swept over the South. After a vain effort to enforce literally the terms of this amendment the country, North and South, regained sanity and settled down to the conclusion that a mistake had been made. This amendment was intended to benefit the negro. Was this intention fulfilled? Everybody knows it was a mistake. The progress of the negro was retarded, and his best friends, the intelligent white men of the South, were alienated from him. The negro in the South was never so prosperous and contented as he is to-day.

The men of the South are now urged to commit a similar mistake upon the subject of prohibition. In the name of morality and reform they are asked to amend the Constitution so as to impose on unwilling States stringent prohibitory laws which the people of those States do not desire and which they insist they have a right to settle for themselves. Madam Roland's oft-quoted expression is applicable here:

Oh, liberty, what crimes are committed in thy name!

Likewise, may it not be said, "Oh, morality and reform, what mistakes and attacks upon our basic form of government are committed in thy name!" Will the cause of temperance and total abstinence be promoted by this amendment? Unless history belies itself, unless the genius and spirit of our people have changed, a reaction will ensue, and this great cause which has enlisted the sympathy and cooperation of so many good men and women will be checked for a generation or more.

Let us pause and take our bearings. Let sanity prevail. Let us preserve our dual form of government in its integrity under the greatest Constitution ever struck off by the hand of man. [Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield to the gentleman from Ohio [Mr. GOEKE].

Mr. GOEKE. Mr. Speaker, the pending resolution, known as the Hobson resolution, providing for an amendment to the Constitution prohibiting within the United States the traffic in intoxicating liquors, is of great importance not only to those directly or indirectly commercially interested in the business, but also to all of the people, because its adoption means the certain abolition of the free State in this Republic as contemplated and definitely fixed by the framers of the Federal Constitution. Little by little the rights of the State have been invaded. Centralization of power in the General Government has already gone so far in the Nation and in several States that the time-honored Democratic doctrine of local self-government has been impaired, and in many instances the people deprived of the right of governing their own affairs in their own way, which right was supposed to have been guaranteed to them by the Declaration of Independence and always believed to be a permanent, fixed right in the Federal Constitution.

Our Government is dual in form, consisting of the Federal or general scheme made up and comprising within it, each on its own account, the various State governments. The framers of the Constitution surely intended to reserve to the several States the absolute right of local self-government, and there is no one question so typically local as the liquor question. The control of the liquor traffic has for more than a century been regarded and always treated as subject to the police powers expressly reserved by the several States. This police power is not of doubtful jurisdiction, but is clearly and unquestionably within the absolute control of the States and by every reasonable construction of the Constitution denied to the National Government.

The only exception that has ever been made to this general policy occurs in the shipment of liquor in interstate commerce, in which event it comes under the protection of the Federal Government. It therefore clearly follows that all laws with respect to the traffic of liquor wholly within the State ought not to be interfered with by Congress, and that any such legislation is in clear violation of the fundamental principles of the relations of the Federal Government to the State governments and a flagrant encroachment upon the police power of the States, and is an unwarranted interference with the local affairs of the States, materially weakening the strength and sovereignty of the respective States, upon the combination of which depends the perpetuity of this Government.

The most important feature of the Hobson amendment is the creation of power in Congress to enforce the law. Its adoption means that if the United States Government should forbid the traffic in intoxicating liquors it would be obliged to provide the machinery to enforce such prohibition. This would mean an army of officers; and if there is one thing to which the people are unquestionably opposed it is the creation of new offices, necessarily appointive, and thus removed from the people, enabling an administration to build and maintain a gigantic political machine with which to control primaries and elections, thereby destroying the free and deliberate political action of the individual elector. With Federal officials authorized to search and arrest, the police powers of the Federal Government would

be enormous. The last vestige of the rights of the State would necessarily disappear.

We know from common experience that sumptuary laws, or any laws affecting the personal liberties and habits of our people, are impossible of enforcement unless they are unquestionably supported by public sentiment in the locality in which it is sought to enforce the same. For convincing proof of the truth of this statement we need only look to the annual report of the Commissioner of Internal Revenues for the fiscal year ended June 30, 1914, wherein Commissioner Osborn, himself a prohibitionist, says, on the subject on page 29 of the report:

Bootlegging is principally carried on in the States operating under local prohibition laws and appears to be one of the hardest propositions that revenue officers are called upon to solve. This class of violators of the internal-revenue laws are at no time stationary, but move from place to place, offering and selling their illicit wares. It is impossible, owing to the limited number of revenue officers in the field, to break up this practice entirely, and without a hearty cooperation of the local and State authorities it is believed that the conditions will grow no better. As the various States vote dry the operations of the bootlegger grow larger.

It is urged on behalf of the resolution that its adoption by Congress would simply afford the people of the United States an opportunity to express themselves upon this great question. Let us analyze and ascertain whether this claim is true. In doing so no more convincing argument showing the fallacy of the assertion can be found than is set forth in a speech delivered March 5, 1914, on the question of woman suffrage by the able and distinguished junior Senator from Ohio, Hon. ATLEE POMERENE, the substance of which I take the liberty of reproducing here. In order to have the amendment become a part of the Federal Constitution it would have to be ratified by three-fourths of the States of the Union. Its ratification would come by States and not by a direct vote of the people. It might be thus ratified by three-fourths of the States and yet fall short of receiving the approval of a majority of the electors of the United States.

If the proposition were to submit an amendment to the popular vote in the United States, which can not be done under the Constitution, it would not be so objectionable. But let us analyze and see what the real situation is. In the 12 smallest States of the Union—North Dakota, Rhode Island, New Hampshire, Montana, Utah, Vermont, New Mexico, Idaho, Arizona, Delaware, Wyoming, and Nevada—there are 3,943,009 people, according to the census of 1910. In the 12 largest States—New York, Pennsylvania, Illinois, Ohio, Texas, Massachusetts, Missouri, Michigan, Indiana, Georgia, New Jersey, and California—there are 50,775,616 people, according to the census of 1910, out of a total population by the census of the 48 States of 91,972,266, so that the 12 States last referred to embrace more than one-half the population of the entire country. In the 12 smallest States, to which I have referred, there are less than 4,000,000 people. In those 12 States with 3,943,009 people they would have 12 votes in determining whether or not an amendment should be added to the Constitution, as against 12 votes in the 12 largest States, which I have named, in which there are 50,775,616 people. In the State of New York, according to the last Federal census, there are 9,113,614 people. In other words, that State has about two and one-half times as many people as the 12 smallest States which I have named, and yet when it comes to the ratification of this amendment so as to make it a part of the organic law of the Nation, which, in point of importance, overshadows every amendment that has ever been proposed to the Constitution, we are asked to give to less than 4,000,000 people twelve times the voice that we are giving to more than 9,000,000 people in the State of New York. And yet the advocates of this amendment are using as their battle cry, "Let the people rule." Let us assume that the people of the State of New York were unanimous against this amendment with her 9,000,000 people, she would be powerless against less than 4,000,000 people in the other 12 States.

The people as a whole, as I have said, have no voice in adopting this proposed amendment. No direct vote is to be had upon the proposition. The State of Nevada, the smallest State in point of population in the Union, having a population at the last census of 81,875 people, would have an equal voice with the great States of New York or Ohio in the determination of this great question. And thus it is possible that a minority of the people of the United States, through the process that I have indicated, can force upon an unwilling majority sumptuary laws that the majority of the people do not want, can not be made to obey, and thus throw the country into a turmoil the like of which has never been witnessed before.

The strongest argument in favor of prohibition always has been and still is conceded to be a moral one. Can any moral movement succeed that must resort to unfair methods to accomplish its purpose? Certainly if the advocates of prohibition desire its success on the high plane of morality they ought to be the last ones willing to do violence to the rights of other people in bringing about success. Should the minority of the people of this country succeed in ingrafting upon the majority, without their consent and against their protest, this proposed amendment, how could it ever be enforced? Would the people of the great State of New York submit to the destruction of their personal liberty and their business investment? A great army of Federal officials would be helpless to enforce prohibition against the people in the great cities of this country, and bribery, corruption, contempt for law and order would rapidly take the place of decent and respectable local self-government.

It is not difficult for the individual to distill alcohol, and if by law the legal manufacture thereof is prohibited, moonshining will run riot in this country and the home of every man who insists on having an alcoholic stimulant will manufacture sufficient for its own wants and in many instances for the wants of friends and neighbors. Armed forces would be incapable of coping with the situation in dealing with the suppression of the liquor traffic. I contend, therefore, that any fair-minded and reasonable person who fully understands the true spirit of our form of government will and must concede that the adoption of the proposed amendment would be a clear violation of the true principles upon which this republican form of government rests. The greatest difficulty in the solution of this question is the lack of courage and frankness on the part of the influential men of all vocations. The question has been the football of politics, practical and corrupt politics, for more than half a century, and legislators vote dry when they are dripping wet, not only in opinion but in practice, instead of honestly and frankly treating the subject with a view to reaching a proper solution. The American people are not fanatics nor unreasonable, and if they once fully understand the real situation with regard to the liquor question their verdict will be fair and just. It is to be hoped that the consideration and vote on this resolution will have the effect of interesting the American people in a study of the subject at times other than in the heat of a political campaign or a wet and dry contest, and when they do and the sober second thought sets in they can and will reach but one conclusion, and that is that the solution of this vexing question lies in the strict regulation of the liquor traffic under a license system, in connection with local self-government and the right to prohibit by direct vote the traffic in the smallest political subdivisions as they exist in the respective States or some distinct part carved out of such subdivisions. In this plan, coupled with the honest and strict enforcement of reasonable regulatory laws, lies its true and only effective and workable solution. It is my judgment that the time is at hand when many great molders of public opinion and powerful factors in the solution of public questions will be forced to the front by this resolution, and when they are this hurricane reform movement will disappear, no longer to haunt the frightened and dodging officeholder and officeseeker.

But aside from the political and legal aspects of this question, what of its merits? The use of alcoholic liquors in the United States has been and is so general that it has become a fixed part or custom of the daily life of our citizens. At all events, it must be admitted that at least 90 per cent of the male adults drink liquor in some form, and that notwithstanding such use a still greater per cent of such users are temperate, law-abiding, and good citizens, and do not differ from the mass of decent law-abiding citizens in their personal conduct. That there are evils resulting from the traffic can not be denied. But those evils are generally and in nearly every instance the result of intemperance, and the correction of these evils and reducing them to a minimum lies in regulation, education, home training, the church, and moral suasion, and not in prohibition. The adoption of the Hobson resolution would not prevent the individual from either buying or drinking liquors, if he can get them, although it may be the intention to accomplish this by indirection. As I have said, the individual can manufacture his own alcoholic beverage for his own use, or he can get it in any other way that he finds open to him. Every home in America could have its own distillery, if liquor could not be obtained commercially, and many of them would no doubt do so. A home still can be made for a few dollars, but beer and light wines containing little alcohol could not be made in this manner, so that the inevitable result would be that our people would become whisky drinkers.

When the Swedish Government abolished its monopoly of the distilling business nearly every peasant's cottage became a distillery, and in the early part of the last century there were

more than 173,124 private stills in Sweden, which has a population considerably less than one of our larger States.

Prohibitive legislation has been extensively and fairly tested. During the last 60 years it has been tried on the State-wide scale in the many States of our country and under the most diverse social and political conditions. Fifteen of the States which enacted prohibitive laws have abandoned them, and nearly all of the States which have State-wide prohibition are rural States, and in none of these States has prohibition accomplished its promised object. It has failed to abolish the liquor traffic in any of the States, nor has it lessened the evil of intemperance. Commissions from many foreign countries, as well as our own, have studied the question, and all of them have universally found that prohibition does not prohibit and is a failure, and have so reported.

Let us look at the economic and business side of the question for a moment.

Although the total sum representing the financial value of the liquor traffic is fairly staggering, an absolutely exact calculation would yield even a larger total, for it has not been possible to include all the capital and various expenditures in all the different industries that are more or less dependent upon the liquor traffic. The item of transportation alone would be greatly swelled if all the details could be ascertained. The ramifications in all directions are so many that it is almost impossible to follow them.

For the very greatest part official and other reliable figures have been used, to which a few conservative estimates have been added.

THE IMPORTANCE OF THE LIQUOR INDUSTRY TO AGRICULTURE.

In the course of 1913 corn and other farm products of the value of $113,884,568 were used in the manufacture of liquors. This amount does not represent the value of the products so used in the Chicago and other markets, but the actual sum received by the growers, based upon the carefully compiled reports of the Department of Agriculture published from time to time.

The full significance of this amount, which represents, it may be stated, a return of 5 per cent on an investment of $2,270,279,420, can best be appreciated by a comparison with the reports of the last census on the total values of the crops of various individual States, which show that it exceeded the total combined crop values in the census year of Vermont, Maryland, and West Virginia; of Massachusetts, Rhode Island, New Jersey, and Florida; of Louisiana, with its great cotton and sugar interests; New York, New Hampshire, and Utah; or of Maine, Connecticut, Delaware, Nevada, Arizona, New Mexico, and two Wyomings.

The amount is made up of barley to the value of $55,236,641; corn, $30,924,335; hops, $11,155,215; rice, $7,288,786; rye, $4,604,476; wheat, $869,938; oats, $3,382; molasses, $2,056,626; fruit, $751,835; and secondary products of agriculture not included under the head of corn, $626,119.

It is computed that in raising these products the farmer paid for labor a total of $13,485,460, a sum sufficient to employ 74,919 persons for six months at an average wage of $30 per month.

What would be the effect upon the agricultural industry of the country of suddenly withdrawing a market for these $112,884,568 worth of farm products annually? While they are of a so diversified character that the entire country shares in the benefit of a constant market for them, their production is at the same time so localized that its extinction would fall upon certain sections of the country with all the weight of a calamity. It is only within comparatively narrow limits that one crop can readily be substituted for another. It is therefore easy to realize the embarrassment and loss to the farmer that would be involved by the closing of the market for over $100,000,000 worth of these products annually.

THE RETAIL TRADE.

The outlay for rent is based upon an original inquiry covering thousands of establishments in different States. The outlay for supplies has been obtained in the same manner, and includes such articles as food, ice, cigars, soft drinks, and so forth, but not beers, ale, and liquors of any kind.

LICENSE FEES.

To the local license fees for the wholesale and retail dealers have been added the United States taxes on the wholesale and retail trade.

Disbursements for wages.

	Number of employees.	Total wages.
Brewing	62,363	$64,009,621
Distilling	7,217	5,062,896
Wine making	2,259	1,834,136
Malting	1,982	2,231,700
Total	73,821	73,138,353
Allied manufactures and trades	15,620	14,450,000
Retail trade	409,465	366,314,200
Total employees	498,906	453,872,553

For the industries the wage statement of the United States Census for 1909 is given. The other wage statements are from original sources.

RECAPITULATION.

Capital invested	$1,294,573,426
Annual disbursements	1,566,291,711
Total	2,860,864,137

If to employees are added proprietors of all kinds (estimated number 250,482), the whole number of those deriving their income directly from the liquor traffic may be placed at 749,388. Estimating those deriving their income indirectly from the same sources at about 300,000 yields a total of over a million. They, with their dependents, may conservatively be placed at about 4,000,000. These figures take no account of the persons engaged in raising the agricultural products used in the liquor industry. They may be estimated at 74,500, not counting their dependents.

Annual disbursements other than for wages.

	Materials.	Taxes.	Transportation.	Other.
Brewing	$96,595,637	$75,440,672	$22,500,000	$77,648,156
Distilling	35,976,893	153,641,237	15,000,000	3,650,115
Wine making	6,625,553	844,184		1,409,046
Malting	30,464,299	247,531	4,000,000	1,810,913
Total	169,662,382	230,173,624	41,500,000	84,518,230

Total, $525,854,236.

Allied manufactures and trades—materials	$39,474,000
Allied manufactures and trades—local taxes	37,400
Total	39,511,400
Retail trade:	
Rent	199,438,882
Supplies	247,183,996
License fees	100,430,644
Total	547,053,522
Total annual disbursements other than for service	1,112,419,158

The cost of materials is taken from the census report, 1909. In taxes are included for the brewing industry the Federal tax plus local taxes on property and local license fees; for distillers and wine makers only the United States tax for the last year has been included. The transportation cost is based upon original returns from brewers and upon estimates for the other industries. For the greatest part only railway transportation is in question. If all kinds of transportation cost were estimated, the total would be vastly increased. "Other" expenses are taken from the Census reports for 1909.

Additional financial statistics of the liquor traffic.

I. CAPITAL INVESTED.

[Report of United States Bureau of the Census for 1909.]

Brewing	$671,158,110
Distilling	72,450,336
Wine making	27,908,487
Malting	60,286,113
Total	831,803,046
Allied manufactures and trades	41,179,000
Retail traffic (fixtures and furnishings)	421,601,380
Total of capital	1,294,583,426

From original returns made for the year 1913 by a portion of the allied manufactures and trades, the total is probably much below the whole capital involved. Establishments that only in small part supply the liquor trade have been excluded.

The effect of national prohibition is to destroy and forever eliminate from the commercial world in this country this immense amount of capital or investment and deprive those who are making a living out of it by daily toil from obtaining

a livelihood, without assurance of doing equally well in other directions. That most of the laws are passed by our legislatures in the several States in answer to the demand of highly paid leaders and lobbyists for this fad are palpable invasions of the established principles of human rights as well as property rights is an unqualified truth. The personal and property rights of the citizens of many States have been invaded in direct contravention of the purposes of our Constitution, which provided protection. The people of this country have suffered many infractions upon their personal rights, as legally defined, and have remained passive from the inception of a bad law until some notable incident secured its repeal; but while the individual will often permit the loss of some minor right as to personal conduct, he will instantly assume the aggressive in defense of his property rights. This is but human nature. Our laws as respect property rights are more closely followed, mainly because it is a laudable aim of our citizens to acquire property, and this uniformity of purpose begets a respect for each other's rights of this class and a better understanding thereof. Considering the universal understanding, how is it possible for a man who would scorn to steal or wrongfully deprive another of his property to advocate a law which unjustly confiscates legitimately acquired wealth from part of our citizens but proposes no compensation therefor? The question of property right is separate and distinct from the moral question, but it is more immoral to deprive people of a property right which the Government by a system of taxation and licenses has conceded to the liquor manufacturers and dealers and the people themselves have created by their demand. What person can claim immunity from complicity in the traffic if he has contributed to it? As I have stated, fully 90 per cent of our people have purchased and used intoxicants. They have created the demand, which is the sole reason for the existence of the supply. If selling therefore is immoral, the buying constitutes complicity, and if we who make laws or vote on these questions are wholly moral we should at least protect the property rights which our consumption of intoxicants helped create. No Government which fails to safeguard at all times and under all circumstances and in every particular the rights of its citizens to the peaceful possession of their honestly acquired property, and the unmolested enjoyment thereof, can ever hope for continuous national existence or the tranquillity which our Republic endeavors to promote.

In the entire scheme of our organic law there is but one process by which a citizen can be dispossessed of his property against his will. This is the privilege reserved by the Government known as "the right of eminent domain," under which restriction property held by the individual is subjected to the public use. It is the right of the State to take property for public use or service, but only after it has clearly established that the use by the public is necessary, and not then without paying the owner for the value of his property thus taken. The fairness of this no one will deny. But what of the system contemplated by the pending resolution by which the supporters thereof expect to indirectly confiscate the millions of dollars in this country from the brewers and liquor dealers and pay nothing for it? It certainly would be nothing short of justice that before such confiscation is permitted the owners thereof be paid the true value in money. The owner of a brewery, which by reason of prohibition is thus rendered useless for the avowed purpose of benefiting (?) the public, should be paid in full for his loss by the Government that permits it to be thus destroyed, and likewise so with every liquor dealer engaged in the business. The loss to them is the same, whether it be one law or another which operates to deprive them of the value of their property. A brewery having been built for a special purpose is useful only as such, and to deprive the owner of the right to employ it in the only way it can be of service to him is clearly to deprive him of his property. When we proclaim the great principle of property rights are we to infer that one class of property is to be deprived of and another class of property subject to the protection of the vaunted square deal that this Government is supposed to give everyone?

If this threatened invasion of property rights proposed by the Hobson resolution is to be applied to the one class of property therein named, where will the application cease and how soon will some other class of property be under the ban of another popular fad usually misnamed "reform"? We have had numerous reform movements which appeared revolutionary, affecting only, however, the change in the personnel of our officeholders, but this is the first concrete movement which has attempted reform and morality by indirect robbery. The Constitution of the United States expressly states:

Nor shall private property be taken for public use without just compensation.

What excuse have the exponents of prohibition for disregarding this wholesome provision of the Constitution and for not embodying in the resolution a provision to pay for the property which they seek to destroy? If prohibition that will put people out of business and render their property useless is not for the public service, then it is not worthy of the consideration of any public servant or voter exercising his duty to the public. If prohibition is really for the public good or use, and property is thereby destroyed, let the public pay for it and exemplify the fair spirit that the prohibition advocates profess. The plain truth is that this is reform run amuck and heedless of any that may be injured so long as the paid leaders in their blind zeal may try an experiment in the Nation that has failed in the States.

Our State legislatures have been too willing to clog our statutes with a tangle of these experimental laws. There are some who are not so zealous for the public-good as they are to perpetuate lucrative positions as leaders of this movement, with nothing to lose but a good job on their side, while the business interests lose millions on the other side.

The practical leaders of the prohibition cause, or perhaps, to be more accurate, the political prohibitionists who court the footlights and are chronic gallery players, never knew what it was to thread the devious ways of competition in commerce or meet heavy pay rolls, but talk well and depend upon a popular object of attack to perpetuate their notoriety. There are some who are honest in their contentions, but are too neglectful to consider consequences to others, and not sufficiently sound to reach beyond hysteria and impracticability. Behind these come the many that follow and do not think. They are uninformed, and it would be difficult to get them to think about the value of the established rights of private property in this country, except it should happen to be their property. None of them own breweries or saloon property, and the full force of the consequences of their votes on this subject is not brought home to them. They do not think of the far-reaching harm of a dangerous precedent, and their education as to facts depends almost wholly upon the assertions and arguments of prejudiced or paid prohibition leaders that would do more good in the field of moral suasion than in its support of liberty-threatening laws which are plainly a perversion of justice, and can only anger the spirit of American freedom which denies the right, even of law, to thus curtail our privileges. This spirit actuates every American, but, unfortunately, it seems that it is aroused only after it is too late for him to consider that the rights of others and his own are united by unbreakable ties, and that to protect his neighbor is to protect himself. This spirit certainly can contemplate no honor in wrecking a mammoth industry, in taking away the fruits of toil and enterprise from any man, no matter how much he may have been traduced by his enemies, whose calumnies have reached no bounds in the hate and venom poured upon the heads of the makers and sellers of beer.

The American spirit which loves fair play should be insulted and take offeuse at the proposal of ruining this enormous commerce upon the flimsy pretext that it is moral so to do, or that it encourages morality among that very small proportion of our population which lacks the will power to refrain from personal degradation. Not over one in one thousand are drunkards. Are we to be asked for this one-tenth of 1 per cent to wreck commerce, plunge millions of men and women into competition with other lines of trade and labor, make idle over 4,000,000 acres of farm land tilled by over 100,000 farmers, curtail the output of mines and mine labor that supplies the machinery for about 3,000 large plants in this country, curtail the labor and products of glass factories, lumber mills, supply companies, coal mines, and a thousand other lines of trade where men toil and capital has wrought to produce happiness and comfort for millions of families who are all more or less dependent upon the brewing interests for their prosperity? Even were the agitators' specious assumption of a moral necessity true, their plan of harassing legal commerce with their laws which are productive of injury generally to the basic principles of property and personal rights, would bring greater dangers to the body politic than all the inebriates now extant or which would be under any laws hereafter.

Had prohibition not been absolutely proven to be a failure there might be some foundation for the prohibitionists to build upon. The comparison of a saloon, properly conducted and well regulated, with the lawless speak-easies, bootlegging joints, or other secret spots sought out to evade the law, found in nearly all of the prohibition States where the open temperate drinkers of mild beer and other beverages has been transformed into "sneak" indulgence in cheap whisky, is all that is required to convince the most skeptical.

The advocates of prohibition have gone so far beyond the limits of fairness and decency in their assaults upon personal liberty and property rights that it seems that all reason has forsaken them. Unjustified searches and seizures have been made and cruel and unjust punishments have run rampant in the States where the mania of prohibition fanaticism has secured so strong a hold that all constitutional safeguards have been entirely ignored and the individual has suffered serious abridgment of his rights through ignorance of his remedy or lack of means to pursue it through the courts. The force of contracts has often been impaired and the progress of commerce, which must plan ahead, has been delayed and hampered by the creation of dazing uncertainty, reaching out into every avenue of trade, touching the plans of the very Government itself, of whose revenue this traffic forms so formidable a part, amounting during the fiscal year ending June 30, 1914, to more than $220,000,000 to the National Government, exclusive of the war tax and over and above what is paid to the State, county, and municipality. A transfer of this burden which the liquor traffic pays in revenue to Nation, State, county, and municipality to the backs of the taxpayers of this country would bring home to them too late the facts they should think about now when the people are facing this ruinous crusade. No individual, no matter how small his means or how unimportant his occupation, could hope to escape the serious consequences of the loss of this commerce. That such a mammoth revolution of business conditions would save anything by reducing crime or lessening the number of penal institutions is a fallacious conjecture only.

To the moral side of this question there is nothing but the matter of personal volition and the proper conduct of the business. Neither the brewers nor the great majority of liquor dealers object to regulation; in fact, they court it and urge it, that the very few who have been defiant law and order breakers may no longer serve for the basis of unfair and unrighteous condemnation of them all.

Experience of centuries shows that it is as absurd to make a law to compel a man to refrain from drinking beer as it is to compel him to refrain from eating. How foolish, how petty for a law to presume to choose a man's drink for him. If law stipulates what he shall drink, why not what he shall eat? Too much of either will harm him. A wise Government treats personal rights delicately and gives to the individual as wide a range of privilege as is commensurate with good government. It seems that it ought to be unnecessary to assert that in the matter of taking a drink or not the will of the individual should be supreme. If he drinks so much that he becomes a menace to society and useless to himself, let the punishment be on him and not upon the men who raise the barley, corn, and hops. If the cry of prohibition advocates for the complete elimination of liquor from the body politic means anything, why not abolish corn, rye, barley, potatoes, hops, and rice, which are employed in the manufacture of alcoholic drinks. Begin at the roots, so to speak, for as long as these products are raised alcoholic liquors will be manufactured in some form or other. The farmer once compelled to cease raising these grains and products, there would be no more beer or other intoxicants.

But nature has provided many ways to prepare natural and artificial food and drink for us, some of which are not so good for us as others, and it certainly can not seem anything but foolish to rely upon the law instead of persuasion and education to show the youth of this world what is good and what is bad. After this has been taught them at home, in the schools, and churches, it then becomes a matter of their own will power and moral force. Moderation and temperance in all things marks the man—the real man. He requires no man-made laws to guide him to the right or enforce the choice of nature's food and drink when he is hungry or thirsty. If the halfman, the unbalanced weakling, shall fail to choose wisely in kind or quantity and thereby be led to commit a misdemeanor, he should be punished, not that the law hates or seeks vengeance, but that law must protect the rest who have chosen more wisely. The fault lies in the abuse and law punishes. Why should law restrain or punish those who do not misuse or abuse? If it is not right to punish the millions of people who use beer moderately, by what process of reasoning should we punish those who make it for or sell it to them? The truth is that much more good can be accomplished in the solution of this important question if we would constantly turn to the task of bringing up the youth of this country under the influence of right persuasion and make them good men and women, because of the voice of real manhood and real womanhood speaking from their inner consciousness, and not treat them to the humiliating spectacle of a futile attempt to coerce this and future generations into honor, sobriety, and respectability with the lash of the law.

There are many good citizens who have grown to manhood and womanhood under the present conditions. The environment of home, of each particular social circle, has been and always will be mainly responsible for the character of the man. Excursions of the youth or man into new territory should be accompanied by an education and character that will render him immune as far as possible from dangers of new influences. All his life he will be subjected to these changed surroundings, and nothing will make him safe against contingencies but his own power and manhood. No external human power can provide other protection for him. Many have fallen by the wayside and time will never chronicle the period when there are no fallen ones nor no temptations. Apple trees will grow in every Eden and grapes will cluster on the hillside in every age. Teach if you will the bitterness of forbidden fruit and the venom which lurks in the glass, but never will the invocation of human law nor the dominance of faction rob one of the five senses of the body of its natural function nor destroy the personal privilege to employ it. If character is right, to be temperate and avoid temptation will be easy. To be temperate toward a difference in belief, temperance in all things, is a qualification of good character and not of man-made law. To be strong against all temptation—and there are many beside drink—is a qualification of the mind which comes only after conversion and not compulsion. The time is at hand and the hour has come when, if we wish to prosper and maintain the perpetuity of our free institutions, the people must hold fast to these fundamental truths and set their faces like flint against further unwarranted encroachments upon the rights of property and personal liberty and cooperate in the spirit of good-fellowship and the brotherhood of man in the working out of the mission for which we have been placed here. This Congress has passed many necessary reform measures affecting the commercial world and the personal affairs of our people. The prudent and wide-awake legislator must undoubtedly realize that extreme radicalism and destructive legislation will be rebuked at the polls in the next election. If we would have our country prosper, make our people happy and content, and keep them free from hunger and discomfort, we must now devote our efforts to the encouragement and upbuilding of industries and commerce, the employment at good wages of all labor, and restore peace to the business world and rid it from constant agitation and annoyance. Under the reform measures that have already been enacted into law by this Congress and the wise and courageous leadership of President Wilson this is possible, provided he is not interrupted, hampered, and destroyed by wreckless attacks upon legitimate business interests, big or little, honestly conducted. The future continued success of the Democratic Party and the prosperity of the country ought not to be destroyed and prevented by lending a willing ear to irrresponsible agitators who will be entirely helpless to alleviate the loss and suffering of those who will be injured by the wrecking of our commercial institutions. [Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield two minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Speaker, in making this my first speech in this great law-making body I can not commence by sailing out on unknown seas. I can not commence by making a departure from the faith of the fathers and the traditions of the South and the people I represent. The principles of State rights are as sacred to them as were the virtue of the vestal virgins. They love these principles with the same intense affection as doth the Irishman the Green Isle of the sea. They yearn for their preservation and protection with the same degree of devotion as doth the Scotchman for his Scotch mountain home.

This great principle of State rights which we are asked to destroy by our votes has caused more blood to be shed upon American soil than any other question that has ever agitated the minds of American people. State rights were wisely foreseen by the authors of the Confederation and the Constitution to be the great and lasting foundation upon which to build an enduring union of States. There were certain rights reserved to the States when forming the Union, and one of these rights was local self-government, the regulation and control of its internal affairs. This right the Central Government, by fundamental laws, is bound to respect, and as long as I have the honor to represent the people of my district every encroachment of the same shall be resented by me. Every encroachment is one more pillar taken from the temple of liberty and freedom of the individual. I can not consent to cast my vote to destroy local self-government. This Nation of ours is too large to have its affairs entirely directed from Washington. The foundation of Democracy is opposed to a great central power to dictate to

the different States and sections what is best for their prosperity and happiness. The field of State rights has not increased, while centralization has slowly but surely taken place.

I can not become an apostle of that creed which preaches the obliteration of State lines. The people of Georgia do not need Congress to regulate their local self-government. They are qualified and competent to take care of it themselves.

Where must the American citizen look for the security of the rights which he enjoys? Does he look to the Federal Government? He does not. He looks to his State government. Where shall he find security and protection to his life; security and protection for his personal liberty; security and protection for his property; security and protection for his safety and happiness? Only to his State government.

To the care of the State government does the citizen look for protection against all foes within and without; he relies upon its ever-present arm for the safety and security of the person, the home, the property, and institutions.

The real question at issue is whether the sale or consumption of liquor shall be prohibited by the Constitution of the United States. This is a question which essentially belongs to each State, and can be handled by them with satisfactory results. The sale of liquor has been satisfactorily adjusted in the State of Georgia by its legislative powers. The evil formerly complained of that State action on the liquor question was defeated by congressional inactivity, has been cured by the passage at the last session of Congress of the Webb law, which gives to the States absolute protection in the premises, enabling them to enforce their own laws without interference on the part of the Federal Government.

Have the people of America lost faith in the local State government to control and regulate its internal affairs? To do so is to lose faith in our Government itself, and this amendment offered to-day indicates that the supporters of the same have reached the conclusion that the local State governments of this Nation are not qualified and competent to legislate for the protection and welfare of its citizenship.

There is a real variety of opinion among our people in the several regions of the country. We would be but poor lovers of democratic self-government were we to wish to see these differences overridden by the majority of a central legislation. There are four great divisions or sections of this country. The conditions in the sections are different, and the law exactly suited to one does not apply to another. For that very reason each State should control its own internal policies.

I am unwilling that the people of any other State should decide for the people of my own State of Georgia what its internal policy should be, either by seeking to control its electorate or election laws or by deciding whether or not liquor shall be sold within its confines. It is repugnant to our theory of government. To break down this safeguard and destroy this great principle of State rights is but the entering wedge, and who can tell to where it will lead? It is an unknown sea upon which we are asked to sail; a sea that is infested with hidden reefs and bowlders that are dangerous to the peace, the happiness, and the prosperity of the citizens of each State of this Union.

I pray to God that the day is near at hand when every State in this Union, through and by its own laws, shall prohibit the sale and consumption of liquor, but do not ask us to destroy the sacred rights of our States to accomplish this. [Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield six minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Speaker, when this discussion shall have ended and the roll shall have been called I trust that there may be found in our number no man who has shown himself either a hypocrite, a demagogue, or a coward. [Applause.]

Lest we forget, I propose to repeat to this House section 1 of the amendment of the Constitution sought for in the resolution now before this body:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

Mr. Speaker, I come from a city whose people do not believe that the Constitution of this Republic needs any amendment of this character, and I come from a Commonwealth whose people, to the best of my knowledge and belief, oppose the passage of this legislation. The "hypocrisy of civilization" has had its day in the old Bay State. For 15 years—from 1855 to 1870—Massachusetts tried prohibition, but after that experience our people found the law vain and injurious. And upon the testimony of several governors who served during that period and our best citizens, among them college presidents and preachers, it was repealed and the system of licensing and regulating the liquor traffic established. Again, in 1889, there was another effort made to write prohibition into the constitution of our State, and that amendment was defeated by a majority of 45,000. The prohibitionists then, as now, tried to make it appear that all the religious and moral sentiment was on their side and that only immorality and crime opposed them. But the most influential newspapers, such religious papers as the Christian Union and Congregationalist and the Christian Register, fought the amendment, and among the many eminent ministers of the church who loudly proclaimed against its adoption were the late Rev. Dr. Phillips Brooks, the Rev. Minot J. Savage, the Rev. Brooks Hereford, and the Rev. Father Conaty. These men, representing all religious denominations, some of them with world-wide reputations as great religious teachers, united in their opposition to prohibition as a farce and a fraud as an aid to temperance. With them were many eminent statesmen who had National as well as State reputations, and such great authors and physicians as Dr. Oliver Wendell Holmes. That was only 25 years ago, but some people in Massachusetts appear to have forgotten the history of that campaign, and they are employing the same methods that were employed by fanatical prohibitionists then.

For instance, about 10 days ago I received a communication from the Rev. Cortland Myers, pastor of the Tremont Temple Baptist Church in my city, requesting me to vote for the resolution now under consideration. With a desire to be perfectly frank in my answer to his request, I wrote him, acknowledging the receipt of his letter, and I closed my brief reply with these words: "I can not do as you would have me, as I am already on record as being against this measure." In record time the domineering doctor returned by Uncle Sam's messenger my letter to him, with a notation in his own handwriting closely following the line, "I am already on record as being against this measure," worded as follows: "So is the devil, and you are a good servant of his." [Laughter.]

Now, Mr. Speaker, the Rev. Cortland Myers is a ministerial monstrosity in Boston, and while it is not pleasant to be called a servant of the devil by anyone, those who know this Rev. Bombastes Furioso expect such characterizations, and laugh aloud when they read them. I console myself with the thought that some of his predecessors in the pulpit of that famous Tremont Temple agreed with me in the position that I now take, and I assert that even at this day he does not represent the religious sentiment of Boston or Massachusetts.

I find in the United States census of religious bodies taken by the Federal Government in 1906 that the Rev. Dr. Myers, as a Baptist, if he speaks for the whole denomination, represents 4.6 per cent of the church communicants in Boston and 5.2 per cent of those in Massachusetts. Boston is a religious city, with more than 64 per cent of the population identified with the churches, and only three other cities have such a high percentage, but, according to the census figures of 1906, of the 376,728 church members in Boston only 77,349 were listed as Baptists. Massachusetts is a religious State, with more than half the entire population listed as church communicants, but of the 1,562,621 people identified with the churches in 1906 only 80,894 were listed as Baptists. The Rev. Dr. Myers may speak for the 2,300 members of the Tremont Temple, but I do not believe that he speaks for the more than 400,000 present-day church members of Boston, or the 2,000,000 church members of Massachusetts, or the 3,500,000 people of my State. He does, however, represent the fanatical methods of prohibitionists, and I have no doubt, like the Pharisees of old, he thanks God every morning that he is not like other men. So, too, am I thankful.

I prefer to follow the footsteps of the former president of my old alma mater, Mr. Charles W. Eliot, of Harvard College, when he sums up the whole case against prohibition in its effect upon the social and political life in these words:

The efforts to enforce prohibition during 40 years past have had some unlooked-for effects on public respect for courts, judicial procedure, oaths, and law, legislature, and public servants. The public have seen law defied, a whole generation of habitual lawbreakers schooled in evasion and shamelessness, courts ineffective through fluctuations of policy, delays, perjuries, negligences, and other miscarriages of justice; officers of the law double-faced and mercenary; legislators timid and insincere. Such is the character and record of prohibition.

[Applause.]

If there be any section of our common country that is prohibitory to-day, I am not convinced that it is so from any moral conviction on the question. Wherever prohibition obtains, it has not decreased drunkenness, but it has notably increased the use of drugs and has multiplied insanity by driving men and women from drink to dope, from alcohol to drugs, thereby giving a greater impetus to abhorrent crime by producing irresponsibility and insanity.

May I here quote the opinion of that eminent churchman, Cardinal Gibbons, who, in a recent interview, said:

While I am a strong advocate of temperance, I am certain that prohibition can never be enforced; and if it should be, it will make hypocrites and violators of the law. It will also cause the manufacture of illicit whisky, which is not a good thing, since it will replace a good product, of its kind, with a bad product. It will also rob the Government of a legitimate tax and a very considerable one. Prohibition can not be enforced in any Christian country.

[Applause.]

Prohibition has been an utter failure wherever it has been put into practice. It cuts off revenue and leads to all sorts of dishonesty and hypocrisy. Prohibition can never be enforced by law. Dispassionate investigators of the liquor problem have, almost without exception, pronounced prohibition no solution for it.

Those who conceived this remedy for the drink evil were unquestionably sincere, and there are doubtless some among them who are sincere to-day. They are honest, but, in many instances, so also were persecutors under the Spanish inquisition.

Mr. Speaker, prohibition has lost its original bearings. Its sincere advocates have expanded it into a religion. Some of them go as far as to say that a man who takes a drink can not be a Christian. Manifestly, nobody should be coerced by law into acceptance of any such belief.

The liquor question is neither a religious nor a political question. It is an individual question. The extinction of the thirst of man is a pretty large order, and it will never be accomplished by fanatics or faddists or politicians. The great desideratum is temperance, and by proper laws temperance may be promoted. Excess in the use of liquor is punishable and can be punished, but prohibition has become so intolerant and intemperate that it can hardly be considered a factor in the promotion of temperance.

Nature punishes all excess, whether it be excess of restraint or excess of indulgence. The man who has been starved is apt to act the glutton when he gets the chance. The man who acts the glutton is apt to reduce himself to a starvation diet. The real virtue lies in the golden mean, and to give to your fellow being the same liberty of action that you would invoke for yourself. Men can not be made temperate by legal enactment any more than women can be made virtuous by like methods. Every man courts personal responsibility. All men resent being forced to do without anything which they are capable of denying themselves, if need be.

Mr. Speaker, to change the Constitution of the United States by the enactment of any such law as is contemplated by the resolution now pending is in absolute violation of the rights of individual States. I agree with those who believe that it was never contemplated by the fathers of the Republic that the Government of the United States should legislate on a subject that is purely local, municipal, and not national. And it is by virtue of the respect I hold for the inalienable rights of others that I demand the same high privilege for myself and the hundreds of thousands of citizens whom I have the honor to represent in this body.

Mr. Speaker, no more logical interpreter of the American Constitution, no sturdier champion of personal liberty has appeared in the annals of our statesmanship than the Hon. Roger Q. Mills, of Texas. In 1887 that State was in the throes of an agitation for prohibition. Mr. Mills at that time delivered a remarkable speech, combating the proposed measure with all his unrivaled powers of logic and eloquence. In his closing words the senior Senator from the Lone-Star State is quoted as follows:

When the manufacture and sale of alcoholic liquors are forbidden the immense revenue now derived from them will be released and one of two things must follow: Either taxation must be increased on land and cattle and horses and other property sufficiently to make up the deficit or the expenditures of the Government be correspondingly reduced. To cover this very large deficit would require a very considerable increase of taxation on other articles and other taxpayers. The class who are now paying it do not mind it. It is paid voluntarily and paid for the enjoyment of a luxury. If this amendment is adopted this tax will be shifted from them to others who are already feeling the burden and who must make up the enormous deficit. If they refuse to permit the legislature to increase the taxes, then the only thing remaining is to reduce the expenditures of the Government. Where will it fall? The legislature must continue to meet—the courts must go on. We can not turn out the deaf and dumb and blind and the unfortunate inmates of our asylums. Then our schools must stop or be cut down. Are we prepared to accept that result?

Fellow citizens, prohibition was introduced into Texas as a fraud; it has been nursed here as a fraud. It is wrapped in the livery of heaven, but it comes to serve the devil. It comes to regulate by law our appetites and our daily lives. It comes to tear down liberty and build up fanaticism, hypocrisy, and intolerance. It comes to confiscate by a legislative decree the property of many of our fellow citizens. It comes to send spies, detectives, and informers into our houses; to have us arrested and carried before courts and condemned to fines and imprisonments. It comes to dissipate the sunlight of happiness, peace, and prosperity in which we are now living and to fill our land with alienations, estrangements, and bitterness. It comes to bring us evil—only evil—and that continually. Let us rise in our might like one man and overwhelm it with such a demonstration of popular indignation that we shall never hear of it again in Texas as long as grass grows or water runs!

[Applause.]

The SPEAKER. The people in the galleries are here by the courtesy of the House, and they must not either show their appreciation of a speech or lack of it. The Chair admonished them this morning when speakers for the constitutional amendment were applauded and admonishes them now when the others are applauded.

Mr. LEWIS of Pennsylvania. Mr. Speaker, having received a large number of letters and telegrams from individuals, church societies, brewers, and wholesale and retail liquor dealers in the State of Pennsylvania which seem to justify the conclusion that the parties sending the same are under the impression that the passage of the Sheppard-Hobson resolution will at once close all the breweries and distilleries in this country, I think it but fair to all concerned to state that a vote for this resolution does not in any way commit any Representative to the principle or policy of national prohibition. It only refers back to the people of the several States the question of the adoption or rejection of nation-wide prohibition, and every Representative who votes for it is entirely free to work and use his influence as a citizen of his State with entire consistency, either for or against its ratification, according to his own judgment or conscience.

I want to state very frankly that I have not made up my mind as to whether national prohibition or a State local-option law is the best or the fairest method to deal with the liquor question, but one thing I am very clear on and that is that it is the right of the people to vote for or against national prohibition, for which reason I am going to vote in favor of the resolution and give my constituents in the Keystone State an opportunity to register their wishes at the polls. I am a firm believer in the referendum and that the majority shall rule, and the only way to ascertain the wishes of the people in this matter is to invoke the referendum so that the people may exercise a right guaranteed to them by the Constitution.

Mr. HENRY. Mr. Speaker, I desire to yield to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Speaker, in the campaign for governor of Louisiana I committed myself to the principle of local self-government and local option. I yield to no man in my stand in the open on the side of clean living and good morals on all public questions. The Hobson resolution proposes to permit individuals to make wine, beer, and whisky for their own consumption and to transport or import liquor for their own use. It does not even seek to prohibit the use of liquor; it rather encourages the use by individuals by making it cheaper. It does not prohibit the manufacture, the transportation, the importation, or the use of liquor.

I have always voted, whenever the opportunity presented itself, for local prohibition, but I shall vote against the Hobson resolution because I am not willing to give the Federal Government the power of police control in the States which would necessarily be the result of the passage of this resolution. I can not be a party to the humiliating conditions which would probably follow of having an army of officers from Washington enforcing the Federal law in my own State. I would not endanger our southern people again with negro rule through the police power of the Federal Government. I am not willing to see the Federal Government encroach any further upon the rights of the States. I shall vote against this resolution for the same reasons that I shall vote against the proposed suffrage amendment to the Federal Constitution. They are both State matters and I am not ready to repudiate the doctrine of State rights. It has always been the policy of the Republic to allow the States to decide these questions. It is a fundamental Democratic doctrine actively supported and bravely defended by our forefathers whose wisdom, courage, and patriotism I am not yet willing to cast aside.

A national political issue should not be made of a local moral question so grave and serious. The man who reads this resolution thoughtfully will note that it befuddles the prohibition question with numerous "for sale" phrases and misleads the people by making them believe they would have a chance to vote upon the measure, which is not true. It is a vast political scheme to which I can not subscribe. I yield to no man in my devotion and service to the young men of the country, but it should be noted that the first principle to teach them is that of honesty. This resolution plays the game of politics with a local moral question in a manner that should make some prominent men here blush with shame. I stand with our forefathers for a straightforward unequivocal policy that will maintain the supremacy of the States. I stand with

Thomas Jefferson and Jefferson Davis, with Woodrow Wilson, W. J. Bryan, and OSCAR UNDERWOOD.

Mr. HENRY. Mr. Speaker, I desire to yield the remainder of my time to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. MANN. Mr. Speaker, I yield two minutes to my colleague.

The SPEAKER. The gentleman from Illinois [Mr. GALLAGHER] is recognized for six minutes.

Mr. GALLAGHER. Mr. Speaker, we have before us to-day, and are called upon to consider, a resolution that has for a long time been before this body. It was considered for many months by the Committee on the Judiciary of this House, made up of able lawyers. It was reported back to this House suddenly and without recommendations, a fact that convinces me that the committee was mighty glad to get rid of it.

Section 1 of the resolution provides:

> The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and exportation for sale thereof, are forever prohibited.

The enactment of such a law would disturb and destroy business activities in the United States and take from the people of the individual States the right to govern their own affairs. I do not question the good intentions of those who have asked for the passage of this resolution. I am a believer in temperance and self-control, but not in prohibition, because I am convinced that prohibition does not prohibit the sale of liquor. It is a failure in every State where it has been tried. Above and beyond this question, however, the welfare and the liberty of the citizens of our States, counties, and municipalities are involved in the consideration of this legislation. I am for home rule. [Applause.] We can not have individual freedom or enjoy the privileges of representative government without home rule.

HOME RULE AN AMERICAN PRINCIPLE.

National prohibition would be destructive of the inalienable right of the citizen to life, liberty, and the pursuit of happiness, guaranteed by the Constitution. I am a believer in personal liberty, and as a citizen of this Republic I feel that this resolution would act as an infringement on my right to such liberty. It is considered, and rightfully so, as absolutely un-American by millions of our people, who feel that they are abundantly able to govern their moral habits without limitation or restriction from a law of this kind. It is an abridgment of the right originally guaranteed by the fundamental law to the people of the United States. I am unalterably opposed to it, because I believe firmly in the principle of the largest share of personal liberty to the individual consistent with the general welfare. [Applause.]

Ours is a Government of the people and by the people, in which the voice of the people is supposed to and obviously should rule. The enactment of a resolution of this character would be an unwarranted interference with this right of the people to manage their own affairs. It would be a usurpation by the Federal Government of a domestic question, a question belonging solely to the States. The State now gives every citizen a right to go to the polls and say whether liquor shall be sold in his State, district, or neighborhood. I do not believe it is sound policy or good judgment to pass a resolution here which attempts to tell the citizens of this civilized and free country what they shall drink or when they shall not drink. It is the freedom and liberty we have enjoyed here in the United States that has brought millions to our shores and made this, our country, the greatest Nation on earth. [Applause.]

PROHIBITION A FAILURE.

To show you that prohibition is a failure, let me call your attention to a statement made by Capt. HOBSON on page 29 of the hearings before the Committee on the Judiciary of the House of Representatives. He says:

> I will tell you, gentlemen, that our estimates indicate to-day that something like 55 per cent of the population of the United States are living under prohibition laws, enacted by their majority votes, and that 71.5 per cent of the area of continental United States is under prohibition enacted by a majority vote.

To-day he states that it is 57 per cent of the population and 76 per cent of the area under prohibition laws.

It seems strange, in view of such a statement, that the report of the Commissioner of Internal Revenue for the year ended June 30, 1913, shows that the number of distilleries during such year has increased by 49 over the year ended June 30, 1912. With regard to the quantity of distilled spirits produced, the report above mentioned reads as follows:

	Gallons.
1899	97, 066, 554. 7
1900	105, 484, 699. 8
1901	124, 520, 599. 8
1902	128, 623, 401. 9
1903	141, 776, 202. 1
1904	134, 311, 952
1905	147, 810, 794. 3
1906	145, 666, 125. 1
1907	168, 573, 913. 2
1908	128, 989, 740. 1
1909	133, 450, 755. 1
1910	156, 237, 526. 4
1911	175, 402, 395. 5
1912	178, 249, 985
1913	185, 353, 383. 1
1914	174, 611, 645

It will be noted that the quantity produced in 1913 exceeded that of any preceding year, and was nearly double the quantity produced only 16 years ago—1899. Also, it must be borne in mind that, despite the increased so-called prohibition territory, the number of distilleries has multiplied, the production of spirits also has increased, and so-called patent medicines and fake alcoholic medicinal preparations are most popular in dry territory.

It will also be noted that there is a small reduction in the amount produced in 1914, not because of prohibition, but on account of disturbed business conditions and because men are out of employment. The commissioner goes on to state:

> The production of fermented liquors during the fiscal year ended June 30, 1914, was 66,189,466 barrels, being an increase of 864,590 barrels over the previous fiscal year.

I call your attention to this fact to show that the cheaper drink has been substituted for the more expensive drink.

To me this whole proposition is a matter of business, and, as a business man, I would like to have you consider it not as a matter of sentiment, but from a business standpoint.

Let me call your attention to some figures that are illuminating and that will shed some light on future conditions should this resolution pass:

SOME FIGURES ON REVENUE RECEIPTS.

Of the total ordinary receipts of the Government for 1914, $226,179,689.76 were collected on spirituous and malt liquors, nearly one-quarter of which amount was collected in my State, Illinois, or $50,584,057.36. The fifth Illinois district reported the largest collections of any district in the United States, namely, $33,535,386.95. It will be noticed that such an amount was collected by the Commissioner of Internal Revenue from liquors alone. In the State of Illinois 41,628,073 gallons of distilled spirits were produced, of which 31,818,597 gallons were the output of the fifth district. Of fermented liquors, the first Illinois, which is Chicago, produced 5,893,871 barrels, which was the largest quantity in any district in the country. The total amount produced by the State was 6,987,568 barrels.

From what source do our prohibition friends propose to raise this money to defray the expenses of the Government? With a loss of revenue at our customhouses and a war tax now being levied, it is already difficult to supply the funds necessary for the running expenses of the Government. This joint resolution proposing an amendment to the Constitution of the United States is so far-reaching in its provisions that it is impossible to determine what the result will be if the resolution be passed, involving as it does the destruction of great business interests of the entire country and destroying at the same time millions of dollars of revenue that now go to pay the expenses of our Government.

Hundreds of thousands directly connected with the business of building up and developing the country would be thrown out of employment, and hundreds of millions invested in property, establishments engaged, directly or indirectly, in the liquor business, would be lost. This stupendous wiping out of property values would be accomplished without making provision for reimbursing to the extent of a single dollar the men who would suffer the loss.

WHERE LABOR IS INTERESTED.

Organized labor in all parts of the country would suffer. Its representatives have protested against the passage of this resolution. Agriculturists from every section would be denied, under its provisions, an opportunity to market their crops except at a great sacrifice. The army of unemployed would be largely increased. All trades would be immediately and seriously affected.

I represent, in part, the city of Chicago, which has a population greater than many of the States that would be called upon to determine this question; and yet that great city would have little to say in the settlement of it. Over seven million dollars

are paid annually to the municipality as liquor license fees, and when you take into account the amount that is paid by the liquor interests all over the country in such fees, together with the taxes paid on real and personal property, some idea can be formed as to the calamity which would befall our local governments, which depend largely on this revenue for their support. The proposition to levy a war tax a short time ago was objected to by every interest that reasonably could be taxed. The railroads, banks, insurance companies, and merchants all protested. To the liquor interests we went for the money. What would happen if we eliminated all the revenues from the liquor business of the United States? In the last fiscal year 30,679,549 bushels of grain and 64,721,265 gallons of molasses were used for the production of distilled spirits. In the central Illinois district there are now five distilleries in operation. They are the largest in the world, and one of them has a capacity of 65,000 gallons of spirits daily. It requires the corn from 400 acres, 40 bushels to the acre, to operate this plant for a single day, and it would require the product of 1,000 acres if all the distilleries were in operation at one time for each day's run. Large quantities of rye are also used. There is an average of 2,000 barrels of whisky produced daily; railroads are also interested, as several of the roads handle a solid train of whisky each day, the product going all over the world. I cite this to show that the farmer is somewhat interested in this legislation. Before leaving central Illinois, let me add that Japan buys thousands of barrels of alcohol annually from this district to be used in the manufacture of smokeless powder; and the United States Government is also a customer, and has plants at Mare Island and other points where powder is manufactured with the aid of alcohol. One-half of the whisky consumed in the world is produced there.

Farmers interested in the cultivation of grapes in many of our States would meet with severe losses. A conception of the extent of the wine industry in this country can be gained by referring to the record of California, where over $150,000,000 are invested and 60,000 persons, mostly small farmers, are engaged in the cultivation of their numerous vineyards.

Millions of tons of coal are used annually in connection with this business. Nearly all classes of trade would lose the opportunity for employment—men in the building trades, wagon makers, waiters, bartenders, advertisers, printers, electricians, freight handlers, bakers, sign writers, boiler makers, cigar makers, coopers, engineers, firemen, garment makers, bottle blowers, glassmakers, laundry workers, railroad clerks, teamsters, and cooks. I mention this as another evidence of the general, far-reaching, and injurious effect of enacting this resolution.

NOT AN HONEST MEASURE.

Reverting to another phase of this situation, I wish to point out that this resolution is not an honest prohibition measure, because it allows the manufacture of liquor when not for sale; it allows the importation when not for sale; it discriminates in the interest of those who can afford to bring liquor into the country for their own use, while it would deprive a person less able to secure imported brands from enjoying a glass of beer. When it is generally known that a still can be built for $5 or less, and you can manufacture for your own use, where does prohibition come in? It substitutes bad liquor for light wines and beer. It will be ruinous to the temperance cause. Moonshine whisky will become popular everywhere. Wine and beer will be beverages of the past.

Some idea of conditions in so-called prohibition territory can be gained from the annual report of the Commissioner of Internal Revenue for 1914. In these prohibition sections 1,593 illicit stills were seized and destroyed, 162 being in the State of Alabama, 491 in Georgia, 85 in Kentucky, 312 in North Carolina, 166 in South Carolina, 129 in Tennessee, and 182 in Virginia. The number of retail liquor dealers in Alabama paying the so-called Government license tax was 683; Georgia, 1,197; Maine, 352; South Carolina, 1,260; and Tennessee, 1,793. The total number of such taxpayers throughout the United States was 190,083. There was received as taxes on distilled spirits other than brandy $89,237.17 in the State of Alabama, $3,121.03 in Georgia, $19,762.27 in North Carolina, and $78,704.36 in Tennessee. The amount received from fermented liquors was $45,426.25 in Alabama, $142,430 in Georgia, and $225,843 in Tennessee. The number of barrels of fermented liquors produced in Alabama aggregated 45,426; Georgia, 142,430; Maine, 1,631; New Hampshire, 283,100; South Carolina, 4,607; and Tennessee, 225,923.

Illicit distilling during the past fiscal year increased slightly over the preceding year. During the fiscal year 1913–14 there were seized and destroyed 504 illicit distilleries, as against 459 during the preceding year. Bootlegging is principally carried on, according to the official report of the Commissioner of Internal Revenue, in "States operating under local prohibition laws, and appears to be one of the hardest propositions the revenue officers are called upon to solve. This class of violators of the internal-revenue laws are at no time stationary, but move from place to place offering and selling their illicit wares. It is impossible, owing to the limited number of revenue officers in the field, to break up this practice entirely, and without the hearty cooperation of the local and State authorities it is believed that the conditions will grow no better. As the various States vote 'dry' the operations of the bootlegger grow larger."

NO GREAT PARTY EVER FAVORED PROHIBITION.

Neither of the great parties in convention assembled ever attempted to make prohibition a national issue, and when you take into consideration that the prohibition candidate for President in 1912 received only 206,275 votes in a contest where over 15,000,000 votes were cast, what excuse can you offer for your vote on this resolution that takes from the Federal Treasury one-third of its ordinary revenue without making provision to replace it? Unless Members think more of their $7,500 personal revenue than they do the revenue of the Government they will vote against it. The complaint is now that we have too many laws, and many say that they are in the interest of the few, regardless of the welfare of the many. Every State legislature, every county organization, every municipality are grinding out laws. Is it any wonder that we have unrest and strife in many parts of the country? With all the laws that have been passed we have dissatisfaction, strikes, and explosions, labor wars in Colorado, Michigan, and West Virginia, and a Socialistic Party that cast nearly 1,000,000 votes in the last presidential election for the Socialist candidate for President. Under the Constitution the States have the power to prohibit the manufacture and sale of intoxicating liquors. Under this amendment they propose to take that power from the State and place it with the Federal Government. You want to confer on Congress, by amendment, laws that were never dreamed of by the fathers; to take from the State the sovereign right to control its own affairs with respect to the liquor traffic. There would be no United States if such a proposition had been made in the beginning. States should be free to exercise their police power as they see fit.

A little over a year ago Congress passed the Webb law, which gave to each State the right, if it so desired, to prohibit the shipment into that State of intoxicating liquors. It was contended then by the forces behind this resolution that with such a law the States could control the situation. They put forth the argument that they did not believe the Federal Government had any right to say what the policy of the States should be. What they want to do now is to destroy the liquor traffic regardless of the effect on investments or the revenue of the country. As a business man, deeply concerned in the industrial and commercial prosperity of the Nation, I can not see how under existing conditions a Member of this House can give his support to such an impractical, illogical, and, to my mind, preposterous proposition.

UNITED SOCIETIES PROTEST.

Let me call your attention to a resolution by the United Societies for Local Self-Government of the City of Chicago bearing upon this matter:

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

The United Societies for Local Self-Government of the City of Chicago, Ill., organized in 1900, an organization embracing 781 men's societies and 142 women's societies, with a total membership of 204,000 men and women, residents of the said city of Chicago, Ill., represents unto your honorable body that it is composed in large part of men and women of foreign birth or parentage, men and women, however, thoroughly imbued with the spirit of those principles of liberty and freedom which called this Republic into being.

This organization further represents unto your honorable body that two of the principal purposes for which it is organized are to promote local self-government and personal liberty.

Both of these purposes we conceive to be inimical to the spirit of the proposed constitutional amendment offered by the Hon. Mr. HOBSON of Alabama, as set forth in House joint resolution No. 168, of the Sixty-third Congress, which seeks to prohibit absolutely the manufacture, sale, and importation of spirituous or alcoholic liquors or beverages.

We conceive the proposed amendment to the Constitution of our country to be an unwarrantable infringement upon the personal liberty of the individual to eat and drink as he wishes, and also an infringement upon the principle of home rule—the right of each municipality to regulate its internal affairs according to its own desires.

We deny absolutely the conclusions contained in the preamble to Mr. Hobson's resolution, and point to the character of our membership and the sturdy, strong-fibered citizenship of the various countries of Europe in which indulgence in spirituous beverages, such as malt liquors and light wines, is common, as a palpable refutation of such conclusions.

Our membership embraces many men and women who do not use alcoholic beverages, but all of these, together with that portion of our membership which is accustomed to moderate indulgence in such beverages, are firm in support of the principle that, in compliance with such laws as are necessary to preserve order and the public welfare, the right of every individual peaceably and peacefully to follow his own mode of life and his own desires as to eating, drinking, and other personal matters, should not be abridged or hindered.

We see with dismay the continued insistence of a portion of the Nation to assume a supervisory or paternal attitude of domination over the rest of the country, and we call to our aid the evidence of all history to the effect that such an attitude is subversive of true freedom and eventually leads to its downfall and the substitution of tyranny in its stead.

The first manifestation of this is the division of society into classes or orders—the governing and the governed. Following quickly is the establishment of a State religion and the bitter and relentless persecution of nonconformists. In the train of these comes a long array of impositions and tyrannies, for the principle of liberty being once departed from there is no end to the evils which ensue.

We do not believe it wise to change the organic law of the Nation lightly. The Constitution is the bulwark of our liberties. The men who fashioned that remarkable document have taken high place in the world's annals. The Constitution, since it was given to the world, has been generally recognized as the greatest and most effective charter of freedom which has been evolved since the beginning of time. Its safeguards have been ample in the past. They are not to be changed or abandoned as a matter of mere whim or caprice.

Furthermore, the very men who gave us the Constitution early recognized that a free nation must preserve unimpaired its rights to home rule, to local self-government, in all matters in which national action is not absolutely essential.

It was this which prompted the adoption of the tenth amendment, proposed in the First Congress in 1789, and adopted in 1791, reading:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

It was in the very spirit of this amendment that President Wilson only a few days ago expressed himself upon this question. He deprecated its being dragged into the arena of national politics, and wisely said that its settlement should be a matter of local determination.

This is our view precisely. It means that each community should, so far as is possible, govern itself.

We recognize that abuses have grown up in relation to the liquor traffic. We have had recent evidence of the fact that abuses have arisen in the conduct of many branches of trade.

This, however, constitutes no argument for the abolition of the liquor trade any more than it does for the blotting out of all trade in which abuses have been shown.

It is, however, a good argument for the proper regulation of the offending trades, and this we believe in thoroughly.

We desire therefore to reaffirm our principle of belief in the least possible restriction of the liberty of the person and to make clear to your honorable body that we, as individuals and as an organization, are not primarily concerned in the mere matter of gratifying a taste, but in the larger question of being permitted peacefully to pursue our ordinary customs and modes of life in lawful manner, unhampered by officious meddling or unjust and tyrannical laws.

Our position therefore is completely expressed in the following resolutions:

"*Resolved*, That we, the United Societies for Local Self-Government of the City of Chicago, Ill., banded for the purpose of propagating and furthering lawful liberty, favorable to true temperance and abhorring license, either of excess or restriction, denounce the proposed amendment to the Constitution of the United States offered by the Hon. RICHMOND P. HOBSON in House joint resolution No. 168 as a blow at liberty, as unwarranted and unwarrantable interference with the inalienable right of American citizens peaceably to pursue their accustomed modes of life, as the forerunner of the domination of the many by the few, as vicious in principle and undemocratic in practice; and

"*Resolved*, That we call upon all men and women of this Nation by whom the principles enunciated, fought for, and established by the founders of this Republic are held dear to battle earnestly against this proposed injustice and infringement upon true freedom, and especially appeal to the Members of the Congress of the Nation to defeat this proposed usurpation of the popular rights; and

"*Resolved further*, That the members of this organization employ all possible lawful and honorable means to make clear to the Congress that it is the sense of the majority of the people of the Nation and the unanimous sense of the intelligent, liberty-loving portion of the people of the country that the proposed amendment to the Constitution is an act of usurpation and tyranny, is retrogressive, and in opposition to true liberty, and is not tolerable in a really free Nation of free citizens and institutions."

THE UNITED SOCIETIES FOR LOCAL SELF-GOVERNMENT
OF CHICAGO, ILL.
By GEORGE LANDAU, *President*.

Attest:
ANTON CERMAK, *Secretary*.

PRESIDENT'S ATTITUDE.

And now I desire to direct your attention to the personal views of President Wilson, in a letter written in 1911, while governor of New Jersey, to the Rev. Thomas B. Shannon, of Newark, N. J.:

I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or the withholding of licenses.

But the questions involved are social and moral, and are not susceptible of being made parts of a party program. Whenever they have been made the subject matter of party contests they have cut the lines of party organization and party action athwart to the utter confusion of political action in every other field. They have thrown every other question, however important, into the background, and have made constructive party action impossible for long years together.

PUBLIC SENTIMENT MUST FAVOR IT.

In closing these remarks I can not give better expression to my views than to quote the language of the Virginia Association for Local Self-Government, which follows:

We stand on the fundamental principle of local self-government, and we believe that as the State is the unit in the Federal system, so the counties and cities should stand in a similar relation to the State. Reaffirming our faith in the Declaration of Independence, that the just powers of the Government are derived from the consent of the governed, we concede to every county and to every city in the State the right to regulate its own internal affairs in the manner best suited to its needs, being firmly convinced that no people will be happy and prosperous where one section forces upon another section laws which are not supported by the preponderant public sentiment of such section.

Since experience teaches that where the majority of the citizens in such subdivisions do not approve of prohibition, the ends of temperance and morality can best be subserved by the lawful sale of liquor therein under strict regulations.

[Applause.]

Mr. DUPRÉ. Mr. Speaker, I yield 25 minutes to the gentleman from Indiana [Mr. MORRISON].

Mr. MORRISON. Mr. Speaker and gentlemen of the House, I have listened with great pleasure to the pending debate, together with the accompanying declamations and orations. They have all been entertaining, some of them interesting. I have heard several men make speeches to-day who are new in the business. I can tell them as soon as they get onto their feet. When one of these men takes the floor the first thing he says is that here in the House all men are divided into two classes. He says that those who are for the Hobson resolution are good men and are the enemies of the saloon and the liquor traffic. He says that those who are against the Hobson resolution are bad men and are friends of the saloon and the liquor traffic. These men doubtless believe what they say, or think they do. The trouble is that they are just now so scared that while they are awake they are indulging in legislative horseplay and they are devoting their sleeping hours to political nightmares. That makes a mighty bad cross.

So you are going to classify men on the floor of this House, and they are to be good or bad, according to their vote on the Hobson resolution. Some of you will sincerely classify them that way, but it will be because you do not know the game. You have never paid the price of knowledge, and no man knows who has not paid the price. No man has paid the price who has not fought in the cause and been persecuted by the national prohibitionists on the one hand and the saloon keepers on the other hand, at the same time. Oh, you tenderfeet! I can recognize you, and you do not know what you are talking about. They say they will classify us. Will they? I have asked newspaper men about the Indiana delegation, but I have not polled the delegation myself. If you want to know the truth, just ask the Indiana newspaper men. In the first place they know, and in the second place they know how to find out—or, rather, in the first place they know how to find out, and in the second place they know. They tell me that the Indiana delegation will vote solidly against the Hobson resolution.

It is often said that Indiana is a pivotal State, and, politically speaking, that is true; but the Democracy of Indiana is not set on a pivot. It is not of the weather-vane variety. We were brought up at the feet of such Democrats as Thomas A. Hendricks, Daniel W. Voorhees, Joseph E. McDonald, and David Turpie. We were taught to believe, and do believe, that the Republic is a sovereign Nation, an indissoluble Union of sovereign and indestructible States. We believe that the Nation is sovereign, supreme, and exclusive in the exercise of the powers delegated to the Federal Government by the Constitution of the United States. We believe that each State is sovereign, supreme, and exclusive in the exercise of the powers which the Constitution reserves to the States. We believe that the wisdom of the fathers in the division of the powers of government between the Nation and the States was almost superhuman. It was, at least, the perfection of human reason, based on accurate and profoundly philosophic knowledge of the previous history of all of the nations of the earth.

Being thus thoroughly grounded in first principles, we do not take to the tall timber every time a sudden wave of sentiment sweeps over the country in favor of accomplishing a popular reform by an impossible method. Certain Members of this House profess to be amazed that the 13 Democrats from Indiana should all be of one mind, while the Democrats of the solid South are literally torn to pieces. I have given you the reasons why we are not stampeded. I do not undertake to characterize or explain the actions of other men.

Under our Constitution the power to regulate or prohibit the manufacture, sale, and use of intoxicating liquors is, and has always been, vested exclusively in the several States as a part of the general police power, which also is vested exclusively in the States. By the same Constitution the power to regulate the importation of intoxicating liquors into a State is, and has always been, vested exclusively in the Federal Government as a part of its general and exclusive power to regulate interstate

and foreign commerce. The Federal Government has no general police power. It has the power to make certain regulations and exercise certain powers which are of the nature of police regulations and police power, but they must be limited to the particular subjects power over which is by the Constitution vested in the Federal Government. As a logical result the Federal Government has neither police officers nor police courts in the sense in which those words are commonly used and understood.

As long as a Member keeps in mind these simple and fundamental truths he can not be seriously tempted to support the Hobson resolution. If he believes that it ought to be within the power of the people to prohibit the manufacture and sale of intoxicating liquor, he can not refuse to support House joint resolution No. 389, unless he also believes that the Congress has the power now to enact its provisions into a valid and effective Federal statute, as does at least one member of the Indiana delegation.

Those who do not know the Representatives from Indiana or the history of Indiana politics may be inclined to look upon us as a typical "wet bunch." Nothing could be further from the truth. Of our 13 men at least 10 are total abstainers. We have no Member who ever takes a drink except in a social way at long intervals and in modest quantities. A little while ago a man offered to make a bet with me that he could find a vociferous advocate of the Hobson resolution—and he would not go far to find him—who single handed and alone consumes more intoxicating liquors in 12 months than all 13 Democrats from Indiana would consume in 12 years. I refused to take the bet.

There is nothing in the history of Indiana politics to induce us to favor the brewers and distillers. Beginning as early as 1886 the wet vote of Indiana was cast almost solidly for Republican nominees at State, county, and municipal elections with almost unbroken uniformity until 1908. In that year the boys were told that it was best to divide their votes according to their several partisan predilections. That policy was pursued in 1908, 1910, and 1912. In the campaign of 1914 there was a very definite and strong tendency of the wet vote back toward its old attitude and policy. It so happens that the present Representatives from Indiana, all Democrats, all know that the "Big Ones" among the brewers and distillers have already sent out the recommendation that the wet vote of the State be cast solidly for Republican nominees in the 1916 and subsequent campaigns, and until further notice.

The Indiana delegation will furnish more than its share of the necessary two-thirds vote to write the provisions of House joint resolution No. 389 into the Federal Constitution, thereby making the nine prohibition States of the Union at once actually and completely dry, establishing such a condition for the first time in the history of temperance legislation in the United States. It would also make it within the power of the people of every other State to become actually and completely dry just as soon as public sentiment shall become strong enough to write and enforce constitutional or statutory legislation for that purpose. This would strengthen the temperance cause at its one weak spot and silence forever the ill-advised demand for so-called national prohibition. Indiana presents to you a remedy that is in line with correct principles and will in actual practice be easily workable and thoroughly effective. Indiana furnishes more than its share of the votes necessary to write this remedy into the fundamental law of the Republic. And yet we do not presume to criticize any professional politician who is under coercion until he is scared almost literally to death simply because he really thinks that he thinks that we are all bad men.

I said a little while ago that I had enjoyed this day's experience immensely, including the denunciation it has brought. I did not enjoy it the first time I went through this experience, but I have been in the harness more than three decades. In my own community I have suffered for conscience sake on the temperance question. We have had there no temperance fight in more than three decades in which I did not bear a share. I have never been able to satisfy the demands of the national prohibitionists. They are most excellent people. Their lives are exceptionally clean and they keep themselves severely free from just criticism. You could not eliminate them from a community without lowering very greatly the moral tone of the community. An orthodox national prohibitionist sees no virtue in any legislative temperance reform except an amendment to the Federal Constitution. He religiously believes that if an amendment properly or improperly denominated a prohibition amendment were written into the Federal Constitution the manufacture, sale, and use of intoxicating liquors would cease at once and the long, hard struggle for temperance reform would be at an end. If you ask him by what means his proposed amendment is to be enforced, he scorns your impudence. If you suggest to him that the particular amendment he is advocating will be as ineffectual as a piece of blank paper, his one answer is that you are friendly to the liquor interests and an enemy to the cause of temperance. I have for national prohibitionists great respect. I love them all and love them all the time. At times they love me not.

In times past I have helped to win substantial victories for the cause of temperance. I never in my life helped to win such a victory when we did not have at the same time the opposition of the national prohibitionists and the opposition of the liquor dealers. The national prohibitionists religiously believe that every other form of activity in the name of temperance is a betrayal of the cause and is useful only to postpone the day of their own genuine reform. The liquor dealers are afraid of any temperance reform by which their enemies seek to do the possible. If, therefore, you are right and practical, the national prohibitionists and the so-called National Liquor Trust are both against you. If they are both for you, as they appear to be for the present consideration of the Hobson resolution, you are wrong. This is an infallible test. Once we were engaged in a fight to make my native city and county dry, and we succeeded. They have both been dry ever since. That fight was made under the leadership of the Antisaloon League, whose officers I see sitting yonder in the gallery, and in that fight the national prohibitionists denounced both them and us because we were engaged in something less, or more, according to one's opinion, than a struggle for national prohibition.

Oh, if you men had had more experience, if this were not the first time you were ever under fire, you would not allow yourselves to be stampeded. There are a lot of men who do not know just now how they are going to vote. A lot of you did not know an hour ago how you were going to vote, but think that you know now. The trouble is that you are stampeded and are trying to reform under fire.

Now let me say a word about the gentleman from Alabama, Capt. HOBSON, for fear I forget it. He has a great speech called "The great destroyer." I have sent many copies into my own district and hope to send many more. He has been generous and thoroughly unselfish in the distribution of his speech. The Chautauqua circuit has given him no fame; he has made it famous. This resolution has given him no fame; he has made it famous and has given to it a credit before the country to which it is not entitled. The country owes him a debt of gratitude, because he has performed a great service and made a great speech. The Members of this House, however, owe him a grudge, because he has made this day, December 22, 1914, a day that will go down in history as the day of the "Slaughter of the innocents." More than a hundred of us are dead now. Some of us know it, and others do not.

I have said all of these things to the gentleman from Alabama in private conversation, but I desire to repeat them publicly. His was a great speech, but that portion of it which relates to his proposed remedy is unsafe and unwise. I do not criticize him for that, for he is about as likely to have a valuable opinion upon the proper construction and the probable effect of a constitutional amendment as a great lawyer would be to have a valuable opinion upon the proper construction and probable efficiency of a battleship.

At the risk of violating well-settled rules of propriety, I feel constrained to say a few things personal to myself. In the old days a lad could join the Good Templars at the age of 12 years. At that age I joined, took the pledge, and have kept it religiously to this hour. At the age of 16 I made my first public speech, a declaration of deathless enmity to "King Alcohol" and his hosts. In the State of Indiana our first law by which the people were enabled to drive out the licensed saloon was our remonstrance law. All the saloons in the city, except two, were in the ward in which I live. That made our ward the battle field and our success or failure the supreme test. I signed the first remonstrance that was gotten out. At that time no other professional man, no merchant, and no banker was willing to put his name upon the remonstrance. The liquor dealers were sorely offended and denounced me openly as I passed along the streets. In 1908 every Democrat in the ninth district of Indiana who was willing to be defeated had been nominated and defeated. No one desired the nomination that year. My Democratic friends said to me, "You take it. You owe that much to the party and you must make the race." It became manifest that my name was to go upon the ticket. They asked me to write the platform, and I did. I wrote two planks on the temperance question. One of them called for prohibition in the District of Columbia. The other called for appropriate legislative

action to make it impossible to evade or nullify the temperance laws of the several States by the importation of intoxicating liquors into the States. I made the fight in 1908 on that platform, at a time when it looked as though I was riding into the very mouth of an open political grave. Many of you men never faced fire until now, and you think that you are now facing real fire; maybe you are.

I voted for the Webb law, and am glad that I did. It invokes a correct principle and takes a very short step in the right direction in which my platform of 1908 pledged me to go all the way. I voted for the Jones-Works law. I am glad that I did, and yet I am almost sorry, because I am sure that one of these days many scandals will grow out of its administration. I voted for an increase in the internal-revenue tax on beer, and I am glad I did.

In order to make the tax on the alcoholic content of beer equal to the present rate on the alcoholic content of whisky the new rate would have to be $2.48 per barrel. I voted to increase it to $1.75, and am sorry I did not get to vote to make it $2.50. After making this record, I went home to the campaign of 1914. To speak more accurately, I went home after the campaign of 1914. Here is the truth about it: If we do not get out of this foolish habit of being in session 11 months 3 weeks and 3 days out of every year some insidious lobby that operates from Washington back through our districts will one day fool all of our constituents at one time, and we will all be left at home. What did I find in the campaign? The Republicans are the shrewdest politicians on earth. They had nominated against me the legal adviser and hired attorney of the retail liquor dealers of the district. His friends said that he was for the Hobson resolution, and I think he is. They said that I was against it, and I am. You can see at once what happened to me. They played both ends against the middle, and nothing but an overruling Providence saved me from the defeat that had been planned by this unholy alliance. Republicans pointed to the fact that I had voted to increase the tax on beer. To ministers of the gospel and other temperance leaders they said: "This new tax is a bribe to the Congress to perpetuate the business of making and selling intoxicating liquors." These statements sounded like an argument and cost me many votes. To the men who sell beer and to those who drink it they said: "This is a new tax on your business and on your liquid bread." They believed it and voted against me. I had seven days in which to canvass the eight counties of the ninth Indiana district. I had five minutes to each speech. When the time was exhausted the county chairman, with his watch in his hand, would say, "The time is up," and we started for the next town. As I started to speak some constituent of mine would say, "In the platform of 1908, did you not declare for prohibition in the District of Columbia?" I answered "Yes"; to which he replied, "They tell me you have 300 saloons in the city of Washington. Did you vote for that law?" I answered, "Yes. I will tell you how I came to vote for it. The Anti-Saloon League had that bill in charge. When I urged straight-out prohibition they said: 'Don't you do that; you will be playing into the hands of our enemies.'" They sent telegrams back into my district, as they are now doing, and urged the temperance people of the district to demand that I give support to the Jones-Works bill. I assumed that the ministers of the gospel, church congregations, and other friends of the cause of temperance knew that the Jones-Works bill provided for hundreds of licensed saloons in the Capital City of the Nation. In my inexperience and unreasoning anxiety to respond to the popular will of my district the lobby was able thus by indirection to force me to renounce my platform declaration in favor of prohibition for the District of Columbia and to vote for the Jones-Works bill, under which licenses have been issued to practically 300 saloons. The district that I have the honor to represent is completely dry, with the exception of two of the smaller cities. I am informed that the sentiment of these two cities has grown so strong that they will both be voted dry at the first opportunity. In the ninth district of Indiana, except in the two cities to which I have referred, it is a crime to sell Near Beer even to mature men. Here in Washington, under the Jones-Works law, grocers sell Near Beer, Frazzle, Home Brew, and other brands of low-grade beers to men, women, and children as freely as they sell to them their bread and meat; and yet the same Anti-Saloon League that put over the Jones-Works law is asking the people of 48 States to give up their own police powers and to turn over the entire work of the enforcement of temperance legislation to the American Congress. The people back in Indiana wonder why we, the Members of Congress, and the officers of the Anti-Saloon League are against the licensed saloon back in Indiana, where our constituents live all year, and favor licensed saloons here in Washington, where we stay all year. I do not wonder that they wonder why.

As against the questions that were being asked me in the campaign, my only plea was in confession and avoidance. Under the practice the confession precedes the avoidance. The confession used up all my time and I had no chance to state my real defense, which is that the temperance organization beguiled my constituents into coercing me to vote for the Jones-Works bill.

At another time a constituent would ask, "Did you not say that you would fix it so that the State constitution and laws could not be evaded by interstate shipment of intoxicating liquors?" I replied that I did not promise so much as that, but did say that I would favor appropriate action to that end. The next question was, "Did you favor such appropriate action?" I replied, "Yes; in a limited sense." His next was, "Did you vote for the Webb bill?" I replied, "Yes." Again he asked, "Why did you not vote for a law that would do the business?" By that time my time was up, and I had no chance to explain that the Anti-Saloon League had said that the Webb bill was the best legislation within our power. I thought they said that it was the best the Congress has the constitutional power to enact. A few days ago they explained to me that that was not what they meant, but what they meant was that the Webb law is the best law they had the power to induce the Members of the Congress to vote for. I do not challenge the correctness of their present statement, although I confess that it came as a great surprise to me. Again the people of the ninth Indiana district sent resolutions, petitions, letters, and telegrams urging me to follow the lead of the Anti-Saloon League, although they knew that I had publicly declared for the broad provisions now set forth in House joint resolution No. 389. For reasons which all of you appreciate to-day as never before, I voted for the Webb law. It involves a correct principle, but it does not go far enough. I have twice followed the Anti-Saloon League, and they have twice led me to cast votes which have in turn led the temperance people of the ninth district to ask me questions that can not be answered in five minutes, and these questions came near costing me my political life.

To-day the gentleman from Alabama [Mr. HOBSON] made a speech that was a great disappointment to me, because I had expected him to state by what means the friends of the Hobson resolution expected its provisions to be enforced. I do not think that it can be made to work. I have waited all day for some friend of the resolution to explain to the House the manner of its enforcement. I desire to touch upon three points made by the gentleman from Alabama. His first point was that every State has the absolute right to be dry, because it thereby hurts no other State. His second statement was that no State has a right to be wet, because it thereby hurts other States, making it impossible for them to be dry. I do not quarrel with his statement of facts, his logic, or his morals as contained in these statements. He has simply stated more concisely than I have been able to do a conviction I have had for many years.

Some day, after the excitement of this day's performances has died away, I am going to ask him to read over very carefully the provisions of House joint resolution No. 389. It furnishes a simple, direct, and complete cure for the one defect he has pointed out. If the temperance forces now in control of this House were to put themselves back of House joint resolution No. 389, they could write its words into the Federal Constitution in less than two years. If the contention of the Anti-Saloon League be correct, and if the Congress has the present power by a majority vote to enact the provisions of House joint resolution No. 389 into a valid Federal statute, then and in that event the Anti-Saloon League, with its undisputed control of a majority of the votes in the two Houses of the Congress, has the present power to accomplish completely between now and March 4, 1915, the only national element there is in the movement for temperance reform legislation. It has the present power to procure between now and March 4 the necessary legislative action, if their contention be well founded, to make the nine prohibition States of the Union actually and completely dry, so dry that certain gentlemen will hereafter come down to the city of Washington "spitting cotton."

The second contention of the gentleman from Alabama was that the preventable harm which we seek to prevent is the harm to boys and to young men, and that this harm is not accomplished by the distillers and brewers nor by the wholesalers nor yet by the retailers, but is done by the bootleggers. He believes that his resolution is aimed directly at bootleggers. I am sure that he is perfectly sincere, and yet there is no man who has studied this question and has learned by practical temperance work out in the field who does not know that the first

result of the Hobson resolution would be immensely to increase the numbers of bootleggers.

The third proposition made by the gentleman from Alabama is that the temperance people have traced the evils of intemperance back to their original source and have found that the original source of all our troubles is the National Liquor Trust. I wish that I were able to believe that the discovery which these gentlemen think they have made was a genuine discovery. I do not impugn the gentleman's motive. I know that he is just as earnest as any man ever was in behalf of a proposition that was dead wrong. I decided to go back myself and try to find out where this thing actually did start. The earliest record I could find is Genesis, the ninth chapter and twentieth and twenty-first verses:

And Noah began to be a husbandman, and he planted a vineyard; and he drank of the wine and was drunken.

The biblical account is necessarily fragmentary. Of course, it could not tell everything, but it told enough to show that Noah blamed everybody but himself. I know exactly what he did, because I am a student of human nature and of current events. As soon as Noah discovered that he was caught he concluded that he would capitalize his own naughtiness. He organized a Chautauqua circuit and went into the business of reforming the lives of other men at so many hundred dollars per hour. In his speech he explained that his sin and his humiliation were brought about by the connivance of the bartender in the saloon around the corner. Now, of course, there was no corner, there was no saloon, and there was no bartender. But that did not affect the manner or the matter of his speech. When a professional reformer makes a speech he evolves his facts to suit his needs, much as a spider is said to weave each time a web of the exact length and strength to meet the demands of his then present necessities. Nobody ever lived in a better environment than did Noah. It was specially prepared for him, and yet I am sure that I can almost reproduce the Chautauqua speech that he made.

Now, what is the trouble? The brewers and distillers say that 82 per cent of adult males like the taste or the effect of intoxicating liquor, and that at intervals longer or shorter they just will have it. They assert that the so-called temperance fight is not a fight against brewers, distillers, and dealers, but is in reality a fight against the social habits and customs of a majority of the people of the United States. I think their figures are somewhat too high. I express no opinion as to the proportion of adult males who, occasionally or otherwise, in moderation or otherwise, drink intoxicating liquors as a beverage. The number is distressingly large, and yet I am sure that the proportion is smaller to-day than it has ever been. I am also convinced that the proportion has been growing smaller, is growing smaller, and will continue to grow smaller, Hobson resolution or no Hobson resolution. It is the drunkard that makes the temperance problem of so great public interest, but it is the moderate drinker who makes the problem so difficult of solution. We must almost always fight him in the dark. He is often of our own ranks, and sometimes he is in command of our own forces. If we had nothing to fight except the distillers and the brewers and the rum sellers and the drunkards, we could crush them all as a man crushes an eggshell. What, then, is the trouble? I answer, Human nature. You can set this down as a general principle, that whenever you understand the human nature of a situation you understand the situation. The human nature of a situation is the situation.

A man said to me the other day—I think his figures were grossly excessive—that if you were to choose at random 10 men out of the ranks of the men who had just participated in a successful local temperance fight and were to go with them on a three-day fishing trip, you would find that eight out of the ten had brought with them in their valises a remedy for snake bite. I do not believe that these figures are correct. I am sure they are too high on general principles. Besides, I am convinced that my friend left out of the account one item that is important. It is a well-known fact that a temperance orator rarely drinks intoxicating liquor in company out of the bottle that he himself carries. I can not give more time to the deep and final philosophy of this problem.

I am going to discuss the Anti-Saloon League, although I have not time to do that adequately. I have a grievance against them, because, as I said, they have misled me twice and are trying to mislead me the third time; but they can not do it. Do you know, Mr. Speaker, that I was about to say some very unkind things of them. If this speech had come five days ago, I would probably have said some things that I should have regretted. In the meantime, I have had a conference with them, and I find that I was wrong. I would have said of them, if I had not communicated with them, that this is a strange situation—the distillers and the brewers combining with the Anti-Saloon League to get this bill reported out of the Committee on the Judiciary, and then combining with the same men to get a special rule out of the Committee on Rules for its consideration; each of them evidently think that such action was the best for his own organization.

I had intended to make an appeal to you in behalf of my own resolution, House joint resolution No. 389. It had been my purpose, Mr. Speaker, to say, "I ask you in all seriousness to adopt House joint resolution No. 389, and save the men, women, and children of this country from the red hand of this unholy alliance." I will not say that now, because of what I have learned in the meantime. I had intended to make another appeal to you, which I would not now be willing to make. I was about to say, "Let us refuse to commit the temperance forces of the country to the Hobson resolution, thereby betraying the cause of genuine temperance reform as a joint trophy into the careless hands of professional reformers and the bloody hands of the brewers and distillers." I would not make that appeal now, because they have assured me that, while the friends of the brewers and distillers did use all of their power to get this resolution out of the Committee on the Judiciary, the friends of the resolution did not need their help, because they had power enough themselves without any help. They have also assured me that, while the friends of the brewers and distillers did use all their power to help to get the Hobson resolution out of the Committee on Rules, the friends of the resolution did not need their help, but had within themselves the power to procure the special rule under which we are now acting. Thus it is asserted that there was no cooperation between these contending forces. Far be it from me now to say that there was. I feel entirely justified, however, in saying that there was, at least, a "suspicious contemporaneousness" in the parallel activities of these two organizations seeking not a common but the same result.

Now, I would have you know that I like the officers of the Anti-Saloon League. Lest I be in anywise misunderstood, I now declare in truth and soberness that I know them personally, and have unlimited faith in their integrity, ability, and good intentions. I beg you to remember in their behalf, however, that they, too, are upon the pay roll, and that sometimes an unhappy situation gets as completely beyond their control, as is the situation here in this House to-day beyond the control of its Members.

I used to contribute by their card system in a small way. I was a candidate in the campaign of 1908 and had a contribution card then in force. They sent a man into my district to work against me, thereby temporarily alienating my affections. When the State superintendent next occupied the pulpit in our local church and asked for subscriptions I did not sign the card. I simply put the money into a blank envelope and put it upon the plate. When the meeting was over I explained my action to State Superintendent Shoemaker. I wanted the league to live for the good things it did, but I was unwilling to create written evidence to prove that I was in any way responsible for the unwise things they sometimes did, some of which were utterly indefensible.

The officers of the Anti-Saloon League have treated me with great consideration and courtesy, and I am grateful to them. The other day they called me into a conference. They said: "Now, you are on the wrong track. The Congress has the power now to do by statute everything that you are seeking to do by an amendment to the Constitution." I said, "Why did not you tell me that when we had up the Webb bill? You knew that I came here pledged to the provisions of the resolution that I now present. I understood you then to say that we did not have the power to do the things provided for in House joint resolution No. 389." They replied: "Oh, that was not what we said. We said that the Congress had the power to do it, but that it was not wise at that time to attempt to go so far." They further said: "If you will withdraw your proposition as a substitute and offer it as a bill, we will be for it." I asked, "Will you be for it just as it is written?" They replied, "Oh, yes."

Since then somebody—perhaps not they; I can not always trace the influences—somebody has sent telegrams into my district, and I am getting telegrams back from the district, all in about the same words, saying: "Your proposed resolution is already within the power of Congress, and if you will withdraw it as an amendment and offer it as a bill, the Anti-Saloon organization will go back of it."

I have told you what these gentlemen said to me out in yonder corridor within five days. In our morning mail each of us found a letter signed by the officers of the Anti-Saloon League.

I interpret it as an attempt to soften down the words they spoke to me and hedge against the future. Permit me to read to you the paragraph of this letter which relates to House joint resolution No. 389:

No doubt amendments will be offered. As we understand it, a substitute will be offered by Mr. MORRISON, of Indiana, to submit an amendment to the Federal Constitution to prohibit intoxicating liquors as articles of interstate commerce. We can not favor the resolution of Mr. MORRISON as a constitutional amendment. Congress already has power to prohibit intoxicating liquors as articles of interstate commerce without amending the Constitution. Why amend the Constitution to give authority to do that which the Congress can do now? If the friends of the Morrison resolution will introduce the proposition as a bill, properly drafted so as to apply to shipments for beverage purposes, we feel sure that the organized prohibition and temperance forces will give it support.

This paragraph of the letter sent out this morning by the Anti-Saloon League asserts in its first lines that Congress has the present Constitutional power to do all that I ask to have done. It concludes by promising to give support to my resolution if introduced "as a bill properly drafted so as to apply to shipments for beverage purposes." My proposition includes all intoxicating liquors. They suggest that it be modified to include only intoxicating liquors to be used at some future time for beverage purposes. The exceptions to the rule make the rule impossible of practical enforcement. My proposition is made broad and all inclusive in order that it may be easily capable of enforcement. The gentlemen who wrote the letter to which I have referred appear to be in favor of any temperance legislation that can not be enforced. It is evident that the trouble with my proposition is that it is simple and direct and will work.

My proposition, briefly stated, is this: Write into the Federal Constitution a provision prohibiting the importation of any knd of intoxicating liquors into any State, from any place, at any time, by any person, for any purpose. Oh, I do not blame the gentleman from North Carolina for saying that House joint resolution No. 389 is more drastic than the Hobson resolution. It was intended to be. I want to make intoxicating liquor an outlaw in interstate and foreign commerce. I want to write into the Federal Constitution a simple provision that will put back of the cause of temperance all the power the Federal Government has, and the only machine it has or ought to have that can be made available to strengthen the cause of temperance at the only point at which the States have a right to ask the Federal Government for its aid. I want to make it easily possible for any State to be actually and completely dry as soon and as long as the people of the State want it to be. The Hobson resolution is said to be sufficient for the purpose I have in mind. House joint resolution No. 168, the particular Hobson resolution now under consideration, refers to seven possible uses to which intoxicating liquors may be put. For six of these uses it gives Congress the power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors. Its prohibitory provision relates only to intoxicating liquors that are at some future time to be used for beverage purposes. Liquors can not be classified and identified in that way. There is no art or science by which anyone can tell in advance for what purpose intoxicating liquors offered for shipment in interstate commerce are at some future time to be used. The limitations written into the Hobson resolution make it incapable of enforcement even within its limitations.

I have submitted a plain, direct proposition, which goes to the one weak spot of the temperance situation as pointed out by the author of the Hobson resolution himself. That House joint resolution No. 389 covers that one weak spot like a blanket no one will have the hardihood to deny. Yet these men who never saw a real fight on this question in their lives, and never gave to it an hour's consideration, say that I am a bad man because I propose to do the possible. In the same sentence they say that every other man is a good man who—like the man who had but one coat, on which there was but one button, for which there was no corresponding buttonhole—refuses to learn what the trouble really is, but prefers to spend the rest of his days everlastingly fumbling after the unattainable.

Doubtless some one will say that there is no Member of this House to whom my remarks apply. If so, I shall be happily surprised and surprisingly happy, for I am using every whit of inventive genius that I possess to devise a speech that will be entirely pleasing to every Member of this House. I flatter myself that I am succeeding remarkably. I have not thus far been able, however, to devise a legislative program for to-day that is entirely satisfactory both to the friends of the brewers and distillers and to their organized enemies. But what is the use? The men in charge of the Hobson resolution have already beaten me to it.

I ask you to consider these plain and direct provisions which House joint resolution No. 389 seeks to write into the Federal Constitution as a new article thereof:

SECTION 1. The importation of any spirituous, vinous, malted, fermented, or other intoxicating liquors into any State of the United States, or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

SEC. 2. It shall be the duty of the Congress from time to time to enact appropriate legislation for the effective enforcement of the provisions of this article.

I respectfully submit that there will be no difficulty in determining the meaning of the language of this proposed amendment, nor will it be difficult to determine in any case whether the intoxicating liquors offered for shipment into a State come within the inhibition of the proposed amendment.

In the prepartion of remedial legislation it was formerly the custom of lawgivers to consider first the law already upon the statute books and then the evil that had grown up under such law or in spite of it. They then undertook to enact a remedial statute that would overcome the defect of existing law and suppress the evil it had not been sufficient to prevent. In the present temperance situation there is but one weak spot. Each State has exclusive power over the manufacture, sale, and use of intoxicating liquors within its borders, subject only to the power which is often used to evade State constitutions and laws by the importation of intoxicating liquors as articles of interstate commerce. House joint resolution No. 389 is plainly sufficient to end forever this abuse. The Federal Government has already complete control of the interstate and foreign commerce, through which alone importations can be made.

The officers of the Anti-Saloon League do not deny that importation of intoxicating liquors into a State is the one element of the present situation that the several States are unable fully to meet. They do not deny that the provision of House joint resolution No. 389 will accomplish everything needed to make the power of the several States absolute and complete. They seek to discredit my proposition by asserting that the Congress has now all of the power which this resolution seeks to confer upon it. In the first place, I seriously doubt the existence of so great power in the Congress. If the power does not exist, it is not denied but that the adoption of this resolution will confer all the power that is needed. If the power does, in fact, exist in the Congress to-day, the Anti-Saloon League has a most difficult defense to make before the American people. The State of Kansas has been nominally dry for many years. Its Representatives have admitted upon this floor to-day that it is not actually dry, because its constitution and laws are continually evaded and nullified by the importation of intoxicating liquors as articles of interstate commerce. Eight other States are nominally dry, and all nine of them are admitted to be actually wet. It is a matter of common knowledge that the Anti-Saloon League controls the vote of a majority of the Members of the Congress.

Assuming that the Congress has the present power by a majority vote to enact a Federal statute prohibiting the importation of any intoxicating liquor into any State, at any time, from anywhere by any person for any purpose, the duty rests upon the Anti-Saloon League to write such a statute into the body of our Federal laws at the earliest possible time. If it shall fail to do so, it will be difficult to convince the country that the officers in charge are as zealous for the relief of the victims of intemperance as we all know them to be.

Newspaper men tell me that the friends of the Hobson resolution are doing what they can to discredit House joint resolution No. 389, and prevent the friends of temperance from giving it any vote. They tell me also that the friends of the brewers and distillers object more seriously to House joint resolution No. 389 than they do to all of the nine Hobson resolutions that have been introduced in this Congress and are now pending. Some one is deceiving himself. Two thousand years ago it was said that—

The children of darkness are wiser in their generation than are the children of light.

I trust that the friends of the Hobson resolution may be right, and that the friends of the brewers and distillers may be wrong, in the several joint activities in which they are to-day engaged, each supposedly for his own good and for the other's harm.

Some have objected that House joint resolution No. 389 does not even except intoxicating liquors for medicinal and other legitimate uses. The question as to what, if any, uses of intoxicating liquors are legitimate and ought to be permitted by law is one for the exclusive determination of the several States in the exercise of the general police powers vested in the States alone. House joint resolution No. 168—the Hobson resolution

under consideration—puts the seal of congressional approval upon six of the possible seven uses to which intoxicating liquors may be put. The people of many States may prefer fewer exceptions to the general rule of prohibition. Certainly none will desire more. It is suggested also that some States do not produce the raw material out of which to make intoxicating liquors needed for legitimate purposes. The amount actually needed in any State will be exceedingly small. Intoxicating liquors are made from wholesome fruit and grain. Under the provision of House joint resolution No. 389 it will be permissible to import into any State the necessary fruits and grains in their wholesome conditions.

I have taken the time to state briefly and imperfectly some of the reasons why I have introduced House joint resolution No. 389 and why I believe that its adoption as an amendment to the Federal Constitution would be a complete and perfect solution of the liquor question, so far as the Federal Government is concerned. Under the special rule adopted this morning we are supposed to be considering House joint resolution No. 168, one of the many Hobson prohibition resolutions pending in this House. I crave permission briefly to state some of the many reasons why I shall vote against House joint resolution No. 168 and why I believe that it would be disastrous to the cause of temperance for the friends of the cause to commit themselves in its favor. Let me read the words which House joint resolution No. 168 seeks to write into the Federal Constitution as a new article thereof:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

I hope that each of my constituents who thinks that he is in favor of this Hobson resolution or any one or more of the other eight pending Hobson resolutions will take a copy of House joint resolution No. 168 to his own attorney and ask him to study it with care and give his opinion as to its proper construction and probable efficiency. In the ninth Indiana district a vast majority of all the lawyers are total abstainers, are practical workers for the cause of temperance, help to vote their several communities dry, and give time, thought, energy, and money for the proper enforcement of the liquor laws of the State. They give but receive not. Not being upon the pay roll of the professional reformers, it will require no extraordinary courage on their part to give an unbiased opinion. In the days of William Shakespeare it was conscience that made cowards of all men. In our day it is the pay roll that makes cowards of some men.

If any constituent of mine shall submit House joint resolution No. 168 to his attorney, I know now the substance of the opinion he will give.

He will say of section 1 that the multiplicity of its words seriously limits the scope of its meaning. As it is written it refers only to the sale of intoxicating liquors to be used at some future time for beverage purposes. He will suggest that had a few more words been added no intoxicating liquors would have been left within the scope of the provisions of section 1. He will suggest again that the word "sale" has a very definite meaning and is never used alone in the liquor statutes of the States. In State statutes the words "sell, barter, or give away" are all used together, in order to make the statutes capable of enforcement. He will suggest that it requires no inventive genius to formulate a plan by which the distilleries and breweries of the country can continue to operate under the Hobson resolution without inconvenience or loss. There is a fixed relation between the price of corn and other staple cereals and the cost of intoxicating liquors made therefrom. It would be an easy matter to barter a given number of bushels of grain for a given number of gallons of intoxicating liquors. It would be an easy matter also to furnish to a distiller a given number of bushels of grain and pay to him a fixed amount of money as compensation for the work of transforming the fixed number of bushels of grain into a known number of gallons of intoxicating liquor of the popular brand agreed upon between the parties. Neither transaction would be a "sale." The first would be an exchange and the second would be an employment to render a particular service. It is said by some gentlemen that the differences between the three transactions are purely technical. It were as tenable to assert that the difference between the word "one" and the words "one hundred" is purely technical and will be disregarded by the courts.

Not many nights ago I attended a public meeting under the auspices of the Anti-Saloon League. One of the speakers made the statement that 86 per cent of the area of the United States is legally dry, and that 55 per cent of the people of the United States live in territory from which the licensed saloon has been legally excluded. It is manifest therefore that the Hobson resolution is intended to apply only to the remaining 14 per cent of our area. In dry territory intoxicating liquors are procured by and through social clubs and certain secret fraternal organizations, each State-wide in scope and having in each city or town a local lodge or other organization. It is true that these social clubs have not yet learned that they can not sell intoxicating liquors even to their own members, but they are learning rapidly. In the near future they will understand that the club must procure title to the liquor and serve it to its members without price or compensation other than the payment of uniform dues. Under this system the State agent of a State-wide club would be permitted under the terms of the Hobson resolution to procure title to unlimited quantities of intoxicating liquors by either of the methods above suggested. The Hobson resolution would also permit the importation of unlimited quantities of such intoxicating liquors into any State for the exclusive use of the members of such social club or secret fraternal societies.

It is my individual judgment that the retail saloon as an institution is doomed to complete early extinction. It is also my individual judgment that the brewers and distillers are quite willing that it shall be so. In the territory now dry they formerly spent each year millions of dollars for rents, licenses, local taxes, and salaries of local employees and for many other purposes. With 86 per cent of our total area dry, there has been no appreciable decrease in the production or consumption of the finished product of the brewers and distillers. There is no lawyer of the ninth Indiana district who will not easily discover why the brewers and distillers prefer the provisions of House joint resolution No. 168, the Hobson resolution, to the provisions of House joint resolution No. 389.

At the antisaloon meeting to which I have referred I heard an address by one who is said to draw one of the highest salaries that is paid to anyone as a professional reformer. He is a raw recruit to the cause of temperance. He was recently lifted out of a prominent place among the leaders of the opposition, and made at once a field marshal in the grand army of the organized temperance workers of America. In the circumstances it would be unreasonable to expect him to know what he is talking about, and he does not. The only specific suggestion that he had to make was that the internal-revenue taxes on intoxicating liquors be at once repealed. It was an easy speech to make, because it floated upon the current of a certain misguided and ill-advised public sentiment that is now sweeping over the country like a tidal wave.

The officers of the Anti-Saloon League can not be fairly asked to assume the personal risk of denouncing this false doctrine, even in the meetings over which they themselves preside. It is probably best for them not to do so. I know the officers of this league. I know that they know that the repeal of the Federal tax upon intoxicating liquors would do immense harm to the cause of temperance. I have unlimited faith in their integrity and ability. I believe that they will develop courage, if so great necessity shall be laid upon them, and that at the risk of losing their positions by opposing a popular fancy they will at last refuse to permit the Anti-Saloon League to indorse such legislative folly. There is but one fact that makes it difficult for social clubs to permit all their members to drink all they care to of the liquors furnished by the club, without price, or any form of compensation other than the regular payment of moderate dues. That fact is the Federal tax on intoxicating liquor. With grains at their present high price the actual cost of a drink of whisky is substantially less than one-third of 1 cent, while the Federal tax is substantially 2 cents. With the Federal tax repealed, a social club could pay all of its current expenses, including the cost of intoxicating liquors, out of annual dues of $10 per member, provided the members did not on the average take more than six or seven drinks of whisky per day.

The boys of any community could send to Sears, Roebuck & Co. and receive by parcel post a complete distillery at prices ranging from somewhat less than $5 on up. They could assemble, without cost to themselves, 10 bushels of corn and make for themselves, without additional cost, 45 gallons of whisky. Even in a rural community the cost of straight whisky per gallon would be less than the current market price of buttermilk per gallon. Every lad would be his own moonshiner, and every lad would be his own bootlegger. If the twin legislative reforms advocated by these professional reformers were both to be put into force, an era of drunkenness, with its

attendant debauchery and crime, would sweep over this country such as the mind is scarcely able to conceive of.

The attorney of my Hobson resolution constituent would also tell him that section 2 of the Hobson resolution puts the seal of congressional approval upon six so-called legitimate uses of intoxicating liquors. He would further say that the two sections taken together divest the States of fully one-third the general police power now vested in them and turn it over to the Federal Government, which has neither police officers nor police courts. In Indiana we have one Federal judge, one United States marshal, and probably half a dozen deputy United States marshals. It is presumed that they are kept busy with the work now cast upon them. If none of them had anything else to do, they could not adequately enforce the liquor laws in one ward in one of the great cities of the State; which leads me to suggest again that a typical national prohibitionist is always in favor of any law that can not be enforced.

The Anti-Saloon League informed us this morning that, while we are to consider House joint resolution No. 168, we are to vote upon House joint resolution No. 277, another one of the nine pending Hobson resolutions. This resolution is said to have been "tactfully" drawn, so as to enable Democrats from the South to vote for the Hobson resolution without appearing to abandon their strict adherence to the so-called doctrine of State rights. Resolution No. 277 contains this concession to the friends of State rights: "The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by needful legislation."

They say that this provision vests the power concurrently in the Federal Government and the States. The language of this amendment is clearly in the alternative. Under its provisions, so long as the Congress were to fail to act the States would have the power to act, as they now have. If the Congress were to act at all, however feebly, all State jurisdiction and power would terminate at once. It is only an imaginary adherent to the doctrine of State rights that can deceive himself into believing that there is a substantial difference in his favor between resolution No. 168 and resolution No. 277.

I have heard during the day that some of the more extreme advocates of State rights are not satisfied with section 2 of House joint resolution No. 277 and insist on stronger language. It is said that they are not satisfied with language found in any of the nine pending Hobson resolutions. It has been intimated that certain gentlemen, whose identity is unknown to me, are engaged at this minute in the preparation of a tenth Hobson resolution, which is to be presented to the House after the close of the general debate and immediately before the roll call is had upon its final adoption by the House. The newspaper men say, however, that the tenth Hobson resolution is already in the hands of the gentleman from Alabama [Mr. HOBSON], and that he will present it at the close of the general debate. They say that the new section 2, which is expected to satisfy the demands of the advocates of State rights, has a provision that "the Congress or the States shall have the power, independently or concurrently, to enforce" the provisions of the tenth Hobson proposed amendment.

I asked that time be yielded to me near the close of the general debate in order that I might have an opportunity to know the provisions of the proposed amendment upon which we are to be called upon to vote, and in order that I might discuss the question as to whether or not its provisions are capable of enforcement. Behold, the general debate is practically ended and no Member of this House, with the possible exception of the gentleman from Alabama, knows at this minute the provisions of the proposition upon which a vote is to be taken in a few minutes.

If the newspaper men be correct in their statement, and they usually are, section 2 of Hobson resolution the tenth, soon to be introduced, is as indefensible as any of its predecessors. Each Hobson resolution relates to importation, exportation, transportation, and every manner of intrastate, interstate, and foreign commerce. The new section 2, as reported by the newspaper men, undertakes to vest in the Federal Government control of intrastate commerce independently of and concurrently with each of 48 States. It also undertakes to vest in each of the 48 States the control of exportation, importation, interstate, and foreign commerce, to be exercised independently of or concurrently with the Federal Government. It proposes to establish an impossible combination between a central Government vested with all power and a federation of independent States, each also vested with all power. The new section 2 is as inextricable as a Chinese puzzle.

It is said that those of us who favor House joint resolution No. 389 are sticklers for State rights. Those who say this do not understand us any better than they understand the provisions of the Hobson resolution or of House joint resolution No. 389. We never use the expression "State rights." States have no rights, neither has the Federal Government. People have rights. The Federal Government and the several State governments are instrumentalities created by the people for the protection and maintenance of the rights of men, women, and children. The Federal Government has certain powers, duties, functions, and governmental machinery. It has the duty to regulate interstate and foreign commerce, and it has organized and in operation the necessary machinery to enable it to perform this duty. Each State has the duty to prohibit or regulate the manufacture, sale, and use of intoxicating liquors. It is vested with the general police power, and has the police officers and police courts to enable it to perform this duty. We think it inadvisable to transfer any of the general police powers of the States to a General Government that has neither officers nor courts with which to enforce the law. We also think it inadvisable to attempt to vest in the several States power to regulate, in whole or in part, independently or concurrently, importation, exportation, and all forms of interstate and foreign commerce.

It has been said to-day that every Federal statute is always strictly enforced, and that the statutes of the several States are rarely enforced. We have been asked to point to one Federal statute that is not strictly enforced. I take great pleasure in doing so. Every time a bootlegger in dry territory or elsewhere makes a sale of intoxicating liquors, he violates at once a Federal statute and a State statute. It is a matter of common knowledge that for every bootlegger that is prosecuted and punished in the Federal courts many bootleggers are prosecuted and punished in the State courts.

Those who believe that lawbreakers never violate Federal statutes point to a fact well known in dry territory, that the keeper of a blind tiger usually pays to the Federal Government the special retailer's tax before he begins business. This is supposed to be conclusive evidence that he is afraid to violate a Federal statute. Those who thus reason leave out of account another fact quite as well known, that in the old days these same men paid each year a license fee of $100 to the county and $250 to the city. They would gladly make these larger payments now, and much larger payments still, were some officer to come to them authorized to accept the money. Thus it is manifest that this, another unanswerable argument, answers itself.

Again, it is said that ministers of the gospel and temperance workers throughout the country are unanimous in their support of the Hobson resolution. On the surface of things that appears to be true. In reality it is not true. I have received many resolutions adopted by churches and other organizations urging my support of the Hobson resolution. I have received many letters and telegrams practically demanding that I give the Hobson resolution my support. From many, but not from all, of these meetings I have received fuller information by letters from personal friends. In no meeting from which I have received private advices was there present a copy of any of the Hobson resolutions; no one claimed ever to have read one or to have heard it read. It is manifest, therefore, that no one present had knowledge or means of knowledge of its provisions. In the circumstances, the most that any resolution could mean was that those present were in favor of temperance and against intemperance. The people who adopted these resolutions and sent these letters and telegrams are the best people on earth, and yet they are the same people who by the same means practically coerced me into voting for the Jones-Works bill with its 300 licensed saloons. I hope that no one will suggest that it is passing strange that the best people on earth would give enthusiastic indorsement to a proposition of which they had neither knowledge nor means of knowledge. I never criticize my own constituents, nor will I permit others to criticize them in my presence.

I know full well that no Member of this House will criticize anyone for indorsing a proposition of which he has no knowledge. We are not in condition to make such criticism. We are operating under a special rule for the consideration of House joint resolution No. 168. The general debate is practically closed, and the only thing we know for sure is that we are not to vote on House joint resolution No. 168. We have been told to-day that we are to vote on House joint resolution No. 277. The newspaper men have just informed us, and I am sure that it is safe to take their word; that we are not to vote on House joint resolution No. 277, but are to vote on a new proposition, the terms of which are to be disclosed to us after the close of the general debate and just before the roll is to be called for the final adoption of this new proposition of whose provisions we have neither knowledge nor means of knowledge.

Is this what professional reformers call a campaign of education? Is this what we statesmen had in mind when we promised our constituents to "give to the Hobson resolution careful consideration"? For the votes which we are just about thus blindly to cast each of us is drawing a princely salary. I sometimes think that it is a shame for us to take the money.

Finally, my colleagues, "of making many books there is no end; and much study is a weariness of the flesh. Let us hear the conclusion of the whole matter," so far as I am personally concerned.

In 1908 the Democrats of the ninth Indiana district declared for prohibition in the District of Columbia, and also for appropriate action to prevent the evasion or nullification of State constitutions and statutes by the interstate shipment of intoxicating liquors. We were then far in advance of the Anti-Saloon League; we are still further in advance of them now. We are right; they are wrong. We can not be in complete harmony with the Anti-Saloon League until it shall declare for straight out prohibition in the District of Columbia instead of the present Jones-Works law with its 300 licensed saloons; and shall declare for the principle involved in House joint resolution No. 389 instead of the innumerable ineffectual propositions contained in the endless chain of Hobson resolutions. When the Anti-Saloon League shall accept the platform of the Democracy of the ninth Indiana district it will get right. If the Anti-Saloon League shall get right, it will adopt our platform. Then, and not till then, can we work together in complete accord. Then, and not till then, will the temperance forces of America achieve the tremendous victory which now lies easily within their power.

Mr. DUPRÉ. Mr. Speaker, how much time have I remaining?

The SPEAKER. Five minutes.

Mr. MANN. Mr. Speaker, I think I have one minute remaining, which I yield to the gentleman from Louisiana.

The SPEAKER. That gives the gentleman from Louisiana six minutes.

Mr. DUPRÉ. Mr. Speaker, last May, when the House Judiciary Committee, of which I am a member, performed its memorable feat of legislative side-stepping and reported this important resolution to the House without recommendation, I took occasion to file some minority views, in which I criticized the action, or, rather, the inaction of the committee, and in which I placed myself on record as to the merits of the resolution itself. I have had no occasion since that time to alter my views on the subject, and I have not the opportunity to-night to elaborate them. Suffice it to say that I am not a prohibitionist. The district I represent does not believe in that fallacy, and I shall vote against this resolution to-night. But if I were a prohibitionist, as a southern man and as a Democrat, I certainly would not seek to secure prohibition through the medium of the National Government or through an amendment of the Federal Constitution.

I make no fetish of State rights, but I should like to retain some vestige of autonomy for the sovereign State I have the honor to represent in part upon this floor. I believe the time is coming when the line must be drawn somewhere, and that we must make a stand against the encroaching power of the Government as against the States. Now is the time. For my part, I want to see so essential a domestic and internal matter as the State control or abolition of liquor retained within the authority of the State of Louisiana.

I want further to say that the same principle which guides me in voting against this measure has moved and will move me to protect my people against the attempt of the Federal Government to control the State of Louisiana in choosing her electorate and making her election laws.

I am looking forward to some future, early happenings with interest. The same Committee on Rules which "fathered" this rule, as I understand, has "mothered" a rule for submission to the House of the question of woman suffrage. Oh where, oh where, then, will be my southern brethren who in a mistaken sense of appreciation of the views of their constituencies are about to vote for this measure?

Mr. Speaker, there will be some somersaulting done here that will make a circus acrobat pale with envy. There will be some ground and lofty tumbling on that proposition. "Oh, yes, we were in favor of seeing the Government control the liquor traffic in the respective States, but we are against the Government having anything to do with the question of who is to vote in our States." Yet the underlying principle is the same. To the honor of the consistently courageous and the courageously consistent gentleman from my sister State [Mr. WITHERSPOON], be it said that he has seen what is coming and he has sounded a note of warning. I hope that other gentlemen from the South will realize what is in store for them and will not be led astray under the specious plea of morality.

When the question of national woman's suffrage is presented to the House I shall vote against it, as I shall against this proposition, because I regard them both as unjustifiable perversions of the functions of the National Government. [Applause.]

I wish to add as a part of my remarks my minority views as follows:

[H. Rept. 652, pt. 2, 63d Cong., 2d sess.]

NATIONAL PROHIBITION.

Mr. DUPRÉ, from the Committee on the Judiciary, submitted the following minority views:

Finding myself unable to agree with the recommendation—or, to be more exact, the lack of recommendation—of the Committee on the Judiciary on House joint resolution 168, being a joint resolution proposing an amendment to the Constitution of the United States providing for national prohibition, I beg respectfully to submit the following dissent from the committee's report:

The question is one of large importance and widespread public interest, and it is eminently proper that it should be released from the committee room and an opportunity given for its consideration by the membership of the House. It is to be regretted, however, that it comes before the House with neither a favorable nor an unfavorable report and occupies the anomalous position of having received no recommendation from the committee to which it was referred. Some decisive action should have been taken on the resolution, and the House should have been furnished with the reasons which prompted the committee's conclusions.

In my view of the case, the merits of prohibition vel non are not involved in the discussion of the pending resolution. It makes no difference whether one favors or opposes the sale or consumption of liquor, the real question is whether the same should be prohibited by the Constitution of the United States. In the first place, it is a question on which there is the sharpest division of sentiment, and no policy or principle so widely controverted should find lodgment in the organic law of the land. In the second place, it is a question which essentially belongs to the respective States, and can be and has been handled by them with satisfactory results. The evil formerly complained of, that State action on the liquor question was defeated by congressional inaction, has been cured, if indeed it ever existed, by the enactment in the last Congress of the Webb law, which gives to the States absolute protection in the premises, enabling them to enforce their own laws without interference on the part of the Federal Government.

If the application of the principle of local option which I heartily favor should render my city "dry" territory, I would recognize the right of that community to regulate its own affairs, and if in extension of that principle the State of which I am a citizen should provide for State-wide prohibition, I would recognize the justice of the result; but I am unwilling that the people of any other State should decide for the people of my own State of Louisiana what its internal policy should be, either by seeking to control its electorate or election laws or by deciding whether or not liquor should be sold within its confines. I can imagine the general denunciation throughout the country that would greet a proposition to put into the Federal Constitution a provision authorizing the manufacture, sale, or consumption of liquor in any and every part of the United States, and yet it is as unfair and unjust and as repugnant to our theory of government that the converse of this principle should be advocated, and that this same Federal Constitution should absolutely prohibit the manufacture and sale of liquor in any and every part of the country. There is no more reason why "wet" territory should be made "dry" at the pleasure of three-fourths of the States than that "dry" territory should be made "wet" upon the dictate of the same proportion of States.

If the argument for majority rule be urged in this connection, and if it be said that before this resolution can become operative it will require the assent of more than a majority of the States—indeed, the assent of three-fourths of them—I will reply that it is quite possible—in fact, it would probably happen—that 36 States in the Union might ratify the amendment and yet fall far short of representing a majority of the people of the country.

I do not care further to elaborate these views, and content myself with saying that the pending resolution should not pass.

Mr. MORGAN of Louisiana. Mr. Speaker, in the limited time allotted me I shall endeavor to explain my attitude with reference to the pending resolution. Now, each State, according to my understanding, has the indisputable right to choose its own form of government and, moreover, to determine what activities its citizenry may pursue. In other words, the laws of the States are absolutely supreme within their respective boundaries so long as such laws are not repugnant to the provisions of the Federal Constitution. This inestimable blessing our fathers studiously reserved to the States and to their posterity, therefore no word or act of mine will lessen or detract from their immortal work.

We find ourselves confronted to-day with the proposition to enlarge the powers of the National Government, and this, every mother's son knows, can only be accomplished by the curtailment of the inherent powers of the State governments or brought about by the surrender, in a measure, of one of the most essential attributes of the States, namely, the administration and control of their internal affairs as they deem best. Now, all my training and all my inherited traditions impel me to decline to delegate to the Federal Government the right to interfere with the States' regulation and conduct of business, trade, and industry within their borders.

This principle was inculcated and enforced by the framers of the organic law of the Nation, and to obediently follow their footsteps entails no loss of patriotism, loyalty, or self-respect. I respectfully submit that, seemingly, it does not lie well in

the mouths of the apostles of the doctrine of State rights to here urge and advocate the passage of a resolution which seeks to yield to the General Government an important part of the sovereignty of the States. Perchance we may be indifferent; but we can not be insensible to the fact that we are about to set our feet in a perilous path by attempting to centralize in the Federal Government the functions and sovereign powers which inherently belong to and are wisely exercised by the several States. My colleagues, permit me to commend to your serious consideration these words: "We but teach bloody instructions which, being taught, return to plague the inventor."

There are men, yes, and splendid men, too, who are eternally dissatisfied with the existing order of things and who are incessantly clamoring to reform them. However, I have neither the right, desire, nor inclination to attempt to disparage the worth or wisdom of such men, nor question their sincerity, for oftentimes they are actuated by the highest motives of patriotism and humanity.

Mr. Speaker, prohibition may be conducive to the welfare, prosperity, and happiness of the human family. It may stimulate man's ambitions and improve his morals. About this I shall quarrel with no one. However, I am peremptorily opposed to the pending resolution, primarily for the reason that I imagine I see in it the initiation of an effort to reduce the sovereign States of this country to mere servile provinces, and for the further reason that experience has taught me the lesson that a law which has for its object the suppression of the whisky traffic is a cheat and a delusion, unless that law reflects the wishes and sentiments of the people of the community wherein it is to be interpreted, executed, and enforced.

Moreover, it certainly occurs to me that the Hobson resolution, which contemplates the removal of the internal-revenue license, and at the same time seeks to legalize the manufacture of spirituous liquors, is not in the interest of temperance, but, on the contrary, I verily believe that it will appallingly increase the consumption of liquor, and this belief would make it rather difficult for me to subscribe to the Hobson resolution, even if I were inclined to favor Federal intermeddling.

Mr. Speaker, I readily appreciated the wisdom, merit, and exigencies of the Webb bill, and therefore gladly contributed to its passage, believing, as I did then and do now, that when a sovereign State, or any of its political subdivisions by legal enactment, seek to penalize the sale and distribution of spirituous liquors within its jurisdiction, that law should not be violated or its purposes defeated or evaded by the unrestricted and remorseless shipment of liquors from a wet territory into the prohibited territory, but I find myself unable to support the pending resolution for reasons assigned.

Mr. STEPHENS of Mississippi. Mr. Speaker, I desire to state very briefly my position on the proposed amendment to the Constitution of the United States relating to national prohibition. There have been several resolutions introduced on this subject, but the prohibition forces have agreed upon House joint resolution 277 as the one to be pressed at this time. The resolution reads as follows:

Resolved, etc., That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, are forever prohibited.

SEC. 2. The Congress, or the States within their respective jurisdictions, shall have power to enforce this article by all needful legislation.

Mr. Speaker, the resolution shall have my earnest and cordial support. Every instinct of my nature, my judgment, my love for humanity, and my regard for the interests of my country, all impel me to this course. The liquor question is not a new one. It has been discussed in the public forum and in the press of the land for many years. Both sides of the proposition have been presented in their strongest light. There are many strong, forceful arguments against the liquor traffic; but I have never heard one single argument with any merit to it in favor of it.

PERSONAL LIBERTY.

One of the arguments that has frequently been advanced by the advocates of the liquor interests is that prohibition is wrong because it deprives men of their rights; it takes away their personal liberties. They say that a man has a right to drink, if he cares to do so; therefore there should be no curtailment of opportunities for him to procure intoxicants.

They follow this argument up by saying that the Government has just as much right to prescribe what a man shall eat or what kind of clothes he shall wear as it has to legislate on the liquor question. Of course this argument is the veriest rot. There is absolutely no analogy between the propositions. To state the argument is to refute it.

A learned judge in Illinois, in passing upon a case before him, once said: "When we defend the sale of liquor for the purpose of tippling, we surely draw our arguments from our appetites and not from our reason, observation, and experience."

"Personal liberty!" Every State has laws prohibiting the doing of many things, yet no one would denounce or oppose those laws on the ground that they interfere with the "personal liberty" of the citizen.

There are laws prohibiting gambling. Why deny the citizen a right to engage in that pastime if he sees proper to do so?

There are laws prohibiting a person from being drunk in a public place. Why deprive him of his "personal liberty" in this matter?

There are laws against profanity. Why infringe upon his "personal liberty" or his right to freedom of speech?

There are laws against vagrancy. Why not allow a man to loaf as much as he wants to?

There are hundreds of laws that provide for the punishment of those who violate them. Why not repeal all laws that make the doing of certain things unlawful and give every man his "personal liberty" to the fullest extent?

The answer to all these questions is, that the interests of society, morals, and good government require protection from the criminal, the vicious, and the immoral.

NATIONAL DISHONOR.

It is a disgrace to our Nation that ever since its birth it has virtually been in league with the liquor traffic. The manufacture of intoxicants has been regulated by law, and a large part of the revenues of the Government have been raised by means of a tax imposed on distilleries and breweries. This fact is now being used by the whiskyites as an argument against prohibition.

Nearly every mail for several days has brought me compilations of statistics showing the amount of revenue obtained from those sources, and the argument is made that if this source of revenue is lost it will place additional burdens upon other industries to raise this revenue.

Such an argument is without merit; it is not the truth. Those who make it overlook the fact that the saloon imposes burdens upon the taxpayers and upon legitimate industry far in excess of those that will come from a loss of revenue that comes from liquor.

It is estimated that nearly 90 per cent of the crime in the world can be traced directly or indirectly to whisky, therefore it adds large burdens of taxes to pay court costs. It requires a large outlay of taxes to provide for asylums and hospitals. It causes idleness, profligacy, and loss of efficiency. Legitimate industry pays a large toll because of the fact that many accidents, involving the loss of life and property, and for which they pay, are due to the use of intoxicants. This is such a well-known fact that many individuals and many large corporations will not employ a man who drinks. It is undoubtedly true that not only from the standpoint of morals, but from the economic view as well the liquor traffic is enormously expensive.

STATE RIGHTS.

Some members of this body—good men and ardent prohibitionists—are going to vote against this resolution on the ground that prohibition is not a national question, and that it ought to be left to the States to regulate and control the liquor traffic. The honesty of their motives shall not be questioned by me, because I know them to be sincere, patriotic, moral men, who have the best interest of the Nation at heart.

The controlling force with them is that they consider this an invasion of the right of the States to regulate and control their own affairs. There is no man in this House who believes more strongly in the doctrine of State rights than I do. It is one of the first great political principles that was instilled into my mind.

However, in this instance, I see no invasion of the rights of the States contemplated. State rights simply means that the State shall have the right to exercise any or all of its powers without any interference whatever. No right of any State is to be usurped, overridden, or disregarded. It is not a question of taking away a right from the State. The proposition is simply to give the States an opportunity to say whether the Federal Government shall be granted additional power over this particular subject matter.

The Federal Government is one of delegated powers only. All powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States or to the people. The Constitution provides, however, for the

amendment of that instrument. Each State, when it became a member of the Union, accepted and agreed to that provision of the Constitution.

Even though an amendment shall have the effect of depriving a State of some right that it now possesses, the State has no ground of complaint, and that there is no infringement of the doctrine of State rights, if such amendment is adopted in the manner prescribed by the Constitution. There is a wide and well defined distinction between an invasion of the rights of the States and a delegation of further power to the National Government by the States.

No one will contend that the States are unable to delegate further powers to the General Government. The very fact that provision is made for amendment would settle the proposition if it were brought in question. That it is unnecessary to obtain the consent of every State to amend the Constitution is also settled by the provision for amendment, for it requires the consent of three-fourths only. The only exception is in regard to representation in the Senate, which is "that no State, without its consent, shall be deprived of its equal suffrage in the Senate."

I contend, Mr. Speaker, that this is not an invasion of State rights. Three-fourths of the States are given the right to amend the Constitution, and it is a denial of a constitutional right granted that number of States, if we assert that an amendment shall not be made to the Constitution because some State opposes the amendment. The doctrine of State rights is not involved here, though the question of expediency might be a legitimate subject for discussion when the issue is presented in the States. Each State must settle it for itself, subject only to the right of three-fourths of the States to ratify the proposed amendment.

The doctrine of State rights never had an abler champion than John C. Calhoun. He said:

In connection with this point the Senator, to prove that the Constitution is not a compact, asserts that it is wholly independent of the State, and pointedly declares that the States have not a right to touch a hair of its head; and this with that provision in the Constitution that three-fourths of the States have a right to alter, change, amend, or even to abolish it staring him in the face.

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The plain state of the facts as regards our Government is that these States have agreed by compact to exercise their sovereign powers jointly, as already stated, and that for this purpose they have ratified the compact in their sovereign capacity, thereby making it the constitution of each State, in no wise distinguished from their own separate constitutions, but in the superadded obligation of compact—of faith mutually pledged to each other. In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring, as otherwise would have been the case, the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the compact. In fact, the provision to which I allude furnishes strong evidence that the sovereignty is as I contend in the States severally, as the amendments are affected not by any one three-fourths but by any three-fourths of the States, indicating that the sovereignty is in each of the States.

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But, independently of these considerations, there were strong reasons for adopting that proportion in providing a power to amend. It was at least as necessary to guard against too much facility as too much difficulty in amending it. If to require the consent of all the States for that purpose would be in effect to prevent amendments which time should disclose to be or change of circumstances make necessary—so on the other hand to require a bare majority only, or but a small number in proportion to the whole, would expose the Constitution to hasty, inconsiderate, and even sinister amendments on the part of the party dominant for the time. If the one would give it too much fixedness, the other would deprive it of all stability. Of the two, the latter would be more dangerous than the former.

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Again, he said in reference to the amending power:

It is safe, because the proportion is sufficiently large to prevent a dominant portion of the Union or combination of the States from using the amending power as an instrument to make changes in the Constitution adverse to the interests and rights of the weaker portion of the Union or a minority of the States. It may not, in this respect, be as perfectly safe as it would be in the unmodified state in which it outlined and established the Constitution; but for all practical purposes it is believed to be safe as an amending power. It is difficult to conceive a case where so large a portion as three-fourths of the States would undertake to insert a power by way of amendment which, instead of improving and perfecting the Constitution, would deprive the remaining fourth of any right essentially belonging to them as members of the Union or clearly intended to oppress them. There are many powers which a dominant combination of States would assume by construction and use for the purpose of aggrandizement which they would not dare to propose to insert as amendments. But should an attempt be successfully made to engraft an amendment for such a purpose the case would not be without remedy, as will be shown in the proper place.

Senator James Z. George, an eminent Mississippian, who was recognized as one of the greatest constitutional lawyers that this country ever produced, while a Member of the Senate signed a committee report favoring the submission of a prohibition resolution. This language was used:

Your committee, whether unanimous or otherwise, in the holding to this view, are of the opinion that the resolution should be favorably reported, and should be submitted by Congress to the action of the States for another reason; it being a fact that a very large proportion of the American people are anxious that the National Constitution be amended in accordance with the resolutions, we believe that they have a right to be heard in the forum of the State legislatures, where alone the question can be decided whether the National Constitution can be amended.

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The method provided in the Constitution for its own peaceful amendment would be destroyed by failure to submit the proposition for amendment in cases of great moment involving the approval and prayers of multitudes of the people, for where the remedy sought is admitted to be without the jurisdiction of the fundamental law the petition is really addressed to the only tribunal which can enlarge that jurisdiction; that is to say, to the States themselves. Should, then, Congress in such case refuse to submit the proposal to the States, such refusal would constitute a substantial denial of the right of petition itself.

I am willing to follow the thought of that great and distinguished Mississippian.

PROTECTION OF SOCIETY.

This is not a local question, but it is one to be handled by the National Government. We owe a duty to the people of the Nation to give them an opportunity to submit this matter to the States. We owe a duty to society to protect it against the many and varied evils that result from the liquor traffic. Society is composed of individuals; it is made up of units, and it can not be at its best until those units reach the highest development.

Men are often weak. The fewer temptations that are put before them, the better for them. It is hard to "walk through the pools of earthly pollution and through the furnace of earthly temptation and come forth white as linen that has been washed by the fuller, and pure as the golden wedge of Ophir that has been refined in the refiner's fire."

We have made the proud boast that we are a Christian Nation. Let us live up to our obligations as such. The highest service that we, as a Nation or as individuals, can render, is to serve humanity. To serve men is to serve Christ. We pray, "Lead us not into temptation"; let us take away the strongest temptation that many good men have.

One gentleman has said, "I deny that the moral excellence of the Federal Government is superior to that of my State." It is very probable that he is correct. However, that is not the question that we have to consider. We are not contrasting the moral excellence of any State with that of the Federal Government. What we are concerned about is what is the best method of suppressing the liquor traffic. Is it best to give the National Government additional power, or shall the matter be left as it is?

TOLL OF THE LIQUOR TRAFFIC.

The toll of the liquor traffic is too great for me to cast my vote in its interest.

It creates moral leprosy, it blights the intellect, and it wrecks the physical body.

It makes the wise foolish; it makes the strong weak; it makes the honest dishonest; it makes the virtuous corrupt; and it makes the courageous cowardly.

It makes demons of men and women; it destroys the best instincts of mankind; and it causes many of those made in the likeness and image of God to degenerate into brutes.

It fills the jails, the hospitals, the asylums, and it piles up court costs and increases the burdens of taxation.

It cuts off many a man in the very flower of his manhood and causes his feet to go down into the chambers of death.

It brings sorrow, shame, disgrace, and poverty to thousands of good women and innocent children.

It leads many into dangers and temptations and causes them to sink into horrible depths of crime and degradation and wretchedness.

It makes many a good man a pauper, a murderer, a libertine, a thief.

It blights love; it wrecks homes; it destroys affection; it mars all that is beautiful and good and true in human nature.

It makes widows and orphans, and it causes hot tears more bitter than the water of Marah to flow down innocent cheeks.

It destroys reverence for the highest and best things of life; it creates contempt for virtue; and it mocks at religion.

Mr. Speaker, the prohibition question is a national question; it is a moral question; and I shall vote for the resolution, taking a stand, as I verily believe, on the side of good morals, good government, civilization, and Christianity. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. McKENZIE].

Mr. McKENZIE. Mr. Speaker, the right to amend their Constitution is a privilege guaranteed to the American people. The framers of the Constitution, with clearness of vision which sometimes causes us to marvel, anticipated the possibilities of our country and realized that amendments to the Constitution

would perhaps be necessary, and prescribed, in plain and unmistakable language, how it could be accomplished.

The requirement that a proposed change in our Constitution must be approved by three-fourths of the States, in my judgment, is a wise one. The fundamental law should not be subject to change by every passing whim of public opinion. Being aware of the difficulties in amending the Constitution, the people have wisely refrained from demanding of Congress the submission of amendments for ratification by the States. The people well understand the futility of submitting an amendment unless there is a general popular demand for the same.

We are asked at this time to submit to the States a proposed amendment for the prohibition of the liquor traffic. This is a matter that has been agitated for many years. In practically all the cities and hamlets in this land it has been a local issue. In counties and States it has been a subject for discussion and for legislative action. In short, it is one of the vexed problems of the age. It goes without saying that it is a question of great concern to the people of our land. However, a discussion of the merits or demerits, the wisdom or folly, the propriety or impropriety of the national prohibition of the liquor traffic is not germane to the pending resolution, and is but a waste of time. These are matters for discussion by the people when called upon to finally determine this matter in the States.

A large number of the American people, convinced that the liquor traffic in this country should be prohibited, have petitioned Congress that an amendment to the Constitution prohibiting the same be submitted to the States for ratification or disapproval. Whether this is the opportune time to submit such a proposition has ceased to be a matter of discussion. The resolution is here. It is before us for action to-day. In thus petitioning Congress these citizens have but exercised their rights under the Constitution. We are not asked to prohibit the liquor traffic by our votes at this time. Our individual convictions on the matter have nothing to do with our duty to-day.

The sole question for us to determine in our representative capacity as Members of Congress is whether we shall acknowledge the right of the people to have this matter submitted to the several States as the Constitution provides.

To my mind our duty is plain. The citizens asking for this have proceeded in the regular and orderly way, and all there is for us to do is to follow the course prescribed by the Constitution.

If this is our duty, then why should we, creatures of the Constitution and representatives of the people, deny them the privilege of amending their Constitution? Let us not confuse our privilege as citizens with our duty as representatives of the people.

I am conscious of the sincerity of purpose of my colleagues who oppose this resolution. But whatever our views as to the propriety of submitting the resolution for consideration at this time, to deny by my vote the exercise by the people of an inherent right would be a usurpation of power wholly unwarranted. Such an attitude I have never assumed, and with a consciousness of the importance of the matter, desiring sincerely to perform my duty as a Representative as I understand it, I shall support this resolution.

I am not unmindful of the many arguments earnestly indulged in by those opposing the resolution, chief among which is the time-worn doctrine of the rights of the States. This argument has been answered very ably, and I shall not take any time in discussing it further than to say that, in my judgment, it is unsound. It may be that as a disciple of Alexander Hamilton I am too much of a Federalist. However, the sacredness of State lines is growing less and less potent with me as the years pass. The fiction that we are 48 different peoples finds no lodgment in my mind. Our rivers cross State lines as they go murmuring on their way to the sea; our mountain ranges link together the different States; our railroad, telephone, and telegraph lines cement the different Commonwealths together as one great country. In fact, we are one people with one language. Our hopes and aims are one. All that would benefit or injure any part of the country indirectly benefits or injures the whole. That the liquor traffic is national in its bearing seems to me requires no argument. And in my humble judgment the man who takes the position that it is a question for the States alone to settle will find his position hopelessly weak and his arguments, when scrutinized under the searching light of public opinion, will be scattered like "autumn leaves before a winter wind."

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, the House has before it joint resolution No. 168, introduced by the gentleman from Alabama [Mr. HOBSON], and yet it is well understood that the gentleman from Alabama will offer as a substitute joint resolution No. 277, which, in substance, expresses the present views of the friends of the measure as to a desirable and satisfactory form for the submission of the proposed amendment to the States. Gentlemen opposing the proposition in any form find it agreeable to attack the earlier form of the resolution, although they well know it will not be pressed in that form, and notwithstanding the fact that many of the objections they urge against the earlier form are not valid as against the later draft, upon which we will be called upon to vote.

In order that there may be no misunderstanding and that Members of the House may know just what proposition will be voted upon, I will read the resolution as it will be presented at the close of this discussion:

SECTION 1. The sale, manufacture for sale, transportation for sale, and importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof, and the exportation thereof, are forever prohibited.

SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation.

CONFLICT OF AUTHORITY BETWEEN NATION AND STATE.

It will be observed that the argument that the adoption of the amendment will bring about a conflict of authority between the Nation and the States has no force if the amendment shall be adopted in this form. If power is given both the Nation and the States to enforce the prohibition, either independently or concurrently, there can be no conflict. It is true that, if acting independently, both the Nation and a State might provide penalties for the same violation of the prohibition, and the person so violating might be subject to two prosecutions and liable to two punishments for the same act. But such conditions exist in many instances now. The same act may be a violation of both a Federal and a State law. No serious difficulties arise. The individual is never twice punished. The court which first acquires jurisdiction usually retains it and the other yields.

But it is not likely that any such result would follow. Exercising concurrent jurisdiction and each yielding to the other the scope of regulation which is appropriate, the Nation enforcing the prohibition as to those things which are national in their operation and which transcend State control, and yielding to the States local control and enforcement as a police measure, complete control can be secured and conflict avoided.

In the earlier forms in which the amendment was proposed the exclusive right of legislation would have rested in Congress. That would have vested the exclusive jurisdiction for the enforcement of the prohibition with the United States courts and the prosecutions for violations in the hands of the United States marshals and attorneys. This would have been a serious objection. Under the proposed form of the amendment, however, this objection can not be urged. Jurisdiction may be granted to either or both Federal and State courts, as may be deemed best in particular instances.

It always must be remembered that a mere prohibition in the Constitution does not of itself have any efficacy to accomplish its declared purpose. Merely to declare a prohibition and not to provide penalties for violations of the prohibition is to do a vain and useless act. Penalties must be imposed, and, in order that this may be done, legislation is required. In this case, if the proposed form of the amendment is adopted, both Congress and the States, acting either independently or concurrently, will have power by appropriate legislation to enforce the prohibition by fixing penalties and providing for the prosecution of those who violate the prohibition. It is not to be presumed that either Congress or the States will not so legislate as to best secure the enforcement of the prohibition declared in the amendment.

INVASION OF STATE RIGHTS.

It is urged that the proposed amendment is an invasion of the rights of the States.

In view of the fact that the prohibition can not affect a single State until it has been approved and ratified by 36 of the 48 States which constitute the Union, it is somewhat singular that this objection should be urged. If there is any one exercise of the governmental power where the rights of the States are regarded, it is in amending the National Constitution.

Indeed, it is urged as an objection here to-day that the amendment is to be submitted to the States and not to the people. However, under the constitutional form of submission which we must follow, we must have the approval of three-fourths of the States; and as a practical result the approval of three-fourths of the people of these States must be secured. While the legislatures of the States are to pass upon the question of ratification, the issue will be raised at the election of members of these legislatures, and in this manner will be passed upon by the people.

UNDUE EXTENSION OF POWERS OF GENERAL GOVERNMENT.

It is claimed that to amend the Constitution by prohibiting the traffic in intoxicating liquors will unduly extend the power of the General Government.

But shall not the Nation protect itself? Are armies and navies and arsenals and forts the only means by which a nation can defend its people? We extend the power of the Nation to protect the people from impure food, to protect them from the imposition of the trusts and the extortion of the railroads, to protect their fields from boll weevil and their herds from hog cholera, and there is little protest. Gentlemen who now cry out against the danger of extending the power of the Government to prevent the evils of the liquor traffic, which extends its baleful influence into every State and Territory of the Nation, did not lift their voices in protest against those endeavors of the Government to meet evils less harmful in their nature and less extended in their scope. Evils which are nation-wide in extent must be corrected by the exercise of powers which are nation-wide in application. The value of the Federal system is not more shown in its recognition of the right of local self-government regarding those things which are local in their nature than in its power to deal with those great evils which transgress State lines and are truly national in their influence and injury. National maladies require national remedies.

HOME RULE.

It is also asserted that to adopt the amendment would be a violation of the doctrine of home rule and local self-government.

This objection would be a valid one if the liquor business or liquor traffic was local and not national, was exclusively intrastate and not interstate. But the very fact that the traffic in intoxicating liquor is chiefly interstate and not intrastate makes national legislation necessary. It is said that 75 per cent of the liquor manufactured in the United States is not consumed in the State where it is manufactured. Like many other matters which are both National and State in their scope of application both National and State legislation is necesary. We have a dual government. We owe a dual allegiance. We obey both National and State laws. There are many acts which now are violative both of National and State prohibitions. There are involved in many transactions both National and State interests. It is necessary with regard to many things that there be both National and State legislation in order to secure complete control. If there is any one thing regarding which both National and State legislation is necessary in order to secure complete control, it is the traffic in intoxicating liquors. It will be only by the complete exercise of the powers of both Nation and State that the traffic can be either effectively regulated or entirely suppressed.

CONTROL VERSUS PROHIBITION.

It is argued that the power to legislate with the right to control should be given, not an absolute prohibition.

This objection has weight until examined in the light of our experience and existing conditions. The great variety of State regulations, ranging all the way from absolute prohibition to easy tolerance and loose control, would make it impossible for Congress to legislate in harmony with such divergent conditions. But there is one common ground upon which all legislation, both National and State, can rest, and that is the extinction of the traffic. Toward that goal it is believed all effort should be directed. Upon that basis it is believed all laws may be harmonized. When three-fourths of all the States of the Union shall unite upon that determination it is believed that there will be such unity of purpose, such a preponderance of public opinion as to make concerted action certain of success.

CONSTITUTIONAL AMENDMENT NECESSARY.

It is argued that the interstate traffic in intoxicating liquor can now be controlled by Congress without additional constitutional authority.

This is only partly true. It is only as an article of commerce that the constitutional power can now attach. Complete control or an entire suppression of the traffic can only be obtained by a national constitutional amendment. What is needed is the power to deal with the whole matter absolutely, entirely, as affecting every phase of the question; and such legislation can not be based upon the commerce clause of the Constitution. The authority to legislate on the question fully and directly must rest upon constitutional provision.

LOSS OF REVENUE.

It is strongly urged that the United States can not afford to deprive itself of the revenue derived from the tax on intoxicating liquors.

Again it may be answered that the country can not be benefited by sharing in the profits of a pernicious business. The loss that is inevitable because of the economic waste and malevolent influence of the liquor traffic far outweighs any benefit derived from the tax. It is not the liquor dealers who pay the tax. It is the victims of the drink habit who pay it, and it comes from the scanty store which should be applied to the support of wives and children who can least spare it. A nation can not justify the imposition of a tax the payment of which rests most heavily on those of its citizens least able to bear the burden and most entitled to protection and help. A nation relieved of the burden of the liquor traffic, a citizenship freed from the curse of drunkenness, can bear any measure of taxation necessary to the support of the Government without sharing in the profits of a traffic condemned as economically harmful and morally wrong.

CAPITAL INVESTED IN LIQUOR BUSINESS.

It is said that there is invested in the liquor business in the United States $3,748,826,562; that there is annually expended in the production of liquor $359,951,097; and that to wipe out this business and investment, to deprive the farmers of this market for their corn, barley, rye, and hops, to take away their employment from the laboring men engaged in this business, would be unjust and a great economic waste.

This proposition may be considered from at least two points of view. From a legal standpoint it has been many times decided that there is no vested right in the manufacturing or selling of intoxicating liquor. Every man engaging in such business does so with full knowledge that it is subject to control, restraint, or absolute prohibition, and that he must embark on such hazardous enterprise at his peril.

From an economic point of view the business is indefensible. It adds nothing to the productive or distributive forces of the Nation. On the contrary, it withdraws immense sums from investment in beneficent enterprises; it diverts food products from helpful to harmful uses; it impairs the efficiency of the laboring man; it deprives the family and the home of adequate support; it increases the burdens of government by increasing the number of criminals, paupers, and the insane.

It is now generally accepted as fundamental that violations of the generally acknowledged principles of morality are harmful to the State. Anything such as the saloon, which is inimical to moral growth, is therefore a burden and not a blessing. No possible permanent prosperity can be based on or traced to the saloon.

PERSONAL LIBERTY.

The argument so often presented is again urged to-day, that prohibition is an infringement of the personal liberty of the individual, that each person has a right to determine for himself what he shall drink.

It seems almost needless to again point out the fact that such an argument has no validity against either the regulation or the prohibition of the traffic. Every civilized country in the world exercises the power of regulating the manufacture and sale of intoxicating liquors. Some tax it, some license it, some prohibit it; but all, in one way or another, exercise the right to control it. The personal-liberty argument is as valid against restraint as against prohibition. Once admit the right to restrict in any degree and there is nothing left of the personal-liberty argument.

Again, it may be said the traffic in intoxicating liquor is one thing, the use of it another. If in the regulation of the traffic, or if as an incident to the prohibition of the traffic, it becomes more difficult for the individual who uses it to obtain it, that is the user's misfortune. The Government is under no obligation to make it easy for him to obtain it.

THE SALOON AS AN INSTITUTION.

There can be no traffic in intoxicating liquor without the saloon. Either the Government must handle it and be its own saloon keeper or else it must allow some one else to keep a place and sell it, and that means a saloon. The enlightened judgment of our people and the world is rapidly being formed against either. It is now almost universally admitted that the saloon is an unmixed evil. Gentlemen who, because of their positions here to-day, stand as the champions and defenders of the saloon do not avow the cause for which they strive. Not one of them but would do all in his power to prevent the location of a saloon next his home. If an evil there, is it any less an evil in proximity to another home or a church or a school? And if an evil because of its proximity to any of these, what distance can be named that will make the bane a blessing? In short, if we are honest with ourselves we shall admit that the saloon as an institution is inherently bad; that society ought not to recognize it nor tolerate it; that it is always a good thing to put it as far away from our homes as possible; that it is still better to lessen the number in any community, and that it is best to banish it altogether from town and State and Nation.

PROHIBITION DOES NOT PROHIBIT.

Again, the argument is presented that prohibition does not prohibit.

There is and always has been a measure of strength in this argument. There are communities in the country, there are cities where at this time prohibition would not prohibit. But this fact does not in reality constitute any argument against national prohibition. It is a mistake to assert that prohibition lessens any of the forces that make for prohibition. On the contrary, it strengthens all of them. Gradually the power of public opinion gives strength to the opposing forces, the territory in insurrection is gradually reduced, until finally there is complete surrender and peace follows. Beginning with a condition where three-fourths of the entire area of the country is already prohibition territory, it is not too much to expect that the remaining one-fourth will soon come into harmony with the majority when the power of the Nation is added to that of the States to bring about such result.

Of course, there will be violations of the law, just as there are violations of all laws. Larceny has been made a crime since the beginning of time, but thieves still "break through and steal." As civilization advances and the opinions and judgments of men become more enlightened, as the nobler impulses develop and the moral faculties strengthen, when we can establish a more equitable condition of society and have secured a larger measure of justice for each individual, we may reasonably expect that all violations of law will diminish and finally cease. There is, however, no justification for an abandonment of law because there are violations of it. It is hardly the part of good citizenship to denounce the law and thereby encourage its violation. We shall have done our full duty only when we provide the law and then use our constant endeavor to uphold it and sustain its enforcement.

DUTY OF CONGRESS TO SUBMIT TO THE PEOPLE.

I have considered the main objections urged by those who oppose this resolution. These objections go to the ultimate object, which is the adoption of the constitutional amendment. But that we can not do to-day. The language of the Constitution is that Congress "shall propose amendments to the Constitution." It is not ours to adopt or pass amendments, but to propose them. It is for the States to adopt and ratify, and it requires three-fourths of them to accomplish such result. Those who oppose this resolution oppose even its consideration by the people of the States. They reject the proposition as so unreasonable or so unimportant that it need not even be submitted for consideration. They hold that the millions of persons who have petitioned for its submission are not entitled to consideration. They consider the fact that 76 per cent of the territory and 57 per cent of the population have already declared for prohibition is not of enough importance to influence their action.

It may be admitted that unimportant and trivial matters should not be submitted by Congress to the States. It may be admitted that Congress should be certain that the matter involved is serious enough and the demand of the people general enough to warrant action. But in this case there can be no question on either requisite. There is no proposition before the people affecting their interests that is more vital than this. There has been no proposition ever presented to Congress which has been so generally demanded by the people as this. It is a serious responsibility which gentlemen so lightly assume to refuse the demand of millions of citizens that they may have this great question submitted to the people.

Under what circumstances would these gentlemen feel justified in submitting any question? Will they feel that they are doing their duty in voting against every proposition which does not approve itself to their judgment and conform to their desires? Such a conception of duty, in my judgment, would be indefensible and would not be creditable to the individual who proclaims it. We are the representatives of the people, and whenever any general demand comes from them for the submission of an important amendment to their fundamental law it is our duty to propose such amendment in the manner prescribed by the Constitution, which we are sworn to uphold and support.

Mr. Speaker, for these reasons and many others that appeal to me as convincing, I shall support this resolution. It may fail of the necessary two-thirds, but I am rejoiced to believe that at least a majority of this House will favor it. It will thus be a glad day for the good people of the country. The knowledge of that fact will bring renewed courage to millions who hope and pray for the success of this resolution. It will be a historic day as well, for no more important event can be chronicled than the fact that in this great conflict the first victory has been won by the forces which stand for progress, for civilization, and for the perpetuity of American institutions unstained and unimpaired.

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS]. [Applause.]

Mr. FESS. Mr. Speaker and gentlemen of the House, December 22, 1914, will stand as one of the great dates, not only in the history of the American Congress, but in the history of our country. To-day is the Nation's decision day. This Congress is not deciding whether the Nation is to prohibit the traffic in intoxicating liquors. It is simply deciding whether under the form of constitutional amendment we shall allow the States to say that they are willing to forbid the manufacture and sale of intoxicants. The RECORD, through the pencils of these reporters, will find a permanency that will be read 50 years from now and will contain some of the most remarkable utterances, when measured by their significance, that will be recorded as having been spoken in the American Congress.

The chairman of this Committee on Rules reports to this House the right of the American Representatives to speak upon this question, and then he comes upon this floor and argues that we should not refer it to the people with the right to let them say what they want, and thus inconsistently justifies himself in letting us speak, but denies to the people of the country the right to say what they want. [Applause.] The distinguished leader of the majority party here quotes Thomas Jefferson in the establishment of a certain political theory, and argued from that statement that we ought not to allow the people of a State to speak on this, because it will disorganize the Government. Let me quote from Thomas Jefferson, from the Declaration of Independence:

> Whenever governments become subversive of the people's rights, it is not only the duty but it is the right of the people to change it and, if necessary, to abolish it.

Let me further state from the same document:

> Governments should not be changed for light and transient causes, but all history shows that people will suffer evils so long as they are sufferable rather than to right them.

That is what the opposition of this resolution are doing now. They insist that we should suffer the evil rather than right it. The leader of my party has made, in my judgment, the strangest argument that could have been produced upon this floor upon the proposition before the House. He says you must not pass this resolution, for in so doing you will multiply the manufacture of liquor, because it can be done by the individual in the cellar; and more than that, you will take away from the State the right to enforce the law and put it in the hands of the Federal Government. He asserts this amendment would increase rather than reduce the evils. Let me say to the leader, whom I generally follow, that I will not follow him when he goes against the organization of a public opinion through an aroused public conscience that demands that this evil be submitted to the people of the country to say whether it shall continue or not. [Applause.] And he can neither lead my party nor the country on that line.

There never has been a man great enough in America who could lead in a cause against which the public conscience of the country is aroused. History is replete with evidence of this proposition. The liquor business is indicted by the twentieth century and it must go. [Applause.] If it does not go now, it will go later. The facts are that if you take the element of profit out of the business, destroy the power to sell it for gain, you will have no interest in it, and it will cease to be a problem. If a man could make it in his cellar and could not sell it for profit, he would not care anything about it. The next point my leader made was that you take it out of the power of the State by this amendment. I deny it. The State has concurrent power with the Nation in the exercise of police power, and if the Nation wants to enforce it, it can do so. If the State wants to enforce it, it can do so. All legislation which involves Federal relations shows the concurrent power of Nation and State. My State has suffered recently from the foot-and-mouth disease. It is within the State's jurisdiction to take measures of precaution. The National Government has stepped in and put an inhibition on it. This action of the Federal Government does not interfere with the State's jurisdiction. There is no conflict; the two act concurrently, and so it will be in all police powers. The Federal Government can put a quarantine upon any disease. So can the State, and when a man says you are taking the power from the State and putting it into the hands of the United States it is simply a use of words. The one does not preclude the other. The State still has concurrent power with the Nation.

I have heard it said here on this floor that if you vote for the proposed amendment you vote to multiply speak-easies and blind alleys. This infers that there are speak-easies only where

there are no open saloons. Men, you know that in the cities that are wet, where the saloon is permitted, the speak-easy is prevalent and coincident with the saloon. In many cases the wet cities have more speak-easies than dry cities. As I heard it said upon this floor I do not care if we can not prohibit it fully, close it up, we can drive it into the back alleys, put it in the third stories where the old soak might find it, but where our boys are not likely to go. I would prefer to drive it where it is in the blind alley if it has got to be anywhere at any time. Then there has been an argument here that it is against personal liberty. I will admit it, but the Government can say to me, "You are on a boat which has a victim of smallpox. We are going to stop you out in the harbor." I say to the authorities, "I have not the smallpox; you are interfering with my liberty." At once the Government says to me, "Yes; I am, but the rights of the public are superior to your liberty." My personal liberty stops before it interferes with your right. I can go through this alley swinging my arms with personal liberty until my hand comes in conflict with your face, before which it must stop. My liberty to do a thing must stop before it comes in conflict with organized society, and that is exactly what the saloon business is doing. [Applause.]

You tell me that it destroys property. I admit it. Every man who enters into the saloon business does it at his own risk. We did the same thing with slavery. You say, "You are confiscating property." That is a subsequent question. We can deal with the property after the resolution goes into effect.

The SPEAKER pro tempore (Mr. CRISP). The time of the gentleman has expired.

Mr. VOLSTEAD. I yield two minutes more to the gentleman.

Mr. FESS. Fellow Members—

Once to every man and nation
Comes a moment to decide
In the strife twixt truth and falsehood
For the good and evil side.

To-day is the time that this House is deciding one way or the other on a momentous issue. Do not allow the bogie of State rights to interfere, for if that be true, then, as the gentleman from Wisconsin [Mr. LENROOT] said, our method of amending the Constitution is wrong, which was to me a startling statement of a man who usually is careful of his utterances. We have amended the Constitution seventeen times since its adoption. In every instance we did what we now propose to do. Three-fourths of the States said whether the Constitution shall extend over the other fourth. Take that right away and you allow one-fourth of the States to deny to the three-fourths the right that ought to belong to them. Its denial thus gives the control of the majority into the hands of the minority. When this Federal Constitution superseded the Articles of Confederation, 9 States made our Constitution effective, and did away with the former government of 13 States. Was that wrong? That is the fundamental principle written in the Constitution, the very last words of that immortal instrument.

Mr. GARNER. Will the gentleman yield?

Mr. FESS. Yes.

Mr. GARNER. The gentleman says there is one time in our life when we have an opportunity to speak for good or wrong. Is the gentleman willing to abide by the vote to-night and cease this agitation?

Mr. FESS. No. The gentleman would say that a convention can resolve, like the convention of 1850, that the slavery question must not longer be discussed, but when you undertake to say we must cease the discussion of this question, I reply to you, as long as right is in a struggle with wrong you will not cease until the right succeeds over the wrong. This struggle is on. You may defeat us to-night, but you are simply deferring the solution. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DUPRÉ. Will my colleague yield just a moment so that I may yield the balance of my time to the gentleman from Louisiana [Mr. LAZARO]?

Mr. VOLSTEAD. I will.

Mr. LAZARO. Mr. Speaker, I shall vote against the Hobson amendment because it is an absolute invasion of our State rights. It seeks to take away the police powers of the sovereign States and have us surrender them to the National Government at Washington, and to submit ourselves to having our police regulations enforced by Federal inspectors appointed at Washington and inviting them to swarm our localities and be constantly meddling in our home affairs.

As a principle of democracy, I believe that this question, like the question of suffrage, is one for each State to determine for itself. As a Democrat, I do not believe that the State of Maine or New York or Washington, or any other State in this Union, should be given the right to dictate to my people in Louisiana what their laws shall be relative to suffrage, nor that they should be given the power to dictate to them whether they shall have prohibition or not.

We are asked here to-day to reverse ourselves and abandon the fundamental principle of Democracy, the right of self-government on a question which comes absolutely within the scope of the police powers of each separate State, and for that reason I shall cast my vote against this proposed amendment, to the end that my State shall retain its sovereign power to legislate on this question as its people shall see fit to ordain.

Mr. VOLSTEAD. I yield six minutes to the gentleman from North Dakota [Mr. NORTON]. [Applause.]

[Mr. NORTON addressed the House. See Appendix.]

Mr. VOLSTEAD. Mr. Speaker, I desire to yield to the gentleman from Missouri [Mr. ALEXANDER] three minutes.

Mr. SAUNDERS. Mr. Speaker, I will add to that two minutes, so as to make it five minutes.

The SPEAKER. The gentleman from Virginia adds to the time given by the gentleman from Minnesota two minutes, and the gentleman from Missouri is recognized for five minutes.

Mr. ALEXANDER. Mr. Speaker, I have listened attentively to the arguments made to-day for and against this resolution. I will not undertake in the brief time allotted to me to discuss the merits of the resolution. Congress is proceeding in a regular and orderly way to submit to the people of the United States an amendment to the Constitution. It is not a question of State rights or whether the people will give up to the United States Government the exercise of the police power which they have enjoyed and exercised in times past. That will be determined by the people of the several States if this Congress submits this resolution to their consideration. Much has been said of the merits of the resolution that is aside from the question before us to-day. The question now is whether or not there is a sufficient sentiment among the people of the United States to justify us as their representatives to permit them to decide this question for themselves. If they really wish to surrender one of the rights reserved to them in the Constitution when first adopted, that is their privilege, and it is not for us to withhold that right from them. If the Committee on Rules felt there was such overwhelming public sentiment in favor of the consideration of this proposition by Congress, it follows as a corollary that that same public sentiment should be respected, and we, as the agents and representatives of the people of the United States, should pass the question to them and let them determine it for themselves.

I do not understand that I have the right to prejudge the question for my people, to determine for them whether it is better for them to adopt national prohibition or not to do so. It is not for me to determine whether prohibition prohibits or does not prohibit; but, believing, as I do, that the people, after full discussion and consideration, can best settle the question for themselves, I shall vote to submit this question to the States. [Applause.]

My district in 1910 voted for State-wide prohibition. Every county in my district is under local option. Every town in my district is under local option, save one. In 1914, when we had a referendum on a State statute providing for the county unit, every county in my district voted for the county unit, save one.

I interpret the vote in my district on these questions as reflecting the sentiment of my district, and in connection with the numerous petitions, letters, and telegrams received by me as a warrant for me to permit my people to vote on this question for themselves, and I am not going to arrogate to myself the high privilege of saying to them that they may not do so. On the other hand, in the years past, I do not know of any question that has ever been submitted to the people of the United States that has more in it for the welfare of the American people than this question of how best to deal with the liquor traffic.

Whether it may be done in the manner proposed in this resolution is open to serious consideration, but I can not imagine that any thoughtful man, having regard for the public welfare, any good citizen, any father, any husband, any brother or son, would not willingly abolish this iniquitous traffic from among the American people if he had it in his power to do so. [Applause.] It is fraught with more misery and more woe to the people of our country than all other ills combined. [Prolonged applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Washington [Mr. LA FOLLETTE] such time as he may desire.

The SPEAKER. The gentleman from Washington [Mr. LA FOLLETTE] is recognized.

Mr. LA FOLLETTE. Mr. Speaker, twelve millions of people have petitioned the American Congress to have this resolution submitted to the States, practically one-eighth of our popula-

tion. Not the representative citizens of a few States, not the representative citizens of the small States, but representative citizens of the entire 48 States of the Union have signed this petition.

Mr. Speaker, when I consider that that vast number have petitioned the American Congress for the right to have it demonstrated whether or not their opinion has really become the opinion of the majority of the people of the United States, I believe that the American Congress should respond to their request.

Mr. Speaker, I can not agree with the gentleman from Wisconsin [Mr. LENROOT] that representative government is a failure and that the legislators of the States of the Union will not reflect the wishes of their people.

There are individual legislators who do not and who will not; but the great majority of the legislators and legislatures of our various States do respond to the preponderant ideas and desires of their citizenship.

Mr. Speaker, this debate has taken wide latitude. Eminent lawyers, students of constitutional rights and law, have expounded their deductions, some of them elaborately, some, for lack of time, briefly; and others, in many cases, very perfunctorily, indeed.

Some of the most earnest advocates of national conservation who are wont to discuss eloquently of the Government's duty and right to conserve the forest resources, the mineral resources, and water-power resources, the birds of the air, the beasts of the field—in fact, all of the resources of the country, both animate and inanimate, excepting alone and objecting to the national conservation of our most valuable asset, namely, the youth of our country, the human element, the Nation itself. When an attempt is made here in an orderly and lawful way to provide for national conservation of humanity they immediately cry that the rights of the States are being invaded, and these eloquent advocates of national conservation as against State conservation, of national control as against State control, hold up their hands in holy horror and argue that the States should not be permitted to vote on the proposition in a way provided by the Constitution, because, forsooth, representative government is a failure, hence the States are not worthy to be trusted to change their National Constitution, presumably because they might amend that Constitution in such a manner that it migh work a financial loss to certain interests and individuals, this financial loss outweighing and overshadowing all moral and material benefit such amendment might be to the large majority of the inhabitants of these States.

Seventeen times, Mr. Speaker, have the people of the United States, through their legislatures, amended the original Constitution framed by the fathers, and in every case three-fourths or more of the States voluntarily renounced their State rights in the matters, and those States that did not bowed to the will of the majority and acquiesced as they agreed to do when they entered the Union of States.

Is the resolution now under consideration any more of a surrender than was made in all former amendments? I contend that it is not and that it is much more worthy than were some of the others.

Mr. Speaker, gentlemen have raised here not only the question of State rights as an argument against the passage of this resolution, but have also cried out against the invasion of the personal-liberty rights of the individual, and have advanced the argument that neither State nor Nation should dictate as to what the individual should eat, drink, and so forth. This contention is, in my judgment, so fallacious as to be almost ridiculous—the Government is indirectly saying what the citizen may eat and drink every time it passes a pure-food law and enforces the same.

It sounds fine to hear a member of society who has an income of several thousand dollars per annum say, "It is nobody's business what I eat and drink. I am a gentleman; I will not drink to excess; my family will not suffer, consequently no laws should be passed abridging my liberty or right to purchase and drink what I please."

Without going into the phases of the question other than those affected by finances, I desire to ask whether the Government is not justified in passing just such a law for the majority of our citizens who do not have incomes of thousands per annum. On the contrary, we know the average is only a few hundreds of dollars per annum. Would the gentlemen contend that it is not the business of society if a man drawing a salary of $20 per week, who has a wife and children to support, takes the same attitude as to his personal right to eat and drink as the man with ten times his income and spends one-half his income in drink, thereby reducing the food, raiment, and living comforts of his family, lessening their chances to become useful members of society and handicapping them in the pursuit of life, liberty, and happiness, I say, would the gentlemen contend that this is not the business of society as embodied in the laws of State and Nation? I think not, and more than that, gentlemen all know that there are hundreds of thousands of such cases throughout the length and breadth of this land.

The only reason that can be raised against the passage of this resolution that is actually receiving any consideration is the one that, unfortunately for the human race, has always been predominant—the dollar.

Gentlemen may delude themselves with State rights theories, with personal liberty theories, and sophistries of many kinds to satisfy their consciences in the matter, but I say to come down to the last analysis it is the greed of gain, the almighty dollar, that controls, and if it were not for that influence the use of intoxicating beverages would have ceased long ago. And right now if it could be fixed in such a manner that no being could derive a profit from the traffic in it, the sale of intoxicating liquor would not be tolerated for a twelvemonth. We would all be able to see the evil of it, its banefulness to society, its destruction of manhood, its cruelty in the family. The mothers' tears, the children's cries, the wives' distress would be immediately heeded.

Oh, Mr. Speaker, I can but feel that this land of the free and home of the brave would profit at a time like this if we had an all-powerful czar who would say for the benefit of the race, "I forbid its manufacture for sale or its use as a beverage." And I predict that darkest Russia will, under this new dispensation, if its ruler only adheres to his edict, make the most stupendous strides in moral and material welfare ever experienced by any nation on the face of the earth, advancement only possible to men and nations not steeped in alcohol.

I have heard that alcohol is a good preservative of the dead, but not of the living. Yes; quite the reverse. It is a very useful agent in its place, but that place should not be in the beverages of our people.

Gentlemen say here that each State should settle the matter for itself; that sounds well, but no State is of itself sufficient. The Government is taking means to check the spread of the foot-and-mouth disease. The Appropriations Committee is being asked to recommend a large appropriation to be used in its eradication. Well, under our laws we can prohibit the interstate shipment of cattle and hogs. We have no laws, nor any probability of any, prohibiting the interstate shipment of our normal people, consequently it is not enough to say that each State can settle the matter for itself. The youth of our land does not stay at home forever. The mother's heart throbs and longs for the welfare of her boy, let him be where he will. The mothers of one State are interested in the welfare of all the States, likewise the fathers and all good citizens, let them live where they will.

It is a national question and can not be confined to the narrow boundaries of a State.

I will not go into statistics to prove the extent or magnitude of this traffic or its baneful influence or evil effects. That has been gone into fully here, and it forms a part of the records of every court, of every city, of every hamlet of our broad land.

Mr. Speaker, I believe the States of the Union should be given an opportunity to vote on this question, as provided for by our National Constitution. I know of nothing comparable to this question in importance, that so largely influences the moral and physical well-being of our people, not the people of one State or one community but the people of the entire Nation, the question of the prohibition of the sale or of the manufacture for sale of alcoholic liquors for beverage purposes. May this prohibition come speedily.

The SPEAKER. The gentleman from Minneosta [Mr. VOLSTEAD] has five minutes left.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Illinois [Mr. COPLEY].

The SPEAKER. The gentleman from Illinois [Mr. COPLEY] is recognized.

Mr. COPLEY. Mr. Speaker, I first read the resolution under discussion:

Joint resolution proposing an amendment to the Constitution of the United States.

Whereas exact scientific research has demonstrated that alcohol is a narcotic poison, destructive and degenerating to the human organism, and that its distribution as a beverage or contained in foods lays a staggering economic burden upon the shoulders of the people, lowers to an appalling degree the average standard of character of our citizenship, thereby undermining the public morals and the foundation of free institutions; produces widespread crime, pauperism, and insanity; inflicts disease and untimely death upon hundreds of thousands of citizens and blights with degeneracy their children unborn, threatening the future integrity and the very life of the Nation. Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited.

"SEC. 2. Congress shal have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation."

Only one other question in the entire history of our people has been fraught with so much danger to the institutions of our country, and like slavery this involves many considerations. Our people are divided into two camps and are growing more and more hostile year by year. Although every degree of enthusiasm is represented in both camps, the more radical element is gradually getting control of each. The people who believe that alcohol is a poison and that the manufacture and sale of intoxicating liquors should be forever stopped in any form feel as deeply on this subject as did the abolitionists of the late fifties.

The men who have invested money in buildings and machinery for the manufacture and distribution of alcoholic liquors during a period when the Government recognized it as a legitimate industry naturally resent any action that will destroy the value of their investments, just exactly as any the rest of us would resent legislation destroying property which we have accumulated in any other line under the sanction of custom and law. Not only has the law sanctioned this industry, but it has even collected revenues running into scores of billions of dollars when you consider the total of Federal, State, and municipal taxes levied against it in this country since such taxes were first levied.

I shall not take your time to-day to discuss whether or not alcohol is a poison. I feel my inability to do so in a manner sufficiently intelligent to warrant trespassing upon your attention. Even great scientists disagree on this phase of the subject, and like any other contested point both sides can marshal an imposing list of expert witnesses whose authority—no matter on which side it is thrown—probably no one of us here would be able to successfully combat.

Another phase which has to do with the moral consideration of this question, namely, the balancing of want and suffering and degradation on the one side against an alleged weakening of the human fiber through the medium of attempting to legislate goodness into the human race on the other, also opens up a realm of speculation so vast and so shrouded in the abstruse that again many of us might be tangled up in some of the complications and lose sight of that which is most important.

From the correspondence which I have received from people interested in both sides it is perfectly evident to me that there is a widespread misunderstanding among the people of this country as to the effect of this vote. We all here realize that we are not voting for prohibition, and yet most of the letters and telegrams to me indicate that both the "drys" and "wets" in my district generally seem to believe that this is a vote either for or against prohibition, whereas the fact is that the only effect of a vote on this floor on this resolution will be either to deny or give to the people of this country the right to determine for themselves whether or not they want this traffic abolished.

Under our Constitution we can not invoke an exact referendum of a majority of our people on this subject, for it requires two-thirds of all the Members of the House and again two-thirds of all the Members of the Senate voting affirmatively before it can possibly be presented to our qualified voters; and even then they can not vote on it directly but must elect members of the legislatures of the various States, for before this can become a law three-fourths of all our States must, through their legislatures, vote affirmatively on the same resolution. It comes the nearest to being a referendum of anything that we can get, and if it is finally agreed to by the necessary 36 States it will undoubtedly mean that a great majority of all the people of this country desire that it should become a law. As I said, this is not a perfect referendum, because if any 13 States should withhold their assent it would prevent its adoption as a part of our Federal Constitution, and all the work that had previously been done would count for nothing.

The population of our country at the present time holds about the same ratio between the States that it did when the census was taken in 1910. Using those figures as a basis the total population of the present States was 91,972,266 at that time. If the 13 States having the smallest population, namely:

Nevada	81,875
Wyoming	145,965
Delaware	202,322
Arizona	204,354
Idaho	325,594
New Mexico	327,301
Vermont	355,956
Utah	373,351
Montana	376,053
New Hampshire	430,572
Rhode Island	542,610
North Dakota	577,056
South Dakota	583,888
Total	4,526,897

Should refuse to give their consent, it would mean that 4,526,897 people could absolutely nullify the wishes of 87,445,369. On the other hand, if only the 36 States having the smallest population, viz:

Nevada	81,875
Wyoming	145,965
Delaware	202,322
Arizona	204,354
Idaho	325,594
New Mexico	327,301
Vermont	355,956
Utah	373,351
Montana	376,053
New Hampshire	430,572
Rhode Island	542,610
North Dakota	577,056
South Dakota	583,888
Oregon	672,765
Maine	742,371
Florida	752,619
Colorado	799,024
Connecticut	1,114,756
Washington	1,141,990
Nebraska	1,192,214
West Virginia	1,221,119
Maryland	1,295,346
South Carolina	1,515,400
Arkansas	1,574,449
Louisiana	1,656,388
Oklahoma	1,657,155
Kansas	1,690,949
Mississippi	1,797,114
Virginia	2,061,612
Minnesota	2,075,708
Alabama	2,138,093
Tennessee	2,184,789
North Carolina	2,206,287
Iowa	2,224,771
Kentucky	2,289,905
Wisconsin	2,333,860
Total	40,865,581

Should vote affirmatively it would mean that 40,865,581 people could force their policy upon an unwilling 51,106,685. We can see from this how possible it is to fail of a perfect referendum; and yet the chance that only the smallest States will dissent or affirm is so remote that I think we can safely assume that if this resolution secures the necessary two-thirds vote in the House of Representatives and in the Senate, and if 36 States ratify it and it becomes a law, that the resolution has met with the approval of a vast majority of all of our people.

If there ever was a question before the American people which ought to be decided by a referendum vote it is one like this, which so irreconcilably divides the thought and actions of our citizens. A great moral question must always be decided by the ballot or the bayonet. We decided another such question 50 years ago by the latter method, and I think no man living to-day believes that it was the better way to determine the issue.

Whenever any considerable percentage of people want a certain policy adopted, and when it is impossible to determine in advance whether it is a minority or a majority that so desires, it makes for good citizenship to determine definitely which faction shall control. Our Republic itself is built on the foundation of the right of a majority to rule and that carries with it the right to expect the minority to acquiesce in the expressed will of the majority.

I feel that I should be derelict in my duty, not only as a Member of Congress but as a citizen of the United States, if I deny an opportunity to determine whether or not the people who believe in prohibition are in a sufficient majority to amend the Constitution.

There is one very practical phase of this question which must be thrashed out in every man's heart. The Federal Government collected as taxes from alcoholic liquors and dealers therein for this fiscal year ending June 30, 1914, $228,178,849.58. This coming year, owing to an increase of 75 cents per barrel on beer and other increased taxes, it will probably collect very nearly $300,000,000, over 40 per cent of all the money this Government now raises from all sources of taxation. The various

State and municipal governments collected very nearly $200,000,000 more, making a total of about $500,000,000 per year. This would mean that we must raise from some other source $5.43 for every man, woman, and child in this country, provided the population has not increased since the census of 1910. The best estimate, however, of the increase would give us about 100,000,000 people at the present time, which would mean $5 per capita to be raised from other sources. There are on an average 5.1 members to each family. This would mean that the average family throughout the entire country must be prepared to pay over $25 per year to replace the revenues now drawn from these sources.

Every citizen when he votes on this question must take this into consideration, and must prepare himself in his heart for the possibility of making up his share of this amount out of his own pocket.

The real meaning of this bill can perhaps be summed up in the one question: Are the people of this country able to govern themselves—able to determine for themselves that which is for their own best interest? We have now had 138 years' experience, and if popular government is a failure it is high-time for us to find it out. I have every faith in the ability of the people of this country to select that which is best for themselves after they have made a careful study of any question.

I am certain that if this resolution carried with it a provision for paying for the actual property losses sustained by individuals who have invested money upon implied assurance that our Government recognized such investments as legitimate, it would be much more likely to become a law, and in such an event the minority would be much more likely to acquiesce in the will of the majority.

When I look at the great centers of population of this country I wonder how easy it would be to enforce such a law in New York, Cincinnati, Chicago, St. Louis, Milwaukee, and many other cities, for, after all, a law can only be enforced when it has back of it the weight of popular opinion. I do not quite see how even the entire standing Army of the United States, with its present proportions, could enforce such a law in all the great cities of this country at the same time, and yet a sufficient number of our States have already declared for State-wide prohibition to warrant the presumption that a very considerable percentage desire an opportunity to express themselves on this subject, and I shall, therefore, vote for this resolution.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. SUTHERLAND] such time as he may desire.

The SPEAKER. The gentleman from West Virginia [Mr. SUTHERLAND] is recognized.

Mr. SUTHERLAND. Mr. Speaker, I deire to avail myself of the rule and extend my remarks in the RECORD. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. MOSS] such time as he may desire.

The SPEAKER. The gentleman from West Virginia [Mr. MOSS] is recognized.

Mr. MOSS of West Virginia. Mr. Speaker, by a majority of about 100,000 votes West Virginia declared herself in favor of prohibition, so that you may all know where West Virginia's delegation stands.

I ask leave, Mr. Speaker, to extend my remarks in the RECORD. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I desire to reserve the balance of my time.

The SPEAKER. The gentleman reserves three minutes and a half. The gentleman from North Carolina [Mr. WEBB] has nine minutes.

Mr. WEBB. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. FARR].

The SPEAKER. The gentleman from Pennsylvania [Mr. FARR] is recognized for two minutes.

Mr. FARR. Mr. Speaker, do we believe in the rule of the people—government of the people for the people by the people?

Do we believe they are intelligent enough to decide this question for themselves?

Shall we respect their numerous vigorously expressed desires?

Are we truly representatives of the people?

These are questions, vital ones, that enter into this issue.

No one disputes that there is a clearly defined, widespread, profound interest in this important question. Millions of people have petitioned this Congress to give them a chance to decide for themselves whether or not they want nation-wide prohibition.

I have received petitions, resolutions, letters, and telegrams representing thousands of my constituents on both sides of this important question. What right have I as their Representative in Congress, elected by them, to stand in the way of an expression by them on a question in which they are so greatly concerned?

Many of my constituents are opposed to prohibition. In voting for the resolution I do no injustice to them, because they will have equal opportunity with those in favor of it to express their convictions.

I regard it as a duty, so far as my vote will do it, to give the people that opportunity—a right which belongs to them. [Applause.]

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] is recognized.

Mr. WEBB. Mr. Speaker, I yield the remainder of my time to the gentleman from Oklahoma [Mr. MURRAY].

The SPEAKER. The gentleman from Oklahoma [Mr. MURRAY] is recognized for seven minutes.

Mr. MURRAY. Mr. Speaker, the gentleman from Indiana [Mr. MORRISON] suggested that this may mean the death—the political death, of course—of many of us. Be it even so. But each chooses his own form of burial. We stand between an opportunity of having the church choir sing a hymn and the preacher pronounce a holy benediction over the departing soul departing for the spirit land, or to have our graves decorated with saloons and breweries. Which will you take? [Laughter and applause.]

I would not vote for the Morrison amendment unless I were either conniving at the defeat of this movement or so fanatical that I could not recognize that alcohol has a useful purpose in medicine and in science. I would not vote for any prohibition amendment that did not recognize that legitimate use.

We are not here finally to determine the solution of the liquor problem. We had to begin this battle to destroy the organized saloon element, and until we have destroyed the organized saloon there can never be a final solution of this problem.

Men may say—and they do say—that you can not enforce prohibition. I say to you, you can enforce it in any county where you have the judge, the sheriff, the prosecuting attorney, and the jury composed of law-abiding citizens. It is true that you may not in certain localities elect all from that class, but with the Federal power having a concurrent jurisdiction, appointive and representing the whole American people, you will have that judge, that prosecuting officer, that marshal, and a citizenship who will uphold the law when they sit upon the jury. It will then be strong, because the jury box will be strong. It is for the purpose of destroying the saloon element, who insinuate themselves into all our political battles and defeat the best measures of government, both State and Federal, for which we are now working. My opinion is that there will never be a final solution of the liquor problem until the Government itself assumes the monopoly of the entire manufacture and control of alcohol for the legitimate purposes provided by law.

Now, my friends, it is urged that because there is a joint control or jurisdiction between the States and the Federal Government it would wipe out that dear principle of twice put in jeopardy for the same offense. In Oklahoma we have that concurrent jurisdiction.

The east half of Oklahoma, which comprised the Five Civilized Tribes, is "virgin prohibition territory." It is the only territory under our flag that never had a saloon since government was organized. May it never have one. [Applause.] We have there a joint control of the State and Federal authority, which operates just as this provision will operate when adopted. Mark what I say. It will in the end be adopted. No man, however great, and no political party in this Republic can live against the temperance movement for the destruction of the organized saloon. [Applause.] For a man to say that a conviction in a State court could not be pleaded in bar of a conviction in the Federal court, or vice versa, is to overlook another provision of our Constitution, which prohibits twice in jeopardy. Lawyers know that you must read all sections of law together. Constitutional lawyers also know that whenever there is a conflict between one provision of a constitution and the provisions in the Bill of Rights the other provisions must give way to the Bill of Rights. The provision in our Constitution that is in itself a bill of rights, to wit, that no man shall be put in jeopardy twice upon any charge, will prevail over this amendment or any other, and when you read this section, when adopted, with that section there will be complete harmony; and whenever the State government chooses to prosecute it can do so, and if it fail the Federal Government will step in, as it does in my State in some sections, where it is difficult for local authority to control, and will enforce the law. Do not be uneasy about that. Do not be uneasy about this provision prohibiting the traffic. After its adoption there will be no more saloons or traffic. [Applause.]

The SPEAKER. The time of the gentleman has expired. The gentleman from Minnesota [Mr. VOLSTEAD] has three minutes and a half and the gentleman from Alabama [Mr. HOBSON] has 16 minutes.

Mr. VOLSTEAD. I yield my three minutes and a half to the gentleman from Alabama [Mr. HOBSON].

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized for 19½ minutes. [Applause.]

Mr. HOBSON. Mr. Speaker, I listened with great interest to the entertaining speech of my friend from Indiana [Mr. MORRISON]. I have never taken a personal view of this question at all. The thing that surprised me and puzzled me somewhat in his detailed elaboration of his own antecedents was that, having received direct instructions in 1908 on the matter involved in his amendment, he has never yet seen fit to introduce it until the last few days. Now, I may not be a great lawyer, but I certainly have this much knowledge of our organic law, that the first requisite for an intelligent and timely submission, or laying before Congress for submission, of an amendment to our Constitution, is to know that there is a call, a demand from the people in the several States; and my friend [Mr. MORRISON] seems to have forgotten, in his detailed description, to enumerate what petitions he has received in the interest of his substitute. He referred to no resolutions having been passed by any temperance, prohibition, church, or other organizations in the land. Now, I confess to having been a naval constructor in my day, and to having the ability in my profession at least to help build a battleship. That was my profession. But what puzzles me is how my able friend [Mr. MORRISON], so full of humor, should have imagined that this body or the American people would try to attain an object through the passage by both Houses of Congress by a two-thirds majority, and a ratification by three-quarters of all the States, that which could be attained by a simple majority vote of the Congress.

I may not be versed in the intricacies of the law, but my scientific training has enabled me to see how clear this great and difficult and complex question really is.

What is the object of this resolution? It is to destroy the agency that debauches the youth of the land and thereby perpetuates its hold upon the Nation. How does the resolution propose to destroy this agent? In the simplest manner. It does not attempt to abuse him. It simply says that he shall not make profits in barter and sale out of a business in which he can not get customers by teaching old and grown-up men to drink, but has to debauch the youth of the land. It does not coerce any drinker. It simply says that barter and sale, matters that have been a public function from the semicivilized days of society, shall not continue the debauching of the youth. Now, the Liquor Trust are wise enough to know that they can not perpetuate their sway by depending on debauching grown people, so they go to an organic method of teaching the young to drink. Now we apply exactly the same method to destroy them. We do not try to force old drinkers to stop drinking, but we do effectively put an end to the systematic, organized debauching of our youth through thousands and tens of thousands of agencies throughout the land. Men here may try to escape the simplicity of this problem. They can not. Some are trying to defend alcohol by saying that its abuse only is bad and that its temperate use is all right. Science absolutely denies it, and proclaims that drunkenness does not produce one-tenth part of the harm to society that the widespread, temperate, moderate drinking does. Some say it is adulteration that harms. Some are trying to say that it is only distilled liquors that do harm. Science comes in now and says that all alcohol does harm; that the malt and fermented liquors produce vastly more harm than distilled liquors, and that it is the general public use of such drinks that has entailed the gradual decline and degeneracy of the nations of the past.

They have no foundation in scientific truth to stand upon, and so they resort to all kinds of devious methods.

Their favorite contention is that we can not reach the evil because of our institutions. This assumes that here is something very harmful and injurious to the public health and morals, that imperils our very institutions themselves and the perpetuity of the Nation, but the Nation has not within itself, because of its peculiar organization, the power to bring about the public good and end a great public wrong. They invoke the principle of State rights. As a matter of fact, we are fighting more consistently for State rights than they ever dreamed of. We know the States have the right to settle this question, and furthermore our confidence in three-quarters of all the States to act wisely does not lead us to fear that if we submit the proposition to them they might establish an imperialistic empire. We believe that three-quarters of all the States have the wisdom as well as the right to settle the national prohibition question for this country.

They talk of the size of the unit for prohibition. We know perfectly well that the size of the unit is not involved in the principle. If we were contending to-day for a State-wide unit the opposition would say that the county unit is the proper unit. If we were contending for the county unit, as in Indiana, they would at once say the township is the proper unit.

They can not find refuge behind the superficial proposition of not being able to collect revenue and taxes. We collect $230,000,000 revenue, but what does that revenue mean? It is the people's money. What does the collection of that money entail upon the people? Crime, pauperism, and insanity, which the Liquor Trust ought to be compelled to support but does not. The liquor interests, involving a burden of direct taxation of nearly $2,000,000,000, collect over two billions of actual cash from our people. They lower terrifically the average standard of productiveness, entailing $8,000,000,000 loss annually, and cause the premature death of hundreds of thousands of our people that ought to live on as producers, entailing other billions of loss. Why, gentlemen, it mounts up in the region of sixteen billion dollars a year, the loss entailed in the collection of a revenue of $230,000,000.

Gladstone said to the brewers that claimed special consideration at the hands of the Government because of the revenue which they paid:

> Do not speak to me about the revenues from strong drink. Give me a people who do not squander their substance in strong drink and I will find an easy and ready means of raising the necessary revenue for carrying on the Government.

It was the same philosophy in the maturity of his years which led him to declare that strong drink is more destructive than the historic scourges of war, pestilence, and famine combined.

Neither can they take refuge about any assumed question of individual liberty. We do not say that a man shall not drink. We ask for no sumptuary action. We do not say that a man shall not have or make liquor in his own home for his own use. Nothing of that sort is involved in this resolution. We only touch the sale. A man may feel he has a right to drink, but he certainly has no inherent right to sell liquor. A man's liberties are absolutely secure in this resolution. The liberties and sanctity of the home are protected. The liberties of the community are secure, the liberties of the county are secure, and the liberties of the State are secure.

Let no one imagine that a State to-day has the real power and right to be wet of its own volition. Under the taxing power of the Federal Government by act of Congress, Congress could make every State in the country dry. They need not think it is an inherent right for a State to be wet; it is not; but there is an inherent right in every State and every county and every township to be dry, and these rights are now trampled upon, and this monster prides himself in trampling upon them.

Why, here to-day Member after Member has proclaimed that prohibition does not prohibit, and I have heard them actually tell us that prohibition could not prohibit. They tell us that this interstate liquor power is greater than the National Government. It is analogous to the days of piracy. The pirates were strong, so they adopted the flag of a skull and crossbones. They would board a ship, put the crew to the sword, and then, in defiance of all organized society, would hoist the black flag above the flag of the ship and set it adrift on the high seas, priding themselves that they were greater than and defied all organized society.

Here is this monster intruding itself upon the floor of this House, speaking through the mouths, whether consciously or unconsciously, of men standing high in power and influence, and telling us that they will hoist the black flag with the skull and crossbones above the Stars and Stripes themselves.

My friend from Indiana [Mr. MORRISON] must be blind in one eye. He saw the influence of the temperance forces in this struggle, but he failed to see the powerful hand of the great organized liquor forces.

Mr. Speaker, one of my colleagues from Alabama had to flaunt in my face here that I had been defeated by my opponent in the recent Democratic primary. I will say to my colleague and to all Members assembled here that my powerful and influential opponent did not fight alone in Alabama. Whether he knows it or not, the National Liquor Trust of America opened up three different headquarters and conducted the major part of that great campaign against me, with over 100 stenographers there and 800 men on their salaried pay rolls.

An army of workers, 500 workers called out at $5 a day, $2,500 a day in one county alone. Wall Street—and I am not guessing—raised a fund which was sent there "to help defeat HOBSON." Wall Street brought their great financial power to

bear upon our corporations until they were fighting me practically to a unit; their hand was felt in the great mines and in the great mills. The party organization fought me instead of being neutral; the governor and his administration fought me; the President and his administration fought me. I fought single-handed and alone against the mighty political forces of the Nation. After my defeat, an echo of which we have here to-day, they held me up as a warning to all men in public life—HOBSON buried beneath a political avalanche, HOBSON politically dead!

Mr. Speaker, I entered the Navy at the age of 14 and served in the Navy for 18 years. I never knew anything but to serve my country. When I left the Navy it was my hope that I might be in public life and serve my country all my days. My colleagues, I may be politically dead, but I say to you that I am not afraid of political death. I would rather have held my head up and fought these mighty forces for eight months, day and night, like a man, though it had cost me political death a hundred times. [Applause.] I appreciate what an honor it is to be a United States Senator, but I would rather hold my head up and do a man's part in my day and generation now, when it is dangerous; I would rather have it go down to my children that I tried to be a man in the midst of political danger; I would rather do a man's part to help cut this millstone of degeneracy from the neck of suffering humanity—I would rather do that, you think, than to be a United States Senator from Alabama? If I know my own mind I would rather do it ten times over than be President of these United States. [Applause.]

And I say now, as I said before, I will meet this foe on a hundred battlefields. If the Sixty-third Congress does not grant this plain right of the people for this referendum to change their organic law, to meet this mighty evil, the Sixty-fourth Congress will be likewise invoked. I do not say that we are going to get a two-thirds majority here to-night, I do not say that we will get a two-thirds majority in the Sixty-fourth Congress, because we have not yet had a chance to appeal to Caesar; but I do say that the day is coming when we shall have that referendum sent to the States, nor is that day as far distant as some may imagine. Unless this question has been made a State matter, as we are asking now for it to be so made by being removed from national politics, and referred to the States—if this is not done by the intervening Congresses, I here announce to you the determination of the great moral, the great spiritual, the great temperance and prohibition forces of this whole Nation to make this question the paramount issue in 1916, not only to gain a two-thirds majority in the Houses of Congress, but to have an administration that neither in the open nor under cover will fight this reform, so that in the spring of 1917 with an extraordinary session of the Sixty-fifth Congress we will have a command from the masters of men and of Congress to grant this right to the people. My appeal is to each one of you now, be a man when the vote is taken and do your duty. [Applause.]

My time has been so short and divided into separate parts that in order to have continuity I will under leave to print insert the following, even at the risk of some repetition:

THE TRUTH ABOUT ALCOHOL.

"And ye shall know the truth, and the truth shall make you free."—St. John, viii, 32.

Mr. Speaker, when we reach the consideration of the pending resolution under the five-minute rule the friends of the measure propose to offer amendments that would substitute House joint resolution 277 for House joint resolution 168. The wording of the former resolution is preferred because it removes all objections founded upon the fear that the rights of the States might be curtailed.

GREATEST PROBLEM SINCE SLAVERY.

Mr. Speaker, this resolution places squarely before Congress the greatest question and the most difficult problem that has confronted Congress and the American people since slavery. There is a close analogy between the two, both dealing with great human wrongs. There is some general analogy between the way in which the two problems were met. After many compromises and efforts at regulation the solution of the slavery question was found in complete abolition. We have completed the analogous efforts at regulation, and this resolution brings us squarely up to the final proposition of the abolition of the liquor traffic. Slavery was deeply rooted in the social structure of the world and gripped with vested hold the business, politics, and Governments of the nations. The liquor traffic is more deeply and wider rooted with a stronger vested grip. The abolition of slavery entailed a great struggle in arms. The abolition of the liquor traffic has now risen with a mighty pending struggle at the ballot, to be settled in 1916.

GREATEST QUESTION OF HISTORY.

This question, Mr. Speaker, antedates human slavery. This question has baffled every civilization that has passed through the panorama of history . It is the greatest question in the life history of the human species, actually determining more than all other questions combined the perpetuity of any civilization.

AGITATING THE NATIONS OF EUROPE.

The civilization of western Europe, the civilization of central Europe, and the civilization of eastern Europe and of Asia are now involved in a great world war, and the respective Governments involved have come to recognize that to survive their nations and their armies must be sober, so that to-day this question is foremost in the councils of all nations of the world. The fact at the foundation of this world interest is the recent discovery made by science that a man, a family, a State, a nation, an empire, a civilization, or a race to survive must be sober.

"The fight against alcohol is the most important phenomenon of our epoch—weightier than all State affairs, wars, and concluded peaces."—Prof. Fick, of Wurzburg.

AMERICA MUST BE SOBER.

The object of this resolution, Mr. Speaker, is to establish those conditions that will make our Nation ultimately a sober nation—able to compete in the world's struggle for commercial and industrial supremacy; able to maintain and preserve the liberties that have come down from our forefathers; able to protect and defend our territory, our institutions, and to defend the cause of justice, liberty, and peace in all the world.

ORGANIC TREATMENT FOR AN ORGANIC DISEASE.

The method proposed in the resolution, Mr. Speaker, is a recourse to our organic law, applying organic treatment to this deep organic disease. In the wisdom of our fathers, vindicated by the experience of history, the organic law of our Nation is lodged in the hands of the several States. The first and most fundamental of all the rights of the States is the right to change the organic law. The part played by Congress is simply that of giving to the States a referendum.

QUESTION OF REFERENDUM.

Mr. Speaker, we are not asking Congress to make a country dry. Let no Member be deceived in this matter. We are simply asking Congress to refer the question for its decision to the States, where the legislators can either decide themselves or take recourse to a referendum to the people. The Member who votes against the rule or the resolution votes to deny the States and the people their right of referendum.

We made no complaint against the Judiciary Committee when it reported House joint resolution 168 without recommendation, for the main question before them was to refer the question to the House. This committee acted in the spirit of our institutions, and we now call on Members of Congress, whether wet or dry, to do likewise.

THE PEOPLE DEMAND THIS REFERENDUM.

Mr. Speaker, in the spirit of an institution the first and paramount consideration in such a case is whether there is a public demand, whether the people want to settle the question for themselves, as indicated by requests or petitions from a respectable number of citizens.

I ask Members to examine that scroll stretching across this Chamber, more than 150 feet long. That is only a partial record of the lists of public meetings where resolutions were adopted, giving the number of voters. If the petitions themselves were assembled end to end, they would stretch for miles. More than 6,000,000 American citizens have petitioned Congress, ten times more petitioners than have ever signed any petition in the history of the world. More than 12,000 organizations have adopted formal resolutions calling on Congress to grant this referendum.

To-day 14 sovereign States are State-wide dry, and 5 more are expected to become State-wide dry in 1918. To-day over 1,800 counties are dry by law. This number should really be increased to get the number of dry counties, for 68 out of 78 counties in Ohio went dry in the recent elections, and scores of counties in Pennsylvania, Indiana, and States without county option are dry.

To-day 56 per cent of all the people of the United States live under prohibition law enacted by their own majority votes.

I call attention of members to this black and white map. It shows that 76 per cent of all the area of continental United States is now dry territory. No one need talk about a minority of the people trying to dictate to a majority. Mr. Speaker, a majority of the people of the United States are dry to-day. This majority on the whole represents, though not exclusively, the conscience, the religion, the moral-uplift forces of the whole Nation. A small percentage of the votes can secure a referen-

dum in the referendum States. Three States of the Confederacy could secure the submission of a constitutional amendment. How can any Member from a referendum State or any American refuse this mighty appeal?

Mr. Speaker, upon the demand of the public the Congress, in compliance with the spirit of our institutions, has submitted many proposed amendments to the States, but never yet has there been such a public demand; never yet has there been such a fraction of a demand.

The first and paramount consideration, whether the people want to pass on this question, leaves no ground for doubt. Mr. Speaker, the American people have a right to this referendum, and they demand from Congress the opportunity to exercise this right.

NOT A TEMPORARY WAVE.

Let no Member imagine that this great demand is a temporary wave of popular emotion likely to subside. On the contrary, it is the manifestation of the gathering power of a mighty conviction rooted in education. The truth about alcohol is rapidly bringing men and nations out from under the

ALCOHOLIC ANÆSTHESIA OF HISTORY.

As they awaken, they behold the awful nature of the malady and its limitless ravages. This resolution is but the crystallization of the deepest public conviction into a plan of action.

QUESTIONS OF FACT, NOT OF OPINION.

Mr. Speaker, these convictions are permanent, because they are founded on questions of fact and not of opinion. They revolve about the nature of alcohol, a chemical compound whose properties have been definitely ascertained at the hands of science. Whether Members of this House are "wet" or "dry," all should acquaint themselves with the recent findings of science as to what alcohol really is, and the effect it really has upon the human organisms, and through the human organisms upon the political and social organisms. In other words, Mr. Speaker, the whole question hinges upon

THE TRUTH ABOUT ALCOHOL.

The Good Book tells us, "And ye shall know the truth, and the truth shall make you free."

I assume, Mr. Speaker, that every Member in this House will be loyal to the truth when in his own reason and in his own conscience he has found it. Loyalty to the truth is really the true test of a man, whether he is in the image of his Maker and is worthy of that dignity that attaches to human life above the life of the brute living on the plane of self-preservation.

MAN EDUCATED IN ERROR.

I realize full well, Mr. Speaker, how with the deceptive properties of alcohol and the powerful financial interests connected with it the average man of to-day has been molded in an atmosphere of error as to its real nature. The educational effects of his observation as to the harmful effects of drunkenness have been partly dissipated by the constant reiteration that the harm comes from the abuse and not the temperate use, the results of which do not appear on the surface. As a matter of fact the effect of the moderate use of alcoholic beverages spread over the whole Nation has done and is doing vastly more harm than all the drunkenness and intemperance combined.

ALCOHOL A POISON TO ALL LIFE.

The substance about which this whole question revolves is a chemical compound of the group of the oxide derivatives of the hydrocarbons, its formula being $C_2H_5(OH)$, 2 atoms of carbon, 6 of hydrogen, and 1 of oxygen. Among the other members of this group may be mentioned carbolic acid, chloral hydrate—popularly called chloral—morphine, and strychnine. Alcohol is produced by the process of fermentation, in which process ferment germs devour glucose in solution derived from grain, grapes, and other substances, and in their life processes they throw off waste products like other living organisms. One of the waste products is the gas that causes bubbling. The other waste product is the liquid alcohol. Alcohol is then the toxin, the

LOATHSOME EXCRETION,

of a living organism. It comes under the general law governing toxins, namely, the toxin of one form of life is a poison to the form of life that produced it and a poison to every other form of life of a higher order. The ferment germs are single-cell germs—the lowest form of life known—consequently their toxin, alcohol, is a poison to all forms of life, whether plants, animals, or men—a poison to the elemental protoplasm out of which all forms of life are constructed. The first scientific finding about alcohol is that "alcohol is a protoplasmic poison." An organic substance placed in alcohol is preserved indefinitely, because no living thing—neither germs of decomposition nor the ferment germs themselves—can penetrate the alcohol.

NO FOOD VALUE.

We must therefore surrender all our preconceived ideas about the supposed food value and benefits of alcohol, even in the smallest quantities. As an illustration, one mug of mild beer—supposed to be beneficial and helpful—will in 30 minutes lower the efficiency of the average soldier 36 per cent in aiming his rifle.

A HABIT-FORMING DRUG.

Alcohol has the property of chloroform and ether of penetrating actually into the nerve fibers themselves, putting the tissues under an anæsthetic which prevents pain at first, but when the anæsthetic effect is over discomfort follows throughout the tissues of the whole body, particularly the nervous system, which causes a craving for relief by recourse to the very substance that produced the disturbance. This craving grows directly with the amount and regularity of the drinking.

UNDERMINES THE WILL POWER.

The poisoning attack of alcohol is specially severe in the cortex cerebrum—the top part of the brain—where resides the center of inhibition, or of will power, causing partial paralysis, which liberates lower activities otherwise held in control, causing a man to be more of a brute, but to imagine that he has been stimulated, when he is really partially paralyzed. This center of inhibition is the seat of the will power, which of necessity declines a little in strength every time partial paralysis takes place.

LITTLE LESS OF A MAN AFTER EACH DRINK.

Thus a man is little less of a man after each drink he takes. In this way continued drinking causes a progressive weakening of the will and a progressive growing of the craving, so that after a time, if persisted in, there must come a point where the will power can not control the craving and the victim is in the grip of the habit.

SLAVES IN SHACKLES.

When the drinking begins young the power of the habit becomes overwhelming, and the victim might as well have shackles. It is estimated that there are 5,000,000 heavy drinkers and drunkards in America, and these men might as well have a ball and chain on their ankles, for they are more abject slaves than those black men who were driven by slave drivers.

SLAVERY CONTINUES.

It is vain for us to think that slavery has been abolished. There are nearly twice as many slaves, largely white men, today than there were black men slaves in America at any one time.

PRESENT-DAY SLAVE OWNERS.

These victims are driven imperatively to procure their liquor, no matter at what cost. A few thousand brewers and distillers making up the organizations composing the great Liquor Trust, have a monopoly of the supply, and they therefore own these 5,000,000 slaves and through them they are able to collect two and one-half billions of dollars cash from the American people every year.

LIQUOR TRUST ABSORBS NEARLY TWO-THIRDS OF ALL THE MONEY IN CIRCULATION.

In this way nearly two-thirds of all the money in circulation in America in the course of a year passes into the hands of the Liquor Trust.

HEAVY LOCAL LOSSES.

Very little of the money paid for liquor remains in circulation locally, because liquor employs so few men for the capital invested and pays them such poor wages.

LIQUOR THE DEADLY ENEMY OF LABOR.

Labor unions ought to realize that liquor is their deadliest enemy. It lowers the standard of character and the standard of living of labor. It dissipates the earnings of labor, interferes with savings, and increases the dependence of labor upon the will of capital. It breeds the violence and disorder that often bring labor's cause into disrepute and give the victory to their opponents. In an industrial struggle, as in any other struggle, if both opponents are sober, there is good chance for arbitration. If one side is debauched by liquor, it will lose. The road to solve the problems between capital and labor is to make the whole country dry as the mining regions of Colorado were made dry in the strike. If the capital now invested in liquor were put to useful channels it would employ more than a million and a half additional men, wage earners, and largely solve the problem of the unemployed. This tremendous increase in the demand for labor would cause a general rise in wages and a corresponding rise in the standard of living.

LIQUOR THE DEADLY ENEMY OF CAPITAL.

Railroads, armies, manufacturing plants, and other employers of men are rapidly coming to realize the heavy toll of inefficiency and loss of productiveness on the part of men in their employ even from moderate drinking. Scientific management of modern industry in every branch is rapidly coming to demand total abstinence.

CHIEF CAUSE OF INDUSTRIAL ACCIDENTS.

Investigations in connection with employers' liability for accident and sickness are rapidly disclosing the responsibility of liquor for the bulk of the accidents and the sickness in mines, mills, and shops and other operations.

BILLIONS YEARLY LOST THROUGH LIQUOR.

My figures indicate a general loss of efficiency of about 21½ per cent for the American producer, on the average. This entails an economic loss of over eight billions of dollars by the Nation. As I shall point out in a few moments, liquor causes the premature death of about 700,000 American citizens every year. This entails an economic loss of about five billions.

CHIEF CAUSE OF CRIME, PAUPERISM, AND INSANITY.

I call attention of Members to the charts that show that liquor is causing the bulk of the crime, pauperism, and insanity, and, leaving the support of these upon the public, causes a burden in direct taxation upon the American people of nearly two billions. Taking away from our people, as pointed out above, two and one-half billions, the sum total of the economic burden laid upon the shoulders of the Nation approximates the total sum of about sixteen billions of dollars. We call the Federal Government extravagant when it lays a burden of one billion for purposes of uplift and we stand by complacently as liquor places a burden of sixteen billions for purposes of degeneracy and destruction, and there are some so deluded as to imagine that the Government should encourage liquor because of the paltry two hundred and odd millions of revenue. Let no enlightened Member talk about the need of liquor revenues. I say to him what Mr. Gladstone said to the deputation of brewers who made the same claim:

Give me a sober people who do not waste their substance on strong drink and I will find ready means of raising the necessary revenues for their government.

LIQUOR CORRUPTS ELECTIONS.

The Liquor Trust through its vast hordes of money corrupts our elections, not only to control the results in wet and dry campaigns, but the election of officers and political parties subservient to liquor interests. In many wet and dry campaigns bankers have been put under duress and required to notify farmers, merchants, and other business men that they would call in their loans if the elections went dry.

CREATES MENACING DEGENERATE VOTE.

The growing degenerate vote directly due to liquor is now menacing not only the elections in our great cities, but in the States that have large cities, and even in the Nation itself. Liquor not only creates this degenerate vote, but it also keeps a corruption fund available to purchase that vote, and does not hesitate to spend vast sums for this purpose. In this way it stands with club in hand over politicians and political parties.

HOLDS CLUB OVER POLITICIANS AND POLITICAL PARTIES.

It is not surprising, therefore, to find the menace of this great blighting influence in our political life, by which our elections can not be normal and political forces can not follow in their normal course without cross currents and counter currents. It is vain to hope for honest elections until the country is dry.

THE BLIGHT OF FREE INSTITUTIONS.

The liberties and institutions of a free people must depend for their perpetuity upon the average standard of character of the electorate. In America where we have manhood suffrage the degeneracy produced, particularly in big cities, is undermining the foundations of our institutions.

THE DOWNFALL OF REPUBLICS.

It is this same lowering of the average standard of character of the citizenship in the past that entailed the overthrow of the liberties of Greece and Rome and other Republics. It seems rather ironical for liquor men to call upon the name of liberty.

GRIPS THE THROAT OF GOVERNMENT.

Through control of political parties and politicians and from the supply of needed revenues liquor gets a strangle hold upon the Government, and for ages governments have largely looked to liquor to supply revenues and give support for continuance in power.

LIQUOR AND THE WORLD WAR.

It is a clear sign of the times to note the general change of attitude of the Governments of Europe toward liquor. All governments should now be in full possession of the findings of science as to the real nature of alcohol, consequently when the general war broke out in Europe the Governments, though in great need of revenues, promptly took advantage of the powers conferred under martial law to strike liquor a deadly blow.

THE RUSSIAN EMPIRE DRY.

Shortly after the promulgation of martial law the Russian Government, in spite of the loss of hundreds of millions in revenue, issued a proclamation to compel prohibition of the national drink—vodka. This order has been made permanent and, broadly speaking, the Russian Empire is to remain dry forever.

PARTIAL PROHIBITION IN FRANCE.

The French Government likewise issued a proclamation of prohibition of the manufacture and sale of absinthe, and has since extended this to include other distilled liquors.

GERMANY PARTIALLY DRY.

After the proclamation of martial law the Government closed down the breweries throughout the Empire and has promulgated drastic measures for prohibition in the war zone of the East. When a child is born in Germany the Government sends a card to the mother warning against the deadly nature of alcohol. When a child enters public school in Berlin the Prussian Government sends an antialcohol card to the father and mother by the child.

GERMANS IN AMERICA OUT OF ACCORD WITH THE FATHERLAND.

It seems too bad that the Germans who have cast their lot in America should not have caught the progressive spirit of the Fatherland. Eight hundred German scientists, 116 of them professors in German universities, have made a unanimous report on the nature of beverage alcohol, recommending its complete elimination. A German staff physician of the German army has announced that "we should not discuss moderation with a man. The thing has long since been settled by science. The use of narcotic poisons is simply indecent and criminal."

OUR GOVERNMENT STILL LIQUOR RIDDEN.

It should be a source of humiliation to well-informed Americans that our Government shows no indications of change of attitude toward liquor. Our need for revenue is much less than that of the nations at war, and yet in sections 1 and 2 of the revenue bill recently passed we turned to liquor for nearly one-half the total amount, strengthening the hold of liquor upon the finances of the Government. Liquor has the same strangle hold upon the throat of our Government to-day that slavery had before 1860. Congress has not permitted the cotton planter to deposit his cotton in bond, but it has done everything for the distiller so he can place his liquor in bond and on these warrants get financial advances.

LIQUOR DEGENERATES THE CHARACTER.

The first finding of science that alcohol is a protoplasmic poison and the second finding that it is an insidious, habit-forming drug, though of great importance, are as unimportant when compared with the third finding, that alcohol degenerates the character of men and tears down their spiritual nature. Like the other members of the group of oxide derivatives of hydrocarbons, alcohol is not only a general poison, but it has a chemical affinity or deadly appetite for certain particular tissues. Strychnine tears down the spinal cord. Alcohol tears down the top part of the brain in a man, attacks certain tissues in an animal, certain cells in a flower. It has been established that whatever the line of a creature's evolution alcohol will attack that line. Every type and every species is evolving in building from generation to generation along some particular line. Man is evolving in the top part of the brain, the seat of the will power, the seat of the moral senses, and of the spiritual nature, the recognition of right and wrong, the consciousness of God and of duty and of brotherly love and of self-sacrifice.

REVERSES THE LIFE PRINCIPLE OF THE UNIVERSE.

All life in the universe is founded upon the principle of evolution. Alcohol directly reverses that principle. Man has risen from the savage up through successive steps to the level of the semisavage, the semicivilized, and the highly civilized.

LIQUOR AND THE RED MAN.

Liquor promptly degenerates the red man, throws him back into savagery. It will promptly put a tribe on the war path.

LIQUOR AND THE BLACK MAN.

Liquor will actually make a brute out of a negro, causing him to commit unnatural crimes.

LIQUOR AND THE WHITE MAN.

The effect is the same on the white man, though the white man being further evolved it takes longer time to reduce him to the same level. Starting young, however, it does not take

a very long time to speedily cause a man in the forefront of civilization to pass through the successive stages and become semicivilized, semisavage, savage, and, at last, below the brute.

THE GREAT TRAGEDY.

The spiritual nature of man gives dignity to his life above the life of the brute. It is this spiritual nature of man that makes him in the image of his Maker, so that the Bible referred to man as being a little lower than the angels. It is a tragedy to blight the physical life. No measure can be made of blighting the spiritual life.

THE BLIGHT OF DEGENERACY.

Nature does not tolerate reversing its evolutionary principle, and proceeds automatically to exterminate any creature, any animal, any race, any species that degenerates. Nature adopts two methods of extermination—one to shorten the life, the other to blight the offspring.

DISEASE AND UNTIMELY DEATH.

Alcohol, even in small quantities, attacks all the vital organs and the nervous system, the tissues, and the blood. A large percentage of premature deaths arising from disease are due to this cause. The attack on the blood lowers the efficiency of the white blood corpuscles to destroy the disease germs, exposing the drinker far more than the abstainer to the ravages of consumption, pneumonia, typhoid, and other germ diseases. The records of insurance companies show that in the periods from 25 to 45 the mortality of total abstainers is only a fraction of that of the average. This means that the bulk of deaths in young manhood are due to alcohol. It means that people ought not to die in their prime any more than animals.

THE MODERATE DRINKER SHORTENS HIS DAYS BY ONE-THIRD.

The records of the insurance companies show that a man starting at the age of 20 as a total abstainer lives to the average age of 65, whereas starting at the age of 20 as a moderate drinker he dies at 51, losing over 14 years, or a cutting down of nearly one-third of his days.

THE HEAVY DRINKER SHORTENS HIS DAYS BY TWO-THIRDS.

Starting at the age of 20 as a heavy drinker a man dies at 35, a shear loss of two-thirds of the span of his whole life.

MILLIONS SLAIN.

We are dying at the rate of 1,000 deaths per 61,000 of the population. Total abstainers in our midst are dying at the rate of 560 per 61,000 of the population, though living under the same conditions. The latter figures are those applied to adult males as shown by the insurance companies' figures. Investigations show that the shortening of life of the offspring is far greater and more serious than that of the parent, as I will point out later, and since the adult males are the fathers of the young of both sexes it is on the side of conservatism to apply the proportion to the whole population, so that we can conservatively say that 440 additional deaths are caused every year per 61,000 of the population—deaths that are premature and unnecessary. This means that alcohol actually kills fully 700,000 American citizens every year.

LIQUOR'S ATTEMPT TO ESCAPE.

When these figures were first printed they were subject to some ridicule and to many attempts to disprove them. Several German scientists have employed the same methods of reasoning, and the liquor interests of the continent have a standing offer of 6,000 marks to any scientist that can disprove the figures of the great insurance companies which are the foundation of this awful conclusion.

KILLS 2,000 A DAY.

When the great *Titanic* sank in mid-ocean with her precious cargo and shocked the whole world, she carried down less than 1,600 souls. Alcohol carries down to a premature grave every day more than 2,000 American souls.

MORE DESTRUCTIVE THAN WAR, PESTILENCE, AND FAMINE.

Mr. Gladstone in the maturity of his philosophy announced that "strong drink is more destructive than the historic scourges of war, pestilence, and famine combined." The old philosopher was eminently correct. Many battles have been fought in history for which there is no authentic report of the casualty, but of those of which there are records, from the Macedonian War, 300 B. C., down to and including the Russo-Japanese War, the sum total foots up to 2,800,000 killed and wounded, which, being apportioned, would make a little more than 2,100,000 wounded and a little less than 700,000 killed. Bearing in mind the qualifying circumstances, it can be generally said, therefore, that alcohol brings to a premature grave more Americans in one year than all the wars of the world, as recorded, have killed on the field of battle in 2,300 years.

LIQUOR MORE DESTRUCTIVE IN AMERICA THAN UNIVERSAL WAR IN EUROPE.

When the great war in Europe is over it will be found that the sum total killed on the field of battle for all nations will average less than 1,500 a day. Alcohol averages 2,000 Americans a day. Europe is really in the eyes of nature better off to-day in the midst of her great tragedy than she has been for centuries, because Europe is almost dry. The convention of life insurance presidents recently announced that Russia is saving fully 50,000 lives of her adult males per year from her recent prohibition order, which in a brief period of time will far more than make up for the soldiers killed in battle. No great nation was ever overthrown in war until after its vitality had been undermined by degeneracy arising from alcoholic dissipation.

THE SOUL TRAGEDY.

When a soldier falls on the field of battle we all realize the tragedy, but in reality it is only his physical life that has been snuffed out. The bullet that pierced the brave soldier's heart never touched his character. When his soul rose to appear before its maker it had no wound. But when the victim is stretched out in premature death from alcohol not only are his heart and other organs and tissues of his body wounded but the ghastly wound is the rent torn in his soul.

ALCOHOL RESORTS TO DUM DUMS.

Civilized nations forbid in warfare the use of flat-nosed bullets that spatter in the flesh and bone. Alcohol uses dum dums that not only spatter in the flesh and bone but crash into the soul.

BETTER FOR AMERICA TO FACE THE COMBINED WORLD IN WAR.

I realize full well how cruel war is, having had friends of mine among Spanish officers, men who had been kind to me in prison, who had treated me like a brother, mortally wounded, dying in agony. On board the Spanish wrecks shortly after the Battle of Santiago I saw the dead men about the decks where they had fallen at their posts of duty. I realized they were brave men and good men, and my soul cried out at the cruelty of their being killed at our hands. I realized not only the cruelty but also the calamity of war, particularly when it overtakes a nation unprepared as our Nation is; but if I had to choose one or the other of these two destructive agents, alcohol or war, I would rather see America, sober, stand alone and face the combined world; I would rather see my country, as defenseless as I know she is, face all the great armies of the world rather than to see this great internal destroyer continue unchecked his deadly ravages throughout our land.

BLIGHT UPON THE OFFSPRING.

Alcohol makes a deadly attack upon the organ of reproduction in both male and female, and upon the nervous system of the little life before birth in the embryonic period. One-half of 1 per cent of alcohol in solution, such as a future mother might easily have in her circulation in attending a banquet or fashionable dinner, drinking only wine or beer, will, oft repeated, kill the little life and endanger the life and health of the mother.

MULTIPLIES DANGERS AND SUFFERINGS OF MATERNITY.

If both parents are moderate drinkers, drinking but one glass of wine or beer per day at one meal, the effect will more than quadruple the chances of miscarriage of the mother, increasing over 400 per cent the dangers and sufferings in maternity, and will nearly double the parcentage of their children that will die the first year in infancy. The children of drinking parents on the whole die off four to five fold more rapidly than the children of abstaining parents.

THE SLAUGHTER OF THE INNOCENTS.

This means that scores and scores of thousands of little children die every year from cruel wounds inflicted upon their little lives before they were born at the hands of their parents who did not know.

VISITATION OF SINS OF FATHERS UPON THE CHILDREN.

If both parents are alcoholic one child in five of those that do survive will become insane before it is grown. One child in seven will be born deformed. One child in three will become epileptic, hysterical, or feeble-minded. Only one child in six will be normal; five out of six will be blighted.

NATURE'S HIGHEST BLESSING.

On the other hand, if both parents are total abstainers, there will be no more dangers and suffering in maternity than in the case of other species; and no matter how hard the lot in life of the parents may be, nine out of ten of their children will be absolutely normal. These children normally born will be easy to bring up, and, kept safe from degeneracy in their youth, will tend to rise one degree higher and nobler in character than their parents, following the line of the species evolution. If a family or a nation is sober, nature in its normal course will cause them

to rise to a higher civilization. If a family or nation, on the other hand, is debauched by liquor, it must decline and ultimately perish.

THE RISE AND FALL OF NATIONS AND EMPIRES.

Rome during long centuries was frugal and abstemious, practicing absolute prohibition within its walls, and during this period we see the wonderful rise of the Roman Empire. When the Romans gathered into their great city and the youth gave themselves over to dissipation, we see the decline and finally the fall of that great empire. Similarly the other nations and empires of the past have risen only to fall.

THE MILLSTONE OF DEGENERACY.

We are all familiar with thoroughbred races of horses, dogs, and so forth, but who ever heard of a thoroughbred race of men? We know that great aggregates of plants and animals continue to rise, but a great nation is only born to die. Heretofore a nation has only been able to rise to a certain level, when, gathering in great cities, liquor has overtaken the youth and a great millstone has settled about its neck. Back it sank, never to rise again. We stand in the presence of this most startling discovery of science—that alcohol has absolutely disrupted the orderly evolution of the great human species.

THE VERDICT.

Science has thus demonstrated that alcohol is a protoplasmic poison, poisoning all living things; that alcohol is a habit-forming drug that shackles millions of our citizens and maintains slavery in our midst; that it lowers in a fearful way the standard of efficiency of the Nation, reducing enormously the national wealth, entailing startling burdens of taxation, encumbering the public with the care of crime, pauperism, and insanity; that it corrupts politics and public servants, corrupts the Government, corrupts the public morals, lowers terrifically the average standard of character of the citizenship, and undermines the liberties and institutions of the Nation; that it undermines and blights the home and the family, checks education, attacks the young when they are entitled to protection, undermines the public health, slaughtering, killing, and wounding our citizens many fold times more than war, pestilence, and famine combined; that it blights the progeny of the Nation, flooding the land with a horde of degenerates; that it strikes deadly blows at the life of the Nation itself and at the very life of the race, reversing the great evolutionary principles of nature and the purposes of the Almighty.

There can be but one verdict, and that is this great destroyer must be destroyed. The time is ripe for fulfillment. The present generation, the generation to which we belong, must cut this millstone of degeneracy from the neck of humanity.

THE REMEDY.

What is the remedy for this great organic disease that is Nation-wide and world-wide in its blight? Evidently the treatment must itself be organic and must itself be Nation-wide and world-wide.

ORGANIC TREATMENT.

We can look to nature and find out in what organic treatment consists, for instance, in diseases of the body physical. In the case of a cure for such a disease the cure consists not in the curing of the old diseased tissues, but in the growth of young tissue, and the very essence of the cure is to insure that the disease or contagion shall not extend to the young tissue, giving nature an opportunity to grow the cure.

NOT A QUESTION OF OLD DRINKERS.

The cure of the old drinkers is not nature's cure for such an organic disease. It is not possible by enactment of a law to make old drinkers stop drinking, to change the deep-seated habits of a lifetime. The amendment proposed in this resolution does not undertake to coerce old drinkers or to regulate the use of liquor by the individual.

BUT A QUESTION OF THE YOUNG.

The cure for this disease lies in the stopping of the debauching of the young. Our generation must establish such conditions that hereafter the young will grow up sober. This proposed amendment is scientifically drawn to attain this end.

ALL GOOD MEN MUST AGREE.

Upon this all must agree. A man may drink himself, but if he is a good man he would love to see such conditions established that the young hereafter would grow up sober.

DEBAUCHING THE YOUTH.

I call the attention of Members to the chart showing that 68 per cent of all the drunkards had their habits contracted before they were 21, 30 per cent before they were 16, and 7 per cent before they were 12. Less than 2 per cent of men begin to drink after they are grown and settled down. Some vast agent in our midst is systematically teaching the boys to drink and debauching the youth. Who is it that carries on this sinful business? Certainly it is not the drinkers. A man may drink but unless he is a hopeless degenerate he would not teach boys to drink. I have known many drinkers, but I have never yet known one who made a habit of teaching boys to drink. This sinister agent is the Liquor Trust of America.

LIQUOR TRUST MAINTAINS ITS VAST BUSINESS BY TEACHING THE YOUNG TO DRINK.

Tens of thousands of paid agents all over the land are carrying out this devilish work. The most deadly work thus far has been in the cities where it is hard for parents to keep track of their boys, but it extends to towns and is now being systematically extended to country settlements The usual method in cities is to operate where boys come together, sometimes having the boys rendevous in saloons but more frequently in pool rooms and other places of amusement, sometimes on vacant lots. The bootlegger or licensed agent of the Liquor Trust arranges to have the boys drink before breaking up to be sociable or as a sign of manliness. To better influence the young boy who is just beginning a special drink is prepared called "Cincinnati," which is sweetened to appeal to the boy's taste. In some cases where it is difficult to reach the boys through agents, as for instance in the State of Oklahoma, the Liquor Trust has written to them giving them numbers so that without the knowledge of their parents, by mail or express, they can ship them liquor free.

WHAT IS THE MOTIVE?

In order to effectively and scientifically solve this question we must discover and must remove the motive. What is the motive of the liquor trust in this vast debauching of the youth? Some have assumed that the motive is to harm the boys, blighting the homes, and degenerating society in general. On this assumption many have set about heaping abuse upon the agents of the great liquor trust. For my part I realize this is not the motive, that most of these agents are in the business to make a living, and that the business has come down in natural courses from the past, an occupation for which the whole of society stands responsible. Recognizing this, I have abused none; I have no bitterness; I have no desire to harm any man's business.

DISTILLER M'COLLOUGH'S PROPOSITION.

Mr. John McCollough, president of the Green River Distilling Co., of Owensboro, Ky., one of the big liquor men of the country, has written to the big men in the business, suggesting that the wise thing to do would be to stop fighting and ask for terms on the basis of being allowed 10 years in which to adjust their business and for the Government to set aside 10 per cent of the revenue collected from the business every year, and at the end of the 10 years for this fund to be used to compensate those engaged in the business when the business is closed. I have no authority to speak for others, but I do not hesitate to say that if such a course were pursued by the liquor trust it would certainly have my sympathetic consideration for statutory adjustment. The South could have received hundreds of millions of dollars for its slaves without war, but when it chose war it could not come back after war and hope to receive a dollar in compensation. The conditions are analogous for the liquor traffic, though liquor has no real legal vested rights, as held by slavery. If liquor continues its barbaric warfare to the bitter end, it need not come asking for compensation.

The real motive in teaching the boys to drink is to develop future customers. With a reasonably small outlay the Liquor Trust can develop this appetite in the young and when the young grow up with an appetite then as men they buy the liquor, over the supply of which the Liquor Trust has a monopoly. The large profits in the sale of their goods to customers thus developed is the real motive of the great Liquor Trust in systematically debauching the youth of the Nation.

SCIENTIFIC TREATMENT.

The real scientific way to cure this evil therefore is to remove the motive—the profits in the sale of the goods. Clearly, this can not be done by undertaking to coerce those who drink, but it can be done by prohibiting the sale and everything that relates to the sale, particularly to the manufacture for sale. This can be done the more readily as barter and sale for profit have been subject to public control since the earliest days.

When the motive is removed and the liquor interests can no longer derive profits from the sale, then the great Liquor Trust of necessity will disintegrate. The debauching of the young will thus end and the young generation will grow up sober.

INDIVIDUAL LIBERTY—SANCTITY OF THE HOME.

In this way no effort is made to coerce any citizen. Some old drinkers desiring to stop will take advantage of the changed environment and stop, and other old drinkers desiring to do so will continue drinking until they die, subject to local or State regulation or control; but when they die no new drinkers will

take their place and the next generation will be sober. This method thus takes no chance of invading the sanctity of the home or the liberties of the individual. Some men may feel that they have an inherent right to drink liquor, but no man will feel that he has a right to sell liquor. The proposed amendment does not touch the question of the use of liquor, and partakes in no manner of the nature of a sumptuary measure.

NO MAN HAS A RIGHT TO SELL LIQUOR.

Twelve decisions of the United States Supreme Court have declared that no citizen has an inherent right to sell liquor. What this amendment does is to declare that the Liquor Trust shall not for petty lucre continue to debauch the young; that neither Federal Government, nor State, nor any citizens shall fatten upon the weaknesses and miseries of the people.

SHALL PROHIBITION BE LOCAL OR NATIONAL.

In carrying out the prohibition of the sale, manufacture for sale, and all that relates to sale, the next question that arises is whether the scope of the prohibition should be limited to small units, like the town and the county, or should extend to the large units making it State wide and nation wide. It is good to have a town dry rather than wet. It is better to have a county dry rather than wet; but if prohibition is by the small unit, then wet towns and wet counties will be found near by, and the virus there generated will pass over continuously and reinfect the dry town and the dry county. It is a good thing to cut out one root of a cancer, it is a better thing to cut out another root, but as long as a single root remains it will generate the virus and inject it into the circulation and reinfect the whole system. As long as there is one State in the Union that is wet it will be the base of operations and source of supply for the national Liquor Trust, from which, through interstate commerce, to infect all the other States. Poison generated in any part of the body, projected into the circulation, will reach all parts of the body, and no part can protect itself. The States can not protect themselves against interstate commerce, nor can Congress delegate to the States this power. The liquor traffic is the most interstate of all business. Their organization is a national organization. It is dealt with by the National Government.

LIQUOR AN INTERSTATE NATIONAL OUTLAW.

Under our present system limiting prohibition to small units the great Liquor Trust has trampled upon the rights of States, of counties, and of towns, and has taken pride in proclaiming that "prohibition does not prohibit."

This pose of the liquor outlaw that he is above the operations of local law is a complete and conclusive demonstration of the need of a national law. There can be no cure of a cancer until all the roots have been cut out, until no centers of contagion are left to reinfect. Local option in various forms, and even State-wide prohibition, though valuable and useful, have not proved adequate. Our whole experience shows that PROHIBITION MUST BE NATIONAL.

SHALL PROHIBITION BE STATUTORY OR CONSTITUTIONAL?

If Congress, in the exercise of the taxing power, should undertake to establish prohibition by statute, the great Liquor Trust would not permanently disintegrate, because what any one Congress can do another Congress can undo. Wet and dry elections would be continually following each other all the time, and the country would be wet part of the time and dry part of the time, and the youth would not have time to grow up sober—the remedy would only be superficial.

THE FINAL CONCLUSION.

To cure this organic disease we must have recourse to the organic law. The people themselves must act upon this question. A generation must be prevailed upon to place prohibition in their own constitutional law, and such a generation could be counted upon to keep it in the Constitution during its lifetime. The Liquor Trust of necessity would disintegrate. The youth would grow up sober. The final, scientific conclusion is that we must have constitutional prohibition, prohibiting only the sale, the manufacture for sale, and everything that pertains to the sale, and invoke the power of both Federal and State Governments for enforcement. The resolution is drawn to fill these requirements.

THE POWER OF THE TRUTH.

If you ask me how to cause the people of a generation to take the question into their own hands and act, I answer without hesitation, reach them with the truth about alcohol. Thorough education in this appalling truth, if it comes not too late in life, will cause the individual to adopt total abstinence and the people to destroy the traffic root and branch. The liquor interests realize this fact full well. They spend millions every year in their efforts to control the liquor policies of the press and keep the truth about alcohol from the people. They try to destroy any man who dares to undertake this work. After my first investigations as to the truth about alcohol I introduced the results of my labors and put them in the CONGRESSIONAL RECORD in a speech called the Great Destroyer and proceeded to send this speech systematically to the youth of America. I estimate that I have sent out about 2,500,000 copies and have sent out more than a million and a half individual letters to the youth on this subject. It is this work that has brought down the arm of the great liquor interests in their efforts to destroy me politically.

In the recent senatorial primary in Alabama it was not simply my distinguished and powerful opponent, but the great liquor interests of the Nation that I had to fight. Their national political agent, Charles Lewis, came to Alabama and organized the fight. They opened up three different headquarters, independent of my opponent's regular organization, and must have had a pipe line connecting these with their national treasury from the magnitude of the campaign they conducted, not only through the columns of the press and an army of paid workers, but through great political agents, such as the governor of the State and his administration. I do not say that the Liquor Trust directly secured the cooperation of the President, but I do say that the President and his administration brought their powerful influence against me. Of course I was defeated and my fate was held up as a warning to other men in public life. Perhaps I might add what I said in a card to the papers of Alabama the day after the primary, to notify the liquor interests of America that I had simply finished my training, and that I had only begun to fight, and that I would meet them on a hundred battle fields and they would find me in the thick of the fight when the thirty-sixth State ratifies the resolution, which may perhaps go down in history under the name of the Hobson resolution, that will put prohibition into the Constitution of the United States forever. I wish to serve notice now that the Liquor Trust need not imagine that it will always be able to choose its own battle ground nor to concentrate its whole national strength against one man or even against one State. Forces of righteousness are now organizing into a compact army. If the Sixty-third and the Sixty-fourth Congresses deny the people their plain and inherent right to pass on this great question, the Liquor Trust will find in 1916 a battle line in front of them extending from the Great Lakes to the Gulf and from ocean to ocean—a battle line organized, compact, and inspired by the conscience and patriotism of the whole people, as in the campaign of 1860.

LIQUOR'S FIGHT.

The campaign in Alabama is typical of the general methods employed in liquor's fight. Finding themselves indefensible on the merits of liquor they use their great resources to put forward other issues. In a high-protection State they will put forth the tariff and capitalize its strength. In the Southern States they will invoke the race question, declaring it a question of supporting a Democratic administration. If the struggle is for county local option, they will declare that township local option is the thing. If it is a question of State-wide prohibition, they will become staunch advocates of county local option. Now that it is a question of national prohibition they are declaring in favor of the State unit.

REFUGE BEHIND MODERATE DRINKING.

They no longer debate the question of the nature of alcohol, but take the ground that it is only the abuse that is harmful. In the case of distilled liquors they claim that it is adulteration that does the harm. Now, seeing the handwriting on the wall, some of their forces are trying to save what wreckage they can and declare that distilled liquors do the harm, that wines and beers, fermented and malted liquors should be supported. Of course, as pointed out above, alcohol in any form or in any quantity is a poison of a deadly nature. Here on the floor of the House, however, very little effort is made to defend drinking, and we will see the fight adroitly maneuvered to change the battle front by an appeal to some other method to obtain the same object. Many of the real friends of temperance are liable to be deceived by such tactics. A proposition is advanced to prohibit the transportation of alcohol in interstate commerce by an amendment to the Constitution, though there has been no demand from the country at large for any such change; there have been no petitions, no resolutions, no temperance, prohibition, or moral forces ever recommended for the self-evident reason that Congress to-day has power by a majority vote to prohibit the interstate transportation of intoxicating liquors.

QUESTION OF STATE RIGHTS.

The question of State rights is advanced largely for the purpose of influencing Members from the South. As a matter of

fact, liquor tramples upon the rights of the States. The wet States of the Union can and do invade the rights of the dry States. They forget that the fundamental right of the States and the people is to protect the general welfare by not only upholding the organic law that has come down from the past, but by changing that organic law to meet whatever conditions arise in the interest of the public welfare.

They talk of minorities dictating to majorities. As a matter of fact, they can not find any practical conditions where a majority of the people of the United States to-day would be found against national prohibition. A substantial majority of our people to-day are living under prohibition law. They do not seem willing to let three-fourths of the States decide upon the organic question, but would rather have one-fourth of the States insist upon allowing the country to remain wet.

They did not propose a popular vote of referendum to change the Constitution for the direct election of United States Senators or the imposition of the income tax. Baseless indeed would be the proposition of changing our organic law other than by having three-fourths of the States given that power by popular vote or any other method. They talk of confiscation of their property without realizing that the court decisions are all in line in denying that any vested right goes with the license to manufacture or sell liquor. They never think of the property rights of families of drinkers or drunkards. They never think of the financial rights of the society, upon whom they throw their finished products, the insane, the pauper, and the feeble-minded. They talk of personal liberty, when they themselves own 5,000,000 slaves, when liquor undermined the liberties of Greece and Rome, and is now through its degenerate vote threatening the liberties of America.

They call out in the name of law and pretend to be against creating bootleggers and blind tigers, and as a matter of fact they are the fathers of these whelps, and they themselves are the very lawbreakers against whom they cry. They are, indeed, the modern pirate with skull and crossbones, defying organized society, defying the laws of God and of man.

They quote the Scriptures as readily as the devil himself. They dethrone the preachers with the epithets of fanatics and set themselves up as authorities on spiritual matters.

LIQUOR TRAFFIC INDEFENSIBLE.

Liquor really has no case in the light of discoveries of science giving us the truth about alcohol.

The further continuance of the liquor traffic is absolutely indefensible. The forces of society are now gathering throughout the whole world. The battle line is drawn. Some might wish that the battle be deferred for their own reasons, but the war is now on, the first battle is now in progress. I want all members to bear in mind when they cast their vote what this great war means. When our country is sober and degeneracy no longer lowers the standard of character of humanity it will then be possible to solve the problems of the Nation which are now so acute on account of degeneracy, social, economic, and moral problems. It will permit the rapid advance of humanity to the point where it will be possible to have universal peace, hastening the day when liberty and free institutions will be universal and when man will cooperate in a great brotherhood of man under the fatherhood of God.

Some of my colleagues are not to return to the Sixty-fourth Congress, like myself; others are to remain here. To both alike I make my appeal. I know there is danger in confronting this great and powerful enemy, but in time of war the good soldier does not stop because of danger. I do not ask you to go where I would not go myself. It may be that I am politically dead, my political life destroyed by the liquor interest, but I do not hesitate to say that I am not afraid of political death. I would rather hold my hand up and fight like a man though I had to die a hundred political deaths. I would rather to-day do a man's part in this struggle to cut the millstone of degeneracy from the neck of humanity—I would rather do that than to be United States Senator from Alabama, and if I know my own mind I would rather do that than be President of the United States. I call on you, my colleagues, to hold your heads up in the face of this enemy and be men. In the name of your manhood, in the name of your patriotism, in the name of all that is held dear by good men, in the name of your fireside, in the name of our institutions, in the name of our country, and in the name of humanity and of humanity's God, I call on you to join hands with me and each one to do his full duty.

The SPEAKER. The time of the gentleman from Alabama has expired. All time has expired.

Mr. HOBSON. Mr. Speaker, I desire to offer an amendment.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is not the resolution to be read for amendment under the rule?

The SPEAKER. The gentleman from Illinois is correct in that. The Clerk will read the resolution for amendment.

Mr. MANN. Mr. Speaker, a further parliamentary inquiry. Can the resolution be read for amendment in three parts, or in one part?

Mr. HOBSON. That is my understanding.

Mr. MANN. It is the understanding of the gentleman from Alabama that it will be read in three parts?

Mr. HOBSON. In three parts.

The SPEAKER. The Clerk will report the resolution.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Will the preamble be read now?

Mr. HOBSON. I would prefer to have it read now.

Mr. MANN. Under the rules the preamble should not be read until the resolution is disposed of.

The SPEAKER. The gentleman from Illinois is correct. The Clerk will read the resolution and omit the preamble.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment of the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution.

THE MANN AMENDMENT.

Mr. MANN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 2, line 3, after the word "by" strike out the words "the legislatures" and insert in lieu thereof the following: "the conventions."

Mr. MANN. Mr. Speaker, under the Constitution of the United States an amendment may be submitted by Congress to become a part of the Constitution when ratified by the legislatures of three-fourths of the several States or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress. I think it is wiser, if this question is to be submitted to the States, that they vote directly for members of a convention in the State, called for the purpose of determining this question, instead of throwing it into legislative bodies elected for and necessarily dealing with many other questions——

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

Mr. MANN (continuing). And let the people pass upon the direct question. I yield.

Mr. HOBSON. Has the gentleman in the course of his experience in Congress on occasions where other amendments have been proposed to be submitted to the States ever recommended this substitute?

Mr. MANN. I have.

Mr. HOBSON. Again, will the gentleman tell me whether he knows of a case where it has ever been ratified since the original adoption of the Constitution?

Mr. MANN. I think not. But do I understand my friend from Alabama to claim that because it has not been done that therefore it should now be done when it was provided for in the Constitution?

Mr. HOBSON. Well, I do not pretend to say on that; but I do wish to say beware of the Greeks who come bringing gifts. [Applause and laughter.]

Mr. MANN. Well, Mr. Speaker, the gentleman from Alabama may think that is an argument, but, after all, if this proposition is to be submitted to the people, I desire to perfect it, so that the question can be properly submitted to the people and have a direct vote upon it. Is the gentleman afraid of that? [Applause.]

Mr. HENRY. Will the gentleman from Illinois yield for a question?

Mr. MANN. Certainly.

Mr. HENRY. When we proposed a constitutional amendment providing for an income tax was this amendment offered? Does the gentleman remember whether it was offered or not, and what the gentleman's attitude was on that?

Mr. MANN. I do not remember whether it was offered or not. I tried to get it in the resolution——

Mr. HENRY. I know the gentleman tried to get it done, and I am willing to vote for it. I believe in these constitutional conventions.

Mr. HOBSON. Mr. Speaker, I do not desire to prolong the debate on this amendment, but I would point out that if the amendment should prevail it would mean two stages for ratification instead of one. Congress has no power to call State con-

ventions. The legislatures would have to call them. The people have never had anything like this in the memory of man. Upon its face it is simply a move to place obstacles in the path of ratification. I hope all friends of the resolution will vote against the amendment.

Mr. MADDEN. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. MADDEN. Does not the gentleman understand that it will give the people a direct vote upon the question of ratifying this resolution?

Mr. HOBSON. On the contrary, they would simply select delegates to a convention. Now, I would say to the gentleman from Illinois if the Legislature of Illinois wanted to be instructed by the people of Illinois, it could call a referendum election before acting. Every legislature in the United States could do the same.

Mr. HENRY. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. HENRY. Does not the gentleman recall that the Constitution of the United States was submitted to constitutional conventions in the various States of the Union and delegates were selected to those constitutional conventions called for that purpose; and this very Article V, under which the gentleman proposes to submit this amendment, was ratified by constitutional conventions in the various States. Now, would not this give the people a chance to vote and the temperance forces an opportunity to instruct delegates to State conventions, and no one could say there had been snap judgment in any way by such action?

Mr. HOBSON. I will say, on the contrary, that not since the original Constitution was adopted and the original Bill of Rights amendments were ratified has there ever been a method of this kind. It would be confusing in the utmost. There is one way, and one way only, in which you can get a direct vote of the people, and that is for the legislatures in the States to be instructed by referendum and to withhold their power of ratification until after they have received the verdict from such a referendum.

Mr. STANLEY. Mr. Speaker——

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

Mr. STANLEY. Will the gentleman from Alabama [Mr. HOBSON] yield?

Mr. HOBSON. Certainly.

Mr. STANLEY. Did the gentleman from Alabama vote for the amendment to the Constitution permitting direct election of United States Senators?

Mr. HOBSON. I voted for it, and I have introduced joint resolutions for the direct primaries and election of President and Vice President.

Mr. STANLEY. Why did the gentleman vote to elect Senators by direct vote of the people and not have them elected by vote of the legislature?

Mr. HOBSON. The gentleman remembers that in that case conventions were not called to ratify in the several States. The amendment was submitted to the legislatures of the several States.

Mr. STANLEY. That is not the question. I asked the gentleman whether he voted to take away from the legislatures the right to name Senators and give it to the people direct?

Mr. RUCKER. It did not give it to any political convention, though.

Mr. STANLEY. The same people that elect the delegates——

Mr. HOBSON. Can elect the State legislatures also.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. BROWN of New York. Mr. Speaker, before voting on the question of national prohibition I have endeavored to discover the sentiment of the people of the first congressional district of the State of New York.

The laws of the State of New York give to each township of each county in the State the right to go "wet" or to go "dry" in the following terms:

[Sec. 13, chap. 485, laws of New York.]

In order to ascertain the will of the qualified electors of each town the following questions shall be submitted at each biennial town meeting hereafter held in any town in this State, provided the electors of the town to the number of 10 per cent of the votes cast at the next preceding general election shall request such submission by written petition, signed and acknowledged by such electors before a notary public or other officer authorized to take acknowledgments or administer oaths, which petition shall be filed not less than 20 days before such town meeting with the town clerk of the town:

Question 1. Selling liquor to be drunk on the premises where sold. * * *

Question 2. Selling liquor not to be drunk on the premises where sold. * * *

Question 3. Selling liquor as a pharmacist on a physician's prescription. * * *

Question 4. Selling liquor by hotel keepers only. * * *

What proportion of the territory within the first congressional district is "dry"? Not over 2 per cent. A few years ago one large township went "dry" for a short time, and it is now "wet." With every facility already provided under State law for local option, with the township as the unit, and yet with no considerable portion of the first district "dry," is there more than one conclusion to be drawn? The people of the district which I have the honor to represent, in my most careful judgment, desire to be left alone in this domestic matter, and I have no choice but to represent their wishes.

Yet in voting against the Hobson resolution I am voting contrary to the wishes of a number of men who have dedicated their lives to the service of their fellow man—ministers, preachers, educators. Undoubtedly they are molding public opinion. Their lives are lived on a plane far higher than the average, and yet I believe that so vast a majority of the people of the first congressional district still desire to be left undisturbed in the possession of their present privileges, no matter of how doubtful value these privileges may be, that I vote "no."

My thanks are due those who have so clearly laid their reasons—pro or con—before me. My sympathies are with those earnest people who so greatly desire to enact their convictions into law—and can not.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN.]

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 137, noes 193.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays. [Cries of "No!" "No!"]

Mr. MANN. Are you afraid? Those who are cowards can go out.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 177, nays 211, answered "present" 1, not voting 39, as follows:

YEAS—177.

Adair	Drukker	Kent	Rayburn
Allen	Dunn	Kettner	Reilly, Conn.
Anthony	Dupré	Key, Ohio	Reilly, Wis.
Aswell	Eagan	Kinkead, N. J.	Riordan
Bailey	Eagle	Knowland, J. R.	Roberts, Mass.
Barchfeld	Edmonds	Korbly	Roberts, Nev.
Barnhart	Estopinal	Lee, Ga.	Rogers
Bartholdt	Evans	Lee, Pa.	Rouse
Bartlett	Faison	Lenroot	Sabath
Bathrick	Fitzgerald	Lesher	Scully
Blackmon	FitzHenry	Levy	Shackleford
Booher	Fordney	Lieb	Sherley
Britten	Francis	Linthicum	Sherwood
Brodbeck	Gallagher	Lobeck	Slayden
Browning	Gallivan	Loft	Sloan
Bruckner	Gard	Lonergan	Small
Buchanan, Ill.	Gardner	McAndrews	Smith, Minn.
Buchanan, Tex.	Garner	McGillicuddy	Smith, N. Y.
Bulkley	Gerry	Madden	Stafford
Burgess	Gill	Maguire, Nebr.	Stanley
Calder	Gillett	Mahan	Stephens, Nebr.
Cantrill	Gilmore	Maher	Stevens, Minn.
Carew	Goeke	Manahan	Stone
Carlin	Goldfogle	Mann	Stringer
Cary	Gordon	Miller	Talbott, Md.
Casey	Goulden	Mitchell	Talcott, N. Y.
Chandler, N. Y.	Graham, Ill.	Moore	Thacher
Church	Gray	Morin	Treadway
Clancy	Greene, Mass.	Moss, Ind.	Tuttle
Cline	Greene, Vt.	Mott	Underhill
Coady	Griffin	Mulkey	Underwood
Conry	Hamill	O'Brien	Vaughan
Cox	Hardy	Oglesby	Vinson
Crosser	Hart	O'Leary	Vollmer
Cullop	Hayes	O'Shaunessy	Wallin
Curry	Heflin	Paige, Mass.	Walsh
Dale	Henry	Parker, N. J.	White
Danforth	Hill	Parker, N. Y.	Williams
Davis	Hinds	Peters	Wilson, N. Y.
Dent	Howell	Peterson	Winslow
Dixon	Igoe	Phelan	Witherspoon
Donovan	Johnson, Utah	Platt	Woods
Dooling	Kahn	Porter	
Doremus	Kennedy, Conn.	Pou	
Driscoll	Kennedy, R. I.	Rauch	

NAYS—211.

Abercrombie	Avis	Bell, Ga.	Brown, N. Y.
Adamson	Baker	Borchers	Browne, Wis.
Aiken	Barkley	Borland	Bryan
Alexander	Barton	Bowdle	Burke, S. Dak.
Anderson	Beakes	Brockson	Burke, Wis.
Austin	Bell, Cal.	Broussard	Burnett

Butler	Gudger	Lewis, Md.	Shreve
Byrnes, S. C.	Hamilton, Mich.	Lewis, Pa.	Sims
Byrns, Tenn.	Hamilton, N. Y.	Lindbergh	Sinnott
Callaway	Hamlin	Lindquist	Sisson
Campbell	Hammond	Lloyd	Slemp
Candler, Miss.	Harrison	Logue	Smith, Idaho
Cantor	Haugen	McKellar	Smith, J. M. C.
Caraway	Hawley	McKenzie	Smith, Md.
Carr	Hay	McLaughlin	Smith, Saml. W.
Carter	Hayden	MacDonald	Smith, Tex.
Clark, Fla.	Helgesen	Mapes	Sparkman
Collier	Helm	Mondell	Stedman
Connelly, Kans.	Helvering	Montague	Steenerson
Cooper	Hensley	Moon	Stephens, Cal.
Copley	Hinebaugh	Morgan, La.	Stephens, Miss.
Cramton	Hobson	Morgan, Okla.	Stephens, Tex.
Crisp	Holland	Morrison	Stevens, N. H.
Decker	Houston	Moss, W. Va.	Stout
Deitrick	Howard	Murray	Sumners
Dershem	Hoxworth	Neely, W. Va.	Sutherland
Dickinson	Hughes, Ga.	Nelson	Switzer
Difenderfer	Hulings	Norton	Taggart
Dillon	Hull	O'Hair	Tavenner
Donohoe	Humphrey, Wash.	Oldfield	Taylor, Ala.
Doolittle	Humphreys, Miss.	Padgett	Taylor, Ark.
Doughton	Jacoway	Page, N. C.	Taylor, Colo.
Esch	Johnson, Ky.	Palmer	Temple
Falconer	Johnson, S. C.	Park	Thomas
Farr	Johnson, Wash.	Patton, Pa.	Thompson, Okla.
Fergusson	Jones	Plumley	Thomson, Ill.
Ferris	Keating	Post	Towner
Fess	Keister	Powers	Tribble
Fields	Kelley, Mich.	Price	Volstead
Finley	Kelly, Pa.	Prouty	Walker
Flood, Va.	Kennedy, Iowa	Quin	Walters
Floyd, Ark.	Kiess, Pa.	Ragsdale	Watkins
Foster	Kindel	Rainey	Watson
Fowler	Kinkaid, Nebr.	Raker	Weaver
Frear	Kirkpatrick	Reed	Webb
French	Kitchin	Rubey	Whaley
Garrett, Tex.	Kreider	Rucker	Whitacre
George	Lafferty	Rupley	Willis
Glass	La Follette	Russell	Wingo
Good	Langham	Saunders	Woodruff
Goodwin, Ark.	Langley	Scott	Young, N. Dak.
Green, Iowa	Lazaro	Seldomridge	Young, Tex.
Griest	Lever	Sells	

ANSWERED "PRESENT"—1.

Dies

NOT VOTING—39.

Ainey	Davenport	Guernsey	Neeley, Kans.
Ansberry	Edwards	Harris	Nolan, J. I.
Ashbrook	Elder	Hughes, W. Va.	Patten, N. Y.
Baltz	Fairchild	Konop	Rothermel
Beall, Tex.	Garrett, Tenn.	L'Engle	Taylor, N. Y.
Brown, W. Va.	Gittins	McClellan	Ten Eyck
Brumbaugh	Godwin, N. C.	McGuire, Okla.	Townsend
Burke, Pa.	Gorman	Martin	Vare
Claypool	Graham, Pa.	Metz	Wilson, Fla.
Connolly, Iowa	Gregg	Murdock	

So the amendment offered by Mr. MANN was rejected.

The Clerk announced the following pair:

Until further notice:

Mr. WILSON of Florida with Mr. GRAHAM of Pennsylvania.

The result of the vote was announced as above recorded.

Mr. HOBSON rose.

The SPEAKER. The gentleman from Alabama [Mr. HOBSON] is recognized.

Mr. HOBSON. Mr. Speaker, after the reading of the first section I desire to offer an amendment.

The SPEAKER. Has not the first section already been read?

Mr. HOBSON. No. Let the Clerk read the first section.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Page 2, line 5:

"ARTICLE —.

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale, and exportation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof are forever prohibited."

Mr. HOBSON. Mr. Speaker, I offer the amendment which I have already sent to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. HOBSON: In section 1 strike out the words "and exportation for sale," in line 7; and in line 9, after the word "thereof," insert the words "and exportation for sale thereof," so that the section will read as follows:

"SECTION 1. The sale, manufacture for sale, transportation for sale, importation for sale of intoxicating liquors for beverage purposes in the United States and all territory subject to the jurisdiction thereof and exportation for sale thereof are forever prohibited."

Mr. HOBSON. Mr. Speaker, a slight mistake was made there. That last clause was "and exportation thereof." The words "for sale" should not have been repeated.

The SPEAKER. What is the modification?

Mr. HOBSON. The words "for sale" are there by mistake in the last amendment. It should read "exportation thereof." The words "for sale" are in there by error.

The SPEAKER. Without objection, the modification of the amendment will be made.

There was no objection.

Mr. MORRISON. Mr. Speaker——

Mr. HOBSON. Mr. Speaker, I do not desire to make any extended discussion of the section. It is merely a formal matter, because you could not export in a country. You had to transpose the words, and then the "for sale" part was taken out, for the reason that we felt that the exportation for any purposes might be used as a basis for manufacture, and that would be an opening for the partial vitiation of the section.

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

Mr. HOBSON. Yes.

Mr. SABATH. In one of these provisions you do not prohibit the importation, so that anyone can import any amount or quantity for any use that he might desire?

Mr. HOBSON. For his own use.

Mr. SABATH. For his own use?

Mr. HOBSON. Yes; and it would leave the States and local authorities free to go further and regulate the question of use.

Mr. SABATH. But it would in no way prohibit the importation for use on the part of any citizen of the United States, such as he desires?

Mr. HOBSON. No.

The SPEAKER. The gentleman from Indiana [Mr. MORRISON].

Mr. MORRISON. Mr. Speaker, if it would be in order, I desire to offer a substitute for section 1—the substitute which I send to the Clerk's desk.

Mr. ADAMSON rose.

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

Mr. ADAMSON. My idea, Mr. Speaker, is that the text of the original must be perfected first.

The SPEAKER. Of course; but that does not keep the gentleman from offering a substitute.

Mr. ADAMSON. I desire to offer a substitute for section 2 when read.

The SPEAKER. The Chair wishes to inquire of the gentleman from Indiana [Mr. MORRISON] if this substitute is a substitute for the Hobson amendment to his own resolution?

Mr. MORRISON. No; it is not.

Mr. HOBSON. Mr. Speaker, it is not in order quite yet; and if the gentleman will withhold it until we finish this, then it will be in order.

The SPEAKER. The question is on agreeing to the Hobson amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will read the second section.

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

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

Mr. HOBSON. Is this an amendment to the first section?

Mr. MANN. It is.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out in section 1 the words "for sale", wherever they occur, and strike out the words "for beverage purposes."

Mr. MANN. Mr. Speaker, the purpose of this amendment is to permit an amendment which will prohibit the sale, manufacture, and importation and exportation of intoxicating liquors. That will not create so many "blind pigs" as the proposition of the gentleman from Alabama, and those who are in favor of prohibiting the production and use of liquor as a beverage ought to vote for it.

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

Mr. MANN. Yes.

Mr. HOBSON. Is the gentleman from Illinois in favor of having the Constitution prohibit the use of intoxicating liquors or any kind of sumptuary regulation?

Mr. MANN. Is the gentleman from Alabama in favor of it?

Mr. HOBSON. I am against it.

Mr. MANN. That is what the gentleman's proposition is, sumptuary legislation. I am opposed to any proposition which will bring before the country all the time an issue which will make everything else in the country, at every election in the country, swing around the enforcement of a prohibition amendment which can not be enforced. [Applause.] If we are to submit to the people and have them pass upon the question of prohibiting intoxicating liquors in the country, I am in favor of submitting to them that proposition and abiding by their judgment. The gentleman from Alabama wants to submit a proposition which, if it shall be adopted as a part of the Constitution, will cause more misery, more "blind pigging," more "bootlegging," the consumption of more liquor improperly, more temptation to the youth of the land than is now the case. If we are to prohibit, let us prohibit. [Applause.]

Mr. HOBSON. Mr. Speaker, I do not desire to prolong the discussion, but I will say to the gentleman from Illinois that while I disagree with him about the enforcement, knowing, as my investigation shows, that blind pigs and blind tigers and other violations of the law are maintained by the Liquor Trust, I do not believe that it is still a necessity. But suppose they did, I would rather have them than have this great monster. Elections to-day do revolve about the great Liquor Trust of America, and the object of forbidding the sale is to avoid even a suspicion of any desire to impose sumptuary legislation upon the American people or invade the rights of the individual and the home. We do not propose that the gentleman from Illinois, either now or at any future time, shall prescribe to the friends of temperance and prohibition and the moral forces of America how to bring about prohibition in this country.

Mr. MANN. Mr. Speaker, if I had done no more for the moral forces of America than has the gentleman from Alabama, I would not speak. I have accomplished more in this House for the good morals while the gentleman was drawing pay on the Chautauqua circuit than he ever has or ever will. [Applause.]

Mr. HOBSON. Mr. Speaker, I regret that the gentleman from Illinois——

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

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

Mr. DONOVAN. A point of order. Gentlemen can not rise out of their seats and address this assemblage without addressing the Speaker first.

The SPEAKER. The gentleman is entirely correct. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and on a division (demanded by Mr. MANN) there were 77 ayes and 209 noes.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The question of ordering the yeas and nays was taken.

The SPEAKER. Forty-seven Members have arisen—a sufficient number.

Mr. HOBSON and others called for the other side.

The other side was taken.

The SPEAKER. Two hundred and eighty-seven Members have arisen. Forty-seven is not a sufficient number, and the yeas and nays are refused.

Mr. MORRISON. Mr. Speaker, I offer the first section of the resolution which I send to the desk as a substitute for the first section of the Hobson resolution.

The SPEAKER. The gentleman from Indiana offers a substitute for the first section of the Hobson resolution, which the Clerk will report.

The Clerk read as follows:

Substitute by Mr. MORRISON for section 1:

"ARTICLE —.

"SECTION 1. The importation of any spirituous, vinous, malted, fermented, or other intoxicating liquors into any State of the United States, or into the District of Columbia, or into the Territory of Alaska, from any other State, District, Territory, country, place, or region, domestic or foreign, is forever prohibited.

Mr. HARRISON. Mr. Speaker, I make a point of order against the amendment.

The SPEAKER. What point of order does the gentleman make?

Mr. HARRISON. The amendment is not germane to the resolution.

The SPEAKER. The Chair will hear the gentleman.

Mr. HARRISON. Mr. Speaker, the object of the Hobson resolution is to prohibit the sale and the manufacture for sale and the transportation, importation, and exportation for sale of intoxicating liquors in the United States for beverage purposes. The amendment offered by the gentleman from Indiana [Mr. MORRISON] deals with the question exclusively and entirely from an interstate-commerce standpoint. In other words, instead of prohibiting the sale or manufacture for sale of intoxicating liquors for beverage purposes, as the Hobson resolution proposes, the amendment of the gentleman from Indiana would do directly the opposite, and instead of prohibiting the sale and manufacture for sale of intoxicating liquors this amendment would license the sale and manufacture for sale of intoxicating liquors not only for beverage purposes but for every other purpose in some of the States of this country. The amendment proposed by the gentleman does not seek to do the same thing as is sought in the Hobson resolution, and is therefore not germane to the subject matter or the purposes embodied in the original resolution. I want to read one precedent that I think is in line. It is found in Hinds' Precedents, volume 5, at section 5841. This precedent was decided on a bill relating to commerce between the States, and an amendment was offered relating to commerce within the several States, and it was held not germane. The bill that was pending was one to regulate corporations engaged in interstate commerce, and an amendment was proposed giving to the State jurisdiction over commerce transported wholly within the State by corporations that were chartered by the Federal Government.

The proponents of the amendment were doubtful whether or not, if the bill that was then being considered and dealing with corporations engaged in interstate commerce should become the law, it would deprive the States of their jurisdiction over the railroads wholly within the State and engaged in interstate commerce. For a clear understanding of the precedent I read:

On September 13, 1888, the House was considering the bill (S. 2851) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and Mr. KNUTE NELSON, of Minnesota, offered this amendment:

"*Provided further*, That any railroad company or other common carrier heretofore or hereafter created or incorporated under the laws of the United States shall, as to the transportation of passengers or property from one place or station to another place or station in the same State over a route wholly in that State, be subject and amenable to the laws of such State relating to the transportation of passengers and property the same as though it were a railroad company or common carrier created or incorporated under the laws of that State."

That is what is proposed in this amendment offered by the gentleman from Indiana [Mr. MORRISON]. He proposes to allow certain States in this Union to continue to license liquor or to give to them jurisdiction over its regulation.

Mr. Charles F. Crisp, of Georgia, made the point of order that the amendment was not germane to the bill.

The Speaker sustained the point of order upon the grounds that the bill under consideration was one relating solely to commerce between the States, while the proposed amendment related solely to commerce within the States severally, and was therefore not germane to the bill.

You will note, Mr. Speaker, that the primary and major purpose of the Hobson resolution is to prohibit the sale and manufacture for sale of intoxicating liquors for beverage purposes. The transportation for sale or importation for sale are merely incident to the main object desired to be accomplished, namely, to prohibit the sale and manufacture for sale in the United States of intoxicating liquors.

If the sale and manufacture for sale of intoxicating liquors is prohibited in the United States, then certainly none could be transported for sale or imported for sale.

The sale and manufacture for sale of intoxicating liquors in the United States certainly precludes the possibility of intoxicating liquors, being imported for sale or transported for sale. And the prohibition on the importation and transportation of intoxicating liquors for sale is merely surplusage. They are incident to the major purposes of the bill.

The Morrison amendment, therefore, in prohibiting the importation of intoxicating liquors from one State or Territory into another State or Territory is not dealing with the subject matter embraced in the Hobson amendment, except purely in an intrastate way.

The Morrison amendment is analogous in the circumstances to the amendment offered in the precedent cited, and in my opinion, the point of order should be sustained.

Mr. MANN. Mr. Speaker, the precedent cited by the gentleman from Mississippi is one which has been often cited in this House, but it has no application to this case.

Section 1 of the Hobson amendment covers the sale, manufacture, transportation, importation, and exportation.

It covers the transportation between the States; it covers the importation from foreign countries; it covers the production in the States. Apparently it covers the whole subject. The amendment offered by the gentleman from Indiana covers the importation into the particular States, a subject embraced by the Hobson resolution, which provides against both the importation into the United States and the transportation from one State to another, so that the Hobson resolution embraces the subject matter of the Morrison amendment.

Mr. SAUNDERS. Mr. Speaker, there is a simple test to show that this amendment is germane. The gentleman from Indiana at one stroke by his amendment has arrived at a result that could be readily arrived at by motions to strike out portions of the Hobson resolution. It is simply a reduction of the general sweeping effect of the resolution offered by the gentleman from Alabama. That being so, it is plainly in order.

The SPEAKER. The Chair having some hint made to him that this Morrison resolution would be offered took occasion to look up the matter and examine the whole question of the germaneness from beginning to end. The Chair does not think that the case cited by the gentleman from Mississippi [Mr. HARRISON] is a parallel case, and he does think that the Morrison amendment is in order. The Hobson resolution provides for transportation, and so forth, and the Morrison amendment goes to the very same point. Consequently, the point of order made by the gentleman from Mississippi is overruled.

Mr. MORRISON. Mr. Speaker, is this open now to debate? If it is, I desire to say one or two words.

The SPEAKER. It is open to debate under the five-minute rule.

Mr. MORRISON. Mr. Speaker, I only want to make this suggestion. Here is the situation. Each State has general police power, police officers, and police courts, and has under existing conditions the right to control the manufacture and sale of intoxicating liquors. The Federal Government has the right to control interstate and foreign commerce. It has the machinery with which to control it. The people of the States have asked but one thing, namely, that the power shall no longer exist to evade the force of State constitutions and State statutes by shipment of intoxicating liquors into States under Federal control of interstate commerce.

If the temperance people of this country will get back of the proposition I have offered, they can write it into the Federal Constitution in less than 18 months, and then the prohibition people of this country will be satisfied with the result. I am sure that you are not going to do this. You are not going to do it, but will claim that we have the power to do it now in the form of a statute. I think you are mistaken, and that you ought to adopt it as a substitute. But if you do not do that, I have done some good, for I have compelled the Antisaloon League to have their representatives on this floor say that a majority of this House and a majority of the Senate can by statute between now and the 4th of March make it impossible to import any kind of intoxicating liquors at any time into any State for any purpose. If the 4th of March does not find that condition of affairs, the people who want prohibition for the benefit of this generation will think that you do not want to lose your jobs, and therefore you are not willing to go the shortest way to a final result. [Applause.]

Mr. HOBSON. Mr. Speaker, I do not care to discuss this amendment, and I trust that all friends will promptly vote it down.

The SPEAKER. The question is on the Morrison amendment.

The question is on the Morrison amendment.

The question was taken; and on a division (demanded by Mr. MORRISON) there were—yeas 41, noes 213.

Mr. MORRISON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Indiana demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Forty-one Members have risen, not a sufficient number, and the yeas and nays are refused.

So the Morrison amendment was rejected.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation.

Mr. HOBSON. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HOBSON: In section 2 strike out the section and in lieu thereof substitute the following:

"SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation."

Mr. HOBSON. Mr. Speaker, I do not desire to discuss the section. It is thoroughly understood by Members, but I should refer to the evolution of this section.

The gentleman from Illinois [Mr. MANN] has referred to the fact that I have introduced a number of resolutions in the last two years, and he asked which one I preferred. Well, I will say to the gentleman that if he has followed the evolution of these resolutions——

Mr. MANN. I have.

Mr. HOBSON (continuing). He will find that the last resolution (H. Res. 277) is very close to the original, the first one introduced.

Mr. MANN. Oh, it is very different; I have them both here.

Mr. HOBSON. Very close.

Mr. MANN. Very different.

Mr. HOBSON. I will say to the gentleman that the resolution has gone the rounds of most of the temperance and prohibition forces and organizations, and that its final wording was practically determined in the subcommittee of the Judiciary Committee of the Senate, as the result of a long conference between Senators CHILTON, BORAH, SHEPPARD, and SHIELDS, with Mr. Dinwiddie and myself present. I will add that the main object was to provide absolutely against any chance either of a conflict of authority or of an encroachment by the Federal Government upon the rights of the States. The changes since then have been unimportant.

[Cries of "Vote!"]

Mr. ADAMSON. Mr. Speaker, inasmuch as the amendment now offered by the gentleman from Alabama is diametrically opposed to the amendment which I have given notice I would offer, it would be necessary to offer my proposed amendment as a substitute to the amendment which the gentleman has just offered, because, if the gentleman succeeds in passing his amendment, it is directly contrary to the effect that would result if my matter is adopted, and therefore I shall offer my proposition as a substitute for the amendment.

The SPEAKER. The Clerk will report the amendment.

Mr. ADAMSON. In lieu of the amendment offered by the gentleman from Alabama, which proposes a reconstruction of this section, I propose to add at the end of section 2 the following language.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of section 2 the following:

"But there is reserved to each State the exclusive power to regulate, control, or prohibit within its territorial boundaries the use or the manufacture or conveying into or out of such territorial boundaries of intoxicating liquors for use for all purposes other than as a beverage."

Mr. ADAMSON. Mr. Speaker, I propose——

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. What is this offered as now?

Mr. ADAMSON. It is offered as a substitute for the amendment offered by the gentleman from Alabama.

Mr. MANN. The amendment of the gentleman from Alabama was a substitute.

Mr. ADAMSON. No; he offered to amend.

Mr. MANN. No; he offered it as a substitute for section 2. I do not care how it is offered, but I would like to know before we vote.

Mr. ADAMSON. Then I misunderstood the gentleman. I thought he offered to amend certain language in the section.

Mr. MANN. No; he offered it as a substitute.

Mr. ADAMSON. Of course, if he offered his amendment as a substitute, I shall have to offer mine as an amendment to the substitute.

Mr. MANN. Or to the original section.

Mr. ADAMSON. The gentleman's proposition changes the entire structure of the section.

Mr. MANN. It strikes out and inserts a substitute.

Mr. ADAMSON. It adds only this, that instead of concurrent jurisdiction there may be independent jurisdiction. I desire it to stand so that the State will have exclusive jurisdiction to enforce this provision.

Mr. MANN. I understand, but the gentleman could not very well offer his amendment as an amendment to that of the gentleman from Alabama, as the two are directly contradictory. The gentleman could offer it to perfect the original text.

Mr. ADAMSON. Well, to offer it as an amendment to the original text is satisfactory to me. This amendment to the original text ought to be made before the substitute is acted upon. Then I offer it as an amendment to the original text of section 2.

The SPEAKER. The gentleman from Alabama offered his proposition as a substitute for section 2.

Mr. ADAMSON. Then we should perfect the original text before that is voted on.

Mr. HOBSON. Is it not too late to offer the amendment now? Not that I do not want my friend to offer it, but I want the parliamentary situation to be clear.

Mr. MANN. It is in order to amend the original section before you vote on the substitute.

Mr. GARNER. Mr. Speaker, where the substitute is offered for a section, it is always in order to perfect the section before the substitute is voted upon.

Mr. ADAMSON. It has to be done.

The SPEAKER. The Clerk will report the Hobson amendment.

The Clerk read as follows:

In section 2, strike out the section, and in lieu thereof substitute the following:

"SEC. 2. The Congress or the States shall have power independently or concurrently to enforce this article by all needful legislation."

Mr. ADAMSON. Mr. Speaker, I think my amendment ought to go to the original text to be acted upon before the substitute is considered.

The SPEAKER. The Chair thinks the better practice would be to vote on the Hobson proposition first. It is to strike out and insert.

Mr. ADAMSON. I think the trouble would be, Mr. Speaker, if you did that you would necessarily have to rule that the House had already adopted something entirely contrary to my proposition.

The SPEAKER. Of course, you could not perfect a thing that is stricken out.

Mr. MANN. The House can not very well determine whether it wants to strike out section 2 as it may be amended, and insert something else, until it has had a chance to perfect the original section. If it should adopt the Hobson amendment it could not then change it, because it would be adopted.

The SPEAKER. Of course, that is true.

Mr. MANN. So that once permission is given to perfect the original text, the House would never have that opportunity.

Mr. HENRY. Mr. Speaker, I ask unanimous consent that the Adamson amendment be voted on first.

Mr. ADAMSON. I gave notice of an amendment to the original text.

Mr. HOBSON. Mr. Speaker, reserving the right to object, I want to let my colleague and friend from Georgia know that almost the exact wording, substantially the exact wording, was introduced and was a part of the deliberations of these Senators and friends of temperance working together, and was practically unanimously, after long discussion, declared to be unnecessary; that all those powers and rights exist now; but I do not wish to deprive my friend from Georgia of the opportunity to introduce his amendment.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent that the proposition——

Mr. HOBSON. I would prefer, if my friend would allow, my substitute to be voted on first and then his be voted on afterwards.

Mr. ADAMSON. I do not think that is in order, and I do not think unanimous consent is necessary.

The SPEAKER. The unanimous consent is asked, and if it is given it cuts the matter short.

Mr. HOBSON. What is the unanimous consent?

Mr. HENRY. That we vote on the Adamson amendment first.

Mr. HOBSON. I withhold my objection until the gentleman has had a chance.

The SPEAKER. Is there objection to the request of the gentleman from Texas that we vote on the Adamson proposition first? (After a pause.) The Chair hears none.

Mr. HENRY. Now I ask that the original text of section 2 be read as it would appear after the Adamson amendment is added, if it is adopted.

The SPEAKER. The Clerk will read the section as it stands, and then read the Adamson proposition, so that the House can tell how it will read.

The Clerk read as follows:

SEC. 2. Congress shall have power to provide for the manufacture, sale, importation, and transportation of intoxicating liquors for sacramental, medicinal, mechanical, pharmaceutical, or scientific purposes, or for use in the arts, and shall have power to enforce this article by all needful legislation, but there is reserved to each State the exclusive power to regulate, control, or prohibit within its territorial boundaries the use or the manufacture or conveying into or out of such territorial boundaries of intoxicating liquors for use for all purposes other than as a beverage.

The SPEAKER. The question is——

Mr. ADAMSON. Mr. Speaker, I submitted the proposition to the gentleman from Alabama [Mr. HOBSON], as he states, several days ago. He encouraged me very much this morning by imparting to me the information which he has given the House, that he had submitted it to those Senators, and that they had had wisdom enough to approve it and say it was all right, but not necessary. So that they and he, and all whom they represent, can support this if it is necessary.

I maintain that it is absolutely necessary, and while I bow with deferential respect to those august Senators, I also submit that I have been voting for prohibition longer than they have, and know more about interstate and foreign commerce than they do. [Applause.] And I say it is necessary, if we are to maintain the integrity of prohibition in the separate States.

If the Federal Government legislates about these purposes other than as a beverage, the States can not do it, even if you put in the language suggested by the gentleman from Alabama [Mr. HOBSON], saying that they can do it either independently or concurrently, because if the Federal Government acts in matters of commerce, the State law is nullified, if there is any on the subject.

If Capt. HOBSON and those Senators stay in Congress and dominate Congress it might not be necessary. They say, and the captain, my esteemed friend from Alabama, told me that they expected the States could do this; that Congress would not be called upon to do it; and if the Congress were always to have the benefit of their services in Congress, they might dominate Congress, and Congress would not legislate, and would leave the States to do it. But unfortunately men are mortal. There may come a Congress in here that will assert Federalism enough to say that Congress shall enact exclusive law on the subject. If so, down goes prohibition in all the States that have it, because they can legislate enough on these exceptions outside of beverage purposes to make loopholes and subterfuges sufficient to destroy all vestiges of prohibition. I am in favor of prohibition by the States if I can get it; and as between the States and the Federal Government I prefer to rely on the States if the States want prohibition; and in order to maintain the integrity of State prohibition I want to put in this amendment that the States shall have exclusive power to legislate as to the use, sale, manufacture, transportation, and importation for medicinal purposes and mechanical purposes, and for use in the arts.

I insist that it is necessary and that it is consistent with the captain's views; and the captain's friends being for it, I am sure all my eloquent friends here who advocate State rights will support me in it. [Applause.]

The SPEAKER. The question is on agreeing——

Mr. MANN. Mr. Speaker, the gentleman from Alabama [Mr. HOBSON] a few minutes ago referred to the fact that I called attention to the number of resolutions which he had introduced on this subject, commencing, I believe, last April a year ago. There were nine of those resolutions. We were told during the day that the ninth resolution was perfect, and would be offered as a substitute for the resolution which was made in order; but when my friend from Alabama offers his substitute for section 2, it is not taken from the ninth resolution, but is a tenth proposition. Ten distinct propositions in less than two years! And this great legislative body is called upon to vote upon an amendment to the Constitution where, since morning, the gentleman from Alabama has changed it, and gives as the reason for the change that he has it, in private conversation, from a Senator of the United States!

I knew that this House had largely deteriorated in public opinion, but I had not supposed that we had gotten so low that, after a Member of this House had tried it ten times, he would ask a Senator, privately, to change it, so that it could be presented correctly to this great body. Have we no one left in the House of Representatives who can prepare section 2 after nine trials without appealing to one Senator to put it in proper shape? I am ashamed of the House temporarily if that be the case. [Applause and cries of "Vote!" "Vote!"]

Mr. SLOAN rose.

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

Mr. SLOAN. I rise to discuss the Hobson amendment.

The SPEAKER. The Hobson amendment is not up. It is the Adamson proposition that is now before the House. The question is on agreeing to the Adamson amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. ADAMSON. Mr. Speaker, I ask for a division. I would like to have a division to see how my State-rights friends vote.

The House divided; and there were—ayes 32, noes 179.

Accordingly the amendment of Mr. ADAMSON was rejected.

The SPEAKER. The question is on the motion of the gentleman from Alabama [Mr. HOBSON] to strike out and insert.

Mr. SLOAN. Mr. Speaker——

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

Mr. MANN. He is entitled to five minutes.

The SPEAKER. The gentleman from Nebraska is recognized for five minutes.

Mr. SLOAN. Mr. Speaker, I rise to oppose the amendment to section 2 offered by the gentleman from Alabama, the author of House joint resolution 168.

At this stage of the debate section 2 is the most important part of the resolution, yet during 12 hours of debate it was scarcely referred to. The debate has generally taken the course as to whether prohibition of the liquor traffic was wise or unwise. The real questions are:

First. Is there such a general demand by the people of the United States for an opportunity to express themselves through the machinery of the several States upon this subject? This demand need not be by a majority. It should be a general well-defined demand of a large percentage of the people to express themselves on that subject.

Second. If the submission is to be made, in what form shall it be submitted? This form involves two distinct elements:

First, the prohibitive mandate, which is easy to state; second, the jurisdiction and means of enforcement.

Section 2 of the original resolution 168, which, up to a few minutes ago, was kept before the House, reads as follows:

The Congress shall have power to enforce by appropriate legislation the provisions of this article.

That is a straightforward statement, about the meaning of which there can be little doubt. However, Members were notified to-day that section 2 of House joint resolution 277 would be offered as a substitute therefor. Knowing that this last resolution was introduced in deference to results determined or clearly forecasted in the Alabama and Texas campaigns of this year, wherein special State rights were thought to be involved, and believing that if this Government enters into consideration of national prohibition it should divide its prerogatives and jurisdiction with no other power, I could not favor such an amendment.

We have too many amendments to our Constitution now which are flouted by certain States without adding another with a doubtful statement as to a mixed jurisdiction by State and Nation.

That proposed amendment I had time to examine, and should the substitution have been proposed I should have opposed it; and if the substitution were made I should not vote for the resolution so burdened.

There is proposed now, without time or opportunity for examination, an amendment that does not appear from hasty examination to meet my approval. Yet there is an attempt to make the matter of jurisdiction somewhat more certain. I therefore oppose the proposed amendment to section 2, although I shall probably vote for the resolution, notwithstanding this amendment.

Hereafter both friends and opponents of the general measure will probably deal more frankly in discussing section 2 as a very important part of the proposed constitutional amendment.

If an amendment of this general character is submitted to the American people, it should not be hobbled by any doubtful provisions for its enforcement nor by any pandering to any rights of the States which might under any circumstances be regarded as superior to the rights and powers of the General Government or in any wise interfere with them.

A large number of votes are to be cast here to-day by those who do not believe in the transfer of the control of the liquor traffic to the General Government. These Members believe that it should be left with the States. Their votes are simply in deference to the demand of the people to express themselves and not a belief that the new method will be more efficacious. But in any event, if the United States Government is to undertake this stupendous administrative task, it should clear the field; and while not denying other jurisdictions the right to follow, its absolute leadership should not be qualified.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Alabama [Mr. HOBSON] to strike out and insert.

The motion was agreed to.

The SPEAKER. The question is on the Hobson resolution——

Mr. HOBSON. The preamble still remains, Mr. Speaker.

Mr. MANN. You can dispose of that after the resolution has been agreed to.

Mr. HOBSON. I ask unanimous consent that the preamble be stricken out.

The SPEAKER. The gentleman asks unanimous consent to strike out the preamble. Is there objection?

Mr. HOBSON. Before that is done, I want to take this occasion to say that under the spirit of the Constitution and the rules of this House—I mention this now that we are approaching the final vote—any Member who is financially interested in the outcome of the vote shall not vote.

Mr. STAFFORD. That disqualifies you, then.

Mr. MANN. I will ask the gentleman——

The SPEAKER. That proposition is not before the House.

Mr. HOBSON. I ask unanimous consent to strike out the preamble.

The SPEAKER. The gentleman from Alabama asks unanimous consent to strike out the preamble. Is there objection?

There was no objection.

Mr. HOBSON. Now, Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOBSON. Whether Members of this body who are financially interested, by owning bonds or stocks in breweries, distilleries, or other establishments of manufacture, or who own saloons or an interest in saloons, or property rented for saloons, or other properties which make them financially interested in this measure, can conscientiously vote on this measure, or whether they can do so under the rules of this House and under the spirit of the Constitution, which provides not only for the judiciary but for the legislative branch of the Government?

Mr. MANN. Mr. Speaker, what is before the House, except the gentleman from Alabama?

The SPEAKER. The gentleman is making a parliamentary inquiry.

Mr. MANN. I thought he was making a speech. He is dealing in buncombe, at least.

The SPEAKER. The rule about that is Rule VIII:

Every Member shall be present within the Hall of the House during its sittings unless excused or necessarily prevented; and shall vote upon each question put, unless he has a direct, personal, or pecuniary interest in the event of such question.

It was decided after a bitter wrangle in the House in the case of John Quincy Adams, who came back to the House after he had been President, that you could not make a Member vote unless he wanted to. It has practically been decided by Speaker Blaine in a most elaborate opinion ever rendered on the subject that each Member must decide the thing for himself, whether he is sufficiently interested pecuniarily to prevent his voting. It must affect him directly and personally and not as a member of a class. If it were not so long, the Chair would read it in full. It arose in this way. They had a bill about national banks before the House and Mr. Hooper, of Massachusetts, who was the president of a national bank, voted. Somebody raised the point of order that his vote ought to be stricken from the RECORD. Speaker Blaine made this kind of a ruling of which I will give the substance; that where it affected an individual he could not vote, but that where it affected a class he could vote. He cited two different classes, one of which was national banks—a law that affected every national bank in the country, and a great number of Members of the House were more or less interested in national banks. Another class he cited was the old soldiers, of whom there were many in the House, and bills were constantly coming up at that time providing for pensions and bounties. He said that nobody would claim that these old soldiers should not be permitted to vote on that kind of a bill. He wound up finally with the suggestion that knowing the fine constitution of the mind of the gentleman from Massachusetts and his high sense of honor, and how jealous he was of his reputation, he would suggest to him whether he would withdraw his vote or not, and he withdrew the vote.

Now, if there was a bill here affecting one institution, if you call it that, the Chair would be inclined to rule that a Member interested in it pecuniarily could not vote, but where it affects a whole class he can vote.

Mr. MANN. Like the cotton-warehouse bill that the gentleman from Alabama voted for. [Laughter.]

The SPEAKER. Here is a ruling of Speaker Randall on the same subject in section 5950, volume 5, of Hinds' Precedents:

On March 2, 1877, the yeas and nays were being taken on a motion to suspend the rules in order to take up the Senate bill (No. 14) to extend the time for the construction and completion of the Northern Pacific Railroad.

During the call of the roll Mr. William P. Frye, of Maine, said that he did not feel at liberty to vote on the bill until the Chair had ruled upon his right to do so, since he was a stockholder in the road.

The Speaker said:

"Rule 29 reads: 'No Member shall vote on any question in the event of which he is immediately or particularly interested.'

"Having read this rule, it is for the gentleman himself to determine whether he shall vote, not for the Chair."

Mr. Frye declined to vote.

The question is on the passage of the Hobson resolution submitting a constitutional amendment.

Mr. HOBSON, Mr. UNDERWOOD, and Mr. MANN demanded the yeas and nays.

Mr. HENRY. Mr. Speaker, I suggest that the request has not been put as to striking out the preamble.

Mr. MANN. And I would like to make the suggestion, Mr. Speaker, that the bill has not been engrossed and read a third time.

The SPEAKER. The Chair thinks he submitted the request to strike out the preamble.

Mr. MANN. That was agreed to.

The SPEAKER. What was the suggestion of the gentleman from Illinois?

Mr. MANN. It has not been ordered to be engrossed and read a third time.

The SPEAKER. That is true.

The resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question now is on ordering the yeas and nays.

The question was taken, and the yeas and nays were ordered.

The question was taken, and there were—yeas 197, nays 190, answered "present" 1, not voting 40, as follows:

YEAS—197.

Abercrombie	Flood, Va.	Kinkaid, Nebr.	Shreve
Adamson	Floyd, Ark.	Kirkpatrick	Sims
Aiken	Fordney	Kitchin	Sinnott
Alexander	Foster	Kreider	Sisson
Anderson	Fowler	Lafferty	Slemp
Anthony	Francis	La Follette	Sloan
Austin	French	Langham	Smith, Idaho
Avis	Garrett, Tex.	Langley	Smith, Md.
Baker	Glass	Lever	Smith, J. M. C.
Barkley	Good	Lewis, Md.	Smith, Saml. W.
Barton	Goodwin, Ark.	Lewis, Pa.	Smith, Tex.
Bell, Cal.	Green, Iowa	Lindbergh	Sparkman
Bell, Ga.	Griest	Lindquist	Stedman
Borchers	Gudger	Lloyd	Steenerson
Borland	Hamilton, Mich.	McKellar	Stephens, Cal.
Brodbeck	Hamilton, N. Y.	McKenzie	Stephens, Miss.
Bryan	Hamlin	McLaughlin	Stephens, Tex.
Burke, S. Dak.	Harrison	MacDonald	Stout
Burnett	Haugen	Mapes	Sutherland
Butler	Hawley	Mondell	Switzer
Byrnes, S. C.	Hay	Moon	Taggart
Byrns, Tenn.	Hayden	Morgan, Okla.	Tavenner
Campbell	Helgesen	Moss, W. Va.	Taylor, Ala.
Candler, Miss.	Helm	Murray	Taylor, Ark.
Caraway	Helvering	Neely, W. Va.	Taylor, Colo.
Carr	Hensley	Nelson	Temple
Carter	Hinds	Norton	Thomas
Clark, Fla.	Hinebaugh	O'Hair	Thompson, Okla.
Collier	Hobson	Oldfield	Thomson, Ill.
Connelly, Kans.	Holland	Padgett	Towner
Copley	Houston	Page, N. C.	Tribble
Cramton	Howard	Park	Volstead
Crisp	Hoxworth	Patton, Pa.	Walker
Decker	Hughes, Ga.	Peters	Wallin
Deitrick	Hulings	Plumley	Walters
Dershem	Hull	Post	Watkins
Dickinson	Humphrey, Wash.	Powers	Watson
Difenderfer	Humphreys, Miss.	Prouty	Weaver
Dillon	Jacoway	Quin	Webb
Doolittle	Johnson, Ky.	Ragsdale	Whaley
Dunn	Johnson, S. C.	Rainey	White
Evans	Johnson, Wash.	Raker	Willis
Faison	Jones	Rubey	Wingo
Falconer	Keating	Rucker	Woodruff
Farr	Keister	Rupley	Woods
Fergusson	Kelley, Mich.	Russell	Young, N. Dak.
Ferris	Kelly, Pa.	Saunders	Young, Tex.
Fess	Kennedy, Iowa	Seldomridge	
Fields	Kiess, Pa.	Sells	
Finley	Kindel	Shackleford	

NAYS—190.

Adair	Dies	Kennedy, Conn.	Platt
Allen	Dixon	Kennedy, R. I.	Porter
Aswell	Donohoe	Kent	Pou
Bailey	Donovan	Kettner	Price
Barchfeld	Dooling	Key, Ohio	Rauch
Barnhart	Doremus	Kinkead, N. J.	Rayburn
Bartholdt	Driscoll	Knowland, J. R.	Reed
Bartlett	Drukker	Korbly	Reilly, Conn.
Bathrick	Dupré	Lazaro	Reilly, Wis.
Beakes	Eagan	Lee, Ga.	Riordan
Blackmon	Eagle	Lee, Pa.	Roberts, Mass.
Booher	Edmonds	Lenroot	Roberts, Nev.
Bowdle	Esch	Lesher	Rogers
Britten	Estopinal	Levy	Rouse
Brockson	Fitzgerald	Lieb	Sabath
Broussard	FitzHenry	Linthicum	Scott
Brown, N. Y.	Frear	Lobeck	Scully
Browne, Wis.	Gallagher	Loft	Sherley
Browning	Gallivan	Lonergan	Sherwood
Bruckner	Gard	McAndrews	Slayden
Buchanan, Ill.	Gardner	McGillicuddy	Smith, Minn.
Buchanan, Tex.	Garner	Madden	Smith, N. Y.
Bulkley	George	Maguire, Nebr.	Stafford
Burgess	Gerry	Mahan	Stanley
Burke, Wis.	Gill	Maher	Stephens, Nebr.
Calder	Gillett	Manahan	Stevens, Minn.
Callaway	Gilmore	Mann	Stevens, N. H.
Cantor	Goeke	Miller	Stone
Cantrill	Goldfogle	Mitchell	Stringer
Carew	Gordon	Montague	Sumners
Carlin	Goulden	Moore	Talbott, Md.
Cary	Graham, Ill.	Morgan, La.	Talcott, N. Y.
Casey	Gray	Morin	Thacher
Chandler, N. Y.	Greene, Mass.	Morrison	Treadway
Church	Greene, Vt.	Moss, Ind.	Tuttle
Clancy	Griffin	Mott	Underhill
Cline	Hamill	Mulkey	Underwood
Coady	Hammond	O'Brien	Vaughan
Conry	Hardy	Oglesby	Vinson
Cooper	Hart	O'Leary	Vollmer
Cox	Hayes	O'Shaunessy	Walsh
Crosser	Heflin	Paige, Mass.	Whitacre
Cullop	Henry	Palmer	Williams
Curry	Hill	Parker, N. J.	Wilson, N. Y.
Dale	Howell	Parker, N. Y.	Winslow
Danforth	Igoe	Patten, N. Y.	Witherspoon
Davis	Johnson, Utah	Peterson	
Dent	Kahn	Phelan	

ANSWERED "PRESENT"—1.

Small

NOT VOTING—40.

Ainey	Brown, W. Va.	Davenport	Garrett, Tenn.
Ansberry	Brumbaugh	Doughton	Gittins
Ashbrook	Burke, Pa.	Edwards	Godwin, N. C.
Baltz	Claypool	Elder	Gorman
Beall, Tex.	Connolly, Iowa	Fairchild	Graham, Pa.
Gregg	L'Engle	Metz	Taylor, N. Y.
Guernsey	Logue	Murdock	Ten Eyck
Harris	McClellan	Neeley, Kans.	Townsend
Hughes, W. Va.	McGuire, Okla.	Nolan, J. I.	Vare
Konop	Martin	Rothermel	Wilson, Fla.

So, two-thirds not having voted in favor thereof, the resolution was rejected.

The Clerk announced the following pairs:

Mr. DAVENPORT and Mr. HARRIS (for) with Mr. KONOP (against).

Mr. NEELEY of Kansas and Mr. MARTIN (for) and Mr. GREGG (against).

Mr. AINEY and Mr. GUERNSEY (for) with Mr. FAIRCHILD (against).

Mr. L'ENGLE and Mr. DOUGHTON (for) with Mr. SMALL (against).

Mr. McGUIRE of Oklahoma and Mr. GARRETT of Tennessee (for) with Mr. BURKE of Pennsylvania (against).

Mr. SMALL. Mr. Speaker, I voted "nay." I am paired with my colleague, Mr. DOUGHTON, who has just been compelled to leave the city, and I wish to withdraw my vote and answer "present."

The name of Mr. SMALL was called and he answered "Present."

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 214. Joint resolution authorizing the Secretary of Commerce to postpone the sale of certain sealskins.

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. 6939. An act to reimburse Edward B. Kelley for moneys expended while superintendent of the Rosebud Indian Agency in South Dakota.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 6687. An act to authorize the Chesapeake & Ohio Northern Railway Co. to construct a bridge across the Ohio River a short distance above the mouth of the Little Scioto River, between Scioto County, Ohio, and Greenup County, Ky., at or near Sciotoville, Ohio.

ADJOURNMENT.

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

The motion was agreed to; and accordingly (at 11 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 23, 1914, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. OLDFIELD, from the Committee on Patents, to which was referred the bill (H. R. 20036) to extend temporarily the time of filing applications for letters patent and registration in the Patent Office, reported the same without amendment, accompanied by a report (No. 1245), which said bill and report were referred to the House Calendar.

Mr. SLOAN, from the Committee on Ways and Means, to which was referred the bill (S. 5449) to make Pembina, N. Dak., a port through which merchandise may be imported for transportation without appraisement, reported the same without amendment, accompanied by a report (No. 1247), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MILLER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 19376) confirming patents heretofore issued to certain Indians in the State of Washington, reported the same without amendment, accompanied by a report (No. 1246), 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. ADAIR: A bill (H. R. 20280) to incorporate the Supreme Lodge of the World, Loyal Order of Moose; to the Committee on the Judiciary.

By Mr. ALEXANDER: A bill (H. R. 20281) to provide for the appointment of certain assistant inspectors, Steamboat-Inspection Service, at ports where they are actually performing duty, but to which they are at present detailed; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 20282) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10; to the Committee on Interstate and Foreign Commerce.

By Mr. LOFT: A bill (H. R. 20326) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; 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. ALEXANDER: A bill (H. R. 20283) granting a pension to James Boyer; to the Committee on Pensions.

Also, a bill (H. R. 20284) granting a pension to Bradford H. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20285) granting a pension to James W. Tippett; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 20286) granting an increase of pension to Margaret M. McLellan; to the Committee on Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 20287) granting an increase of pension to Aaron Fanshaw; to the Committee on Invalid Pensions.

By Mr. COLLIER: A bill (H. R. 20288) granting an increase of pension to Lawrence Foot; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 20289) granting an increase of pension to Andrew Silberman; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 20290) granting an increase of pension to Joseph Hasler; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 20291) for the relief of James Owens; to the Committee on Military Affairs.

By Mr. HAY: A bill (H. R. 20292) for the relief of the heirs of James Bowles, deceased; to the Committee on War Claims.

By Mr. HILL: A bill (H. R. 20293) for the relief of James Price; to the Committee on Military Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 20294) granting a pension to Magdalena Baer; to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 20295) granting an increase of pension to Luther W. Callaway; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 20296) granting an increase of pension to Isaac Zerbe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20297) granting an increase of pension to James J. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20298) granting an increase of pension to Charles P. Harder; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 20299) granting an increase of pension to Austin Murphy; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 20300) granting a pension to John L. Long; to the Committee on Pensions.

By Mr. PORTER: A bill (H. R. 20301) granting an increase of pension to John M. Langsdale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20302) granting an increase of pension to William W. Giles; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 20303) granting a pension to Mary A. Rose; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 20304) granting a pension to Edwin Lawson; to the Committee on Invalid Pensions.

By Mr. REED: A bill (H. R. 20305) granting a pension to Dennis Ring; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20306) granting an increase of pension to Susan Long; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 20307) for the relief of E. C. Grossenbacher; to the Committee on Claims.

Also, a bill (H. R. 20308) for the relief of R. H. Keene; to the Committee on Claims.

By Mr. TAGGART: A bill (H. R. 20309) granting a pension to Susan A. Lautzenheiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20310) granting a pension to Ann Brown Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20311) granting a pension to Elizabeth Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20312) granting an increase of pension to John W. Ballard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20313) granting an increase of pension to Fernando C. Cash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20314) granting an increase of pension to Daniel R. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20315) granting an increase of pension to Andrew McMains; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20316) granting an increase of pension to William L. McClellan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20317) granting an increase of pension to Benjamin F. Mikesell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20318) granting an increase of pension to Jesse Ready; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20319) granting an increase of pension to Abraham Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20320) granting an increase of pension to George H. Solifelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20321) granting an increase of pension to Adam D. Bright; to the Committee on Pensions.

By Mr. REED: A bill (H. R. 20322) granting a pension to George S. Adams; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 20323) for the relief of the Fidelity Savings & Loan Association of Los Angeles, Cal.; to the Committee on Claims.

By Mr. HAMILTON of New York: A bill (H. R. 20324) granting a pension to Olivia Pattison; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 20325) granting an increase of pension to Henry Arthur; 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 the Young Men's Christian Association of Pittston, Pa., favoring national prohibition; to the Committee on Rules.

Also (by request), memorials of citizens and Order of Good Templar Lodges of Blue Island and Chicago, Ill., and citizens of Boston, Mass., and United Presbyterian Church of Sheriden, Pittsburgh, Pa., favoring national prohibition; to the Committee on Rules.

Also (by request) memorial of Manila (P. I.) Merchants' Association, relative to financial relations existing between Philippine Islands and the United States; to the Committee on the Territories.

Also, petitions of citizens of the State of Missouri, favoring national prohibition; to the Committee on Rules.

By Mr. AINEY: Petition of the Men's Fraternity, Brotherhood of Andrew and Philip, and Men's Bible Class of Temple Lutheran Church, Philadelphia, Pa., indorsing the Hobson amendment; to the Committee on Rules.

By Mr. ANTHONY: Petition signed by citizens of a number of towns in northeastern Kansas, favoring national prohibition; to the Committee on Rules.

By Mr. BAILEY: Petition of business men of Stoyestown, Pa., favoring passage of House bill 5308; to the Committee on Ways and Means.

By Mr. BARCHFELD: Petition of voters of Allegheny County, Pa., protesting against national prohibition; to the Committee on Rules.

By Mr. BEAKES: Petition of professors and students of the University of Michigan, favoring national prohibition; to the Committee on Rules.

By Mr. BRUCKNER: Petition of Woman's Christian Temperance Union of the State of New York, favoring national prohibition; to the Committee on Rules.

Also, petitions of Theodore Haeblee, H. Hupkel's Sons, Jacob Eichler, and 35,000 workers in brewing industry, all of New York City, protesting against national prohibition; to the Committee on Rules.

Also, memorial of National Board of Steam Navigation, relative to funds for the ships, etc., required by the United States Coast and Geodetic Survey; to the Committee on Appropriations.

Also, petitions of American Wine Growers' Association, Retail Liquor Dealers' Association, and International Union of the United Brewery Workmen, and citizens of New York City, protesting against national prohibition; to the Committee on Rules.

Also, petition of Boston Maritime Association, of Boston, Mass., protesting against Government-owned merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Central Federated Union, Jacob Froelich, and De La Verger Machine Co., all of New York, protesting against national prohibition; to the Committee on Rules.

Also, petition of Cattle Raisers' Association of Texas, favoring eradication of cattle diseases by United States Department of Agriculture; to the Committee on Agriculture.

Also, petition of the Equal Franchise Society of New York City, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. BURKE of Wisconsin: Telegram from chairman of Federated Churches of Hartford, Wis., stating that the Federated Churches of Hartford, Wis., are unanimously in favor of national constitutional prohibition amendment; to the Committee on Rules.

By Mr. CARY: Petition of L. Pechong, T. O'Reilly, H. Retzek, J. Ryan, and 200 others, all residents of St. Francis, Wis., protesting against the Menace being sent through the mails; to the Committee on the Post Office and Post Roads.

Also, petition of H. Paulus, M. G. Ball, B. Jansen, J. Weber, I. Schuster, E. Stollenwert, F. Haase, R. Schemacher, F. Schroeder, T. L. Decker, P. Dombrowski, H. Schecle, H. Reiske, M. Blankenheim, and 500 others, all residents of the fourth congressional district of Wisconsin, protesting against the Menace being sent through the mails; to the Committee on the Post Office and Post Roads.

By Mr. COADY: Petition of citizens and manufacturers of Baltimore, Md., against national prohibition; to the Committee on Rules.

Also, petition of citizens of Baltimore, Md., favoring national prohibition; to the Committee on Rules.

By Mr. COPLEY: Petitions of citizens of the eleventh district of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. DEITRICK: Memorial of sundry churches and Sunday schools of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. DONOVAN: Petition of citizens of Bridgeport, Conn., against national prohibition; to the Committee on Rules.

Also, petition of citizens of Stamford and Bridgeport, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of Miss Annie B. Jennings, New York City, against woman suffrage; to the Committee on the Judiciary.

By Mr. DRUKKER: Petitions of citizens of Passaic, Paterson, Clifton, and Carlsbad, N. J., favoring House joint resolution 377, forbidding exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. EAGAN: Petitions of citizens of East Orange, Montclair, and Orange, N. J., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. ESCH: Petition of executive committee of the Cattle Raisers' Association of Texas, favoring prevention by United States Department of Agriculture of cattle diseases; to the Committee on Agriculture.

Also, petition of National Board of Steam Navigation of New York, favoring appropriation for United States Coast and Geodetic Survey; to the Committee on Appropriations.

Also, petition of Western Association of Short Line Railroads, against House bill 17042, the Moon railway mail-pay bill; to the Committee on the Post Office and Post Roads.

Also, petition of commercial club of Ashland, Oreg., relative to appropriation for Crater Lake National Park; to the Committee on Appropriations.

By Mr. GALLIVAN: Petition of 18 organizations, total membership 5,091, of Massachusetts, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of the State of Massachusetts, and Iven Lodge, No. 14, International Order of Good Templars, of Boston, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. FITZGERALD: Petition of the Associated Electrical Contractors of New York City, favoring 1-cent postage; to the Committee on the Post Office and Post Roads.

Also, petition of New York Methodist preachers, favoring national prohibition; to the Committee on Rules.

Also, petition of the Washington Board of Trade, against Johnson amendment to the District of Columbia appropriation bill; to the Committee on the District of Columbia.

Also, petition of the United Retail Grocers' Association of Brooklyn, N. Y., favoring Gardner resolution providing for a national security commission; to the Committee on Rules.

Also, petition of the National Association of Vicksburg Veterans, favoring H. R. 19375, providing national celebration at Vicksburg in 1915; to the Committee on Appropriations.

Also, petition of the commission on relations with Japan, appointed by the Federal Council of the Churches of Christ in America, favoring an adequate oriental policy; to the Committee on Foreign Affairs.

By Mr. GERRY: Petitions of Miss Anna D. Robinson, Lottie S. Dickerman, Edna Kroener, Annie B. C. Kroener, Wakefield; Rhode Island Woman Suffrage Party, Providence; Mrs. Elisha A. Peckham, Middletown; Lydia L. Manchester, Anthony; J. Ellery Hudson, Phenix; Cora Mitchel, Bristol Ferry; Grace J. Connor, Mrs. Harriet K. Carpenter, Peace Dale; Marion E. Mason, A. L. Hall, Mrs. F. H. Carr, Elizabeth F. Buckew, Pawtucket; Hazel C. Harvey, Bessie H. Curtis, Mrs. George F. Curtis, all in the State of Rhode Island, urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, Petitions of Abbie P. Gardner, Rev. Francis M. Mitchell, Rev. F. J. Follansbee, Katherine McKone, Wickford; Louisa C. Sturtevent, Margaret Baker, Mary Sturtevent, Annabel L. Berry, Elizabeth A. Peckham, Elizabeth B. Peckham, Charles Bissell, Mary C. Sturtevent, Maud Howe Elliott, Newport; Arthur L. Washburn, Ingeborg Kindstedt, Elizabeth U. Yates, Mrs. Mary R. Ballou, Mrs. Emma G. Miller, Mary B. Anthony, Mr. and Mrs. Edwin C. Smith, Mrs. Alice F. Porter, Miss Enid M. Pierce, Providence, all in the State of Rhode Island, urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, Petitions of Mary B. L. Stedman, Providence; Newport Branch of Rhode Island Association Opposed to Woman Suffrage, Newport; Mrs. R. G. Hazard, Peace Dale; Mrs. John H. K. Nightingale, Jessie L. Coggeshell, Providence; Mrs. Walter W. Hill, Newport, all in the State of Rhode Island, protesting against the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

Also, petitions of Brewers' Union, Local No. 114, Providence, R. I., protesting against the passage of legislation providing for national prohibition; to the Committee on Rules.

Also, petitions of Woman's Christian Temperance Union, Phenix; Broadway Baptist Sunday School, Providence; Six Principle Baptist Church, Crompton; C. M. Pike, Providence; Providence Christian Endeavor Society; First Presbyterian Church, Providence; First United Presbyterian Church, Providence; Ellen Casey, Raymond L. Brown, and Mr. and Mrs. William E. Spencer, of North Scituate; United Baptist Sunday School; I. B. Crandall, Providence; Calvary Baptist Church and Sunday School, Westerly; Second Westerly Seventh-day Baptist Church and Sunday School, Bradford; Bradford Woman's Christian Temperance Union, all in the State of Rhode Island; and Presbyterian Board of Temperance, Pittsburgh, Pa., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Illinois: Petition of citizens of Auburn, Springfield, Rochester, and Christian, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. GRAHAM of Pennsylvania: Petitions of National Model License League, Louisville, Ky., and the Nord-Oestliche Saengerbund of America, protesting against national prohibition; to the Committee on Rules.

Also, memorial of the congregation and Sabbath schools of Locust Street Methodist Episcopal Church, favoring national prohibition; to the Committee on Rules.

By Mr. GRIEST: Memorial of Brewery Workers' Local No. 206, of Lancaster, Pa., and International Union of the United Brewery Workmen of America, protesting against national prohibition; to the Committee on Rules.

By Mr. HART: Memorial of sundry church organizations of the State of New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. HOBSON: Petition of citizens of Chicago, Ill., favoring national prohibition; to the Committee on Rules.

Also, petition of National Good Citizenship Movement in South Dakota, Oregon, Wyoming, Idaho, Wisconsin, Colorado, Indiana, West Virginia, Virginia, Kentucky, Nebraska, California, New York, Michigan, Tennessee, Alabama, Kansas, Washington, and Oklahoma, favoring national prohibition; to the Committee on Rules.

Also, petitions of citizens of States of New York, Georgia, Pennsylvania, North Carolina, and Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of the Atlanta (Ga.) Baptist Ministers' Conference; Young People's Society of the First Evangelical Lutheran Church, Moline, Ohio; and churches of Florida, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of States of Pennsylvania, Ohio, New York, Alabama, Massachusetts, Florida, Washington, Virginia, Illinois, Indiana, Iowa, California, Vermont, and New Jersey, favoring national prohibition; to the Committee on Rules.

By Mr. IGOE: Petition of St. Louis (Mo.) Cooperage Co., against national prohibition; to the Committee on Rules.

Also, petition of Fellhauer & Delabar, St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of Brewers and Malsters' Union, No. 6, of St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of Schoperkotler Cooperage Co., St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of the Brewery Freight Handlers of St. Louis, Mo., against national prohibition; to the Committee on Rules.

Also, petition of the Brewery Oilers' Local Union, No. 279, of St. Louis, Mo., against national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Miss Cora Mitchel, of Bristol Ferry, R. I., favoring woman suffrage; to the Committee on Rules.

Also, petition of Rev. Charles C. Parker, of Slatersville, R. I., favoring national prohibition; to the Committee on Rules.

Also, petitions of Mrs. Susan A. Ballou, of Woonsocket, R. I., and Mrs. Walter N. Hill, of Newport, R. I., opposing woman suffrage; to the Committee on Rules.

Also, petitions favoring woman suffrage from Mary C. Sturtevant, Louisa C. Sturtevant, Mrs. Eugene Sturtevant, Margaret Baker, Charles Biesel, Elizabeth B. Peckham, all of Newport, R. I.; Elizabeth Upham Yates, Ingiborg Kindstedt, Mrs. Carroll Miller, Mrs. Mary H. Ballou, and Mrs. Mary B. Anthony, all of Providence, R. I.; to the Committee on the Judiciary.

Also, petition of Jeanette S. French and Louisa Meader, Pawtucket, R. I., favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petitions in favor of woman suffrage from Hon. L. F. C. Garvin, of Lonsdale; Mrs. Elisha A. Peckham, of Middletown; Lydia L. Manchester, of Anthony; Grace J. Connor, Peace Dale; Mrs. Frank A. Jackson, Miss G. M. Partridge, Cora M. Emery, of Woonsocket; Katherine McKone, Abbie P. Gardner, Rev. Francis M. Mitchell, of Wickford; Elizabeth F. Bucklin, Althea L. Hall, Mrs. F. H. Carr, Pawtucket; Mrs. Edwin C. Smith, Enid M. Pierce, Edwin C. Smith, Providence; Elizabeth A. Peckham, Mrs. Maude Howe Elliott, Newport; Mrs. Alice F. Porter, Providence; Hazel C. Harvey, Bessie H. Curtiss, Mrs. George F. Curtiss, Wakefield; all in the State of Rhode Island; to the Committee on the Judiciary.

Also, petition of Annabele L. Berry, Newport; Marion E. Mason, Pawtucket; and Arthur L. Washburn, Providence, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. LANGHAM: Petitions of members of the First Presbyterian Church of Apollo, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. LEVY: Petition of citizens of New York City, against national prohibition; to the Committee on Rules.

By Mr. LIEB: Petitions of John W. Boehne, C. E. Schultz, Joseph W. Lamey, sr., and George W. Bohn, all of Evansville, Ind., favoring the passage of House bill 5139, known as the Hamill bill, providing for the retirement of aged and infirm civil-service employees; to the Committee on Reform in the Civil Service.

Also, petitions of the Woman's Christian Temperance Union, Mrs. Sadie McGregor, president; the United Presbyterian Church, by Morris Watson; the Reformed Presbyterians, by Rev. M. S. McMillan, all of Princeton, Ind.; also S. J. W. Barbour and Iglehart Bros., and the Federation of Men's Bible Classes, by W. B. Miller and Charles Zahn, of Evansville, Ind., indorsing the Hobson amendment to the Constitution of the United States for the prohibition of the sale of liquor; to the Committee on Rules.

Also, petitions of members of the Beer Bottlers' Local Union No. 153, by Fred Hohenberger, secretary, and Local No. 84, of the International Union of the United Brewery Workmen, by John Singel, secretary, both of Evansville, Ind., protesting against national prohibition; to the Committee on Rules.

Also, petitions of M. D. Helfrich, Ernest C. Kleinknecht, Jacob Kleinknecht, Charles G. Kleinknecht, Gotlieb Kleinknecht, sr., Gottlieb F. Kleinknecht, William Kleinknecht, William Rahm, and J. H. Henke, all of Evansville, Ind., and Carl A. Timmel, of Littles, Ind., urging the passage of House joint resolution 377, relative to exportation of war munitions to Europe; to the Committee on Foreign Affairs.

Also, memorial of the Indiana Branch of the National German-American Alliance, comprising over 30,000 American citizens, signed by Joseph Keller, president, of Indianapolis, Ind., and Carl Dreisch, of Evansville, Ind., secretary, protesting against the furnishing of ammunition and war materials of any kind to any of the powers at war; against the furnishing of shoes for their armies; horses and mules for military purposes; against the sale of hydroplanes, submarines, automobile trucks, and trench-digging machines, and similar articles to the powers at war contrary to neutrality; and further protesting against the distortion of news or withholding of same in connection with reports from our foreign representatives, ambassadors, consuls, or naval officers; against interference with the publication or suppression of news concerning the war; against the attitude with reference to the status of naturalized citizens of the United States intending to visit belligerent countries; and favoring other measures to maintain the spirit of neutrality; to the Committee on Foreign Affairs.

By Mr. LOBECK: Petition of 400 members of Westminster Presbyterian Church, of Omaha, Nebr., favoring national prohibition; to the Committee on Rules.

Also, petitions of Halleck F. Rose, John L. Kennedy, and F. A. Brogan, of Omaha, Nebr., favoring Mondell resolution for woman suffrage; to the Committee on Rules.

Also, petitions of Nebraska Woman's Christian Temperance Union and Brotherhood of Hanscom Park Methodist Episcopal Church, of Omaha, Nebr., favoring national prohibition; to the Committee on Rules.

By Mr. LONERGAN: Petition of Frijo Lodge, No. 17, International Order of Good Templars, Hartford, Conn., favoring national prohibition; to the Committee on Rules.

Also, petitions of Manager William Tee, Hotel Heublein, Hartford, Conn., and various other citizens of Connecticut, opposing national prohibition; to the Committee on Rules.

Also, petition of the Rev. S. G. Youngert, of the Swedish Lutheran Emanuel Church, Hartford, Conn., and various other Connecticut citizens, favoring national prohibition; to the Committee on Rules.

Also, petition of Mrs. Lucy Morgan Brainard, of Hartford, Conn., and other citizens of Connecticut, opposing woman suffrage; to the Committee on the Judiciary.

Also, petition of the New Britain Christian Endeavor Union, New Britain, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of the Connecticut Woman Suffrage Association, Hartford, Conn., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. McCLELLAN: Protests of Joseph Englemann and 12 residents of Monticello; George Hauck & Sons Brewing Co., Rondout; and C. H. Evans & Sons, Hudson, N. Y.; Minot D. Finch and 18 residents of Roscoe, N. Y., against national prohibition; to the Committee on Rules.

Also, petition of Wesleyan Methodist Episcopal Church, Saugerties, N. Y., and Cecil Whitaker, Saugerties, N. Y., favoring the Sheppard-Hobson resolution; to the Committee on Rules.

By Mr. MAHAN: Petitions of sundry citizens of Noank, West Haven, Niantic, Hebron, Hartford, Lynn, Moosup, and Westerly, Conn., favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Hartford, Conn., protesting against woman suffrage; to the Committee on Rules.

By Mr. MITCHELL: Petition of 47 organizations, total membership 7,477, and citizens of Waltham, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. MORIN: Petition of voters of Allegheny County, Pa., protesting against national prohibition; to the Committee on Rules.

Also, petition of citizens of Pittsburgh, Starjunction, Johnstown, Swissvale, Nesquehoning, Wilkinsburg, Mechanicsburg, Allegheny County; Bethlehem, Warren, Center Hall, Beaver County; New Castle, Sullivan, Kennor, Elk County, and Chester, all in the State of Pennsylvania, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Pittsburgh, western Pennsylvania, and Ohio, against national prohibition; to the Committee on Rules.

Also (by request), petition of Washington Branch of the Woman's Movement for Constructive Peace, favoring House joint resolution 381, providing for an advisory referendum on the matter of foreign policy; to the Committee on Military Affairs.

Also (by request), petition of citizens of Pittsburgh, Pa., against woman suffrage; to the Committee on the Judiciary.

By Mr. MOSS of West Virginia: Petition of citizens of Parkersburg, Pennsboro, and Charleston, all in the State of West Virginia, favoring national prohibition; to the Committee on Rules.

By Mr. NEELY of West Virginia: Papers to accompany bill for the relief of John L. Long; to the Committee on Pensions.

By Mr. PAIGE of Massachusetts: Papers to accompany House bill 20262; to the Committee on Military Affairs.

By Mr. PETERS: Petition of 12 citizens of Waterville, Me., favoring national prohibition; to the Committee on Rules.

By Mr. RAKER: Petition of citizens of Red Bluff, Cal., favoring national prohibition; to the Committee on Rules.

Also, memorial of Los Angeles (Cal.) Chamber of Commerce, favoring House joint resolution 344, for national marketing commission; to the Committee on Rules.

By Mr. REILLY of Connecticut: Petitions of sundry citizens of the third congressional district of Connecticut, favoring national prohibition; to the Committee on Rules.

Also, petition of the Nord-Oestliche Saengerbund of America, protesting against national prohibition; to the Committee on Rules.

By Mr. ROGERS: Petition of members of Christian Endeavor of First Congregational Church of Woburn, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. SCULLY: Petitions of Pleasant View Sunday School, of Somerset County, N. J., favoring national prohibition; to the Committee on Rules.

Also, petition of New Jersey League of Building and Loan Associations, urging that they be exempt from the emergency-revenue act; to the Committee on Ways and Means.

By Mr. SELDOMRIDGE: Petitions of sundry citizens and organizations of the State of Colorado, favoring the passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

Also, petitions of sundry church organizations and citizens of the State of Colorado, favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of congressional district No. 2, State of Colorado, favoring passage of bill known as United States warehouse act; to the Committee on Banking and Currency.

By Mr. SIMS: Petition of citizens of Westport, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. J. M. C. SMITH: Protest of George Fulwell and Detroit Hotel Association, citizens of Detroit; 4 citizens of Kalamazoo; 1 citizen of Battle Creek; Michael Dawson and Cigarmakers' Union No. 209, Coldwater, all in the State of Michigan, against national prohibition (Hobson resolution); to the Committee on Rules.

Also, petitions of F. S. Goodrich and 10 other citizens of Albion, C. S. Burns and 9 other citizens of Coldwater, W. E. Westworth and 84 other citizens of Battle Creek, Albert Murray and 16 other citizens of Charlotte, Howard H. Hicks and 3 other citizens of Hillsdale, W. W. Warren and 22 other citizens of Union City, A. T. Vary and 24 other citizens of Marshall, S. J. Wykkel and 16 other citizens of Kalamazoo, all in the State of Michigan, in favor of national prohibition; to the Committee on Rules.

By Mr. SMITH of Idaho: Petition of Mednallsolan Lodge, No. 34, International Order Good Templars, of Sandpoint, Idaho, and Boise Valley Ministerial Association, of Caldwell, Idaho, 5,000 members, urging national prohibition; to the Committee on Rules.

Also, papers to accompany H. R. 20890, granting a pension to Lizzie C. Bren; to the Committee on Pensions.

Also, memorial of First Baptist Church of Boise, Idaho, urging the passage of the Hobson resolution; to the Committee on Rules.

By Mr. STEENERSON: Petition of associations opposed to woman suffrage of Minneapolis, State of Minnesota, St. Paul, Minn., and Man Suffrage Association Opposed to Woman Suffrage, of New York State, against woman suffrage; to the Committee on the Judiciary.

Also, petition of J. B. Gilfillan, of Minneapolis, Minn.; International Union of the United Brewery Workmen; and Model License League, of Louisville, Ky., against national prohibition; to the Committee on Rules.

Also, petition of National Congressional Suffrage Association, favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of Antisaloon League of America; president of Woman's Christian Temperance Union of Minnesota; Rev. George Michael, of Walker, Minn.; Synod of Minnesota, Presbyterian Church of America; and Sunday School Association of Wilkin County, Minn., favoring national prohibition; to the Committee on Rules.

By Mr. STEVENS of California: Petition of sundry citizens of Los Angeles, Cal., favoring national prohibition; to the Committee on Rules.

Also, petition of citizens of Los Angeles, Cal., favoring national prohibition; to the Committee on Rules.

Also, petition of National Model License League, of Louisville, Ky., and citizens of San Francisco and Los Angeles, Cal., against national prohibition; to the Committee on Rules.

Also, petition of citizens of Oakland, Cal., favoring the Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SUTHERLAND: Petition of citizens of West Virginia, favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of union label trades department of the American Federation of Labor, protesting against House joint resolution No. 158, favoring national prohibition; to the Committee on Rules.

SENATE.

WEDNESDAY, *December 23, 1914.*

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

Almighty God, we bow before Thee in this Senate of a great Nation and pray for the reign of the Prince of Peace. At this time, when little children sing for joy, when holy memories are awakened, when strong men know the passion of helpfulness and the poor the touch of sympathy, when wise men look back upon the lessons of an ancient past, when great nations feel the thrall of an angel song—at this holy time, we pray for peace and good will among men. For His name's sake. Amen.

NAMING A PRESIDING OFFICER.

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

UNITED STATES SENATE, PRESIDENT PRO TEMPORE,
Washington, D. C., December 23, 1914.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLAUDE AUGUSTUS SWANSON, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

JAMES P. CLARKE,
President pro tempore.

Mr. SWANSON thereupon took the chair as Presiding Officer and directed that the Journal of the last legislative day be read.

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

PETITIONS AND MEMORIALS.

Mr. WARREN presented a petition of Local Lodge No. 288, Brotherhood of Railway Trainmen, of Cheyenne, Wyo., and a petition of Comfort Lodge, No. 438, Brotherhood of Locomotive Firemen and Enginemen, of Cheyenne, Wyo., praying for the extension of the boiler-inspection laws, which were referred to the Committee on Interstate Commerce.

Mr. GRONNA presented petitions of sundry citizens of Taylor, N. Dak., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of sundry citizens of Winfield, Redfield, Delphos, and Leavenworth, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Kansas City, Kans., praying for the enactment of legislation to provide pensions for civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. ROBINSON presented a petition of sundry citizens of Arkadelphia, Ark., praying for the further extension of the Rural Free Delivery System, which was referred to the Committee on Post Offices and Post Roads.

Mr. DU PONT presented a memorial of members of the Jewish Community, of Wilmington, Del., remonstrating against the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

Mr. SHERMAN presented a memorial of the Young Men's Associated Jewish Charities of Chicago, Ill., remonstrating against the enactment of legislation to provide a literacy test for immigrants to this country, which was ordered to lie on the table.

He also presented a memorial of the Post Office Clerks' Association of Chicago, Ill., remonstrating against the dismissal of clerks from the Chicago post office, etc., and praying for the retirement of civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

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

He also presented a petition of the Commercial Club of Hobart, Ind., praying for the creation of a national security commission, which was referred to the Committee on Military Affairs.

He also presented a memorial of the St. Peter's Benevolent Society, of La Porte, Ind., remonstrating against the transmission of anti-Catholic publications through the mails, which was referred to the Committee on Post Offices and Post Roads.