

The fight must go on; there can be no compromise. Whisky and beer must stand or fall together; it is the alcohol in both that makes them a menace to health, to home, and to all that is highest and best in the Nation. A division of the temperance forces would be disastrous. Any attempt to make a distinction between beer and whisky would drive away more voters than it would draw to the cause.

Those who have entered upon the work of making the United States saloonless will, therefore, give no heed to the plea of the brewer and the wine maker. The manufacture of these so-called milder beverages have, during all the years past, cast in their lot with the distillers. They have been partners in a long career of lawlessness; they have made the barroom a bureau of information on crime; they have clustered about the saloon every form of vice and sin. It is too late now for them to seek an extension of life by promises of reform or of separation from their associates. The entire firm of "Barley-Corn, Gambrinus & Bacchus" must retire from business—a dissolution of partnership is not sufficient.

WILLIAM JENNINGS BRYAN.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa [Mr. KENYON] to the amendment of the committee. [Putting the question.] By the sound the ayes seem to have it.

Mr. SMITH of Georgia. I call for a division.

On a division, the amendment to the amendment was agreed to.

RECESS.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m., Thursday, July 5, 1917) the Senate took a recess until to-morrow, Friday, July 6, 1917, at 11 o'clock a. m.

SENATE.

FRIDAY, July 6, 1917.

(Legislative day of Thursday, June 28, 1917.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Bankhead	Hollis	Myers	Shields
Beckham	Husting	Nelson	Simmons
Brady	Johnson, Cal.	New	Smith, S. C.
Caldor	Johnson, S. Dak.	Norris	Smoot
Chamberlain	Jones, N. Mex.	Overman	Sutherland
Curtis	Jones, Wash.	Page	Swanson
Dillingham	Kendrick	Pittman	Thompson
Fernald	Kenyon	Poindexter	Trammell
Fletcher	King	Ransdell	Vardaman
France	Lodge	Reed	Wadsworth
Frelinghuysen	McKellar	Robinson	Walsh
Hale	McLean	Shafroth	Warren
Harding	McNary	Sheppard	Williams
Hitchcock	Martin	Sherman	Wolcott

Mr. ROBINSON. The junior Senator from Arkansas [Mr. KIRBY] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. WOLCOTT. I desire to announce the absence of my colleague, the senior Senator from Delaware [Mr. SAULSBURY], who is detained on account of important business. I ask that this announcement may stand for the day.

Mr. SUTHERLAND. I wish to announce the absence on account of illness of my colleague, the senior Senator from West Virginia [Mr. GORF]. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following act and joint resolution:

On June 30, 1917:

S. J. Res. 13. Joint resolution extending the time within which the "joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River" shall remain in effect.

On July 2, 1917:

S. 2453. An act to authorize condemnation proceedings of lands for military purposes.

ASSESSMENT WORK ON MINING CLAIMS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 33) to relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service, which were, on page 1, line 10, after "been," to insert "or may, during the present war

with Germany, be"; on page 1, line 12, after "States," to insert "to serve during their enlistment in the war with Germany"; on page 2, line 3, after "assessments," to insert "during the period of his service or"; on page 2, line 5, to strike out all after service," down to and including "resolution," in line 12, and insert: "Provided, That the claimant of any mining location, in order to obtain the benefits of this resolution, shall file, or cause to be filed, a notice in the office where the location notice or certificate is recorded, before the expiration of the assessment year during which he is so mustered, giving notice of his muster into the service of the United States and of his desire to hold said mining claim under this resolution."

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

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. FERNALD. I present a petition signed by a large number of students of Bates College, Lewiston, Me., favoring national prohibition. I ask that the body of the petition be printed in the RECORD, together with the number of the signatures attached thereto.

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

To the PRESIDENT and to the SENATORS and REPRESENTATIVES OF MAINE IN THE SIXTY-FIFTH CONGRESS OF THE UNITED STATES:

Whereas the attention of the country has been called to the fact that "the world's food reserves are low" and that, in view of the necessity of supplying not only ourselves but our allies, "the importance of adequate food supplies, especially for the present year, is superlative"; and

Whereas the liquor manufacturers are now using over 6,000,000,000 pounds of foodstuffs annually, enough to feed 7,000,000 hard-working men for the entire year; and

Whereas in the present congested condition of our shipping and serious lack of adequate transportation facilities the thousands of cars used in the shipment of liquor are imperatively needed for carrying necessities of life; and

Whereas more than 165,000 men are engaged in the manufacture and sale of intoxicating liquor, whose labor is thus really worse than wasted at a time when men are urgently needed on the farm, in the mill, and in the Army and Navy; and

Whereas the morale of our citizens is seriously affected and the efficiency of our men both in the military service and in industry is decidedly lowered by the use of alcohol; and

Whereas we are unalterably opposed to an increased tax on liquor because, since the demand for liquor depends largely on appetite rather than price, the burden would but be shifted to the consumer and then in turn to the suffering women and children of the drinkers' families:

Therefore, we, the undersigned, students of Bates College, do hereby petition the President and Congress of the United States for the prohibition of the manufacture and sale of all intoxicating beverages during the period of war as a necessary and logical conservation measure.

MARION C. DUNNELLS
(And 215 others).

Mr. TOWNSEND presented a petition of sundry citizens of Port Huron, Mich., praying for bone-dry prohibition, which was ordered to lie on the table.

He also presented a petition of the congregation of the First Baptist Church of De Witt, Mich., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. CHAMBERLAIN presented a petition of the congregation of the Whitney Avenue Memorial Christian Church, of Washington, D. C., praying for the adoption of the so-called Barkley amendment to the food-conservation bill, which was ordered to lie on the table.

Mr. PAGE presented a petition of the convention of the Episcopal Church of Vermont and a telegram in the nature of a petition from the Broad Avenue Presbyterian Church, of Altoona, Pa., praying for national prohibition during the war, which were ordered to lie on the table.

Mr. HALE presented petitions of S. D. Emery and 14 other citizens of Alfred; of the Hammond Street Congregational Church, of Bangor; of the Drexel Biddle Bible Class, of Portland; of the congregation of the Methodist Episcopal Church of Falmouth and Cumberland; of the Opportunity Class of the Congregational Sunday School, of Wilton; of Sebasticook Grange, No. 306, Patrons of Husbandry, of Newport; of the Piscataquis County Woman's Christian Temperance Union Convention; of the Cumberland County Sunday School Association; of the New Harbor Woman's Christian Temperance Union; of the Christian Endeavor Society of Woodfords; of sundry citizens of Harpswell Center; and of 216 students of Bates College at Lewiston, all in the State of Maine, praying for national prohibition as a war measure to conserve the food supply, which were ordered to lie on the table.

He also presented petitions of the congregation of the Advent Christian Church, of Bangor; of the Congregational Christian Endeavor Society, of Holden; of the Universalist Church of Old Town; and of the Methodist Church Men's Class, of Fairfield, all in the State of Maine; and of the Tristate Conference of Social Workers, of Maine, New Hampshire, and Vermont,

praying for absolute national prohibition, which were ordered to lie on the table.

He also presented a petition of the Piscataquis County Association of Congregational Churches and of the Aroostook and Penobscot Union, Pomona Grange, Patrons of Husbandry, all in the State of Maine, praying for the prohibition of the manufacture of intoxicating liquors from foodstuffs, which was ordered to lie on the table.

He also presented a memorial of Local Union No. 69, International Brotherhood of Stationary Firemen, of Millinocket, Me., remonstrating against national prohibition, which was ordered to lie on the table.

Mr. POMERENE. I have received a large number of letters in the nature of petitions from manufacturers, merchants, and professional men, all citizens of my State, asking for the adoption of national prohibition. I ask that they be received and appropriately referred.

The VICE PRESIDENT. The petitions will lie on the table.

Mr. POMERENE presented resolutions and petitions from the Trinity Methodist Episcopal Church of Portsmouth, of the Highland Avenue Friends Christian Endeavor Society of Columbus, of the First Methodist Episcopal Church of Gloucester, of the Woman's Christian Temperance Union of Clintonville, of the Woman's Home Missionary Society of Piqua, of the Maumee Union Christian Temperance Union of Maumee, of the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church, of the faculty and students of Wooster Summer School, Christian Endeavor Society of the Putnam Presbyterian Church of Zanesville, of the First Presbyterian Church of Ashtabula, of the Woman's Christian Temperance Union of West Salem, of the First Christian Church of Steubenville, Methodist Episcopal Church and Sabbath School of Nevada, of the citizens of Vinton County assembled at McArthur, of the First Christian Church of Steubenville, all in the State of Ohio, praying for national prohibition, which were ordered to lie on the table.

He also presented sundry letters and memorials of sundry citizens of the State of Ohio, remonstrating against national prohibition, which were ordered to lie on the table.

Mr. COLT presented petitions of the monthly meeting of the Society of Friends of Rhode Island, of the Christian Endeavor Society of Perryville, R. I., and of the Local Council of Women of Rhode Island, praying for national prohibition, which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Rhode Island, praying for the proper safeguarding of the moral conditions existing at military camps, which was ordered to lie on the table.

BILLS INTRODUCED.

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

By Mr. SHAFROTH:

A bill (S. 2552) to provide for leave of absence for homestead entrymen in one or two periods, and for longer times; to the Committee on Public Lands.

By Mr. FERNALD:

A bill (S. 2553) for the relief of Fred W. McConky, jr.; and A bill (S. 2554) to refund to John B. Keating customs tax erroneously and illegally collected; to the Committee on Claims.

A bill (S. 2555) granting an increase of pension to Sarah T. Cram;

A bill (S. 2556) granting a pension to Charles E. Haskell;

A bill (S. 2557) granting a pension to John B. Wallace;

A bill (S. 2558) granting an increase of pension to Hosea Butterfield (with accompanying papers);

A bill (S. 2559) granting an increase of pension to Nettie A. Bachelidor (with accompanying papers);

A bill (S. 2560) granting an increase of pension to Emery O. Pendleton (with accompanying papers);

A bill (S. 2561) granting an increase of pension to Esburn Nutt (with accompanying papers);

A bill (S. 2562) granting an increase of pension to Mary A. Bragdon (with accompanying papers);

A bill (S. 2563) granting an increase of pension to Freeman D. Myrick (with accompanying papers);

A bill (S. 2564) granting an increase of pension to Bennett B. Fuller (with accompanying papers);

A bill (S. 2565) granting an increase of pension to Moses F. Hurd (with accompanying papers);

A bill (S. 2566) granting an increase of pension to William T. Eustis (with accompanying papers); and

A bill (S. 2567) granting a pension to Lucinda M. Ballard (with accompanying papers); to the Committee on Pensions.

By Mr. JAMES:

A bill (S. 2568) granting a pension to George R. Hamilton;

A bill (S. 2569) granting an increase of pension to William E. Hayden;

A bill (S. 2570) granting an increase of pension to William H. Kelsay;

A bill (S. 2571) granting an increase of pension to Margaret Leming;

A bill (S. 2572) granting an increase of pension to Joseph M. Love;

A bill (S. 2573) granting an increase of pension to Millard C. Loveless;

A bill (S. 2574) granting a pension to Herman Martin;

A bill (S. 2575) granting a pension to John Magowan;

A bill (S. 2576) granting an increase of pension to Lucy Jane Minuge;

A bill (S. 2577) granting an increase of pension to Samuel McClure;

A bill (S. 2578) granting an increase of pension to Henry McClure;

A bill (S. 2579) granting an increase of pension to Eliza E. McElroy;

A bill (S. 2580) granting an increase of pension to Albert P. Ramsey;

A bill (S. 2581) granting an increase of pension to Regina Roller;

A bill (S. 2582) granting an increase of pension to Catherine E. Richards;

A bill (S. 2583) granting an increase of pension to Sallie Rigney;

A bill (S. 2584) granting an increase of pension to Sarah Spurlock;

A bill (S. 2585) granting an increase of pension to Michael O. Sullivan;

A bill (S. 2586) granting a pension to Leander Thomas;

A bill (S. 2587) granting a pension to George Troutman;

A bill (S. 2588) granting an increase of pension to Susan I. Vantine;

A bill (S. 2589) granting an increase of pension to John W. Vick;

A bill (S. 2590) granting a pension to Maude Woods;

A bill (S. 2591) granting a pension to Jesse Abbott;

A bill (S. 2592) granting a pension to Isaac F. Allen;

A bill (S. 2593) granting a pension to William S. Arnold;

A bill (S. 2594) granting a pension to Ulysses S. Baird;

A bill (S. 2595) granting an increase of pension to Katherine Bird;

A bill (S. 2596) granting an increase of pension to Elizabeth C. Bowman;

A bill (S. 2597) granting a pension to Green Brock;

A bill (S. 2598) granting an increase of pension to Alice J. Buck;

A bill (S. 2599) granting an increase of pension to Elijah Bullock;

A bill (S. 2600) granting an increase of pension to Charles M. Cannon;

A bill (S. 2601) granting a pension to Squire O. Baker;

A bill (S. 2602) granting an increase of pension to David Bethurum;

A bill (S. 2603) granting a pension to William W. Cook;

A bill (S. 2604) granting a pension to George T. Cooney;

A bill (S. 2605) granting an increase of pension to Annie B. Dear;

A bill (S. 2606) granting an increase of pension to Mary Robinson Dobyns;

A bill (S. 2607) granting an increase of pension to Thomas Dunam;

A bill (S. 2608) granting a pension to Henry Ford;

A bill (S. 2609) granting a pension to William M. Graham;

A bill (S. 2610) granting an increase of pension to William R. Jones (with accompanying papers);

A bill (S. 2611) granting an increase of pension to Elijah Borin (with accompanying papers);

A bill (S. 2612) granting an increase of pension to Robert L. McFarland (with accompanying papers); and

A bill (S. 2613) granting an increase of pension to Patrick Walton (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 2614) granting a pension to Mary E. Howard;

A bill (S. 2615) granting an increase of pension to Joseph Wolfe; and

A bill (S. 2616) granting a pension to Phoebe Morgan; to the Committee on Pensions.

THE COMMITTEE ON NAVAL AFFAIRS.

Mr. SWANSON submitted the following resolution (S. Res. 96), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

CONSERVATION OF FOOD AND FUEL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

Mr. CURTIS. Mr. President, a parliamentary inquiry. Will it be in order at this time to offer an amendment to the House provision or should it be offered after 2 o'clock under the agreement?

The VICE PRESIDENT. It can be offered and lie on the table.

Mr. CURTIS. Then I offer the following amendment to the House text: On page 18, line 22, strike out the word "or" and insert "or other nonbeverage purposes," and strike out the four words "or of alcoholic beverages" in line 23, so as to make a straight prohibition amendment.

Mr. NORRIS. I should like to suggest to the Senator from Kansas that he has the House text and that he should take the pending bill with the committee amendments added to it, so that we may know where the amendment comes in.

Mr. CURTIS. My own judgment is that it should be offered to the House provision as it came to the Senate, but in order to remove any doubt about it I will offer the amendment to section 12, to strike out lines 16, 17, 18, 19, and 20, down to and including the word "beverages" in line 21 and insert the following:

SEC. 12. That no person shall use any foods, food materials, or feeds in the production of alcohol, except for governmental, industrial, scientific, medicinal, sacramental, or other nonbeverage purposes.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KENYON. We do not reach that section until 2 o'clock under the unanimous-consent agreement. Is not the question in order to proceed with the consideration of committee amendments until 2 o'clock and then to take up the special amendment which was the subject of the agreement?

The VICE PRESIDENT. Yes; but there is no objection to the Senator from Kansas offering an amendment and having it lie on the table.

Mr. CHAMBERLAIN. Mr. President, I propose the following amendment to the amendment of the committee in section 8. The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 11, line 21, after the word "act" in the amendment to the amendment agreed to, insert the following proviso:

Provided, That if any minimum price shall have been theretofore fixed pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuels so purchased shall not be less than such minimum price.

Mr. VARDAMAN. I wish to ask unanimous consent to submit some telegrams from the prohibition workers of Mississippi and have them printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD as follows:

BELZONI, OR GREENVILLE, MISS.,
WASHINGTON COUNTY.

Senator JAMES K. VARDAMAN.

DEAR SIR: As president of the Woman's Christian Temperance Union of Washington County, Miss., I write in the name of our organization urging that you help us gain national prohibition as a war measure for the protection of "our boys" and for the conservation of foodstuffs. As you know, the liquor interests are doing all in their power to defeat the measure. In God's name champion our cause. For God and home and our boys and native land.

Mrs. JAMES ALEMETH FINLEY.

WOMAN'S MISSIONARY SOCIETY,
METHODIST EPISCOPAL CHURCH SOUTH,
Vaiden, Miss.

UNITED STATES SENATE.

Care of Senator JAMES K. VARDAMAN, Washington, D. C.:

Undersigned petition your honorable body to pass the amendment to the Lever bill prohibiting the use of grain for making wine and beer, as well as whisky, during the war.

The above petition was indorsed by vote at meeting held under auspices of the Woman's Missionary Council, Methodist Episcopal Church

South, in the city of Aberdeen, State of Mississippi, by the Woman's Missionary Society.

Mrs. T. W. BAKER, Presiding
(And others).

STARKVILLE, MISS.

Senator JAMES K. VARDAMAN,
Washington, D. C.:

In the interest of humanity and of the Nation in time of war the Methodist Sunday School of this place appeals for legislation against the use of grain or foodstuffs in beer and wine as well as in distilled liquor.

W. W. MAGRUDER, Superintendent.

STARKVILLE, MISS., July 5, 1917.

Senator JAMES K. VARDAMAN,
Washington, D. C.:

By unanimous vote of the Starkville Methodist Church we respectfully request and urge your influence and vote to prohibit the manufacture of grain and other foodstuffs in distilled liquors, beer, wine, or any other alcoholic product for use as a beverage.

T. W. WOODWARD, Secretary.

SPARKS, OKLA., July 1, 1917.

Senator JAMES K. VARDAMAN,
Care of United States Senate, Washington, D. C.:

Ministers and former citizens of Mississippi request that you support bone-dry feature food-conservation bill and do all in your power to secure passage of same.

T. T. HORTER.
N. T. PEAK.

PORT GIBSON, MISS., April 26, 1917.

Senator JAMES K. VARDAMAN,
Senate Chamber, Washington, D. C.:

The Methodist Conference of the Port Gibson district, representing 20,000 Mississippi Methodists, pleads that you support legislation looking to prohibition of the liquor traffic as a war measure.

M. B. SHARBROUGH, President.
J. D. ELLIS, Secretary.

SENATOBIA, MISS., July 2, 1917.

Senator JAMES K. VARDAMAN,
Washington, D. C.:

Mass meeting Senatobia Christian citizens urge your support of bill to prohibit manufacture whisky and beer during period of war.

GILL.
DEAN.
BERNARD.

STARKVILLE, MISS., July 2, 1917.

Hon. J. K. VARDAMAN,
United States Senate, Washington, D. C.:

Urges support of prohibition amendment to food-control bill passed by House.

WOMEN'S CHRISTIAN TEMPERANCE UNION,
M. L. MONTGOMERY, Acting President.

PHILADELPHIA, PA., July 3, 1917.

Hon. J. K. VARDAMAN,
United States Senate, Washington, D. C.:

Hearty congratulations on your telegram to Antislavery League of Mississippi. You told the truth. Keep up your fight to the bitter end. The people are with you, and you will win.

ISABELLA BROWN.
WILLIAM ALEXANDER BROWN.

Mr. REED. I could not understand where the amendment to the amendment went in. Let it be read again.

The SECRETARY. On page 11, after the amendment to the amendment heretofore agreed to, which reads "necessaries as defined in this act," insert the following proviso:

Provided, That if any minimum price shall have been theretofore fixed pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuel so purchased shall not be less than such minimum price.

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

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. HARDING. I am in receipt of a series of resolutions passed by Pomona Grange, of Delaware County, Ohio. Two of the resolutions are so pertinent to the pending question that I ask consent of the Senate that the Secretary may read resolutions 5 and 6.

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

The Secretary read as follows:

5. The grange reaffirms its unalterable opposition to the liquor traffic, and is very much pleased to learn that the National House of Representatives has so nearly unanimously adopted a prohibitory measure as to the use of grains in the manufacture of intoxicating liquors. It hopes for speedy concurrence on the part of the Senate in this war measure. The grange also believes that such prohibition measures are equally beneficial to our country in times of peace. The grange insists that the alluring temptations of the saloon and the brothel shall not be placed within reach of the flower of our young manhood about to be concentrated in military training camps at various places throughout our country. The grange also insists that it is the duty of our State and Nation to eradicate the saloon from all parts of our country,

whether in times of war or peace, as the only sensible way of dealing with a business creating so great financial, physical, and moral loss to the manhood, womanhood, and childhood of our country. The grange recommends that the liquor now in stock in this country, which is being used to poison our own people, should be taken over by our Government, the alcohol extracted and used for mechanical purposes in the development of our country and for the destruction of our enemies.

6. In view of the fact that there have been many recommendations for expense curtailment, and that there is dire necessity for greater production of food products and of economy on the part of our people, the grange calls to the attention of the public the useless and enormous loss by fire of approximately \$1,000,000,000 annually, or \$10 per capita, by tobacco users. There has been much legislation and prohibition against the smoke nuisance in the cities of our country and against general incendiarism. If it is illegal to erect a building and then to set it afire, is it not equally wrong to grow crops on fertile land that would produce the necessities of life, thus cutting down the high cost of living, and then to set fire to the product raised on such land, and to inhale the poison of tobacco and blow it into the faces of others to be inhaled secondhand, or to chew the weed and then expectorate in a filthy and unhealthy manner in public or private places? The grange recommends that the people generally abstain not only from the use of intoxicating liquors, but also from the use of tobacco, and that farmers be prohibited from using land for tobacco growing.

Mr. McKELLAR. I present sundry petitions from citizens of Memphis, Tenn. They are very numerous signed and I think they are so pertinent to the issue now before the Senate that I ask that one of them be read.

Mr. CHAMBERLAIN. I should like to ask the Senator from Tennessee if they have to do with the pending measure?

Mr. McKELLAR. Yes; I will state to the Senator that they do. The petitions are very short.

Mr. WARREN. Mr. President, I understood that we took a recess last night, and if the debate is to be opened up for the introduction of such matters I have quite a desk full here, and I presume a great many others have. It seems to me we ought to follow one plan or the other; let them all go in, or have them all go out. I think the Senator should withhold his request until he can make it a part of his remarks if he wishes to do so.

The VICE PRESIDENT. Is there objection to reading the petition?

Mr. WARREN. I object.

The VICE PRESIDENT. Shall the petition be read? [Putting the question.] The ayes have it, and the Secretary will read.

The Secretary read as follows:

Senator K. D. McKELLAR and Congressman HUBERT FISHER,
Washington, D. C.:

We, the undersigned, hereby petition you as a spokesman for the people of Tennessee to introduce or cause to be introduced, and to work for the passage of, a bill designed to throw greater protection about the morals of the young men of the United States who are and who will be in the national military and naval service.

We earnestly desire that the praiseworthy orders of our military authorities designed to create "moral zones" about the camps be strengthened in every manner possible. We suggest that it be made a misdemeanor, punishable by a fine or imprisonment, or both, for an immoral woman to come within 10 miles of a military or naval encampment, regardless of its size, and that heavy penalties be provided for those selling liquor to soldiers within 10 miles of a camp, and that similar restrictions be put upon gambling and other forms of vice.

RUSSELL KENT
(And others).

Mr. JONES of Washington. Mr. President, in connection with the consideration of the amendment which is now pending, and in line with the article which has already been read, I desire, as a part of my remarks, to read a telegram, which is dated at Seattle, July 2, addressed to the United States Senate, and is as follows:

THE SENATE OF THE UNITED STATES OR
SENATOR WESLEY L. JONES,
Washington, D. C.:

Five thousand women members of West Washington Woman's Christian Temperance Union pledge themselves to rigid household economy for conservation of food supplies and vigorously protest against the waste of food products of any kind in the manufacture of beer and wine.

HATTIE B. DUNLAP,
State President W. C. T. U.
ELIZABETH E. THAYER,
State Corresponding Secretary.

Mr. CHAMBERLAIN. Mr. President, I offer the amendment which I send to the desk, to section 8. In view of the amendment which has just been adopted to this part of the bill, the language which I propose to strike out is unnecessary, and the committee recommend striking it out.

The VICE PRESIDENT. The amendment proposed by the Senator from Oregon to the amendment of the committee will be stated.

The SECRETARY. On page 11, line 18, after the word "purchase," it is proposed to strike out the words "in no case paying a less price than the minimum price, if any, fixed in pursuance of this act."

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to.

The amendment as amended was agreed to.

Mr. SMOOT. Mr. President, I should like to have the Secretary now read the amendment which we have just acted upon as amended, so that we may know just what it means.

Mr. CHAMBERLAIN. Mr. President, I may state, before the reading of the amendment as amended, in order that the Senator from Utah may understand the bill as it now stands, as to the amendment to the amendment on page 11, in subdivision (b) of section 8, striking out the words "in no case paying a less price than the minimum price, if any, fixed in pursuance of this act," that I have moved to strike out that portion of it because there has already been adopted a provision which clarifies it, and it does not change the sense. The amendment to which I refer reads:

Provided, That if any minimum price shall have been theretofore fixed, pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuels so purchased shall not be less than such minimum price.

Mr. SMOOT. That follows the amendment which was offered by the Senator from Iowa [Mr. KENYON]?

Mr. CHAMBERLAIN. Yes.

Mr. SMOOT. I should like to have the Secretary read the amendment as amended, including the amendment to the amendment offered by the Senator from Iowa and the one which has just been offered by the Senator from Oregon.

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. On page 11, line 12, after the word, "dependents," strike out the words "for a reasonable time," and insert: nor shall any person, firm, corporation, or association be required to furnish to the Government any seed necessary for the seeding of land owned, leased, or cultivated by them; (b) in order to guarantee reasonable prices to the producer and to the consumer, to purchase, to store, to provide storage facilities for, and to sell at reasonable prices necessities defined in this act: *Provided*, That if any minimum price shall have been theretofore fixed, pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuels so purchased shall not be less than such minimum price.

The VICE PRESIDENT. The Chair lays before the Senate a certified copy of the report of the Federal grand jury in Chicago, and instructs the Secretary to read it.

The Secretary read as follows:

REPORT OF THE GRAND JURY EMpaneled IN THE UNITED STATES DISTRICT COURT OF THE NORTHERN DISTRICT OF ILLINOIS AT CHICAGO, AT THE JUNE TERM, A. D. 1917, AS TO CONDITIONS OF TRADE IN FOOD PRODUCTS.

The grand jurors, owing to the brevity of the term of court for which they are empowered to act and the country-wide extent of the conditions disclosed, have been unable to make that thorough examination which would warrant presenting indictments against individuals responsible for the present trade conditions in certain lines; but, enough evidence appearing to show in outline what those conditions are, and what are the systems of transacting business under which they are produced, the jurors feel that they should at least make a report to the court upon what they have found.

CANNED GOODS.

These goods are not classed as perishable, and do not require cold storage. Canners of vegetables usually dispose of their product by future sales before the vegetables are grown or canning operations begin. The goods get to the consumer through brokers, wholesalers, jobbers, and retailers. The canners, brokers, wholesalers, and jobbers have associations, which select committees whose function is to meet together at intervals. The canners, wholesalers, and jobbers have devised some means for insuring complete cooperation among themselves, which results in keeping the canner from dealing directly with the consumer or with the retailer. Wholesalers and jobbers will not buy from canners, in most cases, otherwise than through brokers. If retailers attempt to resist the combination by purchasing directly from the canner, they find it difficult or impossible to do any further business with the wholesalers or jobbers as to other groceries.

This situation compels the consumer to pay the expense of maintaining these middlemen; and in times like the present, when an unusual demand for food products exists and is likely to continue, these middlemen exert the power that inheres in this system to extort unconscionable profits from consumers, with no proportionate benefit to those who furnish the principal service, to wit, the farmers, canners, and such retailers as are satisfied with a reasonable profit above the cost.

To illustrate the foregoing, we cite the increase of the price of canned tomatoes and corn in passing through the hands of those middlemen during the past year:

Canned tomatoes were sold by the canners in the spring of 1916, through brokers, for future delivery, to wholesalers and jobbers, at 90 cents per dozen cans. These same tomatoes are being sold to-day by wholesalers and jobbers to retailers at \$2.25 and more per dozen, and consumers are now getting one can for 25 cents instead of the two or three cans they got for that sum prior to this season. Cans and labels, being furnished by the canners, do not enter into this increase in cost in the hands of the middlemen.

Canned corn, which was sold in 1916 by the canner to the wholesaler and jobber at 65 cents per dozen, is selling to the retailer at \$1.75 per dozen and the consumer is paying a proportionately high price.

In view of this situation in the canned-goods trade, and of the existence of similar conditions in the trade in other food products and necessities, we urge the passage of laws to eliminate these conditions and to reduce prices to a normal basis as soon as possible.

Furthermore, in consequence of these conditions, brokers, wholesalers, and jobbers are in a position to, and many of them do, hoard up, speculate in, and demand excessive prices for, these commodities; and no doubt they are in the same position with reference to many of the other necessities of life handled by them.

BUTTER.

Because Elgin was at one time a creamery center the people of the United States continue to follow prices quoted as "Elgin" prices, although very little butter is now made or legitimately traded in there. It seems that a few traders and dealers, most of whom are Chicago traders, take advantage of this situation to go to Elgin once a week and make a few trades on the Elgin Board of Trade, and thus establish a price for butter for those who follow Elgin quotations throughout the country. The "board" opens at 11.45 and closes at 12 noon on Saturday of each week. Practically all of the trades made on the "board" are made by these Chicago dealers who go to Elgin to attend this 15-minute session. It is a question whether the Elgin "board" is a real bona fide market for the purchase and sale of butter, it appearing that it is merely a place where a few trades are made as a basis for Elgin quotations by men who are in most cases Chicago traders, who could make those sales in Chicago without taking the trouble to go to Elgin if their only motive is to buy and sell butter.

As shown by the minutes of the 24 meetings of the Elgin board from January 6 to June 16, 1917, an average of four traders made an average of less than two trades a week affecting an average of 51 tubs of butter sold each week. As against these 51 tubs a week handled on the board at Elgin, it appears that during the same period an average of 53,000 tubs have been handled each week in Chicago.

COLD STORAGE.

It has been the practice of cold-storage warehouse companies to lend large amounts of money on perishable food products, such as butter, eggs, poultry, etc., that go into their cold-storage warehouses.

This practice leads to speculation by other than legitimate dealers, and tends to increase the cost to the consumer. It is the opinion of this grand jury that some legislation should be passed prohibiting this practice, and also prohibiting the cold-storage warehouses from borrowing money on their own warehouse receipts on which they themselves have already made loans.

For the purpose of making public the amounts of food products in cold storage it is our opinion that legislation should be passed requiring all cold-storage warehouse companies to make reports under oath to the proper governmental department at specified times, setting forth in detail all food products held in storage by them, and whenever required to do so to furnish the names of those for whom such products are being held.

And further, that the period during which food products may be held in storage should be limited to a reasonable specified time to prevent the carrying of such products from one season to another, which practice has a tendency to limit the supply and increase the price at certain times of the year.

In addition to the reports to the Government from cold-storage warehouses, reports should be required under oath from all persons making use of railroad cars for storage purposes; that is to say, holding of products on the track after a reasonable time for unloading.

Many retail dealers in selling food products to the consumer often continue to charge high prices after wholesale prices have dropped, thereby securing illegitimate and unfair profits. It is our opinion that some method of publishing the wholesale price of food products should be instituted so that the housewife may be informed of the value of foods and will know when she is being charged extortionate prices out of line with the price which the retailer is paying the wholesaler.

WHOLESALE DEALERS IN FOOD PRODUCTS.

Some wholesalers and jobbers in food products urge retailers to advance prices to the consumer—advising them to put on higher prices, which gives the wholesaler a basis for charging higher prices to the retailer. To illustrate, one of the largest wholesale dealers in Chicago sent out a circular to its salesmen containing the following paragraphs:

"Our customers, in particular, have very unusual profits within their grasp at this moment. Will they throw them away or tuck them away?"

"Jobbers are affected; they are financially interested. They urge that the greatest haul yet made by the retail grocery world be converted into tangible assets. Wholesale houses are not legally appointed custodians or guardians for anybody, but they do have an interest at this time, one that is defensible and that must be apparent to all.

"Of what earthly use are 'futures' if the benefits are wantonly wasted?"

"No man ever got very far on the road to competency who was a wise buyer but a spineless seller.

"Will the grocer who has long lamented the scantiness of his profits let up now long enough to bring in the heaping basket left on his doorstep?"

"Our representatives should make themselves heard at once on this readjusting of retail prices."

Another sent out a circular from which we quote as follows:

"Raise your prices now on everything we have advised you will advance. The goods are worth more money now than they are bringing. As soon as our prices advance, yours must. We are giving you the benefit of our purchases to give you the extra profit. You can get the extra price this week as well as next."

Practices of this kind indicate the necessity of legislation which will absolutely put a stop to the exploitation of war conditions to raise prices to the consumer for the benefit of the few who are handling food products.

CHARLES M. GORGESON, Foreman.

Indorsed: Filed July 2, 1917, at — o'clock — m. T. C. MacMillan clerk.

In the United States District Court for Northern District of Illinois, eastern division.

I, T. C. MacMillan, clerk of the District Court of the United States of America for the northern district of Illinois, do hereby certify the above and foregoing to be a true and correct copy of the report of the grand jury to the court as to conditions of trade in food products as same appears from the original filed in said court on the 2d day of July, A. D. 1917, and now remaining in my custody and control.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at my office in Chicago, in said district, this 2d day of July, A. D. 1917.

[SEAL.]

T. C. MACMILLAN,

Clerk.

Mr. NORRIS. Mr. President, I inquire if the committee amendment on page 11, beginning in line 13, has been agreed to? I desire to offer an amendment to the committee amendment.

The VICE PRESIDENT. The committee amendment as amended has been agreed to; and if the Senator desires to offer an amendment to the amendment, the action whereby the amendment as amended was agreed to will have to be reconsidered.

Mr. NORRIS. I ask unanimous consent to reconsider the vote whereby the amendment as amended was agreed to, in order that I may offer an amendment to it.

The VICE PRESIDENT. Is there objection to reconsidering the vote whereby the amendment as amended was agreed to?

Mr. CHAMBERLAIN. I will not object, Mr. President.

The VICE PRESIDENT. The Chair hears no objection, and the vote is reconsidered.

Mr. NORRIS. Now I desire to offer the amendment which I suggested the other day and which received the approval of all Senators in the Chamber at that time who gave it any consideration. Section 8, commencing on page 10, is an authorization to the President to requisition foods, and so forth, for the Army and the Navy, and all that section down to subsection (b), in line 16, on page 11, has reference to the power to secure food for the Army and the Navy, to the taking of the food, to the payment, and so forth, for the same, and to giving the persons from whom it is taken, if dissatisfied with the price, a day in court. Then comes the subsection (b), which reads as follows:

(b) In order to guarantee reasonable prices to the producer and to the consumer, to purchase—

That is, the President is given power to purchase—in no case paying.

That has been modified; but the subsection relates to a subject entirely different and having no relation whatever to the Army and the Navy, but applying to producers and consumers generally. My amendment, Mr. President, is to strike out the letter "b" in the parentheses and substitute therefor "section 9," so that it would be an entirely new section.

Mr. KENYON. Mr. President—

Mr. NORRIS. I yield to the Senator.

Mr. KENYON. I should like to suggest to the Senator that, if he will read the context, I think he will discover that something more is necessary.

Mr. NORRIS. I think something more is necessary.

Mr. KENYON. Section 8 begins with the words:

That the President is authorized from time to time (a).

Those words could be inserted before the words "in order to guarantee reasonable prices," and so forth, in line 15.

Mr. NORRIS. I intended to offer that if the amendment I have suggested is agreed to. That would make it complete. I presume, however, it might just as well be offered as one amendment.

Mr. KENYON. That should be a part of the amendment.

Mr. NORRIS. I will offer that, then, Mr. President, as part of the amendment. I move to strike out the designation "(b)" and insert in lieu thereof, "Section 9. That the President is authorized from time to time."

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. In the amendment of the committee on page 11, line 16, it is proposed to strike out the semicolon and insert a period after the word "them"; then to strike out the designation "(b)" and insert, beginning a new paragraph, the following:

SEC. 9. That the President is authorized from time to time.

So as to read:

SEC. 9. That the President is authorized, from time to time, in order to guarantee reasonable prices to the producer and to the consumer, to purchase, to store, to provide storage facilities, and to sell at reasonable prices necessities, as defined in this act—

And so forth.

Mr. CHAMBERLAIN. Mr. President, may I ask if the proviso is added to that?

The VICE PRESIDENT. The proviso remains.

Mr. CHAMBERLAIN. Then, so far as I can assent to it, I am perfectly willing to have that as a new section and to strike it out of the section where it now stands.

Mr. NORRIS. That is the effect of the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nebraska to the amendment of the committee as amended.

Mr. WALSH. Mr. President, I call the attention of the Senator from Nebraska to the fact that the proviso, being that part of the section following line 8, will not then qualify the new section 9. It now does. I do not think that was his purpose. I understood the Senator from Oregon just now to inquire whether the proviso remains in the section. It does remain in the section,

but it qualifies only what remains of section 8, and does not qualify the new section 9, as it does in the original draft.

Mr. CHAMBERLAIN. I thought that the proviso which was added a while ago by a vote of the Senate to subdivision (b) qualified only that subdivision; but if there is any question about that, it probably ought not to be transferred to a new section. My construction of the bill is that the proviso which was added qualified only subdivision (b). I refer to the proviso reading:

Provided, That if any minimum price shall have been theretofore fixed pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuels so purchased shall not be less than such minimum price.

Mr. SMITH of Georgia. Mr. President, that is quite an important change. I suggest that it ought to be written out in full, and we all ought to be able to see it before it is acted upon.

Mr. CHAMBERLAIN. Then it might be passed over for a moment until it can be written out; but I did not see any objection to transferring that portion of section 8 into a new section.

Mr. KING. Mr. President, I will say to the Senator from Oregon that I do not understand that the proviso to which he has just called attention will be in any manner disturbed or modified if the amendment suggested by the Senator from Nebraska shall be adopted.

Mr. NORRIS. Mr. President, it seems to me that the only suggestion that has been made that might make it necessary to make another change is the suggestion made by the Senator from Montana [Mr. WALSH], who says that the proviso which would then be left in section 8 as it is now would not apply to section 9. It would not be in order to amend that proviso at the present time, because it is not a committee amendment; but I would suggest to the Senator from Montana that that could easily be met by an amendment to the text, so that the proviso should apply to section 9 as well as to section 8. It would not be in order to offer that amendment now, however. I would suggest something like this:

Provided, That nothing in this section or the following section shall be construed—

And so forth. That would meet the objection made by the Senator from Montana, I think.

Mr. SMITH of Georgia. Mr. President, the changes in this section are so great that surely the Senator from Nebraska would be authorized to add the complete provision; and I suggest to him that we would like to see just how the whole of it would read before we vote on it.

Mr. NORRIS. I will say to the Senator from Georgia that the amendment that I have suggested, making a new section of subsection (b), certainly would not have to be reprinted in order to see just what it means; but these other amendments that the Senator from Oregon has offered, that have been agreed to this morning, might have to be. I have no objection to having it go over. The section could be reprinted in full.

The VICE PRESIDENT. The Chair begs leave to suggest that if this is made a new section, it will change the numbering of the other sections of the bill; and as the unanimous-consent agreement applies only to a certain section, at 2 o'clock the Senate will not be considering the section that it thought it was going to consider.

Mr. NORRIS. Let me say to the Chair that my amendment, as I understand it, at least, applies entirely to a committee amendment. Subsection (b) is a part of a committee amendment. I strike that out, and put in some other language. What may be necessary later on in the bill if we should change the section of course would not make this out of order, because it would make the bill inconsistent if such changes were not made.

The VICE PRESIDENT. It is not out of order. The Chair does not care what is done. The Senate is to consider section 12 at 2 o'clock.

Mr. NORRIS. I presume it will necessitate, as very often happens in the consideration of a bill, a renumbering of the other sections, which would be done, when we got to it, by unanimous consent.

The VICE PRESIDENT. The question is on the amendment. Mr. SMITH of Georgia. Mr. President, what is the amendment?

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 11, in the committee amendment, on line 16 after the word "them," it is proposed to strike out the semicolon and insert a period; then, beginning a new paragraph and a new section, to strike out the subdesignation "(b)" and to insert "Sec. 9. That the President is authorized, from time to time," so that the paragraph will read:

Sec. 9. That the President is authorized, from time to time, in order to guarantee reasonable prices to the producer and to the consumer, to purchase, to store, to provide storage facilities for, and to sell at reasonable prices necessities as defined in this act: *Provided, That if any*

minimum price shall have been theretofore fixed pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuels so purchased shall not be less than such minimum price.

Mr. HITCHCOCK. Mr. President, I will suggest that the confusion can be avoided if my colleague, instead of making a new section, will simply make a new paragraph of this section. Then everything will read smoothly, and there will be no necessity of changing the number of the section.

Mr. NORRIS. I will say to my colleague that it is already a separate paragraph, as I understand it. The object I had in making a new section of it was because the power conferred in subsection (b) is foreign to and in no way connected with the subject matter of section 8—the power conferred upon the President to buy something for the Army and Navy.

Mr. HITCHCOCK. I do not think there will be any difference in effect if it is simply made a separate paragraph of this section, and it will avoid considerable confusion which will result if you undertake to renumber these sections.

Mr. NORRIS. In the debate the other day, when my colleague was not here, several Senators expressed a doubt as to just what might be done if this were connected up with the Army and Navy power as it is now. Some Senators even expressed the fear that these purchases would have to be made for the Army and Navy, when it is evidently the intention of subsection (b) to have these purchases made in the market for the public generally, and with no reference whatever to the needs of the Army or the Navy. My own idea is that a court would hold that subsection (b) applied generally, just as I think the committee intended it should apply; but I wanted, in the first place, to remove any doubt that might exist. In the next place, I wanted to make it more consistent.

As a matter of fact, here is a certain section of the bill that has to do entirely with the purchase of supplies for the Army and Navy; and tucked into that section is subsection (b), that has no reference to the Army and the Navy, that applies to the country generally and to the people generally. It would be more consistent if that were a separate section.

Mr. HITCHCOCK. I think my colleague will recognize that the second paragraph will have just as much dignity and just as much strength and just as much force as the first paragraph of the section. As he has phrased it, it will read:

That the President is authorized, from time to time, in order to guarantee reasonable prices—

Now, that has just as much force as the first part of the same section would have.

Mr. NORRIS. Let me call my colleague's attention to the next section. It starts out in this way:

That whenever the President shall find it necessary to secure an adequate supply of necessities for the support of the Army or the maintenance of the Navy, or for any other public use connected with the common defense, he is authorized to requisition and take over, for use or operation by the Government, any factory, packing-house—

And so forth.

Now, that deals with the taking over of factories, storage houses, and manufacturing establishments. It would be just the same from a legal standpoint if we did not make that a new section. We could tack it right on to this section. In fact, on the same theory that subsection (b) is left in as part of section 8 we ought to have only one section to the bill, because the theory of dividing a bill into sections is for the purpose of a better understanding of the bill and its simplification, taking up various subjects in different sections of the bill.

The point I am making is that section 8 deals with the purchase of supplies for the Army and Navy. We ought to have another section dealing with the purchase of supplies on the market by the President and the storing and selling of them to the people generally. We do have that, but we have tucked it into this other section. We have not done anything like that anywhere else in the bill; and it is just to make it consistent, to make it plainer. My own idea is that it does not change its legal effect in any sense.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. SMITH of Georgia. Mr. President, the Senator has not added to his second section this additional language from line 21 on down—the provision making it a revolving fund—or else it was not read.

Mr. NORRIS. Oh, yes. I will say to the Senator that my amendment does not change that.

Mr. SMITH of Georgia. But the Senator did not embody that in his amendment as read. The amendment was read by the Secretary, omitting that language providing that this money should constitute a revolving fund.

Mr. NORRIS. My amendment does not change that.

Mr. SMITH of Georgia. But the Senator did not carry it in his new section, and it ought to be carried in the new section.

Mr. NORRIS. It is in the new section.

Mr. SMITH of Georgia. Not as read by the Secretary.

Mr. NORRIS. The Secretary, of course, did not read the entire section. He just read the amendment I offered. It does not change the language anywhere, except that the effect of it is to make a new section. The language providing for the revolving fund will be in section 9 instead of section 8. It will be with this subdivision (b) as it is now. There will be no difference in that respect.

Mr. SMITH of Georgia. But is there no difference in the proposed section which the Secretary read? He read, then, only part of the proposed new section.

Mr. NORRIS. That is all.

Mr. SMITH of Georgia. The Secretary was asked to read the proposed new section, and he stopped, as I heard him, without covering this language in the latter part of section 8. I ask that the Secretary read the entire new section as it will be according to the proposed amendment.

The SECRETARY. The section, as amended, will read as follows:

SEC. 9. That the President is authorized, from time to time, in order to guarantee reasonable prices to the producer and to the consumer, to purchase, to store, to provide storage facilities for, and to sell at reasonable prices, necessities as defined in this act: *Provided*, That if any minimum price shall have been theretofore fixed pursuant to the provisions of section 11 of this act, then the price paid for any feeds or fuels so purchased shall not be less than such minimum price. Any moneys received by the United States from or in connection with the disposal by the United States of necessities under this section may, in the discretion of the President, be used as a revolving fund for further carrying out of the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

Mr. KING. Mr. President, I should like to inquire of the Senator having this bill in charge whether he understands that the amendment offered by the committee would be an inhibition upon private parties from selling at prices less than those fixed by the President?

Mr. CHAMBERLAIN. I do not understand that it would, Mr. President. That was not the committee's understanding of it.

Mr. WADSWORTH. Mr. President, it is quite impossible to hear, over here, what is being said. That is a rather interesting question.

Mr. SMITH of Michigan. I hope the Senator from Utah has not any great anxiety about their buying cheaper than the Government does.

Mr. KING. The Senator from Utah has a great deal of anxiety about this bill, as I think every Senator has.

Mr. SMITH of Michigan. Yes; I know the Senator has a great deal of anxiety about it, and that is very praiseworthy; but the suggestion that private consumers are to get a price less than the Government gets is rather astonishing.

Mr. KING. Mr. President, my purpose in making the inquiry was to get the interpretation placed upon the section by the Senator in charge of the bill. It has not been printed as amended, so that it is almost impossible to determine exactly its effect; but I wanted to be sure that this fixing of the minimum price or the maximum price would not be an inhibition upon private individuals from buying or selling from private parties at prices different from those fixed by the President of the United States.

Mr. SMITH of Michigan. Mr. President, I am strikingly in accord with the Senator upon that proposition; but I would not be content with the construction of the language of this amendment even by the distinguished Senator from Oregon, much as I admire him and have great confidence in his judgment. Contemporaneous construction is often valuable, but unfortunately it does not very often enter into the construction of statutes, and is not given the weight that perhaps the legislator intended that it should have.

So far as I am concerned, if this matter is to be reached and any remedy afforded to the consumer of coal, it ought to be done specifically by statute; but we must not depend upon contemporaneous construction, no matter how enlightening that is.

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

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The proviso of the Senator from Oregon referring to section 11, as the Chair construes it, must now be changed to section 12.

Mr. CHAMBERLAIN. Yes; that ought to be changed by the Secretary to conform to the proper section. I ask unanimous consent to insert in line 9, after the word "section," the words "or in the section that follows," so as to make the sense complete in view of the change that has been made. It makes it refer to the proper section.

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

The next amendment was, on page 12, line 3, to change the number of the section from "11" to "9"; in the same line, after the word "find," to strike out: "that it is impossible by license or by voluntary arrangement or agreement to assure an adequate and continuous supply of necessities" and insert: "it necessary to secure an adequate supply of necessities for the support of the Army or the maintenance of the Navy, or for any other public use connected with the common defense," in line 13 after the word "mined," to insert "and to operate the same," so as to read:

SEC. 9. That whenever the President shall find it necessary to secure an adequate supply of necessities for the support of the Army or the maintenance of the Navy, or for any other public use connected with the common defense, he is authorized to requisition and take over, for use or operation by the Government, any factory, packing house, mine, or other plant, or any part thereof, in or through which any necessities are or may be manufactured, produced, prepared, or mined, and to operate the same.

Mr. SMITH of Michigan. I should like to ask the Senator in charge of the bill if the word "mine" as used there would cover the tin-plate industry. "Mine" would not cover the tin-plate industry in my opinion, and I should like to inquire if that industry could be reached by the word "factory."

Mr. CHAMBERLAIN. The tin-plate industry was not mentioned in the committee at all, but I think it was intended to be broad enough to cover all of them.

Mr. SMITH of Michigan. The tin-plate industry is very vital to the question of food conservation. As everyone knows, the world has become accustomed to the use of canned food in all forms. I was wondering whether the committee had this in mind.

Mr. CHAMBERLAIN. The committee had not that particular industry in mind, but it was thought by the use of the word "mine" and the use of the word "factory" it would cover everything that the Government wanted to utilize for furnishing its supplies.

Mr. KENYON. I will ask the Senator from Michigan if that question would not be determined by the question whether necessities as defined in the act include tin plate? The Senator will observe the language he refers to covers only those necessities, and necessities are defined in the act. I think it does not cover tin plate.

Mr. SMITH of Michigan. I am very much obliged to the Senator from Iowa. He has given a great deal of thought, and intelligent thought, to the bill. I desired simply to raise the question whether tin plate used in the making of cans, which play such an important part in the conservation and preservation of food products, ought not to be specifically included in the bill.

Mr. SMITH of South Carolina. I should like to ask the Senator from Michigan if tin plate as ordinarily used in the form of cans is not an iron or steel product? We find in section 1 of the bill steel and iron and their products, copper and its products, and so forth.

Mr. SMITH of Michigan. I can not quite agree that either steel or iron would necessarily include tin.

Mr. SMITH of South Carolina. The reason why I asked the Senator the question is that I thought tin was really a veneer, and the bill includes iron or steel products. It would be impossible to make tin cans without the base of the cans, which undoubtedly would be an iron or steel product.

Mr. SMITH of Michigan. I should like very much, if we are aiming directly at that particular feature, to see the language which has just been read so broadened as to include the containers of food products, inserting after the words "food products" the words "and containers therefor."

Mr. KING. I suggest to the Senator from Michigan that if there should be any doubt in his mind as to whether the word "containers" and the words "steel and iron" are sufficient to cover tin it could be reached by amending the first section by adding after the words "steel and iron" the word "tin."

Mr. SMITH of Michigan. The senior Senator from Utah [Mr. Smoot] calls my attention to an amendment recently made by the committee in the language just stated, which, of course, does cover cans used as food containers, that are so vital and necessary to the preservation of food.

The amendment was agreed to.

The next amendment was, in line 22, after the word "the," to strike out "amount" and insert "compensation"; in line 24, after the word "paid," to insert "75 per cent of"; in the same line, after the word "amount," to strike out "prescribed" and insert "so determined"; on page 13, line 2, before the word "will," to strike out "the amount paid" and insert "said 75 per cent"; in the same line, after the word "will," to insert "make up such amount as will"; in line 8,

after the word "including," to strike out "the operation of any such factory, mine, or plant, or part thereof"; in line 12, after the word "employees," to insert: "Provided, That whenever any person or persons entitled to receive such wages are dissatisfied with the rate of wages so fixed by the President, he or they shall have the right to have the reasonableness of such wages reviewed and determined by the Board of Mediation and Conciliation created by the act approved July 15, 1913; and in case said board shall conclude that a higher rate of wages shall be allowed their finding shall be conclusive in the premises, and said board shall prescribe rules and regulations for carrying this proviso into effect," so as to read:

Whenever the President shall determine that the further use or operation by the Government of any such factory, mine, or plant, or part thereof, is not essential for the national security or defense, the same shall be restored to the person entitled to the possession thereof. The United States shall make just compensation, to be determined by the President, for the taking over, use, occupation, and operation by the Government of any such factory, mine, or plant, or part thereof. If the compensation so determined be unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President, and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code. The President is authorized to prescribe such regulations as he may deem essential for carrying out the purposes of this section, including the purchase, sale, or other disposition of articles used, manufactured, produced, prepared, or mined therein, and the employment, control, and compensation of employees: *Provided*, That whenever any person or persons entitled to receive such wages are dissatisfied with the rate of wages so fixed by the President, he or they shall have the right to have the reasonableness of such wages reviewed and determined by the Board of Mediation and Conciliation created by the act approved July 15, 1913; and in case said board shall conclude that a higher rate of wages shall be allowed their finding shall be conclusive in the premises, and said board shall prescribe rules and regulations for carrying this proviso into effect.

Mr. REED. Mr. President, I wish to ask the Senator who is in charge of the bill, in view of the fact that the committee thinks it necessary to provide a board of appeals to adjust any inequalities or wrongs that may be done in the matter of wages, why a similar board ought not to be created to adjust the matter of prices in the case of a mistake being made in prices?

Mr. CHAMBERLAIN. I do not think there was any suggestion of that kind made to the committee. The proposition was made to insert this provision in the bill with reference to the regulation of wages, applying the law of July 15, 1913, to the act. It was discussed at some length in committee, and the committee by a majority vote inserted it in the bill. I do not think any proposition was made along the line suggested by the Senator from Missouri about an appeal board for the regulation of prices.

Mr. REED. I am asking the Senator not what the committee may have had before it, but I am asking the Senator now what his opinion is in regard to this matter? I agree it is perfectly proper if we undertake to regulate wages that there should be some opportunity afforded for the wage earner to have a hearing before some kind of a board, and I see no objection to the one named in the bill, but if that is to be accorded to the man who works for wages, why should not a similar protection be put in the bill for the man who raises wheat or corn or cotton? Why should he be left without any right of appeal or any board of arbitration to determine the justice of any price that may have been fixed by some other authority?

Mr. CHAMBERLAIN. Does the Senator suggest any concrete proposition on the subject?

Mr. REED. If the Senator has in mind the suggestion I was endeavoring to present, I am suggesting now something which I think is along that line.

Mr. WALSH. Mr. President—

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

Mr. REED. I do.

Mr. WALSH. I inquire of the Senator whether provision has not already been made in the bill for a board in the matter of prices?

Mr. REED. I think not.

Mr. WALSH. I think there is a provision that if the party who accepts 75 per cent is not satisfied the jury shall fix it.

Mr. REED. That is not the matter that I am speaking of. That is where something is taken over by the Government. I am speaking about the effect of the bill upon the prices of farm products. I claim—

Mr. WALSH. The bill provides for the taking of farm products, not from the farmer but from others, and it provides that a board—namely, the jury—shall determine the price. Would the Senator prefer to have an appointive board to determine the price instead of having it determined by the jury?

Mr. REED. The Senator is talking about one thing and I am talking about a different thing. I would rather have a jury de-

cide any question for me than any board on earth. But the proposition I am discussing is this: The effect of this when it is all taken together, in my judgment, is absolutely to deprive the farmer of any free and open market for the surplus farm products of the country, and his price will in fact be fixed by the price which is fixed by the representatives of the allies and of neutral nations and of our own country buying in the market the surplus products. That, together with the fact that an embargo will be placed upon all shipments, except those which go through the particular channels just indicated, amounts to a fixing of the price, and in connection with that there is the fixing of a minimum price which may and may not prove high enough. I think those questions ought to be left to some board or tribunal where there is an opportunity to be heard. That is the reason why I suggested to the Senator in charge of the bill, that if the right is given to the wage earner whose wages have been fixed to have an arbitration, some similar plan ought to be devised to protect the farmer.

Mr. WALSH. I was simply endeavoring to ascertain just exactly what feature of the bill was to be modified so as to provide for fixing it by a board. The President is authorized to go out and buy and fix the price, and an appeal is authorized from that to a jury. What is the other provision of the bill in respect to which the Senator feels a like amendment ought to be incorporated?

Mr. REED. I tried to make myself understood. The bill contains a provision allowing the President to enter the market and buy, through some agent of course, and as to that I am making no complaint. I take it that purchasing power will be exercised for the purpose of keeping the market from going too low. The bill contains a provision also for fixing minimum prices to the farmer. No human foresight can enable anyone to fix that price so that it will cover all exigencies which may arise. For instance, the minimum price is fixed based upon an average crop, yet it may transpire that there is only half a crop, in which event the minimum price will be of no use whatever. That is one thing that I think is entitled to be considered.

The other proposition that I submit is that there are within the bill provisions which I think amount to an absolute control of the farmer's prices found in the fact that an embargo can be declared, and it is understood that one will be declared. That takes away the foreign market, the market for the entire surplus of farm products.

In addition to that, the products sold to the allies are now to be marketed through a common agency; and it is understood that some common agency will probably purchase all of the goods that are to be shipped abroad, whether to the allies or to neutral countries. If that board or agency should fix a price which is too low, it inevitably would result injuriously to the farmer, because, of course, the price paid for the surplus must affect the whole of the crop.

The question I am now asking is, Whether, if we are going to safeguard the wages of labor—and I agree that is proper—there ought not to be some board to which the producer might appeal for a rectification of prices which may be fixed in the manner I have indicated? I think that is worthy of consideration.

Mr. BORAH. Mr. President, I want to submit a few observations—

Mr. FLETCHER. Will the Senator allow an interruption for me merely to submit an amendment to the revenue bill and introduce a few other bills to be printed?

The VICE PRESIDENT. That would be in violation of the rule, and the Chair is compelled to enforce the rule. The Senator having the floor may not be interrupted for the purpose of introducing bills or making reports other than conference reports.

Mr. FLETCHER. With the consent of the Senator having the floor, I suppose it could be done, for it has been done all the time.

The VICE PRESIDENT. The Chair is compelled to enforce the rule, regardless of the action of any Senator.

Mr. FLETCHER. I am perfectly willing that the rule shall be enforced. I only hope it will be enforced as to others as well as myself.

The VICE PRESIDENT. The Chair has been trying to enforce the rule now for two months.

Mr. BORAH. Mr. President, I desire to submit some observations on what is known as the liquor amendment, or section 12, of this bill before we come to a vote upon it. I shall not pause, Mr. President, to discuss any legal question which may be involved in the amendment. If there be a constitutional or legal question involved in it, it is the same that is involved in the entire measure. The amendment adds no new legal proposition to the bill, and any observations which I have to make

upon that question will be made in connection with the legal question which may be involved in the measure as a whole.

I do not support section 12 because of the fact alone that it is a food-conservation matter. I have no doubt that it is an important food-conservation measure; but that is not solely my reason for supporting it. I support it also because I look upon it as a conservation measure relating to human efficiency and to human life. The two propositions, to my mind, are intertwined and interlaced and inseparable. It might be said that the food-conservation question carries with it all others; and if so, one could well say that he supports it for that reason alone; it relates not only to the question of the conservation of food but it relates also, in my opinion, to the question of efficiency of the human system and the conservation of human energy.

Mr. President, a few years ago in a western State, during some labor troubles, it became necessary to invoke martial law. Martial law was invoked and extended over a very large portion of the State, a portion of the State in which thousands of men were in the employ of mine operators and of other owners of industries. It was a very extraordinary situation, one in which riot and crime for a time held almost complete sway. Before those who had charge of the situation could even begin to restore order and law it became necessary to close the saloons and drinking places in that district, and, under the authority of martial law, every saloon and every place where intoxicating liquors were sold or could be had were closed. They remained closed, and the prohibition of the sale and of the drinking of liquor remained in force for many months.

I had an opportunity to observe personally the effect of that upon that entire district, upon the workingmen in the district, upon the industries, and upon the efficiency which it brought to labor. The homes underwent a change which it would be very difficult for language to portray. When night came the laboring man did not remain at the saloon or upon the streets, but he went to his home. When Saturday night came he did not spend the evening in the saloon, but he returned to his home and took his week's pay with him. When he left his home upon Monday morning it was an entirely different home to what he had been in the habit of leaving while the saloons were open. The transformation was simply marvelous.

It is true that there were some complaints at times, but it was not long until all, both those engaged in toil and those employing labor, realized the beneficial effect of it.

The experience which we had there in the few months while those saloons were closed was one of the most potent factors in the cause of absolute prohibition in that State. I had not myself prior to that time been what you would call a radical advocate of the prohibition cause, but I became so by reason of my opportunity of witnessing with my own eyes the effect upon the labor world of taking liquor out of the laborers' lives. It was not by reason of any theory, but by reason of example, as to the effect of which and the importance of which and the significance of which there could be no doubt.

I think I shall recall another instance. A few years ago one of the great timber syndicates purchased an exceedingly large tract of land in a Western State, and determined to erect in the midst of it what was then to be the largest sawmill in the world. They were practical business men; they had no fads or fancies, and no theories about prohibition, but they consulted their attorney as to how they could protect their plant in that State, which was then not "dry." They did it as a business proposition, for the purpose of protecting them against injury and damage suits, and for the purpose of insuring efficiency among their men; simply, if I may use the phrase, as a cold business proposition, the same as they had put their money into timber and for the same reason that they were sawing it into lumber. After consultation with their attorney it was determined, as they were the owners of the land for miles about, they would not sell it at all, but that they would lease it for 99 years, with a forfeiture clause in case of the sale or the use of liquor upon the premises.

The result of it was that they dedicated that large body of land, or that large space of country, in the midst of what was then an "open" State to prohibition. It became the most perfect hive of industry that it has ever been my privilege to see. There never has been a strike in the institution, and I am told, although it is an organized town, now having a population of some seven or eight thousand, that there has never been what is sometimes called a professional agitator in the town for any length of time. I made it my business upon one occasion while there to visit the homes of the workingmen who were in the employ of this great institution, and I was only confirmed in my hitherto formed opinion as to the desirability of eliminating the liquor traffic in its entirety from the labor world; that it not only brought efficiency and greater service to the employer

but it was of incalculable worth to the employee. It resulted in building up a different kind and a different class of homes; it gave the community happier families, better clothed and educated children.

These observations, Mr. President, lead me to say, in support of this amendment, that it is not a question alone of conserving food; it is a question of building up efficiency and conserving and utilizing man power not only for the purpose of war but for the great industrial strife which will come when this war shall have closed.

I feel, sir, that a vast amount of this day dreaming, in which we are indulging, as to what will be the attitude of this Nation toward this or that nation, and all the nations toward other nations when this war closes, will be dissipated within a few years after the war shall have ceased, and we will witness again, if the human family continues to be in the future what it has been in the past, the same tremendous strife for industrial supremacy, only a thousandfold stronger, when the organization which has followed as the result of this war is considered. In that great industrial contest, in that great strife, I am just as anxious to see the American laboring man rid of this great evil as I am at this hour when his efficiency and his strength may be necessary for the preservation of his country.

Mr. President, a short time ago martial law was declared in a part of Montana; and the same thing followed with reference to prohibition of liquor in that State, which at that time was not "dry," as in the cases to which I have referred.

I have not the figures before me. I heard the figures stated, however, by the able Senator from Montana [Mr. WALSH] a short time ago as to the decrease in the number of injuries and in the number of deaths which resulted in the mines during the time when the use of liquor was entirely prohibited among the people; and, while I am unable now to give the figures, they struck me at that time as being most extraordinary and exceptional. They teach a lesson which ought to nerve every law-maker to do his duty in this hour. They tell us a tale that ought to make every friend of labor put aside once and for all this cowardly, cruel plea that to leave the liquor traffic in the open and practically free is to favor labor.

Mr. KING. Mr. President, will the Senator from Idaho pardon an interruption?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. Yes; I yield.

Mr. KING. I wish to supplement what the Senator from Idaho is saying by stating that I had occasion recently to make some investigation in the State of Arizona as to the increased efficiency of the laboring man in the mines and the fewer accidents since prohibition went into effect in that State, and my observations are in accord with the statement just made by the Senator from Idaho.

Mr. BORAH. I thank the Senator. The Statistical Abstract of the United States shows that during the year 1913, 25,000 men suffered such accidents in the industrial field as resulted in death in the United States alone, not including railroad accidents, and that during that year 700,000 men were injured in such a way as to be temporarily, and in some cases permanently, incapacitated.

Mr. President, if it be true, as has been demonstrated, I think, in the incidents related in a small and circumscribed way, that one of the contributing causes to these accidents, which are so numerous, resulting in the death of 25,000 men in one year and the injury of 700,000 others—if it be true that liquor is one of the great contributing causes, it occurs to me that we can well base our support of this amendment upon other propositions than that of mere food conservation alone.

I referred yesterday to an article printed a few days ago purporting to state the results of limited prohibition in England during the war. The article purports to come from a member of the commission which is charged with that matter in England. He says:

Great economies have been effected by the restrictive measures adopted and great things have been accomplished in the release of man power for the war and the increase of efficiency in all activities. Further restrictions are almost certain to come soon, and it is a safe prophecy that eventually total prohibition will be voted.

Further quoting, he says:

Before the war 34,000,000 standard barrels of beer had been brewed yearly, a supply just about sufficient to meet the demand. The Asquith government passed the restricting act cutting the brewing output to 26,000,000 barrels. When the new government was formed the output was cut to 18,000,000 barrels, and then to 10,000,000. This dates from April 1, and the output includes the supply to the military forces. In grain this means a saving of over 1,000,000 tons yearly.

On February 20 last an order was issued stopping the malting of barley. Now, there is no imported barley used in brewing. The brewers are using the stocks of barley already malted before February, and these will last them until next autumn.

The results of this restriction are conclusively shown in the decrease in the number of convictions for drunkenness. In greater London and 36 boroughs in England and Wales, with a population of over 100,000 each, there were 118,267 convictions in 1913 and 52,783 in 1916. Of these 98,115 were men and 28,352 were women in 1913, and 36,711 men and 16,072 women in 1916. In Glasgow there were 5,863 convictions during the first four weeks of 1915 and 3,153 for the same period in 1917. Deaths due to alcoholism in England and Wales decreased from 1,831 in 1913 to 953 in 1916.

Mr. REED. Mr. President—

Mr. BORAH. I yield to the Senator from Missouri.

Mr. REED. I call the Senator's attention to an article in the Washington Post which I think perhaps might be considered along with the figures he has just given. It is very short, and I will read it.

LONDON, July 5, 1917.

Andrew Bonar Law, chancellor of the exchequer, announced in the House of Commons to-day that the Government had decided to permit the brewing during the quarter ending September 30 next, of an additional amount of beer not exceeding 33½ per cent of the amount already allowed for that quarter.

This action, he said, was taken owing to the greater consumption during the summer months and the difficulties caused by shortage in large centers of population and in the counties where crops are being harvested.

I was just wondering why they ordered more beer under the circumstances that the Senator has described.

Mr. BORAH. Possibly for the same reason and under the same influence that the Senate will adopt this amendment offered as substitute for section 12 of the House bill.

I read further:

The liquor board in its latest report says: "There has been a heavy, rapid fall in convictions for drunkenness which, following upon the operation of the board's earlier orders, has been again consistently maintained. Incidentally, it may be noted that this fact goes far to invalidate the suggestion that the sudden fall in the convictions for drunkenness in the areas mentioned have been largely due to the withdrawal of men for the army."

CONVICTIONS OF WOMEN DECREASE.

"Confirmatory disproof of this suggestion has also been found in figures of the convictions of women, which had decreased nearly in the same ratio as the convictions of men. It is gratifying also to observe that the predictions of reaction have been falsified and, speaking generally, the decrease of the convictions in the areas scheduled more than a year ago or 18 months ago has been well maintained and in many instances has progressed appreciably."

There is more to this article, Mr. President, which I will ask to have inserted in the RECORD.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Without objection, leave will be granted. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

The liquor board denies the statement that drinking in the home has increased since the restrictions were placed on public houses, and has examined many allegations to this effect and invariably found that few have been substantiated by facts. On the other hand, medical officers and health officers report that home drinking is decreasing.

MINERS' VIEW OF PROHIBITION.

Here is another side. The secretary of the Northumbrian miners said: "We have been told the Government is afraid workingmen would resist prohibition. That might be true in times of peace and even in time of war were our foodstuffs abundant, but to suggest that workingmen faced with a choice such as they now face between beer and bread would choose beer is such a reflection on the character and intelligence of the workingman that I for one repudiate the suggestion."

"The great majority of workingmen like their glass of beer and whisky, and some of them sometimes take more than is good for them. But make no mistake, when the pinch of hunger comes and their wives and children have to go on short food beer will have to go without any question whatever."

Mr. BORAH. I also ask to have inserted in the RECORD a letter which I have from Camden, N. J., the portion of it which I think is proper to go into the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection, and it is so ordered. The letter is as follows:

JUNE 29, 1917.

MY DEAR SENATOR: Camden has 500 acres under cultivation in 10,000 city gardens in order to increase the world's store of food. Hundreds of people in this city are now already underfed because of high prices, and unless every available pound of foodstuff is conserved for the winter's supply the home guards of our cities will have to quell food riots before another crop is gathered.

It would be biting irony to allow foodstuff to be wasted in manufacturing that which men use to unleash the animal within them when the urgency for its conservation is so great and the need to keep the passions strictly under the control of reason is so urgent. And it would eternally blot American statesmanship to continue such manufactured waste in the face of the threatened food shortage, which our brave boys, my only son among them, may find the only unconquered enemy which may bring defeat and disaster upon them and the cause for which they fight. When they left home and native land to help make the world safe for democracy they looked to those in authority to make fighting safe for them.

In the name of God and the country, and for the sake of our sons on foreign soil as well as the crouching poor, I ask that you favor the

prohibition of the use of all foodstuff in the manufacture of intoxicants for the period of the war. Grapes can be profitably used in grape juice.

With best wishes, I am, trustingly,
Yours, for humanity,

ZED. H. COPP,
Executive Secretary.

Mr. BORAH. I ask permission also to insert as a part of my remarks a very powerful editorial from the North American. The editorial referred to is as follows:

[From the Philadelphia North American.]

LIQUOR'S FIGHT FOR LIFE.

In his discussion the other day of liquor in relation to the national defense, Prof. Irving Fisher remarked that it was "nip and tuck" with the question in Washington. "Every day," he said, "I find that the situation has mysteriously shifted."

The aptness of the comment will appeal to every observer. On June 4 the rum interests won a substantial victory when the Senate Committee on Finance, in order to sidetrack the general demand for complete prohibition during the war, recommended the levying of prohibitive taxes merely upon distilled spirits, leaving the beer and wine industries untouched. On June 23 the House, with only five negative votes, passed the food-administration bill, including these two drastic amendments: Absolutely prohibiting the use of food materials in the making of any alcoholic beverages during the war, and authorizing the President to commandeer the present stocks of distilled liquors.

As we have often remarked, there has never been a change in American public affairs comparable in force and rapidity to the progress of the war against liquor. "Despite the efforts of the liquor interests and the political machines," we said eight months ago, "this question has quietly and irresistibly thrust itself into the forefront of our public affairs, there to remain until it is settled and settled right." Two years before that we declared that it was even then "the greatest single issue of the day." It is still the overshadowing problem of legislation, for it has become vital in the program which means national defeat or victory, and it is forcing its way to settlement over the desperate defense of the liquor interests and the tacit opposition of the administration itself.

Expulsion of the liquor evil from American life has long been inevitable. During many years moral sentiment built up against it a steadily increasing pressure of condemnation, but when to this was added the force of economic and scientific testimony, impressed upon the public mind in the records of actual experience, the combination was irresistible. At last November's election 4 States voted themselves dry, making 24 in all, and the achievement of a rum-free Nation was only a question of time.

Enormous impetus had been added to the movement, of course, by the convincing lessons of the war. In the supreme test of human efficiency and endurance the nations learned that they could not defend themselves, could not survive the implacable ordeal, while their vigor and their resources were depleted by alcoholic indulgence. The conviction already reached by the majority of Americans gained unnumbered adherents because of the demonstration in Europe that enslavement to drink meant national enfeeblement and military disaster.

Then, with the entrance of the United States into the conflict, came the final and unanswerable argument—the world-wide shortage of food, the imperative need that the American people conserve the supplies which alone can overcome the deficiency, and the urgent command to eliminate every wasteful practice, even to the revolutionizing of the diet and kitchen economy in the American household. The issue had become "bread or booze," and from the time that was made clear the judgment of the Nation was sure.

So long ago as January, 1914, a constitutional amendment providing for national prohibition won a majority in the House, although less than the necessary two-thirds. But it was the proof which the war gave of alcohol's deadening and debauching effects which put behind the prohibition movement its strongest single influence. At the last national election it not only swept four States, but was potent in changing the political map in many others, liquor Members of Congress and liquor governors and legislatures being displaced.

All the adroit maneuvering of the rum interests and their allies could not keep the issue from challenging the ensuing Congress, and prohibition won two notable victories—the District of Columbia was made dry and the shipment of liquor and the mailing of liquor advertisements into prohibition States was made unlawful after July 1 next.

No sooner had the present session begun than the question became dominant again. The House Democratic caucus declared for national prohibition, but reversed the action in one of those "mysterious shifts," this one being due to a plea that the administration should initiate such legislation. The Senate went through a similar contradictory procedure, adding to the espionage bill, and later eliminating, a provision forbidding the use of food in liquor manufacture.

These checks seemed only to invigorate the purpose of those who wanted the Nation to fight with unimpaired strength, and they kept up a "drumfire" of antirum bills, resolutions, and amendments under which the liquor defenses began to crumble. No important bill reached the floor without a determined attempt to fasten upon it some sort of rider that would free the Nation's energies from the hampering evil.

One by one these projects were struck down, not so much because of the liquor lobby's persistent efforts as because of the disfavor of the administration. President Wilson and his subordinates studiously avoided any indorsement of war prohibition, and their attitude was so well understood that even Democratic leaders who were for the principle—such as Chairman LEVER, in charge of the food-administration bill—discouraged the movement as threatening harmony.

But against the overshadowing fact of the food shortage, emphasized in countless official utterances and news reports, all these adverse forces were powerless. President Wilson, Cabinet members, crop experts, and other well-equipped persons conducted a nation-wide campaign to convince the people that this country faced an alarming deficiency in foodstuffs; that America, even at the cost of privation, must sustain its allies; that unless production were increased enormously and wasteful methods in distribution and consumption corrected, conditions would become serious, even critical.

The campaign was a brilliant success. Never were Americans so rapidly or so thoroughly convinced of anything as they were that food was insufficient and misuse of it threatened dire consequences. Waste, in particular, became a prominent theme; and when powerful official discourses were delivered upon kitchen inefficiency, cheaper standards of diet and the necessity for using as food materials commonly discarded

as garbage, public scrutiny of the far-reaching question of waste became intent.

Then some one said "bread or booze?" and started a prairie fire. Americans were ready to admit that they should eat less and modify their tastes in diet and watch their potato parings, but there was no way of estimating such savings; and before their eyes they had, in a single item, the diversion of nearly 100,000,000 bushels of grain every year from food to intoxicating liquor—11,000,000 loaves of bread daily kept from the tables of the American people, with "war bread" and food cards threatened.

In vain the liquor interests pleaded that theirs was a "great" industry, and that it must help to pay for the war, and that in any event the grain used to make booze was only a minute part of the total yield. Too long they had boasted of their stupendous services to agriculture—how they used grain equal to the entire crop of Maine, Connecticut, Delaware, Nevada, New Mexico, and Wyoming; how they guaranteed prosperity to 300,000 farmers; how their shipments amounted to 2½ per cent of the railroad traffic furnished by all manufacturing industries. The people remembered these arguments and refused to consider the wasting of 100,000,000 bushels of cereals and thousands of tons of sugar products "negligible."

So the liquor men concentrated on Congress, and three weeks ago they exulted in having won a profitable compromise in the Senate committee's plan to stop the distillery business by prohibitive taxation and continue the far greater consumption of foodstuffs in making wine and beer.

But this device was ineffective, and once more the advocates of liquor betrayed themselves. They urged vehemently that it would be fatal to prohibit the manufacture of wines and beer, because there were nearly 300,000,000 gallons of spirits in bond which would take the place of the "harmless" beverages. "You will force the man who wants a glass of beer to drink whisky," they said. "You will make moderate drinkers drunkards." Whereupon the people replied that the logical and necessary course was to eliminate both dangers, which they are about to do, unless the overwhelming decision of the House should be defied by the Senate or blocked by administration influence.

Last Saturday's action shows that this has become a fight to the death. Every compromise scheme was voted down, the administration proposal leaving the matter to the discretion of the President, the exemption of beer and light wines, and the substitution of halfway regulations. Special privilege for the breweries was defeated by a vote of 134 to 124. A motion to strike out the prohibition clause was lost, 152 to 126. The administration's discretionary section was displaced, 132 to 114. And in the end the vote was 365 to 5 for the food bill with the provision, "No person shall use any foods, food materials, or feeds in the production of alcoholic beverages." In addition seizure of distilled spirits now available was authorized.

A desperate drive is under way to swing the Senate against this decisive judgment, but in that body there has been from the beginning a strong section of opinion for war prohibition, and it will not grow weaker.

And the great change, if it becomes effective, will not be temporary. As a fact, it is not prohibition for the term of the war that the rum interests fear most: it is the overpowering demonstration which that would give to the moral and economic and financial gain to be derived from final extinction of the liquor traffic. As Prof. Fisher said: "When 80 per cent of our national area, 60 per cent of our population, the National Capital, and the Army and Navy are under prohibition, it seems the logical thing to make it nation wide." And no less logical to make it permanent.

Liquor stands condemned by moral sentiment, by economic experience, by scientific knowledge, and by the relentless test of the Nation's need in war. Let the people once become habituated to the benefits of a saloonless nation and it will be impossible to revive the evil system after peace comes, when the fierce competition of the released nations will demand from the people of this country intense application and a standard of efficiency which will tolerate no such worthless and wasteful indulgence.

Mr. BORAH. I desire to call attention briefly to an article in the Atlantic Monthly by the dean of the College of Agriculture of the University of Illinois, touching directly upon this question of food conservation. The article says, in the beginning:

Because figures are such treacherous factors in all discussion, and because statements so conflicting have been published, it may be well to remark in advance that all estimates of the grain supply are based upon the latest reports of the International Agricultural Society of Rome, the highest existing authority on world production. As the yields given are for cleaned wheat or for flour in terms of wheat, they are 5 to 10 per cent lower for that particular grain than are other figures frequently published.

The figures giving the amount of grain consumed in the manufacture of liquors are taken from an unsigned article on "Agriculture and the Liquor Industry," appearing in the yearbook of the United States Brewers' Association for 1914. Inasmuch as the purpose of the article in question was to show how important to farmers is this form of consumption, the figures may be assumed to be authentic, while the source of information can not be questioned.

Further, it says:

When last season's crop is compared with the average for the five years before the war it is found to be fully 200,000,000 bushels short—an illustration of the fact that variations as high as 25 per cent may be due to season alone.

These declines may well cause alarm, for they can not easily be recovered in countries engaged actively in war, with a large proportion of the population withdrawn from industry, especially where the usual supply of fertilizers is unobtainable, either because of lack of transportation or because of shortage in materials. The world's wheat supply, therefore, must be written down as permanently unsatisfactory during and for a considerable period after the war, except as America may be able notably to increase her production.

The yearbook cited gives the consumption in the form of dollars, based upon the average farm values as determined by the United States Department of Agriculture. Computing backward from these prices for the period in question, the consumption in bushels is as follows:

	Fermented.	Distilled.	Total.
Barley.....	96,803,882	6,057,646	102,861,528
Corn.....	22,655,260	22,087,756	44,743,016
Rye.....		7,262,580	7,262,580
Wheat.....	1,046,557	2,837	1,049,394

Here are nearly 156,000,000 bushels of grain removed from the food supply. Prodigious as these figures are, and while they cover 58 per cent of all the barley raised in the United States and over 17 per cent of all the rye produced, they account for less than 2 per cent of the corn crop and only one-eighth of 1 per cent of the wheat. Does the use of this amount of grain for brewing, therefore, mean a consumption sufficiently serious to attract attention from an economic point of view?

Measured against the tremendous total of the grain crops of the United States, this amount seems insignificant. But in cases of this kind it is not totals but margins that must be considered. In the budget of a big business, for example, any single item seems negligible when compared with the total; but that total is made up of many items, most of which are fixed charges against the business, leaving but little free money for open use. Just so with food products. The millions of mouths that must be fed and the millions more that are coming on constitute a fixed charge against our food supply that will leave at any one time only a small free margin that may be devoted to other purposes with any degree of safety. Let us, therefore, consider that margin.

Mr. Lubin, the American representative in the International Institute of Agriculture already mentioned, estimates that the world is short about 130,000,000 bushels of grain, again exclusive of the supply of the central powers. Now, it is this small shortage that raises the price and makes all the trouble, for it is this that constitutes the difference between abundance and scarcity, between comfort and distress, between safety and danger. This margin, therefore, needs attention.

Reference to the table will show that this world shortage of 120,000,000 bushels of grain is more than covered by the amounts consumed in the manufacture of liquors in the United States alone. Does not this afford the most ready means of recovering that shortage with both speed and certainty? Is it wise, is it statesmanlike, to continue to consume grain in this way, in the face of a real shortage of food, when even slight margins may constitute all the difference between success and failure in the great struggle that is upon us? The war will turn not upon the fact that some 39,000,000 men are under arms but upon some slight advantage that one side may gain over the other, and no advantage is more important than a safe margin of food.

Another reference to the table will serve to show that it is the fermented rather than the distilled liquors that call for the greatest consumption of grain in the liquor business. That is to say, about 120,000,000 bushels—or approximately the world shortage—are used for fermented liquors, against some 35,000,000 bushels, practically none of which is wheat, used for distillation.

But it is a different matter when we consider fermented liquors. Here are 120,000,000 bushels of grain, partly wheat, all destroyed so far as food values go, except for minor by-products for the feed lot. This is approximately the amount of the world's shortage, and in that sense it is large and exceedingly significant.

There are other paragraphs which I ask leave to put into the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

To transport the grain now used for fermented liquor in the United States alone would require the entire fleet of a thousand wooden ships, such as are now contemplated for the war trade. This 120,000,000 bushels of grain is the equivalent of over half the wheat crop of France or of Canada, and it is twice that of England. It represents the entire grain food of over 15,000,000 people, and that is no negligible amount. It represents in the form of meat no less than 750,000,000 pounds, or the carcasses of more than a million of the heaviest beefs. With people starving abroad, with large sections of Europe desolate, and with food riots beginning in this country as a result of high prices, there can be but one answer to the question whether this wastage shall continue.

Now, it so happens that the same number of the Brewers' Yearbook contains an article on "The economic importance of the liquor business," in which it is shown that this business affords direct employment to some 500,000 men, and indirectly to as many more. To quote the final sentence, "Thus we may reckon on a total of considerably over a million who are dependent for wages upon the manufacture and sale of liquor. If their dependents are considered, a grand total of about 4,000,000 persons is involved."

Here it is frankly stated, as an economic asset, that practically 1 person out of every 25 in the United States is devoted to the liquor business and dependent upon it for support. Can we afford at any time, much less now, so heavy a draft from an unproductive industry, particularly one that subsists by the destruction of necessary food?

Here again the count is chiefly against the fermented liquors, which consume the bulk, not only of the grain, but also of the labor involved both in the manufacture and in trade. Clearly it is the fermented liquor that economic necessity will first attack.

A principal point made in the article first cited from the Brewers' Yearbook is that the liquor business consumes grain equal in value to the total crops grown in the States of Maine, Connecticut, Delaware, Nevada, Arizona, New Mexico, and Wyoming combined. Rhode Island might have been added, still leaving a balance of some seven or eight millions of dollars to be accounted for. Under present conditions this is surely no sustaining argument. Here is the entire crop output of eight States, great and little, consumed in ways other than for food. More than four-fifths of this consumption serves no useful purpose in the arts or sciences, and at the best caters to an appetite that takes bread from children and support from wives and mothers by the thousands.

Mr. BORAH. Mr. President, these facts and figures have been gathered from sources which seem entirely accurate and

reliable; and they disclose that that which is estimated as being the world's shortage of food is the amount which we, as a single Nation, are permitting to be utilized each year in the manufacture of intoxicating liquors. If, Mr. President, these fermented liquors when manufactured and put into use served any good purpose, or were helpful in any way, one could well reason that we ought not to change the program. But when we take into consideration the fact that the manufacture of these liquors not only deprives the world of its margin of food which is necessary for it to have in order to prevent actual and necessary want, but it undermines and destroys to a certain extent the other great source of power in this fight, the man power of the country, it seems to me that we ought at this time to consider both these propositions; and when they are put together and linked together there is no disputing the assertion that if we are for efficiency, for strength, for supreme power, we must close the institutions which consume both our food and our men. Does anyone dispute these figures? Does anyone claim that food is not a supreme issue? Does anyone claim that when you transform it into intoxicating drinks it serves humanity in any way? We are told that it will result in the destruction of property, but that must come sooner or later; like slavery, it must go. It will not be permitted to forever curse the family of man and the sacrifice must come.

Mr. President, I believe the liquor traffic of this country is near its final doom. Powerful influences may procrastinate the hour, but the hour nevertheless approaches. It is in the hour of execution, however, that we hear singular and surprising pleas for commutation. It is then that ingenuity searches the realm of conjecture for some possible fancy upon which to hang a claim for mercy. We have an example of this here and now in this plea for the workingman, who, they say, must have his beer, otherwise he will strike and break his Government down even in the face of the enemy. And following hard upon this plea to favor labor is the plea that the Government must have more revenue. A great metropolitan paper in an ambitious editorial, pleading plaintively in one part of the editorial for the favor of the laboring man, says, in the close of the editorial, the Government must have \$450,000,000 in the way of revenue from this traffic. Let us look upon this logic in all its hideous deformity. The average earnings for the laboring man in this country are from \$700 to \$900 a year. Upon that sum in these times no man can rear a family in decency, no man can educate his children and fit them for citizenship in a Republic. Under such wages men live constantly on the ragged edge of want and in mortal dread of that illness which may leave them at the mercy of charity. Now, in the name of humanity, you will leave them their drink in order that you may more successfully take from the wife and children a little more in the way of taxes, that you may drive them a little nearer the edge of want, that you may handicap them a little more in their effort to get clothes and an education. You would pull \$450,000,000 out of labor, out of the scant and meager homes of labor that you may be more merciful with the excess profits of war. It is not only a cold and brutal policy but it is a short-sighted and futile policy. It undermines and impoverishes and finally destroys that force with which we must ultimately win this war and maintain our supremacy as a Nation. It undermines and destroys that force which must win the war in our industrial conflict, which, as I have said, is to follow this war just so sure as one hour succeeds another. But more than that, the whole thing is unfounded and untrue. Labor will not strike for drink, labor and laboring men are not the trouble in this conflict. It is greed—the cold, conscienceless greed that stands in the way, nothing else, nothing more, nothing less.

Sir, another item: Last year the liquor bill of the United States amounted to \$2,438,037.985. Our liberty loan completed for the present is \$2,000,000,000. Our Red Cross subscription is \$100,000,000. So we have at this time represented in the liberty loan and the Red Cross subscription \$2,100,000,000, and we have in the other column, representing the amount expended for liquor in a single year, \$2,438,037.985. View this question from any standpoint—from the standpoint of revenue, from the standpoint of food conservation, from the standpoint of human energy and human efficiency, from the standpoint of good citizenship, from the standpoint of success in the war—and the appeal comes to us here, representing this entire Nation now, at this time in connection with this question, to put our seal of disapproval upon the liquor traffic in its entirety.

Sir, our country has at last been drawn into this world conflict. We are now a part of it and it is not immodest in us to say that we are now the controlling part, the dominating factor. The final result will be determined by the way in which this Republic discharges this stupendous task, a task the like of which no people in the history of the world ever assumed before.

Consciously and unconsciously our people are moving on to duty. We do not know what is ahead of us. But we do know that every ounce of energy, every form of human exertion, every particle of man power must be conserved for this fearful struggle. We do know that that which will weaken, that which will embarrass, that which will undermine and destroy citizenship is now the common enemy of freedom, for it is not too much to say that our civilization and our conception of government are in the balance. In such an hour and with such a task and at a time when the whole Nation is gripped with the spell of sacrifice and the resolve of duty, let us be bold enough and brave enough and patriotic enough to eliminate this common evil, an evil condemned alike by science, by morality, by religion, and even by the god of war. Why falter, why compromise, why palter and dicker and barter with that which spreads poverty and want and disease in time of peace and disaster and defeat in time of war?

Mr. President, when we think of the fact, the indisputable fact, that drink weakens and demoralizes everything and everybody it touches, that it dissipates the energies and shatters the nerves of workingmen, that it causes indifference and carelessness and thereby brings on accidents with their thousands of widows and orphans; when we think of the wrecks, the disasters, the waste, the insanity, the crime which follow in the wake of this devilish thing; when we think of the jails, the prisons, the insane asylums filled by it and then reflect, upon the other hand, that only by our supreme strength and efficiency, by great economy of energy and human life, can we win; and when we think of the glory for all when we shall win, or the shame and humiliation should we fail, how in the name of our common country, in the name of all we have, can we withhold this final fatal blow to the enemy which has vexed and cursed us long enough. Let us strike now. A few for a time may complain, but countless millions throughout our land, in their happier homes, will bless the act and count it among the compensations of this great war.

Mr. THOMPSON. Mr. President, it will no doubt be conceded that I represent the strongest prohibition State in the Union. We have had longer, better, and more successful experience with the prohibitory liquor law than any other State. The benefits to us have been so great and the results so universally satisfactory that our convictions have become so strong on the subject that it has become a part of our religion. We believe it is one of the best laws upon our statutes, and it is the one law we would fight the hardest to retain. After 36 years of experience with the law, there is not 10 per cent of the people of the State who would consent to its repeal. On the question of war-time prohibition I believe that 99 per cent of the people of Kansas are demanding it. We are therefore practically unanimous in our opinion on this important subject. When I was elected to the Senate I pledged the people of Kansas to work and vote for any and all laws which would tend to bring about better prohibition conditions in my State as well as in the Nation, and I have frequently renewed that pledge, and as Senator have always endeavored to carry it out, and shall continue to do so as long as I am in the Senate. Therefore, by reason of that pledge and my duty and obligation thereunder to the people of my home State as well as to the people of the Nation, I shall support the most complete war prohibition measure that is possible to be enacted during this war.

When the question of the conservation of food products by preventing their manufacture into intoxicating liquors first arose it had my heartiest approval, and I was glad it was indorsed by Mr. Hoover, who has been selected by the President to administer this food-control law, and who is believed to be most able and competent to do so. It also seemed to have the approval of the Secretary of Agriculture. Every expert on food regulations and plans for saving who testified before the Agricultural Committee, of which I am a member, sanctioned the advisability and necessity of saving this great food supply which unnecessarily goes into the manufacture of intoxicating liquors every day.

Therefore, in view of this sentiment and the apparent demand and necessity for the legislation, I prepared and, on the recommendation of those who believe as I do on this question, introduced Senate bill No. 2327, on May 21, 1917, which not only embraces the temperance view on this question but also the strongest conservation ideas, prohibiting absolutely the use of food products in the manufacture of any kind of intoxicating liquor for beverage purposes during the war. I wish to insert this bill as a part of my remarks without reading:

A bill (S. 2327) further to provide for the support of the Army by the prevention of the waste of the food products of the United States during the period of war and to prohibit their manufacture into alcoholic liquors, except in certain cases, to provide for the distillation of liquors in bond or heretofore manufactured, and for other purposes.

Be it enacted, etc., That in order to provide for the support of the Army and Navy by the prevention of the waste of all food products during the war with the Imperial German Government, it shall be unlawful during the period of such war for any person, firm, corporation, partnership, or association to use any such food products in the manufacture of intoxicating liquors for beverage purposes. The Secretary of the Treasury is hereby authorized to issue a permit to any reputable and properly qualified person, firm, corporation, partnership, or association to manufacture alcohol from any such food products for munitions or any other purpose necessary to carry on the war, or intoxicating liquors for industrial, scientific, medicinal, or sacramental purposes under such rules and regulations as the Secretary of the Treasury may prescribe.

Sec. 2. That for the purpose of conserving the man power and resources of the Nation, and to increase the efficiency and safety of the Army and Navy, and the people throughout the country during such war, the manufacture, sale, gift, importation, or transportation in interstate commerce of any alcohol or alcoholic liquors for beverage purposes is hereby prohibited.

Sec. 3. That it shall be lawful for any person, firm, corporation, partnership, or association to use, manufacture, or redistill into alcohol for the manufacture of explosives, or other military, industrial, and scientific purposes any and all intoxicating liquors now in existence, or which may be manufactured or distilled prior to 30 days after the passage and approval of this act; and when such liquors are so used, manufactured, or redistilled, the tax thereon for beverage purposes, as now provided for, shall be waived, refunded, or credited on the amount of tax due on such liquors from the owner thereof, and such use, manufacture, or redistillation, and such waiver, refund, or credit shall be provided for under such rules and regulations as the Secretary of the Treasury shall prescribe.

Sec. 4. That the President is hereby authorized to commandeer any such liquors so manufactured or redistilled for the purpose of supplying the needs of the Government in the prosecution of the war, and to pay such owner a reasonable compensation for the same. If the price so determined be not satisfactory to the person entitled to receive the same, such person shall be paid the amount prescribed by the President, and shall be entitled to sue the United States to recover such further sum as, added to the amount so paid, will be just compensation for such liquors in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code.

Sec. 5. That any person, firm, corporation, partnership, or association who shall violate the provisions of this act shall be punished by a fine not exceeding \$5,000, or by imprisonment at hard labor not exceeding one year, or by both such fine and imprisonment. It shall be the duty of the Secretary of the Treasury, the United States attorneys, United States marshals, their deputies and all other United States officers whose duty it is to enforce Federal laws, to carry the provisions of this act into full force and effect.

Sec. 6. That all laws and parts of laws inconsistent with this act shall be repealed to the extent of such inconsistency only.

Mr. President, I also introduced the bill as an amendment to the first food-control bill reported to the Senate, which was afterwards recommitted. The Agricultural Committee finally adopted the main features of the bill, except that the manufacture of wine was left to the discretion of the President should he find it necessary to conserve perishable fruits. This is the amendment which was originally reported by the committee and for which, on reconsideration, the Gore amendment was afterwards substituted by a very close vote in the committee. I voted against the substitute in the committee and shall vote against it in the Senate. I am favorable to the House provision known as the Barkley amendment, because it gives the greatest measure of food and man conservation and would beyond all question result in the greatest saving of all food products which enter into the manufacture of intoxicating liquor and fairly covers the ideas embraced in my own bill.

Mr. President, I believe in war-time prohibition on moral, economic, humanitarian, and patriotic grounds. As a war measure it has the approval not only of the countries with whom we are allied but also of the food administrator, the commanding officers of the Army and Navy, and many leading citizens of the United States.

As Lloyd-George said—

We are fighting Germany, Austria, and drink, and so far as I can see the greatest of these three deadly foes is drink. I have the greatest conviction, based on accumulating evidence, that nothing but root-and-branch methods would be of the slightest avail in dealing with the evil. I believe it is the general feeling that if we are to settle with German militarism we must first of all settle with liquor.

Ex-President Roosevelt said:

The world is facing a shortage of food. Therefore let us use all the grain we have for food and not for intoxicants. Now that the war is on, let us forbid any grain or corn being used in the manufacture of intoxicating liquors.

Ex-Secretary of State William J. Bryan said:

I am in hearty sympathy with the effort to conserve the food supply by not allowing the bread supply to be shortened in order to lengthen the supply of alcohol. It is not wise to starve the people in order to make them drunk.

Mr. Frank A. Vanderlip, president of the National City Bank, of New York, the biggest bank in the country, said:

I strongly favor complete national prohibition. I believe we are facing a serious test of our national character and efficiency, and am firmly convinced that a national prohibition measure would be of transcendent importance in its effect upon the national spirit in conserving and increasing our food supply and in raising the efficiency of the Nation.

The man power released from the liquor industries could be directed into productive channels where the need for labor will be acute and thus be readily absorbed. The needs of the agricultural and industrial situation will make this a peculiarly opportune time to put through a

national prohibition law with minimum shock to our economic machinery during the readjustment. The business interests involved should be fairly dealt with, but many of the plants can be readily converted to important industrial uses.

The plea that Government revenue will be seriously curtailed should not influence action, for prohibition will induce a national efficiency which will open new and far richer sources of revenue. I believe public opinion, particularly in the West, but slightly comprehends the seriousness of the test that this war will put us to.

A national prohibition measure would do much to wake up the people to a realization of what war means and demands.

Our own Maj. Gen. Wood, in a recent address in Little Rock, Ark., denominated "booze" the worst enemy to the Army and advocated war prohibition. He also said:

I am glad the twelfth division of the new national army is to be trained in Arkansas, a "bone-dry" State. That will eliminate three-fourths of our troubles. Whisky is the soldier's worst enemy.

A great deal has been said about the high price of coal, and the senior Senator from Ohio [Mr. POMERENE] has rendered a very valuable service to the country by exposing the methods by which the people of the country have been robbed by the coal operators, and his investigation before the Interstate Commerce Committee will no doubt result in the greatest good. But I have here a practical demonstration which shows the effect that prohibition alone would have on the production of coal, and consequently on the price, which I desire to read:

WHITE OAK COAL CO.,
McDonald, W. Va., October 22, 1915.

We have made a comparison for three months prior to June 29, 1914, and for three months subsequent thereto, combining the production of these days for all mines, and the result is shown in the tabulation below:

Two Saturday pay days and Mondays following saloons.

	Tons.
April	10,960.50
May	7,902.20
June	16,752.70

Total 35,615.40

Two Saturday pay days and Mondays following no saloons.

	Tons.
July	24,852.65
August	16,199.55
September	26,761.45

Total 67,813.65

Increase 32,198.25

It will be noted that the increase is 32,198 tons in favor of "no saloons" in the period mentioned. It is safe to assume that the same rate of increase would be carried out on the corresponding four days of each month throughout the entire year, and if that be the case, the result would show an increased production per annum, due to the absence of liquor in the field, of 128,793 tons.

The production of our mines has increased considerably since that time. I believe that there are more men in the field than there have been for a number of years, all of which would go to combat the theory that it is impossible to secure and keep miners unless they can be regularly supplied with booze.

Yours, truly,

W. B. REED,
Chief Accountant.

Considering this question from the standpoint of food conservation alone, I firmly believe that this section is one of the most important in the bill. It is the one section where you can point absolutely, definitely, and certainly to an enormous saving. Practically every pound of foodstuffs that goes into intoxicating liquor is lost; nearly every dollar that is expended in its manufacture is lost, and every dollar that is expended in its purchase after manufacture is lost, and every hour of labor that is employed in its production is lost. The object of this bill is to save foodstuffs, save money, save productive energy, and to save manhood, in order to promote the highest efficiency among the people at home and the army at the front, to quickly and decisively settle this most horrible of all wars to the best interests of humanity, the United States, and the world. We need every pound of food. We need every dollar, and we need every man preserved in his highest physical and moral condition.

As this conflict rages, and the pinch of want becomes more and more perceptible, and the pangs of hunger are gradually felt more or less by everybody, and we are looking about for things to eat, and for the necessary force and energy to finally carry the awful struggle to a successful conclusion, would not 7,000,000,000 pounds of foodstuffs, which unnecessarily go into intoxicating liquor every year, be a godsend? Would not the energy requirements for a year of 7,000,000 men, about the necessary number that will eventually be in the field, which that great quantity of foodstuffs will supply, be a most welcome and important asset?

As the vast expense of the war increases and the resources of the country grow less, would not \$146,000,000 expended for these foodstuffs which go into intoxicating liquor every year be most useful in the Treasury? Would not the \$2,400,000,000 unnecessarily expended every year for intoxicating beverages

saved for the purpose of carrying on the war be a most determining factor? It is estimated that the total cost of liquor to the Nation for a year is \$5,945,096,500, nearly the amount of our present appropriations for the prosecution of the war. I desire here to insert as a part of my remarks the items which go to make up this stupendous sum, prepared by ex-President Elliot, of Harvard University, and Mr. W. G. Calderwood, executive secretary of War Prohibition Committee of Sixty, without reading:

CONSERVATION OF THE NATION'S MONEY ALSO NECESSARY IN WAR TIME.

Attention has been too exclusively directed to the need of conserving food for victory. Wars have been determined by financial resources oftener than by food supply.

What is the direct retail cost of drink to our people?

Ex-President Charles W. Elliot, of Harvard University, in a table quoted in the Union Signal, March 23, 1916, estimates the "annual liquor bill" of the United States at \$2,200,000,000. This is a conservative estimate.

What is the indirect cost of drink as a producer of disease, death, crime, accidents, dependency, and inefficiency?

This can not be answered exactly, but is estimated in following table prepared by W. G. Calderwood, executive secretary of War Prohibition Committee of Sixty, and used in a speech by Representative CHARLES H. RANDALL, which explains the estimates in detail (CONGRESSIONAL RECORD, Appendix):

Loss on foodstuffs.....	\$146, 000, 000
Loss of commercial value of 120,000 lives (destroyed yearly).....	966, 720, 000
Loss time of 589,000 farmers and wage earners.....	539, 000, 000
Loss through crime, insanity, and poverty.....	93, 377, 500
Loss in production of wealth (by lowered efficiency).....	2, 000, 000, 000

Total indirect cost of drink.....	3, 745, 097, 500
Add direct retail cost of liquors to people (President Elliot's estimate).....	2, 200, 000, 000

Total cost of liquors to the Nation.....	5, 945, 096, 500
--	------------------

Should hunger stare us in the face and we were looking for bread would not 11,000,000 loaves of bread a day—enough to feed 20,000,000 of people at home, or the entire Army at the front abroad—he mighty welcome? It has been estimated that this would be the great saving from war-time prohibition alone. Mr. President, we do know what even a little saving will accomplish. A saving of 20 per cent in our flour consumption would increase wheat exports 100,000,000 bushels per annum, enough to supply the needs of one-fifth of our population, and an amount equal to our annual export before the war. Seven billion pounds of foodstuffs drunk up in intoxicating liquor reduced to bushels of grain amounts to about 120,000,000 bushels, which saving alone represents the world's shortage and might be the means of turning the scales of war. The saving of only 6 cents per day per capita in consumption or waste amounts to \$2,000,000,000 per annum, the total of the liberty-bond issue. Prof. Irving Fisher, of Yale College, says:

I am willing to stake my reputation as an economist on the assertion that with prohibition we could add at least 10 per cent to the annual income of the United States, which is forty-five billions of dollars.

An increase of 10 per cent in efficiency among the people at home as well as with the Army at the front by the nonuse of intoxicants might be the means of bringing about the greatest victory.

The saving of 120,000 lives annually by prohibition might furnish the army to bring complete victory and everlasting peace. Mr. Hoover, the food administrator, is calling upon the women of the country to look to the savings of the crumbs that usually fall from the table upon the floor. Does it require any argument to convince us that we should also look after saving the big things when we know where and how to put our hands upon them? Does not all this saving many times offset the loss of revenue or the individual loss to the breweries and distilleries? In the long run there would not be any loss to either. Every brewery and distillery could be almost immediately put to some profitable and legitimate use; and every man employed by these concerns would soon find better employment in some more stable and satisfactory business. Every thinking man knows that sooner or later the breweries and distilleries must go, and indeed many of them have already made arrangements to go, and why not let them all begin in earnest right now when the country needs the foodstuffs they unnecessarily consume and the men they needlessly employ? No; there is no further use to argue for booze as against bread, or for profits as against patriotism. The handwriting is already upon the wall, and even if complete war prohibition does not come now, it is admitted by all that old John Barleycorn has passed in his checks and is now to be buried so deep that he can never be resurrected when peace returns.

This is in itself a mighty big jump, but it is only halfway across the awful chasm through which the dark and bloody stream of waste, destruction, poverty, human suffering, misery, and death, caused by this iniquitous traffic, has been flowing in such terrible torrents for so many years. The other jump

will be taken sooner or later, and a failure to take it now at the time of the country's greatest need will bring the wrath of the people down upon the liquor interests of the country so strongly that the rest of the fight will be easily won.

Mr. President, liquor stands condemned by the moral sentiment of the country, by scientific knowledge, by economic experience, and by the supreme patriotic test of the Nation's need in time of war. The Senator from Washington [Mr. JONES] asked why the President did not call upon the brewers to quit this fight instead of upon the temperance people to yield temporarily on account of the importance of the early enactment into law of the other food provisions in this bill. The reason is clear. The President made his appeal to the patriotism of those he called upon. He knew there is no patriotism among the liquor interests of the country, for they would just as leave sell liquor under the Government of the Kaiser as under that of the President, and the chances are they would prefer to do so. There is no patriotism or humanity among men who destroy manhood and homes and who bring tears and suffering to women and little children daily for the almighty dollar. It is a cold-blooded, sordid question of dollars and cents with them. It is high time that "booze" should not be placed above bread or profits above patriotism. Let the people once become acquainted with the munificent benefits of a saloonless Nation and they will never return to the evil and iniquitous system when peace is declared.

Mr. VARDAMAN. Mr. President, the time for expeditious action by the Senate on the pending measure is so overwhelmingly apparent to us all that I shall be very brief in what I have to say this afternoon. I am quite sure that what I may say will not influence the vote of a single Senator. I am persuaded that the Senate has made up its mind on the various phases of the subjects treated in this bill and is ready for definite, final action. And I would not delay action for a moment. I am somewhat skeptical as to the good results that may flow from this legislation, but I know the country is expecting something of the kind, the President desires the power which the bill confers, and I trust that the matter may be enacted into law at the earliest possible moment. I was in hopes when the bill first came from the House that the Senate might adopt the House provision on the liquor question with a slight amendment. If I could have my way about it, I should amend the House bill by prohibiting the manufacture of wine, which is left discretionary with the President. I think Congress should legislate. However great and good the Executive may be, he has enough to engage all his time and talents looking after the executive department of the Government. In favoring the prohibition legislation proposed in this bill I am greatly rejoiced over the fact that I am in perfect accord with the wishes and sentiments of nine-tenths of the white people of the State of Mississippi. We have tried prohibition in Mississippi and find that it works well in time of peace, and I am very sure it will work infinitely better in time of war.

Mr. President, if I should say that I am surprised at the turn things have taken on this question I would not be altogether candid with the Senate. The events that have come or are about to happen "cast their shadows before," and I am prepared for this change of front on the part of the Senate on the liquor question. Feeling so deeply the importance of prompt radical action touching the regulation or absolute prohibition of the liquor traffic at this juncture of the Nation's history my heart bade me hope that the right thing, from my standpoint, might be done by the Senate, while at the same time my intellect doubted. When the mercenary missiles from the metropolitan press, especially the New York World—a sheet famed for the influence of its mendacity and the endless variety of its conscienceless scurrility in its dishonest criticism of Congressmen who dare to act independently of the dictations of that saintly organ of misinformation that would—

Stamp God's own name on a lie just made
To turn a penny in the way of trade—

I repeat, when these missiles began to fly fast and furious through the mails and fill the air with forebodings of disaster which it urged would surely come when America got sober and the manufacturers of the drunk-making stuff should be induced by law to pursue an innocuous vocation, I confidently expected an early capitulation and surrender to the powers of evil. In that I am sorry to say I have not been disappointed. May I be permitted at this point, Mr. President, to express my regret that the President of the United States did not see fit to employ his virile, trenchant pen and withering sarcasm in holding up to the world the "little bunch of willful" proponents of the liquor traffic to the withering sarcasm, scorn, and obliquity of an outraged public for their threatened efforts in the interest of vile liquor to prevent a speedy passage

of the pending bill, which is so much desired at this time? But a different course was pursued by our honored President. He thought it, if not the best thing to do, the more easily attained probably to ask the prohibitionists to "blow off the hounds and quit the chase" that the bill might be passed even though it should carry no provision prohibiting this unfortunate and nefarious business.

There are two reasons or motives which move me in my advocacy of prohibition in this bill. First, for the conservation of food, and, second, to save the race—the Nation—from the pernicious moral effect of the saloon, and the deleterious effect of drinking intoxicating liquors. I am quite sure that what I may say will not prevent or hinder in any way the thing determined upon from being done. The order has gone forth. But I am going to ask the Senate to indulge me just a moment while I put into the RECORD a few facts, which I trust the American people may read and, after reading, understand. If the average man or woman capable of understanding the facts which I shall put into the RECORD shall look with any degree of tolerance upon the act of the Senate in surrendering to the liquor interests at this time, even though they were ordered by the President of the United States to do it, I shall marvel at the infinite charity which glorifies the heart of such a person.

I will not presume to sit in judgment upon the acts of other men, but if I should prove recreant to duty, if I should betray the cause of temperance when victory for nation-wide prohibition is within our reach, by voting to lay the question aside as a mere matter of expediency, I imagine that I would experience that peculiar sensation which must have filled the heart of poor, unfortunate Judas Iscariot just before perpetrating his last earthly act.

There is too much at stake—human souls, the happiness of homes; in a word, the well-being of society in this life and the life to come—for me to think of deserting the cause which I hold so dear to my own heart and of such vital interest to the people of America.

Prof. Irving Fisher, political economist of Yale University, states certain facts which can not be answered. He says:

"In 1916 the Federal Government received less than \$250,000,000 as revenue from alcoholic liquors, and only \$89,000,000 of this was from fermented liquors. This is less than 10 per cent of the subscriptions to the liberty loan, less than 5 per cent of a year's war expenditure.

"These taxes are paid by the consumer, who pays in addition \$2,000,000,000, which the Government does not get and which is worse than wasted. The Nation loses annually \$2,000,000,000 worth of energy in the production of liquors. Under prohibition this expenditure would be transferred to channels truly productive, the Government could still get its \$250,000,000, and the people would have \$2,000,000,000 more in their pockets in addition food, munitions, clothing, etc.

"Besides this, there would be an increase in productive energy of from 10 per cent to 20 per cent. In Russia textile mills increased their productivity 9 per cent under prohibition; the Russian mines increased their productivity 30 per cent, and the Finnish mines 50 per cent. A Connecticut manufacturer, after careful reckoning, found that elimination of drunkenness would increase his factory's output 20 per cent.

"The total income of the people of the United States is about \$45,000,000,000, of which three-fourths consists of wages and profits. By prohibition we would at least gain \$2,200,000,000 through the release of human energy, in addition to the \$2,000,000,000 saved by diverting drink expenditure to useful production, to say nothing of the saving in the cost of jails, almshouses, asylums, and the reduction of the death rate.

"Prohibition would not destroy revenue. My colleague, Prof. Adams, has suggested a definite scheme for new tax levies. Other schemes are easy to construct. The net result will not be additional economic or tax burdens, but quite the contrary. One might as well argue against a public-health measure to reduce the death rate on the ground that it would reduce the receipts from inheritance taxes. To keep alcohol for revenue is as absurd as to burn a house in order to roast a pig. Even without laying new taxes the old ones would yield more revenue automatically. For instance, the income tax would yield 10 per cent more. Most other tax receipts would increase correspondingly. We could even, for the present, let the tax bill alone and take a quarter or half billion of the oversubscription to the liberty loan.

"We simply can not afford the drink revenue in war time. It costs too much."

Mr. President, the arguments advanced by Prof. Fisher are unanswerable—that is, if words and figures are capable of making an unanswerable argument.

Without reading, Mr. President, on account of the limited time which I have, I am going to ask permission to insert in the RECORD an article from the pen of Prof. A. Caswell Ellis, of the University of Texas. I desire to print this article in the RECORD as the better expression of my own views. It covers every phase of the subject under consideration, and drives to despair the man who would undertake to answer the arguments and facts therein set forth.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears none.

The matter referred to is as follows:

ALCOHOLIC BEVERAGES COST THE NATION MORE THAN THE SPECIAL WAR TAX—USE THE LABOR OF A MILLION MEN AND SEVEN BILLION POUNDS OF FOODSTUFF ANNUALLY.

To start out in a fight for life with a keg of beer strapped on your back is madness, no matter how much you enjoy a glass on occasion.

FAILURE TO STOP GREAT WASTE NOW IS TREASON.

The United States is face to face with a crisis in her own history and in the history of the human race. Whether government of the people, by the people, and for the people shall perish from the earth rests largely in our hands. Opposed to us is the greatest military and industrial machine the world has ever seen. For three years it has withstood the attacks of 20,000,000 brave men armed with all the weapons of science, adding each year new areas to its conquests, and to-day having in the field more men and equipment than ever before.

Seven million able-bodied men have already been killed and over 50,000,000 more are either in the trenches and training camps or are busy making munitions and army supplies. It is imperative that those left for the factories and field be brought to the highest possible efficiency and that every useless expenditure of material and men be stopped at once. Failure to strip our Nation of its greatest needless handicap to efficiency as we enter this war would be a colossal mistake; to dodge the issue from cowardice or from selfish considerations is treason.

THE LIQUOR BUSINESS THE LARGEST SINGLE WASTE.

The Nation's largest single waste is undoubtedly in the liquor traffic. The loss from the use of alcoholic beverages falls mainly under five heads: (1) The amount of foodstuff used in their manufacture and the human energy, the houses, and transportation facilities employed in the business; (2) the sickness and death resulting from the use of alcoholic beverages; (3) the lowered efficiency in work resulting from drinking by millions; (4) the crime due to drink; (5) the waste of public funds due to debauchery in public office because of the liquor fight.

THE FOOD WASTE.

The internal-revenue reports for 1916 show that 3,603,911,916 pounds of grain and molasses went that year into distilled spirits, and the census of 1900 (Vol. V, p. 602) shows that 2,260,266,146 pounds of corn, malt, and barley went that year into fermented liquors. The 50 per cent increase from 1900 to 1916 in the amount brewed would make 3,390,399,219 pounds as the amount used for fermented liquors in 1916.

A group of the most distinguished and reliable physiologists and economists in Harvard and Yale have shown that, after taking out one-sixth of this 6,994,311,135 pounds of foodstuff to produce denatured alcohol, there is left enough wasted food material each year to supply the energy requirements of 7,000,000 men for a year.

Why should we waste this enormous food supply and then ask the women to peel the potatoes a little thinner and force millions of poor women and children to go on half rations?

Is such saving of drops at the spigot while wasting a stream at the bung hole a reasonable act?

THE MEN AND MATERIAL WASTED.

But the waste of foodstuff is only the beginning. The Other Side (Apr. 2, 1917), published by the National Wholesale Liquor Dealers' Association, gives 1,600,000 as the number of wage earners employed in the liquor business in the United States. The recent advertisement by the brewers states that hundreds of thousands of men are employed by them alone. I can not vouch for the reliability of these figures, but if even half that many, or 800,000 men, are working in the alcoholic-beverage business, they are badly needed now in the new places created by the war and those that will be left vacant by the 2,000,000 men who are going to the trenches. We are short of clerks, accountants, carpenters, brick masons, building material, freight cars, teams and wagons, autos, industrial alcohol, and glass jars. Our Nation needs now for more useful service to humanity not merely the 7,000,000,000 pounds of foodstuff worse than wasted but the hundreds of thousands of men, distilleries,

breweries, warehouses, stores, freight cars, autos, teams, wagons, and tons of glass now used up in the manufacture, distribution, and sale of alcoholic drinks.

\$1,750,000,000 PAID OVER THE BAR EACH YEAR.

No one knows exactly how much society pays directly for the support of all this army of men and billions of pounds of material and equipment employed in the liquor business. The lowest estimate made by a responsible party, and based on accurate revenue reports, of the amount paid by our Nation over the bars for alcoholic drinks is \$1,750,000,000, or almost exactly the value of the average corn crop of the Nation, and nearly three times the value of an average cotton crop at 10 cents a pound. It is more than the amount of the special war taxes for the year. As it has been shown clearly by disinterested scientific men that even the little food value of the 2 ounces of alcohol that the body can use in a day is in nearly every case more than made up for by bodily wastes produced by the presence in the body of alcohol, this vast sum is just as completely wasted by the Nation as if we used all those hundreds of thousands of men and myriads of tons of food and equipment in shoveling sand on the beach to the right all the morning and then back to the left again all afternoon for the period of the war. Is that the act of intelligent beings?

COST OF SICKNESS AND DEATH RESULTING FROM ALCOHOL.

But what we are doing is worse than paying two billion a year for shoveling sand on the beach. We are allowing the sand to be shoveled into the organs of our bodies and the wheels of industry. Sixty-eight thousand men and women (valued at \$1,700 each, or a total of \$116,000,000 worth) die in the United States each year from diseases produced by alcohol. The records of 43 American insurance companies from 1885 to 1908, covering 2,000,000 policyholders, show a death rate in excess of the average for very moderate drinkers of 18 per cent, for those occasionally drinking to excess of 50 per cent, and for heavy drinkers of 86 per cent. A number of large separate companies here and abroad have recently published results of their experience that are more striking even than the above. (See *Atlantic Monthly*, November, 1916.)

Similarly, the reports of the South Australian sick benefit societies show that societies admitting both drinkers and non-drinkers have 92 per cent more cases of sickness per member than do societies admitting only abstainers, and that the members remain sick, on the average, 70 per cent longer. The records of the Leipzig sick benefit societies show that between 25 and 45 years of age habitual "drinkers" were sick 2½ times as often as the average insured person. American, English, and other records show similar facts. One-fourth of our insanity (costing \$40,000,000 per year) and probably one-fifth of feeble-mindedness are due to alcohol. Also every commission that has investigated vice has reported alcohol as responsible for a large part of moral debauchery and probably over 50 per cent of venereal disease. Half of the houses of shame in Cincinnati actually had to close for want of support when the selling of alcoholic drinks was forbidden in all such places. Laboratory experiments have clearly shown that minute quantities of alcohol in the blood lower the powers of the blood serum and blood corpuscles to resist the germs of many diseases. These and numerous other similar facts make it very conservative to say that 10 per cent of the preventable diseases of the Nation are due to the use of alcoholic beverages. As our annual loss from preventable disease is admitted to be \$1,500,000,000, this means that at least \$150,000,000 is wasted by us each year through diseases caused by alcohol.

\$800,000,000 WASTED THROUGH LOWERED WORKING CAPACITY.

No one knows exactly how much the productive capacity of the Nation is lowered by reductions of working power in moderate drinkers when not sick. Tests made by unbiased scientists in Germany and Switzerland showed that even as little as two to four mugs of beer a day cut down the work done by moderate drinkers 8 per cent in setting type, reduced the number of hits made in army rifle practice seven-eighths, and increased the time required for heavy mountain marches 22 per cent. Memory power and higher mental activities were reduced 40 per cent or more, although in this and in the sample activities the subjects thought they were doing better when under the influence of the alcohol. Numerous studies made in school and factory work have shown that alcohol usually reduces working power considerably and increases accidents and the destruction of material. While there may be some exceptions to the rule, it is certainly a safe estimate to assume that moderate drinkers are, on the average, 10 per cent less efficient because of alcohol. If one person in five is a moderate drinker, then 2 per cent of our national efficiency is destroyed by alcoholic beverages. The products of human efficiency on farms, and in mines, factories, etc., in the

United States are worth about thirty billion per year. Two per cent of this, or \$600,000,000, is therefore the price we pay in lowered efficiency for using alcoholic beverages very temperately.

\$300,000,000 WASTED IN CRIME.

Conservative estimates by well-informed men place the cost of crime in the United States at \$600,000,000 per year. The lowest estimate made of the part of this crime due to alcohol is 30 per cent and the highest is 70 per cent. Probably about 50 per cent, or \$300,000,000 worth, is the amount of crime due directly or indirectly to our toleration of alcoholic drinks.

UNKNOWN MILLIONS WASTED THROUGH DEBAUCHERY OF PUBLIC OFFICE.

While we have many worthy officials, both pros and antis, who are well prepared for the duties of their offices, it is painfully obvious that hundreds of millions of money and invaluable opportunities for development of our resources are wasted by officials elected not for their fitness for the office but because either of their friendliness for or hostility to the liquor interests. This will continue as long as any considerable body of voters is left who attack the saloons, and it looks as if such a body will continue at least for the period of this war.

TOTAL PRICE PAID FOR HAVING ALCOHOLIC BEVERAGES.

For the privilege of using alcoholic beverages indiscriminately, then, we are paying each year this price:

The labor of about a million men; 7,000,000,000 pounds of foodstuffs; houses, land, transportation, etc., all to the value of.....	\$1,750,000,000
68,000 men and women killed by alcohol.....	116,000,000
Sickness produced by alcohol.....	150,000,000
Lowered efficiency in work due to alcohol.....	600,000,000
Crime due to alcohol.....	300,000,000
Debauchery in public office.....	

Total yearly cost of alcoholic beverages..... 2,916,000,000

This is nearly double the amount of the special taxes asked for the support of the war for the first year. Can any rational man justify the waste during this emergency of three billion a year, including the use of 7,000,000,000 pounds of foodstuffs and the labor of a million men, merely in order that drunkards may have better opportunities to get drunk and moderate drinkers may lower their working efficiency with greater convenience?

WHAT CAN BE DONE?

Plainly the manufacture, distribution, and sale of alcoholic beverages ought to be stopped at once. The property employed in the business and the stock of liquors on hand should be taken over by the Government immediately and paid for at a price that is fair to the owners as well as the public. Every reasonable help should also be extended to those now employed in the business in finding promptly another employment. Such a plan would really benefit all concerned, as it would give the liquor men the only chance they are likely ever to have to dispose of their property before it is confiscated. On the other hand, the Government can now, with comparative ease, find a use for most of the distilleries, breweries, and other equipment in making munitions, industrial alcohol, and other supplies urgently needed. The supply of liquors on hand could be converted into munitions or sold for medical purposes as seemed best. In this way neither the liquor men nor the public will suffer seriously, while the Nation will step up on a plane of vastly higher efficiency in this war and in the peace that will follow.

A. CASWELL ELLIS,
The University of Texas.

Mr. VARDAMAN. Mr. President, this is about all that I have to say. If the facts and figures here submitted are true—and no man will question their accuracy—there is no escape from the conclusion. Nor can there be any excuse for the Senate's failure to put a stop to this evil and save the Nation from further humiliation at the hands of the liquor demon. The only excuse or justification that can be offered for the continuance of the liquor traffic in this country at this time, or at any other time, is that a few men may make money out of the business. The pernicious effect, mentally and morally, physically and financially, of the liquor traffic upon the human being is too well known to make it necessary for me to go into details or to expatiate at length upon it. Suffice it to say that its effect universally is to defeat the promises and frustrate the ambitions of youth, to blight the hopes of mature manhood, to shadow the evening of old age with disappointment, and adumbrate the last hours with sorrow, regret, and shame. It has contributed more inmates to the lunatic asylums, filled the jails with criminals, the poorhouses with paupers—in a word, caused more unhappiness, broken more hearts—than all other agencies for evil combined. The idea of sacrificing human bodies, damning human souls, and putting a burden upon children yet unborn in order that a few financially bloated, avaricious, sordid individuals might add to their incomes is, to my mind, ineffably monstrous.

The devoted husband is torn from the bosom of his loving wife; the loyal and dutiful son is taken from the arms of his loving mother, a sacrifice to the god of war. He gives his life, his honor, his very soul, that the flag may float triumphantly in the air. Everybody is called upon to make a sacrifice, and the sacrifice is willingly made, except the man who has a thirst for beer or the brewer and distiller who have an insatiable greed for gold.

To borrow a figure of speech from classical history, the liquor traffic in America is verily the economic "Infamy of Crete." It is an evil without a mitigating incident—the blight that sears the heart and gives nothing in return except the leer of the damned. It has no proper place in a civilized country and is an affront to the Christianity of the age. No man can read the Sermon on the Mount or the Decalogue, and believe them, and then vote against this measure which brings Nation-wide prohibition, without an accusing sense of treachery.

Just think of the absurdity of the proposition that it is perfectly proper in war times to limit the amount of bread and meat that a laboring man may eat, or the quantity of milk that feeds the starving babe, while at the same time the Congress is legalizing the liquor traffic, or perhaps I would state the situation more correctly if I should say refusing to prohibit the liquor traffic; using the foodstuffs needed to sustain and nourish the body and converting them into a beverage that kills the body and damns the soul. That this nefarious traffic should be permitted to continue its moral degradations and physical ravages, with congressional and presidential approval, is in such sharp contrast with the spirit of enlightened Christianity that I stand appalled in the presence of the egregious blunder.

Mr. SHEPPARD. Mr. President, on January 9, 1915, the attorney general of the State of Texas, Hon. B. F. Looney, brought suit in the district court of Hopkins County, Tex., at Sulphur Springs, against certain breweries in Texas, to wit: the San Antonio Brewing Association, San Antonio, Tex.; the Lone Star Brewing Co., San Antonio, Tex.; the Houston Ice & Brewing Co., Houston, Tex.; the American Brewing Association, Houston, Tex.; the Galveston Brewing Co., Galveston, Tex.; the Dallas Brewery, Dallas, Tex.; and the Texas Brewing Co., Fort Worth, Tex.

The suit was brought on account of alleged violations by the defendants of the antitrust laws of the State and the use of their corporate means and assets in politics and elections, in violation of both the laws and the constitution of the State of Texas.

When the case came on for trial the defendants, in effect, pleaded guilty and accepted a fine aggregating \$281,000, together with the expenses incurred by the attorney general and the court costs, amounting to about \$8,000 more. I have here a summary of the testimony which was developed in the case. It is a most interesting exposition of the activities of the brewing interests in politics. I ask that it be set out in the Record. I believe it will be of great value in the campaign against the liquor traffic.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears none.

The matter referred to is as follows:

THE BREWERIES AND TEXAS POLITICS.

The cases came to trial at Sulphur Springs January 24, 1916. The defendants in effect pleaded guilty to the charges brought and accepted a fine aggregating \$281,000 plus court expenses of \$8,000, charters forfeited. The procedure and evidence were published in two volumes entitled "The Breweries in Texas Politics," and the page references below are to pages in said volumes:

Page 5. Texas statutes provided that no corporation should use its properties directly or indirectly for any other purpose whatever than to accomplish the legitimate objects of its creation or that permitted by law. . . . nor shall it directly or indirectly contribute or pay any part of its assets, property, or funds to any political party or to any official or campaign manager of any political party or to any person whatsoever for, or on account of, such party nor to any candidate for any office before or after nominations are made or to aid in defraying the expense of any candidate for office, etc.

Page 6. Corporations forbidden to make any money contributions or equivalent, directly or indirectly, for the purpose of aiding or defeating the election of any candidate. . . .

No one shall knowingly give money to a citizen to pay his poll tax.

Page 8. The petitioners stated that the defendants "continuously, from the very date of its incorporation, deliberately and intentionally misused and abused the powers, right, privileges, and franchises conferred upon them."

Page 21.

TEXAS BREWERS' ASSOCIATION.

DEAR SIRS: We have a State-wide prohibition fight on our hands and it is fast and furious. It has only one merit, and that is short duration. . . . We need money and are appealing to all merchants, manufacturers, persons, and corporations from whom each of the breweries in Texas bought goods in the year 1907 to give 1 per cent of the amount of the bill bought and paid for.

On this basis we assess you the sum of \$——. Kindly send us your check at once, making it payable to the writer individually. This donation from you will be read cast upon the waters.

Yours, very truly,

TEXAS BREWERY ASSOCIATION.

HOUSTON, TEX., June 23, 1908.

The letter in acknowledgment of payment says that this cooperation "shows us the large number of friends and adherents we have in Texas and all other States and have given us renewed vigor to press on the fight and let loose the dogs of war."

Page 24. When a firm in Prague, Bohemia, did not pay up this assessment, they wrote: "We would very much appreciate the courtesy of a reply informing us why you have so tacitly refused to contribute toward the funds of our campaign. Yours, truly, Texas Brewers' Association."

Page 31. The petitioners asserted "that such demands were reinforced by threats and understandings of future boycotts against such persons, firms, and corporations."

Charge the brewers with the payment of poll taxes on the advancement of money for many thousands of persons in Texas. . . . Carrying on active campaign to induce persons to secure poll-tax receipts. . . . Paid agents sent out thousands of cards, circulars, and pamphlets issued; payment of campaign expenses; keeping of permanent political headquarters; the use of money in various ways to prevent calling of local-option elections; the use of money contesting the results of such elections, the buying of votes, and influence; the use of money to influence or control city, State, and national elections.

Page 34. Correspondence of brewers subscribing plans to secure a court judgment that the poll-tax law is unconstitutional. A law firm is to receive \$2,500 if they can effect such a decision. Brewers to pay two-thirds and liquor dealers the other third.

Page 37. Brewers report for the month of April, 1908, speaks of copying the names of voters in over 80 counties. Keeping a list of 50,000 names of friends scattered all over the State.

Page 41. From general report of office for January, 1909 (Paget): "The office sent out over a quarter of a million handbills. If we had had 10 days more or 4 more men in the field, there would have been 700,000 poll taxes paid."

Page 44. Report "the bitterest fight, which is not yet concluded, was in Hardin County. We met the sawmill interest, who spent much money."

Page 48. From report: "Every colored paper in Texas is carrying our advertisement and is working in the interest of poll-tax payment, and from now on meetings will be held in all communities where the colored people are numerous urging the payment of poll taxes."

Page 52. A letter from Wahrmond to Adoue objects to a phrase in Paget's report, viz: "Will say in passing that I do not believe the poll-tax matter will cost us one-half this year." As previously stated, to put such things in black and white is a very dangerous proceeding."

Page 54. O. Koehler says: "I was simply thunderstruck when I learned of the large remittances made to Mr. Wahrmond." W. explained that this represented "items to take care of on account of meeting friends to make the race for the Senate and the House."

Page 56. Adoue (brewer) speaks of Dr. Helt: "Immediately after reading his article I went after the doctor and succeeded in locating him in Evansville, Ind., where they have started the National Reform League, and I expect to have the doctor in Texas at an early date. The head of the league was here last week to arrange preliminaries. . . . Adoue introduces H. to a Prohibitionist who is to bring him out in Texas. . . . I believe the doctor coming to Texas under the auspices of some prominent Prohibitionist will have a vast influence on the next July primaries. His expenses will be paid by the National Reform League. He will have no connection with the brewers or liquor dealers. Who supports the league is another question. Yours, B. Adoue."

Page 57. Letter from O. Koehler to Adoue on the need of sending speakers into northern Texas to influence the primaries to stop agitation for submission of prohibition amendment. "Of course it will cost a great deal of money. . . . We assured them of our support to the extent of \$10,000."

Page 64. Otto Koehler writes Adoue that "those interested in the sale of beer have stopped at nothing to induce such payments" (of poll taxes).

"Our efforts have not been confined to any one section of the State, but have extended from the Panhandle to the Gulf and from El Paso to Orange."

Page 66. Koehler makes mention of a McDermott-Gardner fund contributed by all the large breweries of the United States to the 1911 campaign. This was \$5,000 a month.

Page 68. J. B. Rayner. "I came here last Friday evening and went immediately to the house of the pastor of the Colored Baptist Church and found out he was carrying on a protracted meeting and was drawing all the colored voters to his meeting. Friday night we had a secret caucus with the best of the leaders. I told them how to mark their tickets and who could vote and set in motion some subtle forces which would get the colored voters to the polls." To Wahrmond: "I have placed the iron hand of Machiavellian diplomacy upon the religious, educational, and business gatherings of my people. I have wet a score of dry counties in Texas or kept them from drying. . . . I am now doing all I can to make the colored pastors of your city your political friends."

Page 70. Letter to Wahrmond: "I now believe that we will get 90 per cent of the negro vote. It required more money than it would have taken had it not been for the Luedde play with the negro saloon-keeper. The indications are that we will be able to handle it on about \$4,000."

Page 74. Adoue writes: "Messrs. . . . and Hawes request that when the brewers write to them they would use plain envelopes and plain paper."

Page 78. "Prior to 1910, one J. L. Griffin, a negro preacher, known as Sin-killer Griffin, and other negroes formed an organization under the name of 'Rescue Association of the United States of America and Africa,' and incorporated the same under the laws of the State, the charter granted authorizing it to engage in the work of rescuing fallen women. Such charter was secured in fraud upon the State and the public, and the purpose of such organization has never been such as named, but to do political work principally among negroes for the Texas Brewers' Association." The association has financed it.

Page 79. The Rev. J. L. Griffin is supreme president of the Rescue Association of the United States and Africa.

Page 80. Luedde: Busch's agent organizes the Citizens' Forward Movement to stimulate payment of poll taxes.

Page 89. The United States Brewers' Association membership dues is 1 cent a barrel. This gives an annual fund of \$600,000; but there are constantly extra assessments of the same amount. February, 1912, in Chicago, the brewers agreed to pay extra assessment of 2 cents for five years, 1913-1918. This makes the annual income of the association for those years from dues and this extra assessment \$1,200,000. In five years this would be seven millions.

Page 92. Letter from Adolphus Busch, October 19, 1905: Describes an educational bureau created by me and some of my friends for the benefit of the brewing business of the United States.

"Most of our people have no idea of the true merits of beer; they know nothing of its wholesomeness and its superior nutritious properties and rather believe all the false things said about this article. No voice has ever been raised to correct this wrong impression people have got about beer. It is my aim to win the American people over to our side to make them all lovers of beer and teach them to have respect for the brewing industry and the brewer. This work has got to be done systematically, and the best writers of the country will have to lend their assistance. It may cost us a million of dollars, and even more, but what of it if thereby we elevate our position? I stand ready to sacrifice my annual profits for years to come if I can gain my point and make people look upon beer in the right light.

"We must pay over to the United States Brewers' Association whatever it may require to represent us properly before Congress, where we have most important bills to defend. We must defeat that Hepburn-Dolliver bill, which is most dangerous and antagonistic to our industry and which makes prohibition possible. Then we want to defeat any bill which may be brought up to increase the revenue tax on beer, with which we are now threatened. We want to reestablish the military canteen at all Army posts and on our men of war. All this will cost lots of money; we do not want to spend one cent bribing the good people, but we will have to be liberal with the press of many States and with friends to gain the ear of Senators or Members of Congress and enlist their good will." October 19, 1905.

Page 93. Hugh Fox writes to the Lone Star Brewing Co.:

"The defeat of the 79 bills of Congress during the past session is in great measure due to our efforts."

Page 94:

NEW YORK, September 27, 1911.

Col. M. M. MULHALL,
Washington, D. C.

MR. DEAR COLONEL: In the campaign just closed in the State of Maine in which our people were so much interested your assistance and advice was of great help and benefit and is thoroughly appreciated by us.

JOHN A. McDERMOTT.

Page 99. A letter from Fox, March 19, 1913, marked "Confidential," in which he treats of contracts of the brewers with the unions of their employees; evidently is working to get as low a scale of wages as possible:

"If the local agent of an outside brewer takes the initiative by making an independent contract, he can easily jeopardize the whole negotiations between the local brewers and the unions and thus enable the latter to execute a flank movement."

Page 102. The National Association of Commerce and Labor issues discount stamps to put on bills assessed the customary 1 per cent. They describe this money as "their voluntary contribution toward the antiprohibition fund."

Page 103. One per cent collections.

"These remarks would also apply to the Whitlock Pipe Co. in case where they refuse to accept stamps we will see them as soon as it is possible to do so."

"NATIONAL ASSOCIATION OF COMMERCE AND LABOR,
E. T. BUSH."

Page 104. The national association asserts that there are over 50,000 firms supplying the brewing trade (i. e., in the United States). "Only in one or two isolated instances was there any objections raised to the deduction. The inference is permissible that the discount plan has been very generally accepted."

Page 109. The Sons of Hermann protesting against the Hobson bill.

Page 117. The Texas Brewers Association alone, from 1902 to June, 1907, raised on a 20-cent levy per barrel approximately \$900,000. For 1908-9, \$400,000 in two years. For 1910, at 30 cents per barrel, \$300,000; 1911, \$370,000.

These sums represent only what the State is able to prove, the indications and the presumptions to be drawn from the evidence being that the sums proved constitute but a part—probably a small part—of the grand total spent. Besides this are large sums spent by the wholesale liquor dealers, the retailers, and saloon keepers.

Page 124. Letter of Texas Brewers' Association (B. Adoue, president) to the Kansas City Machine Works:

"DEAR SIRS: We have a State-wide prohibition fight on our hands, and it is fast and furious. We need money and are appealing to all merchants, manufacturers, persons, and corporations from whom each of the breweries in Texas bought goods in the year 1907 to give us 1 per cent of the amount of the bill bought and paid for. On this basis we assess you the sum of \$500. Kindly send us your check at once, making it payable to the writer individually. This donation from you will be bread cast upon the waters."

Page 126. Lists are kept of those not responding to the call.

Page 145. April, 1910, election in Grayson County, \$5,000 spent by the brewers' agent Autrey.

Page 150. O. Koehler, of the San Antonio Brewing Co., to Aug. Busch. In 1911 Texas brewers raised \$360,000 on barrelage; Busch sent \$100,000; Lemp Pabst and Schlitz sent \$45,000. In all, \$505,000 from these sources.

Adolphus Busch writes from Ivy Wall, Pasadena:

"Everybody must do his full duty and be forced to do it. I will not mind to give \$100,000 extra, if necessary. Mr. Cettis is of the opinion that it needs a great deal of money in order to gain a great victory. Missouri recently went through a most strenuous campaign, winning out by an enormous majority. Well, you can barely imagine the cost of that campaign. Now, my dear Adoue, if we sacrifice one-half of our entire earnings in 1911 in order to make up this campaign fund, it is not so very serious. All your home banks should write letters to their correspondents in Texas to use all their influence against State-wide prohibition. All your wholesale grocers in the various cities should write to all customers in the country, imploring them to down State-wide prohibition. That is what we did in Missouri."

Page 154. The vice president of my bank is one of the best friends among the bankers we have, but his associates are strong prohibitionists. He assures me that he has used the desirable balance which I have carried with him for many years successfully as an argument against the Philistines, and that thus we have succeeded, so to speak, in splitting the bank on the question. (Weeden, of the Texas Brewing Co., to Althaus, of Anheuser-Busch.)

Page 158. Five hundred dollars from the York Manufacturing Co., York, Pa., for the 1911 campaign fund; \$500 from the Southwestern Engineering & Supply Co.

Page 164. Koehler writes to Adoue that he expects to secure six figures from the Cincinnati interest. Koehler writes: "We must get the business element interested in our cause and show them that the breweries and saloon men are the least interested in the great question of personal liberty."

Page 191. Eight entries in Autrey's special account, Cash, Negro Baptist convention.

Page 214. The Texas poll-tax law was adopted in 1902 against strenuous brewer opposition. In 1902 Riggs, manager of the Texas Brewing Association, writes Wahrmond:

"I would suggest that it would be well for us to arrange for the San Antonio Express and other papers that you were to handle to oppose the poll-tax amendment upon the position that it does not give the laboring man or the poor man right to vote. You know how to handle them and get this before the public. It is very important that we advise the laboring element—the poor people—of our State, without thereby making ourselves conspicuous, that this is a kind of class movement, done for the purpose of destroying the rights of the poor man, centralizing governmental power in the hands of a few."

Page 229. Paget writes, December, 1904:

"I have every labor journal in the State, as well as one or two daily papers, carrying in each issue advertisement and other article as written or inspired by this office."

Page 232. Describes campaign for urging payment of poll taxes. Paget writes, February 1, 1905:

"There was sent to every town, village, or hamlet in the State large cards urging payment of poll taxes. Men were employed in the various counties to put them up in conspicuous places. About 12 newspapers were contracted with to carry standing advertisements and editorials bearing on poll taxes. The writer, through labor organizations, is working to that end (repeal of poll tax), but the members of the house or senate seem to fear tackling it."

Page 232. American Brewing Association writes August 2, 1905:

"Mr. L. M. McDaniel called on me several days ago and said that if we would guarantee \$50 for expenses he would bring the negro convention to Houston. The principal advantage to be attained by the convention being held here is that it would give the anti speakers an opportunity to impress on the negroes the necessity of paying the poll tax."

Page 234. Paget, November 9, 1905:

"I can perfect arrangements to have the labor organizations of the State take up the fight for us. They did last year in this poll-tax matter."

Page 235. S. A. Brewing Co., November 12, 1905:

"Under the law we can not pay the poll tax of others without laying ourselves criminally liable, but you may say to Mr. Martin and other friends that the Brewers' Association of the State of Texas is not liable."

Page 236. Paget, December 13, 1905:

"I believe that if the election is called between now and the 1st of February the prohibitionists will win, as very few Mexicans pay their poll taxes."

Page 245. Paget, January 17, 1906:

"I am going, Mr. Hausman, to speak very frankly. I believe these men should have assistance in paying their poll taxes if you want the county to go wet. Ten dollars spent in this way would save one hundred in making a contest."

Page 247. Luedde, Busch's correspondent at Waco:

"I have paid out \$500 to the parties at Temple and provided they need more for the poll-tax campaign I will pay it to them. Postscript: Tear this up." (He asks remittance of exchange, i. e., not a check.)

Page 255. Paget, February 4, 1907:

"In several counties we have had men at work urging the payment of poll taxes. We have also had our friends before a couple of religious conventions and gradually the colored man is coming to have a proper understanding of his position relative to local option."

Page 255. Luedde writes, February 7, 1907:

"We feel if this poll-tax law could be knocked out for the small sum of \$2,500 that it would be the best investment that we have made in a long while."

Page 257. Luedde writes:

"With the poll tax knocked out we would have no trouble in winning a great many counties that we now can not touch at all, because as a general thing our kind of people are very poor hands to pay their poll taxes, whereas the prohibitionists always pay theirs."

Page 258. San Antonio Brewing Association to Adoue:

"I wrote you several times in regard to letter writing, and again only recently directed your attention to the great danger of certain correspondence on part of Mr. Paget; but I note that he again comes out in an open letter to Mr. Autrey, in which he asks if it is not time that something was being done in matter of payment of poll taxes. I deem that is very dangerous proceeding, and it should by all means be stopped immediately."

Page 258. Kitchner, of San Antonio Brewery, writes, January 9, 1908:

"We are trying to get Judge Dean to run as senator, and I believe he will go if paid for his time while away from his business. I feel quite sure it will take at least \$3,000 to pay him while away from his practice here, but he would be a valuable man in the legislature at this time. I think we can get Judge Burns, who is also a good one, without paying him anything. Burns has been speaker of the house in New Mexico and knows how to do things."

Page 261. Weeden, of the Texas Brewing Co., writes, February 1, 1908, of poll taxes in Fort Worth:

"W. matched dollar for dollar with another representative of the liquor interests. On this basis we paid out \$1,500 and succeeded in getting a little over 1,000 first-class, picked men sorted out by Mr. Bud Brown from his experience in preceding years."

Page 263. Rayner writes, November 14, 1908:

"I am doing my best to make the indifferent, the purposeless, and homeless negro pay his poll tax inside the time limit while he has money. I have 4,000 cards like the inclosed, and I will place one prominently in every negro barber shop, eating house, saloon, and every other negro business in Texas, and will supplement this advertisement with help of every negro official in secret-society lodges, every negro preacher, and the negro newspapers in Texas. I am satisfied I will induce at least 50,000 negroes in Texas to pay their poll taxes in time."

Paget writes Autrey, of the Houston Brewing Co.: "Now is the time for working among the negroes; after Christmas they will not have a dollar."

Page 265. Liquor interests asked advice of lawyers as to methods of getting around the poll-tax law:

"Can a corporation be formed under the laws of Texas for the purpose of accumulation and loan of money to its members for the purpose of paying their poll taxes?"

Page 272. Paget, '09, proposes to publish in the papers a list of shysters who refuse to pay poll taxes and to threaten to do so elsewhere.

Page 274. Otto Koehler, of the San Antonio Brewery Association: "The brewery, being corporation, can not subscribe to the funds in question as it would be against the law and would constitute a criminal offense, but the writer and our Mr. Wahrmond as individuals can do so, and we hand you herewith our check."

Page 274. Morgan, of the Dallas Brewery, writes to Paget, '09: "As to this county will state that through the chamber of commerce we have a good organization, consisting of the able support of both the Dallas Morning News and Times-Herald, which papers in every issue are urging the people to pay their poll taxes."

Page 277. Brewers' Report, January, 1909, speaks of the host of colored preachers who in the highways and byways of the State roused up the Negro.

Page 278. Paget says: "If we had had 10 days more or four more men in the field there would have been 700,000 poll taxes paid." This is in the brewers' report.

Page 286: Paget: "Every meeting of colored educational bodies has been attended by our friends, who have kept down with considerable trouble all resolutions opposed to your interests. Every colored paper in Texas is carrying our advertisement and is working in the interest of poll-tax payment."

Page 287. Letter to Paget from Littlefield: "The Mexican voter should be urged to take out his poll tax, for he can go to the polls in primaries, while the Negro can't participate in primaries."

Page 288. Paget writes: "Inclosed find copy of a Lincoln circular, of which 100,000 have been distributed in Texas. Forty-five Negro churches read it from the pulpit yesterday in Dallas and four in Beaumont."

Page 288. A beer seller in Gainesville says that he had to pay \$100 to our association for poll taxes. This is a single dealer.

Page 294. Poll taxes for State and county, \$1.75; for city, \$1 additional.

Page 295. Paget, campaign manager, writes, December 7, 1910: "Here is a letter signed by the president of the Federation of Labor, and over his own signature a request that the address be placed in the hands of every labor man. He is also in the field in an endeavor to awaken an interest in the payment of poll taxes."

Page 296. Paget speaking of equipment of his agents says: "They carry a power of attorney by which any man can appoint another his agent to pay his poll tax."

Page 300. Sayers, beer dealer at Hondo, writes: "Now, in regard to State-wide election in 1911, there are some 350 Mexicans in this county and I believe by giving a dinner here and having speeches made I can secure 200 voters to pay their poll tax."

Page 302. Acknowledgment of paying poll taxes and page 303 same.

Page 322. Letter quoted: "Special attention should be given to the election of the membership to our next legislature. In this body we should have a certain percentage subject to our command."

"Government of the breweries, for the breweries, and by the breweries."

Page 323. "I believe we have elected a small majority of our friends to the legislatures."

Page 325. Autrey of the Houston Brewery: "We offer to support the anti regardless of who he is. We don't care what his name is or what he be. It's just a question of his views on prohibition."

Page 326. Option fight in Upshur County. Morgan speaks of two workers who are to be hired. Their fees are \$2,000 cash and \$2,000 more if they win the fight.

Page 328. The brewers help the railroads: "We have also received the respective notice from our railroads here and have immediately put ourselves in communication with the different members of our association and notified all our customers along the line to immediately enter a protest against such a bill to their representatives at Austin."

"We have all the good help on the part of the railroads." Page 328. "We will also endeavor to raise a fund to the extent of \$1,000 or more for the purpose of defraying the expense of securing a change by the present legislature of the Sunday law to the closing hours between 9 a. m. and 4 p. m."

Page 328. "It is just one of those bills where we have to muster all our forces very quietly and call her up on a certain day and pass it without even letting it come to debate and therefore it is preferable not to make any amendments."

Page 331. "The enormous expense that we have been put to in fighting adverse legislation." "We defeated the beer-inspection bill, also the bill to make violation of the local-option law a felony."

Page 331. Busch advises, in case certain legislation failed, "to open all the water mains leading into your beautiful Capitol and drown the rascals out like a lot of rats. The only available solution of the question in our favor seems to lie in the prevention of the election to the Texas Legislature of such men that incline to prohibition and in the forcible election of liberal members. It should be the watchword throughout the entire State."

Page 332. Arnold, of the Lone Star Brewing Co.: "Yesterday's circular letter will inform you how neatly we have met the railroad bill." (House bill 272.)

Page 338. Frank Arnold, of the Lone Star Brewing Co., to the American Brewers' Association: "The writer desires to call your attention to the fact that up to date we have not received your first assessment to our vigilance fund to defray any expenses in fighting detrimental measures to our interest at the present legislature."

Page 346. Adolphus Busch: "When Mr. Koehler was here a few days ago I agreed that we all pay 3 cents per barrel on our sales in Texas to defray expenses during this session of the legislature. It is the intention to change the local-option law."

Page 346. 1-23-03. Telegram from Adolphus Busch: "Do not underestimate prohibition movement and danger of the poll-tax law. Have a vigilant eye and do the necessary, regardless of expenses. We will pay our full pro rata."

Page 347. Eppstein writes to Wahrmond:

"You can handle the press as you see fit. It might not be best to use the columns of the papers with our paid matter, but to so handle that department of the work from Austin that all matters will simply go in as news items. The correspondents of the papers with whom we have contracts would no doubt, if properly handled, give us all the space we want."

Endless chain of elections.

Page 355. William J. Lemp, of St. Louis, interfering in Texas politics. Page 358. Judge Sherrell and Mr. Gresham hired to do political work for the brewers. Salaries arranged. Dallas brewery writes: "I will send exchange to you for the above amounts on the dates mentioned, and this will do away with the handling of private checks."

Page 360. "Inclosed find New York exchange for \$475.95, covering expense account of yourself and the judge for the month of January."

Page 361. Dallas Brewery: "I note the article in the Labor Journal and believe the medium will prove a good one for general distribution among the laboring people. Mr. Paget intimated that he thought it a good idea to have the same thing appear in the labor journals of Dallas and Fort Worth."

Page 361. Dallas Brewery: "Inclosed find New York exchange for \$429, covering expense account for yourself and Judge Sherrell."

Page 374. San Antonio Brewing Association, January, 1905: "No doubt Col. Gresham is keeping you well informed as to what is transpiring as well as sending you copies of all bills introduced which are likely to affect our interests."

Page 375. Adolph Busch writes, Cetti writes: "I have to listen to the wrongdoing of every State legislature in the country. This will give you some idea of my troubles and the restless days and nights I spend."

Page 378. American Brewing Association writes to Brunswick-Balke-Collender Co., Chicago: "We have already a delegation in Austin lobbying against the passage of such bills that are detrimental to our business. Our expenses in these matters are considerable, and if you feel inclined to contribute toward the educational fund it would be most thankfully accepted."

Page 379. San Antonio Brewing Association to Adone of one Linthicum, a lobbyist at Austin: "My instructions to him are never to mention breweries. He is at Austin to represent labor exclusively."

Page 380. Arrangements made by Morgan, of the Dallas Brewery, with railroads: "As the express and railroad companies will be affected by the bill, I wrote Col. Gresham asking him to see the general attorneys of the express and railroad companies and get their opinion, and, if deemed advisable, to act together."

Page 386. C. W. Woodman, editor of the Union Banner, writes to the Texas Brewing Co. proposing to enact laws to better protect the liquor interests and to repeal laws inimical to organized labor and the liquor interests. To make contracts for the publication of labor news on these lines; to furnish all weekly papers with a column or more of such labor news as pertain to the local option question.

All bills will be framed up in such a manner as to make them labor bills.

Page 409. Autrey writes to the San Antonio Brewing Association, 1906, in behalf of Mr. C. K. Walters, "a fair-minded man but his financial strength is weak. Perhaps you would like to render him some assistance; if so, just mail check for whatever you donate to me and I will see that it is turned over to him."

Page 413. The breweries kept a record of all the candidates for the legislature and numbered and classed them as one might classify sheep and cattle.

Lists given on pages 413-416.

Page 418. Adone writes: "When the Fort Worth Record started I subscribed \$7,500 stock, which I divided among my friends as an investment."

Page 428. R. F. Cook to Cetti, of the Texas Brewing Co., writes: "Just before the ballot was taken on the original Love amendment, the San Antonio man and I, fearing that the vote would be close, induced two of the members who were hopelessly against us to engage in a domino game where we succeeded in holding them until it was too late for them to do us any harm."

Page 435. Adone writes of proposed contesting of a law: "It is bad policy for breweries to fight any law; their reputation is bad enough without it. Avoid ostentatious litigation."

Page 440. A telegram from Adolph Busch from Pasadena to Texas Brewers' Convention: "I most earnestly hope that all will make the strongest effort to weed out the strong objectionable saloons and not to permit them to exist. By doing this we shall prevent greater trouble and danger for the beer industry." S. T. Morgan, of the Dallas Brewery, comments: "So you see that the main offenders in the past have realized that to save the brewing business they must change their ways."

Page 441. Weeden, of Texas Brewing Co., writes: "It was unanimously agreed that a determined effort must be made to influence the selection of the next legislature. This, of course, will cost a good deal of money, and it is plainly evident that the donation of 5 cents per barrel would not be sufficient."

Page 447. Arthur Koenig writes from Pasadena, Cal., February 15, 1908: "Mr. Busch wishes me to thank you for your kind communication, etc. The Catholic clergy should be approached and requested to express its opinion on the present prohibition movement same as was done by Archbishop Gibbons, Baltimore, and Archbishop Glenn, St. Louis. If there is a bishop anywhere in Texas he should be carefully interviewed through channels friendly to our cause, and the substance of such interview made public afterwards. Also the rabbis of the Jewish congregation who always are friendly to us and our industry. I am working with my dear chief day and night on the question, 'To be or not to be.'"

Page 488. Wahrmond is member of the house in Texas in 1909.

Page 453. Notice of a check in payment of T. H. McGregor's salary. McGregor is in the Texas Legislature.

Page 455. Adone mentions Judge Bellow as writing "If I were able financially to make the race and give time to serve in the legislature I would make the race, but I can not afford it."

Page 468. Morgan, of the Dallas Brewery, writing to San Antonio Brewery, proposes an investigation of prohibition States by members of the legislature who are broad-gauged and liberal.

"The funds necessary to make the investigation should come from the business interests and property owners, and no one directly or indirectly interested in the liquor business should contribute one cent toward such expenses. In order that the men making the investigation could get up on the floor of either House and say that they made the investigation at the request and expense of the business men and property owners of this State."

Page 471. Morgan writes to the S. E. Brewery: "I turned the article enclosed over to Mr. Wortham, and we will both make every effort to have the same published in to-morrow evening's News, but we are very much in doubt if we will be able to get the News to copy the article without having same appear as paid matter; and if this is done, we don't think it would be worth the price, as everyone would know that the brewers had the article reproduced, and, of course, it would not have the desired effect."

Page 481. Texas makes the license fee for selling near beer \$2,000.

Page 483. The Texas State Federation of Labor induced to pass a resolution against legislation hostile to any labor men, i. e., brewery trades-unions.

Page 484. "Mr. Lillenthal admitted that the American Brewing Association paid the advertisement in the Texas Deutsche Zeitung regularly every month, and a good price at that, but that was only done because the publisher of that paper was a member of the legislature, just as the American Brewing Association pays for an advertisement in the Cuero Star because Mr. Crisp is a member of the legislature." Letter in which the editor of the South Texas Star speaks of soliciting advertising from the brewers.

Page 495. Mr. A. S. Crisp of the Cuero Star, writes to Morgan asking the renewal of the advertisement contract of \$100. "As a member of the liquor committee I accomplished the defeat of a bill designed to teach prohibition in the public schools of the State."

Later Morgan writes that Crisp has appealed several times for advertising, and advises turning him down on the ground that we should not "do so much advertising, especially for people who are holding the same belief as ourselves."

A. S. Crisp writes to H. Prince:

"DEAR SIR AND FRIEND: Please accept my sincere thanks for your courtesy in honoring bill for last half of annual contract at this time. In a little over a month the solons will be again gathering at Austin, and if there is anything there you want attended to it will give me great pleasure to serve you at any time."

Page 512. For a half century it has been the law of Texas that a corporation shall not use its powers, means, or assets for any purpose except to accomplish the legitimate objects of its creation. These particular corporations were chartered to manufacture and sell beer and ice, and were not created for "education," "suffrage," or "elections." Again, since 1907 it has been a criminal offense for any officer or agent of corporations to use the corporations' money directly or indirectly to affect the result of any sort of an election.

Page 513. Hordes of field men, white and negro, employed to carry local-option contests and to get poll taxes paid.

Page 514. Morgan, secretary of the Brewers' Association, cautions utmost secrecy. "We believe that success depends largely upon every member being extremely guarded even in talking to the best of friends, and that our business is ours and does not concern anyone else. Unless this is done and strict secrecy maintained, we will have to make an open fight." Special organizations of saloon men. * * * are calculated to create prejudice. We would therefore most earnestly request that you advise all of your customers to let their organization, if they have one at all, be secret."

Page 530. San Antonio Brewing Co. say that their expenses for these fights "almost equal, if they do not exceed, our profits."

Page 555. Adolphus Busch writes Cetti December 5, 1908: "The prohibition agitation has cost me more than a million dollars already, because Anheuser-Busch must always bear the burden of everything. We have been spending \$30,000 every month in defense of the beer industry. We have done more than all the breweries together, and I am bound to make a part of this by looking for profits on outside investments, and especially in the real estate line."

Page 562. Busch writes from Pasadena to Cetti: "No money or labor should be spared to recapture Grayson County out of the clutches of the pros."

Koehler complains of Paget's asking for \$3,000 for Caldwell County: "It certainly can not be a question of buying the negro votes, for as I understand it there are none to be bought in that county."

Page 567. Adoue writes that for antiprohibition election work "we are going to spend enough money sufficient to build a fine brewery."

In 1911 Busch read a communication to the citizens of Dallas threatening to stop work on the Adolphus Hotel if Dallas went dry. This was a million and a half hotel.

Page 575. Issie Friedlander is described as "one of the best men in the State of Texas to hunt up and haul niggers to the polls."

VOLUME 2.

Page 578. Kaufman writes to Wahrmond: "The negroes, about 1,500 votes, are well taken care of. Mr. Maier foreseeing this election has paid out about \$1,000 paying poll taxes for negroes, which are in his safe."

Page 581. Some officials of the International & Great Northern Railroad having taken part in Anderson County prohibition elections, the American Brewing Co. writes, "that each and every brewery should withhold all the patronage that they possibly can from that road. We request that you have no shipments made to us over the International & Great Northern Railroad."

Page 598. Paget writes to Adoue that \$3,000 is necessary for a county election. "With this amount of money and an extra subscription which we may be able to squeeze out of the saloon men we have a chance to win the fight; without it not any."

Page 606. San Antonio Brewing Co. writes to Blum of an attempt to contest a dry vote: "Our ex-Judge Felps is the one who undertakes declaring the past proelection void. He was county judge at the time and refuses to give information as to his form of work for fear other attorneys detect his plan. The amount required is \$1,500 if he is successful. Otherwise it costs nothing, but he is sure that he can do this. Among whisky dealers and breweries the amount is \$1,000 and local dealers agreed on \$500, which is ready, and Judge Felps instructed to proceed with his work."

Brewery Co. answers Blum: " * * * This is a matter about which it will be necessary to be very careful, and it will have to be handled in the strictest of confidence."

Page 650. Koehler writes 1910: "Will abide by your judgment. Handle in your name. We must not be known in transaction. Strictly confidential."

Page 650. Letter to Houston Brewery: "All our voters are Mexicans, but we need money to work it."

Page (?). Miller from San Antonio Brewing Association. After a defeat a contest. In order to facilitate this he proposes: "How would it do to see them and suggest to them in the event we won that a nice saloon would be started for the sale of beer only. We understand their principal objection to the sale of whisky is on account of the trouble it creates with certain of the boys who go there to trade. Beer would

not set anyone wild, and if you and other good friends there and in the vicinity wanted a little whisky you can always get it just as you do now."

Page 660. American Brewing Association to Cansey:

"If an election is ordered (in Colorado County), we advise that the saloon men use every effort to get the prominent men of the county to assist in making the fight, as our experience has shown that if the fight is made only by the saloon men it has not proved successful."

Page 691. Paget to Levy:

"When a county has become dry, it is nearly impossible to bring it back to the wet column without a large expense of money and energy, especially the former."

Page 698. Horlock to Houston Brewery:

"Plan to run a wagon to Somerville (evidently a dry place). Don't have any lettering on it at all. They promise to start at once on some southern select beer."

Page 724. San Antonio Brewing Association writes congratulating on a wet victory: "We are told that the immigration agents of the Southern Pacific Co. were awaiting the result before turning the tide of immigration to your section."

Page 732. Adoue offers to contribute to an election fund \$1,000. I believe that this offer should be strictly private; not even the members of your committee should know it.

Page 737. M. B. Davis, Jr., a beer litterateur writes:

"I have written an article, if used, which should be calculated to arouse the Jews, the Catholics, and the laboring element, including the farmer, against the Anti-Saloon League and Rockefeller. For the Jews I quote from the St. Louis rabbi and for the Catholics the St. Louis priest. I see Samuel Gompers, the great labor leader, has come out against prohibition."

Page 740. Davis writes:

"I went to the court dockets to see about statistics as to drunkenness, but, as they are against us in comparison, I quickly withdrew."

Page 742. Davis suggests the organization of the Texas Progressive League:

"Speakers could be sent out under the auspices of this league, and thus with one fell blow rob the pro-operators of their stock saying that the breweries and distillers are fighting for their existence and are the ones that are carrying on the fight. * * * I also think we ought to throw out some interviews to the public through the leading State papers of the direful effects of prohibition seen by traveling men, covering a range of subjects, for instance, when men are denied beer they go to whisky; and if moderate users of whisky they are driven to the whole bottle and jug; that men are falling away from church."

Page 744. Davis speaks of the fatal stabbing of a popular deputy constable in the red-light district by a drunken Mexican as causing prohibition sentiment. But we are trying to keep the pro minds diverted by the cotton palace project.

Page 774. Paget: "Elections were held in three precincts in Jefferson County, and were carried because Mr. Gary and I * * * fixed matters so that the election would be declared in our favor. If we had not done so, the elections would have gone pro. * * * It was the cheapest election where so much was involved I was ever in. Mr. Gary asked me to notify you * * * that the goods were delivered, the three boxes were declared anti by a decent majority."

Page 823. Letter of Hail to Wahrmond: "Mr. D. Kelley, representing the Lone Star and American, has put up \$200 (to carry an election). He is the man who has been supplying the bootleggers in that community, and before the law went into effect * * * I was sending from 3 to 10 casks daily into that territory."

Paget tells how Lampasas County went dry: "The shooting took place on Friday night. The man died Saturday. The election was held Monday and the funeral procession went past the voting place. Every church in the county was pressed into the crusade Sunday; nothing was preached but the blighting influence of the saloon. There was no time to reply."

Colored antis.

Page 839. Lindsay writes to S. A. Brewing Association: "After winning the election the boys wanted to give a dance to the Mexicans who stayed with us so loyally in the fight, and as the Lone Star had sent five kegs for the barbecue, thought you would willingly donate for the dance."

Page 883. Hedeman writes to Wahrmond affirming that he had bought 34 votes but was surprised to find out that some of the antis voted pro secretly.

Page 900. We have assisted our friends in taking out about 2,000 poll taxes and we now feel that we are safe, as far as McLennan County is concerned. In checking up to-day we find we are about \$350 short.

Page 913. Paget describes the negroes as half child and wholly grafter. You must know how to handle them.

Page 917. Moore to Luedde: "Already many evidences exist showing that the colored brother has been pretty well greased. * * * I had hoped that we could make this fight on \$3,000, but I confess that it looks to me as if that is not going to be enough."

Page 925. Rayner says he is "going to Washington, D. C., to meet the National Baptist Convention, which meets there the middle of this month. For the last three years I have been holding this question in line on the prohibition question."

Page 927. Moore to Wahrmond says that during the campaign I made it one of my duties to see that not a drop of intoxicants was drunk in the building occupied as headquarters, and I feel sure that manner of campaigning made us votes.

Page 959. S. A. Brewing Association to Andrews: "The law prevents you from paying the poll tax of anyone, but there is no law to prevent your loaning a friend the stipulated amount, so get your friends together and take some concerted action in this respect and we will direct the attention of our State organization to the situation."

Page 970. Mr. Leeds, an agent of the S. A. and A. P. R. R., was assisting in prohibition work. Holmgren writes to Paget: "Wouldn't it be a good plan to ship around by Laredo; and if you would instruct all dealers at Alice to ship via Tex. Mex. R. R., I will do so, and four or five cars per month to meet (?) might cause inquiry, and Mr. L. will have to come across and let others do the fighting."

Paget sends this on to the S. A. Brewing Association, and adds: "The railroad management will not stand for a moment for any such conduct, and if a notification comes from such a high source as the City Brewery or the Lone Star Brewery Mr. Leeds will be brought up with a round turn."

Page 972. Paget, asking for a campaign manager, says: "He must be absolutely sober."

Page 973. Autrey telegraphs to Koehler: "Mr. Leeds, local agent of the San Antonio & Pacific Railroad at Alice, is vice president of Anti-

Saloon League and strong prohibition worker. I think this offensive conduct should be brought to the notice of his superior officers."

Page 980. Holmgren writes: "It is my aim to now see that anti-Germans—are induced to buy land, and wherever it is possible sell out a pro and replace with an anti."

Page 993. American Brewers' Association proposes some darkies that are good speakers and "can pass off for preachers."

Page 1002. Mitchell writes to Texas Brewing Co. for funds. A great number of railroad employees "will have to be paid in order to get them to vote, otherwise they would go ahead with their work."

Page 1033. Paget to Adoue: "If Smith County could be won by an expenditure of \$20,000, it would be cheap, as it would be a setback to prohibition."

Page 1076. Paget describes raising of large fund to secure the services of Justice Briggs, Judge Mayberry, and others for antiprohibition work.

Page 1122. Wright to Page: "We will need some election booze, but will write you in regard to that matter later on."

Page 1162. Riggins to C. C. Turner, 27 Williams Street, New York: "We do not understand why you have not received the polling list of Nolan County. I suppose you have received it by this time."

Describes a proposed weekly, the Texas Talker: "To talk Texas from a railroad, agricultural, industrial, and investor's standpoint."

The plan would be to publish a paper and immediately put out 10 or more canvassers in the counties threatened with prohibition elections.

If the subscribers did not have the ready cash, we would send the paper to them on credit. "I believe in less than a year the question of literature would be upon a self-sustaining basis in the State. The paper need not be offensively antiprohibition. It could be Democratic in politics and discuss Texas development, resources, etc."

Prohibition could be handled as a "State killer," as a tax raiser, and as a crime producer, and in such a way as it would appear only incidental, yet conspicuous enough so that the information which we desired in the minds of the public would be seen and read by the people."

Page 1170. It is very important that this poll-tax amendment be defeated, but our work must be done in such a way as not to allow the public to know that we are fighting this matter.

Page 1173. Morgan to Wahrmond says Paget secures polling lists for C. C. Turner, and Turner mails from New York good, wholesome antiprohibition literature direct to the voters.

Page 1188. Morgan writes Luedde that Hon. Duncan B. Harrison, who is looking after the interests of the brewers in Washington, speaks in the highest terms of the Hon. Robert Lee Henry "and expresses the hope that our interest will give Mr. Henry every assistance in his approaching renomination."

Page 1195. Morgan writes Adoue acknowledging proof of the article by Bishop Potter, which he describes as good educational matter. This is in 1904.

Page 1207. Autrey writes Koehler: "I am very much grieved to note the paragraph of Mr. Adoue's letter saying, 'I have received physical demonstration of the insincerity of most of our members.' Reflecting, I know that the charge is true. I will remember the time when the Brewers' Association was first formed and the resolution committing the brewers to the purification of the business and to the aiding of the officers in suppressing and prosecuting crime was submitted by Mr. Adoue. The resolution was sent to Mr. Hamilton for his consideration, with an injunction from Mr. Adoue that he must reflect on it thoroughly and be prepared to attend a meeting at an early date, when the proposed resolution would be considered."

We spoke of the sad fact that the hobo saloon and the disreputable places are the best customers of the Texas brewers. "I compared the signing of the resolution to the surgeon's knife severing a limb to save the very existence of the individual."

Page 1209. Busch holds \$112,500 in Texas Brewing Co.

Page 1211. Anheuser-Busch writes to Cetti: "We have had a great deal of experience with medical journals and found as advertising mediums there are but few of any value whatever."

Page 1219. Adoue writes to Cetti: "The question you ask is loaded with dynamite. Labor leaders are diplomats of the first order, and all dealings with them must be handled diplomatically."

Pages 1222-1225. Wahrmond, Morgan, etc., discuss Randolph Churchill; advise giving him \$100 to get to Washington to confer with W. W. Price, of the brewers' educational work.

Page 1252. Adoue writes to Wahrmond: "I believe you can suggest a plan by which the breweries can make contributions without coming under the crime indicated in section 5, page 312, and at our next meeting shall submit it to you."

Page 1259. Morgan writes Adoue explaining Oklahoma's voting pro as "due largely to the manner in which the breweries have in the past aided the saloon men to conduct their business in the Territory of Oklahoma; that is to say, the breweries in their greed for trade put every Tom, Dick, and Harry, as well as many a jailbird, in the business by not only furnishing them fixtures, loaning them money for licenses, but even going to the extent of buying lots and building houses."

Result, excess of places "result, encouragement 'in every way possible of the many evils that have brought the saloon business in the bad repute it is in to-day."

"law openly and almost defiantly violated by the saloons by connecting up with gambling, bad women, and many other abuses." "This he attributes 'to the large concerns who, I regret to say, seem to be willing to go any length to sell a few more kegs of beer.' Mentions specifically the Anheuser-Busch Co.

Page 1270. Suggests that the Antisaloon League in Washington is financially assisted by the Whisky Trust.

Page 1270. When it is reported that Roosevelt had expressed satisfaction in Oklahoma's going dry Wahrmond suggest that a denial of the report be secured from him. "Report has it that he and our mutual friend, Mr. Adolphus Busch, are close friends. Perhaps we could get at him through that medium."

Page 1308. The Galveston system. No beer to the lawless saloons.

Page 1315. Letter from Busch at Ivy Wall. "If you look the whole matter straight in the face, you will have to admit that there is no such thing as drunkenness in this country. Good, healthy beer has long ago weaned off those who heretofore imbibed too much in strong alcoholic drinks. Our people are as sober as the people in any civilized country in the world. With the hero of Appomattox we exclaim, 'Let us have peace.'"

Page 1320. It is stated that for some time past the business of the Anheuser-Busch Brewing Association was being conducted by the clerks; that the entire time and attention of the officials was being devoted in effort to offset the inroads of prohibition.

Page 1331. "The Anheuser-Busch methods and people in the past have done more than all the rest put together to cause the trouble in this State (and elsewhere)." "Weeden to Cetti, 1908."

Page 1377. "We have some good campaign matter coming directly from Bryan that we will use for all it is worth. It is to the effect that if a prohibition plank is put in the platform he would not accept the nomination, and should the Democratic Party adopt a pro plank he was of the opinion the party would in 12 months be no larger than the Prohibition Party is now. Strong declarations of this nature from Bryan, who is the idol of the Texas democracy, should make us votes." Morgan Dallas Brewery, 1908.

Page 1400. Adoue (Paget) writes to Fox: "Yours of the 22d instant received requesting that I send you facts and figures relative to the work of the Texas Brewers' Association in our State, which I will gladly do, subject to the approval of the chairman. This, however, I must say: If I write the history of the association, it will make a strong antisaloon document."

The association issued May 20 and 22, 1904, two circulars which were published in nearly all the newspapers in the State (see copies inclosed), and had the members of the association been sincere the Antisaloon League would never have made any progress in Texas, but unfortunately only the chairman of the association undertook to execute the promises made to the public. "No one ever did anything to assist him. All their energies appear to be expended in an effort to sell one more keg of beer."

Page 1402. Prince, secretary of the American Brewery Association, writes, Mr. Paget's letter to Mr. Hugh F. Fox covers the ground exactly, and what has been done by the breweries regarding the sale of that keg of beer in Texas years ago is now pursued in the city of New York, so you see the only chance for brewers to become real good will be when they are in the same condition as what they say of a good Indian.

Pages 1425 and 1430. Flattering references to Bishop Johnson's sermon. Paget says he has a large supply on hand for circulation.

Page 1453. The Texas Farmer working with the brewers.

Page 1479. Wahrmond gives Rayner (negro antiprohibition speaker) letter to Gov. Colquitt recommending him for the position of superintendent of the colored blind asylum.

Page 1491. Prince writes to A. A. Busch complaining of an attack which Th. A. Ball, head of Prohibitionist Party in Texas, made on Adolphus Busch: "I understand that Mr. Ball's firm are attorneys for the Frisco Railroad, in which your father is a very large stockholder, and as there are many better lawyers in this State than Mr. Ball, if his pocket could be reached by making a change of attorneys it might have a quieting effect on his bombastic style of warfare."

Page 1504. J. F. Wolters writes: "The members of the barbers' union come in daily contact with more voters than any other class of labor. While they wait upon their customers they usually engage them in conversation. "While they may not in all instances be able to exercise influence over their customers, they can at least give us valuable information, and in instances where they find them against us if they will advise Mr. Louis Crelling, the local secretary of the local anti-State-wide prohibition organization, it is more than possible that we can find some influential citizens who can bring some influence to bear."

Page 1525. Gov. Harmon approved of as candidate for the Democratic organization. Mr. Woodrow Wilson should be opposed.—May 1, 1912.

Page 1542. Hugh F. Fox, August 1, 1913: "The plan of securing agreements from individual brewing corporations pledging themselves to the payment of 3 cents per barrel annually for five years, which is conditioned on a total of 25,000,000 barrels being subscribed, has already met with such generous response as to make us feel assured of the success of the undertaking."

Page 1552. Lotto, writing to Wahrmond, opposes Ball, because: "If he is elected he will be in a position to take all the preliminary steps as passing an illiteracy bill, etc., to make the next fight a certain success for prohibition."

Page 1596. Prior to 1907, the date of the law prohibiting corporations from making political contributions, the defendants made such contributions. Subsequently these contributions went to the Texas Business Men's Association.

The Allied Brewery Traders' Association, established in 1907. Objects: The alliance of all traders doing business with and to some extent dependent upon brewers in defense of their interests against legislative attacks. Chairman, Arthur Valentine; secretary, John W. Wilson; office, 46 Cannon Street, London, E. C.

Mr. SHEPPARD. Mr. President, some time ago Hon. Lowry Humes, a Federal district attorney, brought suits in the Federal court at Pittsburgh, Pa., against the United States Brewers' Association, the Altoona Brewing Co., and others. The charge in these cases was the violation of the Federal corrupt-practices act and certain other laws. When the case came to trial the defendants filed what is known as a plea of nolle contendere, which is practically a plea of guilty, and paid fines totaling some \$70,000. Mr. Humes submitted a memorandum to assist the court in arriving at the amount of the fine. This memorandum contains a summary of the evidence, showing the activities of the United States Brewing Association and its associates in the politics of the country, involving nearly every State in the Union. I have that memorandum here, and I ask that it may be inserted in the Record.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears none.

The matter referred to is as follows:

MEMORANDUM FOR THE COURT IN THE CASES OF THE UNITED STATES V. UNITED STATES BREWERS' ASSOCIATION ET AL. AND UNITED STATES V. ALTOONA BREWING CO. ET AL.

In the case of the United States v. United States Brewers' Association et al., the indictment includes as defendants the United States Brewers' Association, a corporation organized under the laws of the State of New York, and all of the brewing companies of the State of Pennsylvania that are members of the United States Brewers' Association.

In the case of the United States v. the Altoona Brewing Co. et al., the defendants include those brewing companies that in 1914 were members of the Pennsylvania State Brewers' Association, itself not being a corporation but only a voluntary association.

In each of these indictments the defendants have been divided into four classes, as follows:

First. Those brewing corporations one or more of whose officers was an officer of either the United States Brewers' Association or the Pennsylvania State Brewers' Association. This representation brought home to those brewing companies notice as to the purposes and the activities of the respective associations as well as notice as to the real purpose for which the funds which they contributed to those associations were actually used.

Second. Those defendant brewing companies whose contributions to the United States Brewers' Association and the Pennsylvania State Brewing Association were sufficiently large to in itself put the defendant on notice that the funds thus contributed to those associations were not intended solely for the ordinary trade purposes of a trade association.

It is alleged by the Government that the amount of those contributions was sufficiently large to charge those defendants with the obligation of ascertaining the purpose for which those contributions were used by the respective brewing associations, and that on this fact in itself, aside from all other evidence, rests the presumption that they had knowledge of the purposes of the association and the manner in which the funds which they contributed to them were used.

Third. Those defendant brewing companies who alleged that they joined and paid dues or assessments to the respective associations on the theory that they were trade organizations whose contributions, in so far as the Government has been able to ascertain and prove, were not sufficiently large to in itself put them on notice that the organizations to which they contributed said sums were not ordinary trade associations.

As to those, it is not the purpose of the Government to admit a want of guilt on their part, nor to vindicate their course of action in connection with their membership in these respective associations, but the Government does admit that at this time it is not able to satisfactorily prove by competent evidence that the contention of the defendants is untrue. The Government, therefore, recognizing the character and extent of proof necessary in the trial of a case, purposes to enter nolle proseques as to this class of defendants, with the distinct understanding on the part of the defendants that any of these nolle proseques may be taken off at any time by the United States attorney if satisfactory evidence is secured to establish the guilt of said defendants.

Fourth. This class consists of seven defendants, namely, the Uhl Brewing Co., Emmerling Brewing Co., New Lebanon Brewing Co., Clearfield Brewing Co., and the Altoona Brewing Co., which have already been nolle prosequed by reason of the fact that since the indictment has been returned it has been discovered that they are not corporations and consequently do not come within the prohibition of section 83 of the Criminal Code, and the Meadville Brewing Co. and the Mercer County Brewing Co., which have gone out of business and which have been nolle prosequed for that reason.

It is interesting to note in connection with the consideration of the facts which the court seeks in order that sentence may be intelligently imposed that the United States Brewers' Association, realizing the method by which their funds were raised and expended, sought to secure legal advice as to the rights of corporations to make contributions for political purposes. They caused their general counsel to prepare a digest of the laws of the various States of the Union which might affect such corporation activity, and when this digest was prepared it was mailed to Mr. Hugh F. Fox, the secretary of the United States Brewers' Association, with the following letter of transmittal:

"MY DEAR MR. FOX: I hand you herewith prepared booklet showing by States where it is and is not permissible for corporations to make contributions for any political campaign.

"Apparently the State of Illinois is the only one that is immune on this question.

"The original of this was handed to me by Oscar Schmidt, of the Schlitz Brewing Co.

"No doubt the contents of this will be valuable information to you."

It is interesting to note that in the preparation of this booklet or digest, section 83 of the Criminal Code, the section out of which this indictment grows, was not mentioned but was apparently entirely overlooked. It is therefore likely that the defendants were ignorant of the existence of this statute, as they now allege. It is needless, however, to say the ignorance of the law is no excuse.

A brief summary of the facts out of which the indictment in these cases grew is as follows:

The United States Brewers' Association was incorporated under the laws of the State of New York in 1877, and amended its charter in 1903. Its membership consists of between eight and nine hundred brewing companies in the United States, most of them corporations. The records of this association explain a portion of their organization as follows:

"We have our national association, the United States Brewers' Association; we have in every State our local State association. Then we have in the States local associations, and in some cases there are individuals who do not belong to the State association but they will to the national; then there are some who will not belong to the national but they will to the State association."

Among the Pennsylvania officers of the United States Brewers' Association we find the following:

John Gardiner, connected with the Continental Brewing Co. of Philadelphia, one of the defendants, was a trustee and was also the head of the organization bureau of the association.

Edward A. Schmidt, of the Schmidt & Sons Brewing Co., was an executive officer and also a trustee of the United States Brewers' Association.

G. W. Bergner, of the Bergner & Engel Brewing Co., was a trustee of the United States Brewers' Association.

Prior to the spring of 1913 the United States Brewers' Association showed great activity in political affairs in many States. To illustrate, in reporting the activities of the association to the members of the association, Hugh F. Fox, secretary, claims a membership of 523, representing 80 per cent of the entire brewing business of the country, and that in organization work in 1908 the United States Brewers' Association had taken an active part in "educating the voters" in 25 States, including Pennsylvania; that preliminary organization work had been started in 9 States, and that the association had "won nearly every contest in which we were engaged."

The records of the association clearly indicate, as early as 1908, that the political work of the association was in the hands of a bureau known as the organization bureau of the United States Brewers' Association. At the head of this bureau was Mr. John Gardiner, of the Continental Brewing Co., of Philadelphia. This bureau submitted regu-

larly monthly reports to the association showing the nature and extent of their activities in the various States of the Union, and in reporting the situation in Pennsylvania in the report of May 1, 1908, the organization bureau says: "Our people are well organized in that State."

Some of the methods of the organization bureau are disclosed in a report to the president of the United States Brewers' Association dated June 1, 1908, which says:

"Since the organization of the bureau 36 of the 46 States of the Union have been visited by representatives of our bureau. * * * Manufacturers' and dealers' clubs of the allied industries are in active working order in 19 States; and also M. and E. clubs in Indiana, New York, New Jersey, and Pennsylvania, which are State associations. Traveling men, liberty leagues, and personal liberty leagues have been organized and are in working order in 8 States."

The same report, in referring to Illinois, says:

"This committee will take up active work for the legislature and also in looking after nominations for Congress."

Relative to Pennsylvania, the report says:

"The large manufacturers' and dealers' club for the State of Pennsylvania, with headquarters at Philadelphia, has been organized, with branches at various cities in the State, and has done effective work."

The November, 1908, report of the organization bureau says with reference to Pennsylvania:

"We assisted in the formation of the Manufacturers and Dealers' Association in Philadelphia for the State of Pennsylvania, which has done very effective work under the guidance of the Pennsylvania State Brewers' Association, and their able president, Mr. John Gardiner. Outside of that, we have done no work in Pennsylvania, nor have we been called on for any."

The annual report of the bureau for the year 1908 says:

"Among other things that the bureau has accomplished in the past year is the solidifying of union labor in the United States in our cause."

The records of the association in 1908 show the outline of the plan to include, among other things, political organization, to include State and congressional campaign organization bureau, and Washington bureau, and points out the value of the labor vote to a political organization.

Under date of May 11, 1908, the United States Brewers' Association directed a letter to all delinquent members, in which they stated, among other things:

"The organization bureau, which is a new and expensive departure, has done and continues to do most effective work in some 20 different States."

In 1909 an organization was formed within the membership of the United States Brewers' Association known as the Interstate Executive Association, and the committee which had the matter in charge made the following recommendations:

"We recommend that a permanent organization be and is hereby perfected of the executive officers, attorneys, and secretaries of the various State and local organizations, and such other officers as may be designated by said various State and local associations, to be known as the Interstate Executive Association; that the officers of such association shall be president, vice president, and secretary; that such officers shall hold their respective offices for the term of one year and until their successors are elected and qualified, and we recommend that John Gardiner, of Philadelphia, be elected as president."

This association was to have and did have quarterly meetings. The report of the committee further sets forth:

"The general purpose and object of this association shall be to interchange ideas, information, and literature bearing upon educational and publicity methods, trade problems, campaign management, etc."

The report further sets forth:

"6. Campaign management and legislation is largely a matter for each State individually, but we believe in a general outline under the auspices of the National Brewers' Association and in a speakers' bureau, to be organized along national lines."

In 1910, in a report to the trustees of the United States Brewers' Association entitled "Activities of the United States Brewers' Association," we find, among other things, the following:

"The organization bureau: This department, which is our fighting field force, is financed by a voluntary fund. It has taken an active part during the past two years in State and local campaigns throughout the country. No less than 46 States and Territories have had the personal service of the bureau. The statement with regard to the elections of November 8, 1910, which has gone out to our members, indicates the extent of the recent work. There were 27 State campaigns in which we were interested, and we won substantial victories in all except 1 of them. Surely this speaks for itself."

And further this report says:

"Our secretary is a member of all of the national societies which have anything to do with public health, political science, social science and economics, criminology, charities, and school hygiene. The alliance thus gained with public men has proved most valuable."

And again, under the heading of "Federal Relations," the report says:

"Our counsel has guarded our interest in the matter of Federal legislation with most remarkable success. During the last two sessions in Congress over 200 bills adverse to our interest have been introduced, many of which have had the backing of the entire prohibition and temperance organizations in this country. Only one measure affecting our interest has passed Congress in this period, and that went through with our assent. You can readily imagine what this has meant in winning and keeping friends in congressional districts. It is also literally true that Congress has been kept from doubling the tax on beer by our unaided efforts."

"These, of course, are confidential matters."

About the same time there was submitted the following under the title, "Skeleton of Reorganization Plan."

"The various activities of this association naturally group themselves as follows:

"(1) Political organization. This includes State campaigns, congressional campaigns, the Washington bureau, and the organization of voters."

"I shall not attempt to deal with this department except to say that it must be organized with a view of getting as much work as possible out of other people. The problem will be how to keep up the interest and activity of affiliated bodies, upon which we must rely, at a minimum cost."

And, further, this plan sets forth, among other things, the following:

"Recognizing our natural limitations, we must, first of all, preach and teach the teachers. This includes the colleges, libraries, newspapers, magazine instructors in economics and physiology, and the men who are leaders of thought in their community. With the coming of woman suffrage this is more than ever necessary. We must supply

campaign material on demand and assist our members and leaders in all matters relating to publicity and newspaper work.

"The scope is enormous, and the value of this department is limited only by the amount of money that the association can spend upon it."

And under the head of "Labor" the plan, among other things, says: "In addition to this the labor bureau might be of very great value in our political organization by establishing a permanent working connection with the other labor bodies who make up the American Federation of Labor."

The plan contemplates a complete separation between the executive and political departments in the following words:

"The executive department should have the general oversight and direction of the work of all the other departments except the political department."

And as to the necessities of the executive department the plan declares:

"This would require a force of about 15 employees in addition to the heads of departments, the field staff, and the men employed in the political department."

In a call for a meeting of the Interstate Executive Association, under date of December 6, 1916, Hugh F. Fox, the secretary, says:

"The 'deliberations' will take the character of an experience meeting in connection with the recent campaign, and a survey of the field of action with a view to the work that is to be done in the near future."

At about this time Mr. Percy Andrews became president of this Interstate Executive Association. One of the representatives of the organization bureau of the United States Brewers' Association said in his report to the head of that bureau in referring to a particular State:

"I went over the State more with a view of meeting with the most influential labor men and in securing their support now and in the fight that may come; and I am sure that, if it is necessary, we can muster to our support all the labor men in the State, with one or two exceptions, and they believe they can deliver the union-labor vote."

I call this to the court's attention in order that the court may in some degree appreciate the effort those defendants and their associates have made to control every activity that can be of political value to them.

One of the field men, who was using this connection with the German-American Alliance for the purpose of promoting the political work of these brewing companies, said in his report to the organization bureau:

"Financial support necessary. Any attempt to bring about a German State organization must have financial support. I believe that such should come from the State Brewers' Association, and, as I have already indicated, should not be given direct but might pass through the hands of a middleman—perhaps Mr. Wolters, of Houston, or Dr. Horner, of Philadelphia."

"In the late winter or early spring of 1913 a meeting of all the brewing companies in the United States was called at Chicago, and as a result of that meeting it was agreed that contracts should be secured from the various brewing companies providing for the payment into the treasury of the United States Brewers' Association of a special assessment of 3 cents a barrel on the annual production of the brewery. These contracts were not to become effective until signatures were secured covering an aggregate barrelage of 25,000,000 barrels, or \$750,000. These contracts were for a period of five years. The 25,000,000 minimum was greatly exceeded."

In October of that year an executive session of the United States Brewers' Association was held at Atlantic City, and there was organized at that time an association known as the National Association of Commerce and Labor. At that time a contract was entered into between the United States Brewers' Association and Mr. Percy Andrae, by which he was to receive an annual salary of \$40,000 for the purpose of taking charge of and organizing and conducting the National Association of Commerce and Labor. The records show that the name was selected because of its similarity with that of one of the departments of the Federal Government.

In a speech at the time of the organization of this association, Mr. Andrae, who had been engaged in similar work in the State of Ohio, held Ohio up as an example to be emulated, and stated his purpose to extend the principles of the Ohio organization throughout the country. Among other things he said:

"The value of this work to the industry in each State wherein it is accomplished will be very appreciable, for it is impossible to obtain and use, as I have described, the political knowledge concerning congressional districts in any State without at the same time acquiring the same data concerning the counties and senatorial districts of that State, for the simple reason that a congressional district is made up of Representative and senatorial districts, and you can not know the conditions of the larger unit without ascertaining those of the smaller units of which it is composed. It will therefore rest with the interest in each particular State to put to particular use the knowledge obtained concerning these smaller units in order to accomplish within that State what we have accomplished in Ohio. They will find that nearly half the expense of organization within the State for that purpose has thus been taken off their hands by the national organization."

The financial activities of the National Association of Commerce and Labor, in carrying out this comprehensive plan of Mr. Andrae, are most interesting. During the year 1914 the United States Brewers' Association turned over to Mr. Andrae the sum of \$330,138. The Wholesale Liquor Dealers' Association paid him \$90,000. These items and miscellaneous contributions which he received aggregated in that year \$525,116.28. The only activities of Mr. Andrae and his associates were political in nature. They participated extensively in numerous State campaigns concerning themselves and using their funds to influence the election of governors, lieutenant governors, United States Senators, Members of Congress, and members of State legislative bodies. Some of the money was spent directly on conducting State campaigns for State and Federal officers in various States, and perhaps one of the best illustrations is to be found in the State of Iowa, where a three-cornered agreement was entered into with the local political organization in the State of Iowa by Messrs. Andrae, John Gardiner, A. Sunstein, the treasurer of the Wholesale Liquor Dealers' Association, by the terms of which they were to pay into the Iowa campaign fund the sum of \$37,500, and the local political organization was to raise within the State of Iowa an equal sum. This \$37,500 was to be paid in three equal payments. A third of this amount, \$12,500, was to be paid by Andrae; a third, \$12,500, was to be paid by John Gardiner, of the organization bureau of the United States Brewers' Association; and a third thereof, or \$12,500, by A. Sunstein, the treasurer of the Wholesale Liquor Dealers' Association; and this money was in fact paid to the political organization of the State of Iowa for political purposes. As each of these payments fell

due Mr. Sunstein turned over \$4,166.67 to Mr. Gardiner; Mr. Gardiner added on an equal amount and forwarded the total of \$8,333.35 to Mr. Andrae, and Mr. Andrae then added his third and delivered it to the political manager in the State of Iowa.

We find that in almost every instance the records show that when the Andrae bureau, or the organization bureau of the United States Brewers' Association, contributed funds to a political campaign, there was an agreement by which a sum equal to one-half of the contribution of the United States Brewers' Association was to be paid for the same political purpose by the Wholesale Liquor Dealers' Association.

In his efforts to promote these various political campaigns, Mr. Andrae caused to be organized an organization bureau of the German-American Alliance, and used this organization to further his political purposes. This was done through Mr. Joseph Heller, of Indianapolis, and in the year 1914 alone he expended for this purpose the sum of \$35,633.41.

The extent of the operations of the United States Brewers' Association in 1914 reached startling proportions. Because of the alleged destruction of records, the Government has no assurance that it has a complete record of the funds raised and distributed by that association. We do, however, have an absolute record of the collection by the United States Brewers' Association in 1913 of \$755,385.18, a considerable portion of which remained in the treasury of the association at the close of its fiscal year.

In 1914 we have an absolute record of collections aggregating at least \$999,300.88. How much more was collected during that year, of which we have no knowledge because of the destruction of the association records, we can make no estimate. We do know, however, that the bank accounts which we have thus far succeeded in discovering show an aggregate in the neighborhood of a million and a half of dollars.

The Pennsylvania State Brewers' Association was one of the associated organizations which constituted the general scheme of the defendant brewing companies and their associates to control the political affairs of the Commonwealth of Pennsylvania. The Government has little documentary evidence as to their activities. In fact, the Government is quite ready to admit that the operations of both the United States Brewers' Association and the Pennsylvania State Brewers' Association were, so far as the individual brewing companies in Pennsylvania are concerned, really part of the same big scheme. This association was originally a trade organization and was not incorporated. The big Pennsylvania brewing companies who controlled this association diverted it from its original purpose and used it as the basis of their political activities in order to cover up their corporate political activities in order that they might conceal them behind this unincorporated association. They had the Commonwealth of Pennsylvania divided into districts and each district assigned to one of the members of the board of trustees.

The defendant companies through this association undertook to control the nomination and election of practically every public officer elected within the Commonwealth of Pennsylvania from governor down, including Members of Congress and United States Senators. At a conference called by its representatives in 1914, candidates for legislature and State senate, for Members of Congress, for United States Senator, and for governor were elected, and not only the individual effort but the moneys contributed to this association by the brewing companies who have entered pleas in this case were used to put through the slate thus selected.

All the records of the Pennsylvania State Brewers' Association were, it is alleged, destroyed. As a result the Government is not in a position to definitely establish the total amount of money that was raised and expended by these companies in 1914 but the Government does know, and the records of one bank account establish, and there may be other bank accounts which the Government has not been fortunate enough to discover, that there was paid into the treasury of the Pennsylvania State Brewers' Association for its political purposes in 1914 the sum of \$349,992.11, and that during that same year, in its effort to elect the slate which it had selected, expended from this one bank account the sum of \$346,696.91. I cite these figures because of the fact that the Government has absolute knowledge of them. Whether or not these sums were supplemented by other funds, I am not in a position to state. The very fact that the records of the association were destroyed, as your honor already knows from the evidence in certain contempt cases which have been heard by the court, warrants the conclusion that there may have been other funds of which the Government has no knowledge.

The following is a copy of the contract entered into by one of the defendant corporations, and is the same form that was used by all of the companies who entered into the agreement, decided upon at the Chicago conference:

"To the United States Brewers' Association, New York:

"Memorandum of agreement made and entered into this 19th day of June, 1913, by and between the undersigned for and on behalf of himself or itself, his or its personal representatives, successors, and assigns, hereinafter called the 'brewer,' and the United States Brewers' Association, a membership corporation, duly organized and existing under and by virtue of the laws of the State of New York, hereinafter called the 'association.'"

"Whereas the association is about to undertake certain work of vital importance to the brewing industry, which will require the outlay of a large sum of money during the next five years.

"Now, this agreement witnessed, that the brewer, in consideration of the premises and of the sum of \$1 to the said brewer, duly paid by the association, receipt of which is hereby acknowledged, it is hereby covenanted and agreed to and with the association to pay to said association the sum of 3 cents per barrel upon the amount of sales to his or its customers yearly, measured in barrels each year, for a period of five years from the 1st day of April, 1913, payable in such installments each year and at such times in each year as the association shall from time to time designate. Such contributions of 3 cents per barrel for each year during a period of five years shall constitute the brewer a member of said association during the life of this agreement without additional cost, provided always, nevertheless, that this agreement shall be and become null and void and of no effect unless on or before the 4th day of October, 1913, the association shall have received similar agreements duly executed and delivered by other brewers in the United States to the association pledging yearly for a period of five years 3 cents a barrel each year upon an aggregate of 25,000,000 barrels. All of such agreements shall be similar in form to this agreement."

"Witness the hand and seal of the said brewer.

"THE ERIE BREWING CO.,

"Per ED. HEUER, General Manager.

"In presence of—

"F. A. Brevillin."

Sales for the year ending April 1, 1913, 101,353 barrels.

For the purpose of uniformity and convenience, the sales for the preceding 12 months will be taken as the basis of this calculation. Thus the payment for 1913 should be upon the amount of beer sold during the 12 months from April 1, 1912, to March 31, 1913.

Schedule of basis of dues of Pennsylvania State Brewers' Association:

First 20,000 barrels or part thereof, 2 cents per barrel.
Next 30,000 barrels or part thereof, 2½ cents per barrel.
Next 50,000 barrels or part thereof, 3 cents per barrel.
Next 75,000 barrels or part thereof, 3½ cents per barrel.
Next 100,000 barrels or part thereof, 4 cents per barrel.
Next 125,000 barrels or part thereof and over, 5 cents per barrel.

Mr. STERLING obtained the floor.

Mr. JONES of Washington. Will the Senator from South Dakota yield to me to make a request for printing certain matter in the Record?

Mr. STERLING. I yield to the Senator.

Mr. JONES of Washington. I have an editorial from one of the leading newspapers in the East, which I should like to have inserted in the Record, and also a recent article by Prof. Irving Fisher, with reference to the conservation phase of this question, which I should also like to put into the Record.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the North American, Philadelphia, Tuesday, July 3, 1917.]

THE HAND ON THE SPIGOT.

Americans in most States have witnessed spectacles of legislative dishonesty and degradation due to liquor influence, but the present scandalous developments in Washington set a new mark in discredit as well as in magnitude. When a State legislature sacrifices the public interest to serve the special privilege of booze, decent citizens comfort themselves with the thought that the evil is of local and transitory significance. But when liquor reveals the power to paralyze the will of Congress, to enlist the open advocacy of the national administration, and to dictate the Government's policy in time of war, the whole Nation is profoundly concerned.

If anyone feels that our expressions are unduly harsh, let him glance at the astounding record of political maneuvering and false pretense which now seems about to culminate in complete surrender to rum.

National prohibition for the period of the war, or at least drastic reduction in the manufacture of intoxicants, became a vital issue as soon as the United States entered the conflict. It was obvious that the Nation must exert all its energies and eliminate all controllable wastes in order to achieve victory, and the experience of other belligerents showed that the minimizing of the drain of liquor upon the Nation's material and human resources was the first requisite in promoting efficiency. The present British premier declared that of the three enemies of his country—Germany, Austria, and drink—the last was the most menacing; and in Great Britain, where the liquor interests had been all-powerful, and where the idea of "personal liberty" has dominated the laws for centuries, both the industry and individual rights have been severely restricted.

In the United States, where four-fifths of the area and three-fifths of the population were already under prohibitory laws, suppression of liquor suggested itself as one of the first measures of strengthening national defense, and the project was assured of the support of a majority of the people. Existence of a food shortage, threatening to cause real privation, added immeasurable pressure to the demand.

The attitude of Congress reflected public sentiment and the palpable needs of the situation; and yet the most decisive expressions of judgment were mysteriously reversed—not so much by the desperate efforts of the booze lobby as by the direct influence of President Wilson and his administration.

Thus, when the caucus of Democratic House Members indorsed war prohibition by an overwhelming vote, the action was promptly rescinded upon warning from the White House that only legislation initiated by the administration should be considered. And when the Senate added to the espionage bill a rider forbidding the waste of foodstuffs in making liquor, the administration did not relax its efforts until the clause was stricken out. A dozen bills, resolutions, and amendments of similar import were struck down at the same inspiration.

Hopeless of continuing unchecked during the war their weakening and debauching traffic, the liquor interests sought a crafty compromise. If some sort of prohibition was unavoidable, let the making of spirits be stopped, they said, while the manufacturer of beer and wine was permitted. This would satisfy the public, it was believed, while having no effect upon the consumption of liquor and very little upon the waste of foodstuffs; for with 300,000,000 gallons of spirits in storage the market could be supplied for two years at least, and the breweries would continue, as before, to consume the people's food, beer utilizing vastly more edible material than whisky.

The alarming official warnings of food shortage insisted that the people must undertake the most minute economies, yet the whole power of the administration was put behind a proposal to perpetuate the systematic waste of stupendous quantities of nutritious products. The scheme of the brewers was adopted by the Senate Finance Committee, which offered an amendment to the food bill placing prohibitive taxes upon food materials used in making distilled spirits only.

But the device was too transparently dishonest to succeed without a contest. The people had been convinced by the officially emphasized facts that they must eat less of their accustomed diet and must practice novel and rigid economies; and they could not reconcile these imperative demands with the indorsement of the greatest single item of food waste. Preponderant public sentiment and the clearest requirements of logic and food conservation were obeyed, therefore, when the House 10 days ago amended the bill so as to prohibit the use of food materials in the making of any and all alcoholic beverages. Only 5 votes out of 370 were cast against the measure with this provision.

Popular judgment could hardly have been more decisive, but the rum interests had two other lines of defense—in the Senate and the White House—and they concentrated upon strengthening these. Their success presents perhaps the most remarkable exhibition of the power of special privilege ever witnessed in American public affairs.

A large number of Senators represent prohibition States, and it was predicted that that body would not attempt to overturn the overwhelming decision of the House. The majority sentiment was expressed in Senator

Gore's amendment prohibiting the use of nonperishable food materials in making alcoholic beverages and authorizing the President to stop the use of perishable products also, and to commandeer existing supplies of spirits. Nevertheless, liquor and administration influence united to break down the demand.

After three days the result was disclosed in a revised amendment adopted by the Subcommittee on Agriculture. This was an astonishing combination. It took over the House prohibition of the waste of foods in liquor, but added the provision that the President might permit the "limited use" of the people's food in making booze, "whenever in the judgment of the President the public interest would be subserved thereby."

It was a victory for the rum interests, but more embarrassing than a defeat, for it put upon Mr. Wilson the responsibility of cancelling war prohibition after enactment—Congress would turn off the spigot and leave it to him to turn it on again, if he dared, as a means of "sub-serving the public interest"! The situation would have been farcical if it had not been so serious for the Nation.

But the next day there was another shift. The Agricultural Committee repudiated its subcommittee's preposterous "compromise" and reported an amendment prohibiting the use of foodstuffs in any alcoholic beverages, but authorizing the President to permit the utilization of perishable fruits. The effect of this would be to prohibit distilling and brewing, but to protect the wine industry.

By this time the farce had become ghastly, and President Wilson was compelled to make his tacit support of the liquor campaign open and active. The Senate was not amenable to confidential hints and recommendations; it was necessary to crack the whip of administrative coercion. So on Friday the leaders were summoned to the White House and informed plainly that there must be no interference with beer or wine, the arguments being that complete prohibition would cause public discontent and would deprive the Government of large revenues needed for the war.

The result was a new amendment (a) forbidding the use of food materials in the manufacture of distilled alcoholic beverages and (b) authorizing the President to limit, regulate, or prohibit, at his discretion, the use of such products in beer and wine. Naturally the President wanted Congress to settle the matter; he did not relish the prospect of having to interfere with "great industries" himself. But he consented to the arrangement.

This, however, was only temporary. The President was determined to relieve himself of the responsibility, and the liquor interests were equally determined to block all prohibition if they could. Both influences brought about another conference on Saturday, the result being agreement upon an amendment stopping the manufacture of distilled spirits and making no mention at all of beer or wine.

Having won this great victory through the President's rescue of the breweries, the liquor interests immediately planned to save the whisky industry also, and a determined fight is under way to kill the project of authorizing the President to commandeer for Government use in munitions the existing stocks of spirits. Since there is a two-year supply in bond, the net result would be that war prohibition would be reduced to the shabbiest of false pretense; for the market would still be flooded with whisky and the making of beer and wine would continue without restriction.

A curious feature of the situation is that President Wilson by his efforts to avoid the placing upon him of responsibility for the continuance of the liquor traffic unhampered during the war, has succeeded only in focusing public attention upon himself as the most powerful ally of the system. For the record shows incontestably that Congress, left to itself, would have taken the course dictated by the sentiment of the majority of the American people and by the urgent requirements of national efficiency, and that only the determined stand of the President overcame the judgment of the Nation's Representatives. It is his hand that keeps open the rum spigot.

This fact can not be minimized or obscured. The motives that have impelled Mr. Wilson to take this extraordinary course are undoubtedly sincere; that he thinks he is acting for the best interests of the Nation, as well as for the interests of the liquor traffic, can not be questioned.

But the unwholesome episode shows once more the peculiarities of the judgment which the American people are asked to regard as infallible. For it is President Wilson's opinion that patriotism requires them to submit to drastic restrictions in the matter of the food which sustains life, while the supplies their war-diet economies may save are drained away through the distillery, the brewery, and the saloon.

HOW MUCH FOOD CONSERVATION IS POSSIBLE FROM WAR-TIME PROHIBITION AND HOW GREATLY IS IT NEEDED—LIQUOR USES UP 94,000,000 BUSHELS OF GRAIN A YEAR.

[By Irving Fisher, professor, Yale University.]

Grain used by brewers, 1916.

[Reported by Department of Agriculture 1917; figures given to the nearest 100,000 bushels.]

	Busheis.
Barley	52,400,000
Corn	13,600,000
Rice	2,400,000
Total	68,400,000

Grain used by distillers, 1916.

[Internal revenue report includes that for industrial alcohol; figures given to the nearest 100,000 bushels.]

	Busheis.
Corn	32,100,000
Barley	4,500,000
Rye	3,100,000
Total	39,700,000

Total grain used by distillers and brewers combined.

[Including that distilled for industrial alcohol.]

	Busheis.
Distillers	39,700,000
Brewers	68,400,000
Total	108,100,000

Negligible amounts of other grains (mostly oats and wheat) are also used.

The quantity of grain used by the distilleries in the manufacture of industrial alcohol is not exactly known, but in 1916 the total quantity of distilled spirits for denaturing, manufacturing, and scientific purposes was 87,000,000 gallons, and the remainder presumably as alcoholic beverages, 182,000,000 gallons. In other words, about a third of the total was used industrially. As a much larger proportion of the alcohol from molasses is used industrially than is the case with that from grain, the fraction of the grain so used was probably less than one-third. In other words, the grain used from manufactured alcoholic beverages was more than two-thirds of the total of 39,700,000 bushels, and therefore more than 26,000,000 bushels.

Total grain used in production of alcoholic beverages.

	Bushels.
For distilled liquors.....	26,000,000
For beer.....	68,400,000

Total.....94,400,000

These 94,000,000 bushels consisting mostly of (about) 55,000,000 bushels of barley at 48 pounds per bushel, and (about) 35,000,000 bushels of corn, rice, and rye at 56 pounds per bushel, make over 4,600,000,000 pounds of grain.

HOW THIS WASTE COULD BE SAVED IN BREAD.

This grain could be exported, or better, used to eke out our own bread supply by mixing with wheat flour and thus releasing the equivalent amount of wheat for export.

It is easy, for any cook, to mix corn with wheat flour up to 10 per cent. In the Mellon Institute, in Pittsburgh, where bread experiments are being made, mixtures have been successful up to 50 per cent, and fairly successful even up to 66 per cent. Barley can be mixed with wheat flour up to 20 per cent by any cook, and up to a higher percentage, given the requisite knowledge and skill. Mr. Hoover recently had in his rooms bread containing 20 per cent barley, which could not be detected by its appearance to the eye or by its taste, from the original wheat bread. This will probably be a popular form of war bread.

HOW MUCH BREAD COULD BE SAVED.

A pound of grain makes about a pound of bread; for the 25 to 30 per cent of the grain removed by milling is almost exactly replaced in the bread by other ingredients—milk, water, salt, etc.

Thus alcoholic beverages divert from bread making the equivalent of 4,600,000,000 one-pound loaves of bread per annum, or about twelve and one-half million 1-pound loaves per day.

The cessation of the brewing and distilling of alcoholic beverages would thus enable us to export these twelve and one-half million 1-pound loaves of bread per day. Even if we make a much larger allowance for the industrial alcohol than we have, the figure will exceed 11,000,000 loaves.

HOW FAR DO BREWERS' AND DISTILLERS' GRAINS HELP THE HUMAN FOOD SUPPLY.

It is true that "brewers' grains" and "distillers' grains"—the waste from the production of alcoholic liquors—while they can not be used directly for human food, contain food value for cattle. When they are fed to cattle, part of their food value can be recovered for human food in the form of meat or milk.

The brewers claim that 35 per cent of the original grain is left in the form of brewers' grains. An English statement by Lord Devonport gives the figure in England as 25 per cent. The discrepancy is explainable by the fact that the brewers' 35 per cent is by volume, not by weight, as it should be. Only a fraction of this is recoverable in milk and only a very small fraction in meat.

We should measure the results in food units. The food unit is the calory, which is also a unit of heating power or energy-giving power.

As we have just seen barley, after brewing, leaves behind about a third of its weight in dried brewers' grains. As a given weight of these grains possesses only three-fourths the food value of the same weight of barley, it follows that only about one-fourth (i. e., three-fourths of one-third) of the original food value is left for cattle feed (a more exact calculation gives the result as 28 per cent).

Similarly, corn, after distilling, leaves behind somewhat less than a third of its weight in dried distillers' grains. As a given weight of these grains possesses nine-tenths of the food value of the same weight of corn it follows that three-tenths (i. e., nine-tenths of one-third) of the original food value, is left for cattle feed (this also, when more exactly calculated, works out at 28 per cent).

When the brewers and distillers' grains are turned into meat, about nine-tenths of the food value is lost in the process. This one-tenth which is recovered is therefore one-tenth of 28 per cent of the original grain, or less than 3 per cent of the food value in the original barley and corn.

If the grains are used for milk production, a much larger recovery is secured—about two-thirds of the value of the brewers and distillers' grains; i. e., two-thirds of 28 per cent, or about 20 per cent of the original food value.

If we count the meat (or milk) thus recovered in terms of equivalent bread the saving from stopping the manufacture of alcoholic beverages would be 3 per cent (or 20 per cent) less than 12,500,000 loaves—roughly 12,000,000 (or 10,000,000) loaves—let us say 11,000,000.

"MILLER'S OFFAL."

These recoveries however, must in their turn be partly offset; for the manufacture of liquor prevents the making of "miller's offal," amounting usually to about 28 per cent by weight (abroad usually about 40 per cent) of the original grain, which would be created as a by-product if the grain were milled into flour.

These figures for miller's offal relate to wheat and may possibly be different for barley or corn. But the net result would be to raise slightly the net wastage figure (10,000,000 to 12,000,000 loaves) above obtained.

We conclude that 11,000,000 loaves is a fair estimate of the bread supply we are now drinking up.

It should be observed that three-fourths of this food waste is from the grain waste from alcoholic beverages, we next ask, How important food wasters is erroneous.

ALCOHOLIC BEVERAGES NOT PROPERLY FOODS.

No account is here taken of the food value in beer nor of the calories (of little or no use in the human organism) of the alcohol in beer and spirits. As these food and heat values can not be expended without at the same time poisoning the human system with alcohol, it is only

technically correct to count even the food value of beer as a real part of the food of the Nation and, according to the best physiological authorities, it is not even technically correct to count the heat value of alcohol as such. It was for these reasons that the American Medical Association at its meeting this month in New York formally condemned alcoholic beverages.

ARE 11,000,000 LOAVES A DAY WORTH COUNTING?

Having secured the figure 11,000,000 loaves as a conservative estimate of the grain waste from alcoholic beverages, we next ask, How important to the Nation is this item?

The distillers and brewers, in full page advertisements, have recently been trying to belittle such waste as a small percentage of the grain crop, although a few years ago they were magnifying their use of grain as an important part of the farmers' market. The grain crop is not the right basis of comparison. Yet even in relation to the grain crop the waste is nearly 2 per cent. The grain crop includes feeds for horses, cattle, swine, poultry, etc., as well as exports. Prof. Sherman, in "Food Products," points out (p. 259) that about nine-tenths of the corn crop is consumed on the farm, and of the one-tenth which is sold not all is used for human food; also (p. 264) that only about one-twentieth of the oat crop is used by milling industries, including that used in breakfast cereals. Only about one-third of the rye crop is made into flour.

The distillers in 1916 consumed over 1 per cent of the total corn consumption by man and beast in the United States, 2 per cent of the total barley consumption, 8 per cent of the total rye consumption. The brewers used over 6 per cent of the total rice consumption, 25 per cent of the total barley consumption.

But it must be remembered that the feeds to cattle, swine, and poultry are recovered in human food, only to a very slight extent, and horse feed is not so recovered at all. From the standpoint of our national food supply we ought to compare the 11,000,000 loaves wasted in alcoholic beverages with the total human food values involved. So measured, the waste of 11,000,000 loaves a day is very appreciable.

A pound loaf of bread contains about 1,250 calories or about half of the average per capita food requirement. Eleven million loaves, therefore, contain calories equal to the total calories required by 5,500,000 people.

Counting our population as 100,000,000, an amount equal at least to 5½ per cent of our entire national human food consumption is wasted in alcoholic beverages.

In terms of total breadstuffs the percentage is still greater. The consumption of bread in the United States, including pastry, is estimated by experts at five-sixths of a loaf per day per capita.

This means that what we waste in beer and spirits is 13 per cent of the total breadstuffs we eat.

WHAT 11,000,000 LOAVES A DAY MEAN IN WAR.

When we turn to the real problem, the war problem, the problem of supplying our allies, the 11,000,000 loaves per day, which means 80,000,000 bushels of grain per year, wasted in the production of alcoholic beverages, is 20 per cent of the total food and feed stuffs exported by the United States in 1916, that total being 405,000,000 bushels, made up as follows:

Food and feed stuffs exported from United States in 1916.

	Bushels.
Barley.....	22,485,920
Corn.....	53,543,227
Oats.....	101,411,239
Oatmeal (also large export of oat breakfast cereals).....	1,750,000
Rice.....	1,330,000
Rye.....	15,161,090
Rye flour (bushels of rye to make).....	500,000
Wheat.....	154,049,686
Wheat flour (bushels of wheat to make, 4½ bushels to barrel).....	54,705,500
Wheat made into bread (estimated from pounds of breadstuffs).....	210,000
Total.....	405,146,682

Again, 11,000,000 loaves a day is enough to supply the bread needs of the English (3,000,000), French (5,300,000), and Italian (3,400,000) Armies, counting the bread ration at a little less than 1 pound per day per soldier. It is much more than enough to supply the entire bread relief of Belgium.

This bread waste would more than supply a bread ration of 1 pound a loaf a day to all the inhabitants of Scotland and Ireland.

It would nearly supply one-third of the bread ration of England and Wales.

It would more than supply a pound loaf to every one of the 39,600,000 inhabitants of France every four days.

It would furnish half a pound a day to the 1,250,000 dependent children in Belgium, and a pound loaf to every man of the 240,000 in the United States Army, Regulars; the 400,000 National Guards; the 500,000 draft; the 5,300,000 in the French Army; the 3,000,000 in the British Army; and then give a loaf to every one of the million families in New York City.

It is true that we could make these same savings out of our large grain crop in some other way. Instead of stopping or reducing beer and whisky making, we could reduce exports to our allies or reduce the production of milk or meat or reduce the number of horses.

But, seriously and solemnly, are these the places at which to economize, rather than economizing on a use which is not only unnecessary but, as we all know, vastly injurious to the Nation?

DOES LIQUOR MAKING REDUCE THE PRICE OF MILK?

We may pause here to answer an ingenious objection.

The liquor interests in a circular to Congress (signed by the "Farmers' Feed Co., New York") state that "to eliminate brewers' grains for milk cattle food will unquestionably lessen milk production 20 per cent; will unquestionably increase the cost of production to such an extent that the purchase price of a quart of milk now fixed at 11 cents per quart will unquestionably force the price to 25 or 30 cents per quart in all great centers of population where a pure-milk supply is most required."

These bogies need not frighten us, inasmuch as, in the first place, the Department of Agriculture has shown how to secure leguminous foods in substitution, and, in the second place, the brewers' grains could not possibly supply 20 per cent, or even one-third of that figure, of the grain food of milk cattle, or even a far smaller percentage of their total food.

According to a table in the Agricultural Outlook, October 15, 1914, Farmers' Bulletin 629, about 9 per cent of the corn crop, 5 per cent of

the oat crop, and 4 per cent of the barley crop are used for feeding milch cows. These percentages, applied to the production of 1916, would indicate that from these three grains alone, without counting other cattle feeds, the milch cattle obtained 300,000,000 bushels of grain. The entire amount of brewers' grains in that year would, according to the brewers' own claims, not exceed 25,000,000 bushels, or 8 per cent of 300,000,000.

The price of milk may indeed rise from general war conditions, but the withdrawal of brewers' grains will not be the cause.

One of the chief dairy companies in the United States, when asked this question by our committee, replied:

"Probably the single factor of withdrawing brewers' grains from the market would not affect the price of milk or have any material influence on the price of other cattle feeds."

Prohibition would tend greatly to lower the cost of living, including the cost of milk, in many different ways, some direct and others, quite as important, indirect. Some of these will be shown in a later statement on national efficiency in relation to alcohol.

Incidentally, however, we may note that, as we all know, alcoholic beverages now waste both the money and the power to earn money of the poor. Dr. Haven Emerson, health commissioner of New York City, finds in a recent investigation that 5 per cent of the income of the poor in New York City is spent on alcoholic beverages. A much larger per cent of earning power is lost thereby. Consequently out of that saving in both these respects which war-time prohibition would bring there would be a large net gain for the babies' milk (about which the brewers and distillers are suddenly so solicitous) even if the price of milk should rise several fold.

The economy in buying brewers and distillers' grains, as compared with other foods, some of which have a great food value per ton, has also been exaggerated. The prices per ton on May 18, 1917, were as follows:

Spring bran	42.60
Brewers' grains	43.50
Malt sprouts	45.60
Choice yellow gluten	48.60
Winter wheat middlings	50.10
Oil meal	53.10
Distillers' dried grains	53.10
Corn and oats	61.75

Brewers and distillers' grains are not regarded as the best cattle feed. They need to be supplemented by other foods, such as miller's grains, and are not used at all by many of the best dairies. This fact is vouched for by one of the best known of these dairies in a letter to this committee.

GRAIN NOT THE ONLY FOOD WASTED.

Besides the grain used in manufacturing alcoholic beverages, there is an enormous quantity of molasses and considerable quantities of grape sugar or maltose as well as glucose or sirup so used.

Reduced to pounds the items for 1916 are as follows:

	Pounds.
Barley, 56,513,235 bushels, 48 pounds per bushel	2,712,635,280
Corn, 45,643,063 bushels, 56 pounds per bushel	2,556,011,528
Rye, 3,116,612 bushels, 56 pounds per bushel	174,530,272
Rice	141,249,292
Grape sugar or maltose	54,934,621
Molasses, 152,142,232 gallons, 11 pounds per gallon	1,673,564,552
Glucose or sirup, 2,742,894 gallons, 11 pounds per gallon	30,171,394
Total	7,343,096,939

These figures include some two-thirds of a billion pounds of grain used in the manufacture of industrial alcohol. The figures have been carefully compiled by Prof. T. M. Carver, of Harvard University, with others, and reviewed by Prof. Cannon, physiologist, of the Harvard Medical School, and others.

It has been objected that a large amount of the molasses is not fit for human consumption. A large amount of it, however, is so used, namely, that from the cane-sugar refineries; this is being used in the present sugar shortage, particularly in England and France. That from beet-sugar refineries is not good for human consumption; but it is good for stock feed, and can also be used for the manufacture of industrial alcohol. In short, all of the seven and one-third billion pounds could be utilized otherwise than by manufacture into alcoholic beverages and almost all of it could be used for human food. Probably the total food value wasted when the items other than grains are included is a quarter larger than that of the 11,000,000 loaves.

FOOD WASTE IN THE LIGHT OF WORLD FAMINE.

This food waste would be considered important in ordinary times, but in time of war, when there is a great food shortage, the waste is much more serious. The extent of this shortage is not yet realized, although Mr. Hoover has published his findings. These findings are based on studies made by him and his staff in the various countries abroad in collaboration with the food ministers of the various countries. The requirements of bread grains for our allies were calculated by him as follows:

	Bread grains.	Fodder grains.
	Bushels.	Bushels.
United Kingdom	225,000,000	170,000,000
France	175,000,000	70,000,000
Italy	90,000,000	60,000,000
Belgium and Portugal	50,000,000	
European neutrals	10,000,000	
Ex-European neutrals	5,000,000	116,000,000
Total	555,000,000	416,000,000

This makes a total grain requirement of nearly a billion bushels, of which over half is for human consumption. Mr. Hoover thinks that, while it would be impossible for the United States to supply all of the requirement for grain food for humans and grain fodder for animals, the major part of the burden must fall on us.

Certainly, all of the grain we now waste in drink will be needed and more, for, with 20,000,000 men withdrawn from production, with grain fields devastated in France, Belgium, Poland, and Serbia, with grain ships destroyed by submarines, and with short crops at home (the shortage in winter wheat having been estimated by our Department of Agriculture at 189,000,000 bushels), we need food economy as we have

never needed it in this country since the Pilgrim Fathers suffered in those historic days, the survival of which led to the establishment of Thanksgiving Day.

The International Bureau of Agriculture at Rome has estimated the shortage of the crops of 1916, as compared with 1915, as follows:

1916 shortage relatively to 1915.	Per cent.
Wheat, 17 leading countries	25.3
Rye, 11 countries	6
Barley, 16 countries	8.6
Oats, 14 countries	13.6
Corn, 6 countries	14.6
Potatoes, 7 countries	13.6

The chief reason why we in America have not yet appreciated the shortage of our food supply is that, so far, we have eked it out by drawing on reserves. We have been slaughtering animals and reducing their number, and have drawn on foods in cold storage so greatly that the decreases in a year up to March 1, last, are as follows:

	Per cent.
Cheese (American—pounds)	29.3
Eggs (cases—30 dozen)	86.3
Lard (pounds)	31.7
Lamb and mutton (pounds)	31.1
Frozen pork (pounds)	36.9

The foregoing table is one of many of great interest on this subject given by Profs. Seager and Chaddock in "Columbia War Papers," series 1, No. 6, Division of Intelligence and Publicity of Columbia University, 1917.

The important point is that the shortage is growing greater every day. The need in 1917 will be far more than was that in 1916, and that of 1918 and 1919, if the war continues, will be still greater.

In England the food pinch has already become so acute that in May the King issued a proclamation exhorting the people to lessen their consumption of bread by at least one-fourth.

The London Spectator has affirmed that if England had adopted war-time prohibition when Russia did there would now be no peril as a result of the submarine blockade.

We shall do well to exercise foresight and act before we have reached real disaster.

Even if the food saving through war-time prohibition were much less than it actually is, such saving ought to be effected. To plead that the economy is a small one is not only a false contention but a wrong kind of contention. It is not the spirit of war economy to permit a waste on the ground that it is not large. In war we need our full strength and should make every economy, large or small, to get it.

In short, not only is the food economy from war-time prohibition a large economy but it is, large or small, a proper war measure—almost a necessary one. As Mr. Hoover has said, if we can not feed our allies they can not fight and we shall have to fight alone.

As soon as the people of this country realize this fact and that world war is threatening world famine no patriotic citizen, whatever his views on other aspects of the alcohol problem, will hesitate to favor war-time prohibition.

Mr. NEWLANDS. Mr. President—

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

Mr. NEWLANDS. May I ask the Senator from South Dakota whether he will permit me to bring up the question of a conference report? There will be no debate on it.

Mr. STERLING. I shall have to decline to yield for that purpose, I will say to the Senator from Nevada. I regret not to yield, but my time is limited, Mr. President; and I should like to finish before 2 o'clock. I think I shall easily be able to do so.

Mr. President, I am opposed to the amendment offered by the committee as a substitute to section 12 of the House bill, and wish to go on record as in favor of section 12 as it passed the House.

Of course, I have due regard for the overwhelming sentiment in my own State which at the last election declared in favor of state-wide prohibition. In my vote here I shall give expression to that sentiment; but it is also my own sentiment. I have sought to view the question from every standpoint material or relevant to the issue. That issue stated in briefest terms is whether in this time of war food or feed materials shall be used in the production of alcohol for beverage purposes.

We call this a food-control bill. The object of the bill in one word is "efficiency." National efficiency. Efficiency in the Army, in the Navy, in the general citizenship of the country. Efficiency that we may not at any point fail in our support of our allies, and that we may be the great and determining factor we are capable of being in this war against autocracy and in behalf of liberty and humanity.

Hence, we seek through legislation to increase and conserve the food supply in order that the men of the Army and of the Navy may be well fed; in order that we may help make up for the shortage of the last two years and render our allies—England and France, especially—even greater service than we have in the past in the food and feed cereals we shall furnish them.

According to Mr. Hoover, the total needs of all our allies from outside sources will approximate 800,000,000 to 1,000,000,000 bushels, of which vast aggregate there will be needed 500,000,000 bushels of wheat and 250,000,000 to 350,000,000 bushels of other cereals such as corn, barley, rye, and oats. Our exports of all cereals have heretofore amounted to from 400,000,000 to 425,000,000. If Canada should have a surplus of 200,000,000; if the rest of the world is able to contribute 200,000,000 more, there

will still be a shortage unless we increase our production or make available for food and feed much more than we have in the past.

What then can be more just and reasonable than that we should take that action here which will divert the many million bushels of grain from accustomed use for beverage purposes to the higher and more urgent use for food purposes?

To show the need of one of our great allies now and the strict regulations made necessary there by a scant supply of essential foodstuffs, I read from yesterday's Evening Star under the title:

Allies conserving their food supply—Even the Englishman is going hungry, according to American writer.

The article proceeds as follows:

Americans who are asked to conserve food to help feed the allies may inquire, "What are the allies doing to help themselves?"

"Much more than is being asked of America as yet," is the reply of an American writer and political economist, just back from England, who says he went hungry over there, in common with Englishmen, who are doing their utmost to practice food economy.

"I simply could not get enough at any hotel or restaurant to satisfy me," he stated. "This is the common report of others who have studied the food conditions abroad.

REGULATIONS EXACTING.

"The regulations of the ministry of food controlling the serving of meals in public eating places are exact and detailed, and they are being enforced," he stated. "One can not have more than 5 ounces of meat at any meal, and this means 5 ounces of meat in the kitchen as it comes from the butcher. When it comes to the table as edible meat it is half that weight. Nor can one have more than 2 ounces of bread, which bread must be at least 12 hours old, or more than two-sevenths of an ounce of sugar at any meal. The London bakers are making rolls of 1 ounce and 2 ounces each. They are simply miniatures.

"The regulation against waste is drastic. No bread may be thrown away. A piece of bread was found in an ash can by the police. The household was fined 20 shillings. One hundred and fifty pounds of stale cake were found thrown out behind a restaurant. The proprietor was fined £20 (\$100).

PASTRIES CAN NOT BE MADE.

"No light pastries, muffins, crumpets, or fancy tea cakes may be made. No currant or milk bread may be made, nor any sugar be used in making any bread. Many similar restrictions exist and are enforced.

"In addition to the governmental regulations the food controller carries on continuously a strong propaganda for voluntary rationing, cutting out of waste, and food saving generally in the home. All households are asked to limit their consumption of bread to 4 pounds a week per person, of meat to 2½ pounds, and sugar three-quarters of a pound. Those families which agree to do this put up in a window, facing the street so that all may see, a conspicuous card bearing the legend: 'In honor bound we adopt the national scale of voluntary rations.'

"This pledge of voluntary restriction has been widely accepted. In the little town of Church Stretton, containing 253 houses, the card is displayed in 225. And there are other records nearly as good. In some towns the average ration per person has been reduced to an amount below that asked for by the Government."

Such, Mr. President, are the conditions in England; such the measures taken by the Government to meet them, and the co-operation of the people in them. They serve to emphasize our duty to do all we can to aid them by furnishing increased food supplies.

But we must not forget the obligation to our own people. The public tranquillity necessary to insure the successful prosecution of this war depends on an ample food supply at reasonable prices to the masses—to the millions of manual workers throughout the land.

Mr. President, a bread riot is worse and more to be dreaded than a beer riot. And there never will be a beer riot in this country unless it is inspired by too much beer.

Reference was made yesterday by the distinguished Senator from Illinois [Mr. SHERMAN] to the disgraceful affair at East St. Louis, in the great State of Illinois. I can not say with absolute certainty, Mr. President, but I almost feel warranted in making the statement that had it not been for the intoxicating liquors in that community there would have been no such disgraceful riot in East St. Louis.

Our situation, Mr. President, in regard to the use of beer and wine as beverages by our laboring classes is different from that of European countries. We are cosmopolitan in the employment of labor. No one drink, as beer in Germany or England, has been the traditional drink for generations of Slav and Slovak, of Polak, Italian, Hungarian, and Greek; and the deprivation caused by prohibiting the manufacture of any one or more than one intoxicant will not be universal, as would be that caused by prohibiting beer in England or Germany, or possibly wine in France. Our problem, therefore, is in this respect an easier one than that which has confronted Lloyd-George or Bonar Law.

To the people of all these various nationalities, represented as they are in our mines, factories, and on our railroads, we shall say, "For the cause of freedom, for the opportunities for which you have sought these shores, in the interests of the public weal and of your own wives and little ones, be prepared to do your 'bit' in the way of self-denial and sacrifice and

prove yourselves worthy citizens of that country which now in this great war again proves itself the friend of the oppressed of all nations."

Mr. President, I have no fears that any disturbance will result from the enactment and enforcement of section 12 substantially as it came from the House. Twenty-five States, I think—more than half of the States of the Union—have adopted State-wide prohibition. There has been no rioting, no social upheaval in any of them. On the contrary, business has prospered, labor has been better fed and clothed, and crime has diminished. From the economic standpoint there can be hardly a greater boon to the race than the abolition of the traffic in intoxicating liquors.

What are the essentials of that man power, which in the last analysis is the one thing we are now trying to conserve? It has, first, the physical basis, the sound body, the bodily vigor of men; second, the intellectual basis, the sound, alert, and active mind in the sound body; third, the moral basis, the sense of duty and moral obligation.

It is brawn, then, and brain; and moral fiber which are the essential elements of man power—of man power on the farm, in the mine, in the factory, in every industry or enterprise which engages the thoughts and activities of men—of man power in command in the field, or in the ranks, in the charge, or in the trenches. Intoxicating liquors, instead of conserving or building up, tear down and destroy these necessary elements of man power, all of which are needed in these momentous times. I trust, Mr. President, that, in the interests of our national security and national defense, the Senate may vote its approval of section 12.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee. As many as are in favor of the amendment will say "aye."

Mr. CURTIS. What is the committee amendment?

Mr. STERLING. Mr. President, is this the amendment proposed by the committee to section 12?

The PRESIDING OFFICER. The pending amendment is the committee amendment which has been under consideration for some hours.

Mr. STERLING. I beg pardon.

Mr. REED. Let it be stated.

Mr. SHAFROTH. What is the amendment?

The PRESIDING OFFICER. Without objection, the Secretary will again state the amendment.

The SECRETARY. On page 13, line 12, after the word "employees," the committee proposes to insert the following proviso:

Provided, That whenever any person or persons entitled to receive such wages are dissatisfied with the rate of wages so fixed by the President, he or they shall have the right to have the reasonableness of such wages reviewed and determined by the Board of Mediation and Conciliation, created by the act approved July 15, 1913; and in case said board shall conclude that a higher rate of wages shall be allowed their findings shall be conclusive in the premises, and said board shall prescribe rules and regulations for carrying this proviso into effect.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GRONNA. Mr. President, the Senate of the United States is about to decide the important question of whether or not during the period of this war this Government shall permit the use of foodstuffs in the manufacture of alcoholic liquors. It is a question which most vitally affects the welfare of our Nation. It is both an economic and a moral question.

In speaking of alcoholic liquors I include beer and wine as well as whisky, rum, gin, or any intoxicating liquors containing a high percentage of alcohol.

From the standpoint of a prohibitionist this question is indivisible. To prohibit one or a few of these varieties and not include all means an absolute failure so far as it affects prohibition. Any alcoholic liquor used as a beverage and which contains more than one-half of 1 per cent comes under our revenue laws and is taxed. Any legislation which merely limits or even prohibits the manufacture and use of one and not all alcoholic liquors is a sham and a fraud.

Now, as to the economic phase of the question: According to a statement issued by Irving Fisher, professor of political economy at Yale University, he estimates that \$2,225,000,000 is paid by the consumer for alcoholic liquors in a single year. The Government received during the year 1916 from revenue taxes on alcoholic beverages \$159,000,000 from distilled spirits and \$89,000,000 from fermented liquors, making considerably less than one-quarter of a billion altogether. But the consumer ultimately pays this tax, and in addition to this amount more than \$2,000,000,000, which the Government does not get and which is far worse than wasted for the Nation.

If I had the time I could show to the Senate that in every "bone-dry" State by the eradication of the saloon taxes as

well as crimes have decreased. So the argument used by the liquor people that we can not dispense with the manufacture and sale of alcoholic liquors because we need the revenue is no argument at all, but mere buncombe.

If the public is taxed a quarter of a billion dollars to permit the manufacturer and the dramseller to engage in the business, which is injurious to public health and public morals, why would it not be better to stop this traffic in the United States when one-half of the States of the Union have already enacted laws forbidding the manufacture and sale of alcoholic liquors?

Now, let us consider the moral side of prohibition. This is the most important of all questions. This Congress has just passed a bill prohibiting the use of intoxicating liquors in military camps. The President of the United States approved this provision, and it is now a law. If beer and wine are so essential to public welfare, as is claimed by the friends of the saloon and the liquor traffic, why did we think it necessary to prohibit the sale or the use of it in military camps?

Senators, you can not defend the position of partial prohibition. No man with convictions against the liquor traffic can maintain his position as a friend of prohibition who permits the manufacture, sale, or use of any of these intoxicating liquors. With only beer and wine the American saloon will exist, and the American saloon barroom will continue to administer this poison which has been condemned by the American Medical Association as injurious to public health and public welfare.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, under the unanimous-consent agreement heretofore entered into, the Senate will now proceed to the consideration of section 12 of the bill. The question is upon the amendment of the Senator from Oregon [Mr. CHAMBERLAIN]. The Secretary will state the amendment.

The SECRETARY. On page 18, it is proposed to strike out section 12 and to insert the following:

SEC. 12. That it shall be unlawful for any person, firm, or corporation to use any foods, food materials, or feeds in the manufacture of distilled spirits for beverage purposes.

(b) Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, food materials, or feeds in the production of vinous, malt, or fermented liquors, or that reduction of the alcoholic content of any such liquors is essential, in order to assure an adequate and continuous supply of food or feed, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given, and shall remain unrevoked, no person shall, after a reasonable time, which shall be prescribed in such notice, use any foods, food materials, or feeds in the production of such vinous, malt, or fermented liquors, except in accordance with the limitations, regulations, and prohibitions prescribed in such notice, or to produce any such liquors having an alcoholic content in excess of the amount prescribed therefor in such notice. When the question arises as to whether any particular product is suitable for food or feed, the question shall be determined by the President, and his determination shall be conclusive for the purposes of this section.

(c) Except as otherwise herein provided, the Commissioner of Internal Revenue shall be charged with the administration of this section, and he is authorized, with the approval of the President, to require the taking out of such permits, the keeping of such records, the execution of such bonds, and the observance of such rules and regulations as may be necessary and proper for the execution of the same.

(d) Any person who willfully violates this section shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The Senator from North Dakota.

Mr. GRONNA. I might just as well take my 10 minutes now.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. GRONNA. I hope the parliamentary inquiry will not be taken out of my time.

The PRESIDING OFFICER. It will not be.

Mr. NORRIS. I will withdraw it if it is going to be.

The PRESIDING OFFICER. It will not be. The Chair rules that the parliamentary situation should be settled.

Mr. NORRIS. I think it ought to be cleared up, and that is the reason I make the inquiry now, as much for the benefit of the Senator from North Dakota as anyone else.

Mr. GRONNA. I thank the Senator.

Mr. NORRIS. This unanimous-consent agreement says:

No Senator shall speak more than once or longer than 10 minutes upon the section as a whole, or more than once or longer than 5 minutes upon any amendment that may be pending.

The question is this, Mr. President: Will the Chair hold that while an amendment is pending a Senator is entitled to his 10 minutes on the section as a whole, or will it be only when no amendment is pending that a Senator will be allowed to talk 10 minutes?

The PRESIDING OFFICER. The Chair will hold, in accordance with the ruling of the Vice President on a previous

occasion, that when an amendment to the amendment is pending the 5-minute rule will prevail; that it is only when the original amendment is being considered that the 10-minute rule will prevail.

Mr. NORRIS. If that is true, Mr. President, after we have voted on this amendment offered by the Senator from Oregon there will be no longer any opportunity to talk 10 minutes.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. When there is an amendment pending to either of the propositions, a Senator getting the floor may discuss the amendment; but if the Senator who gets the floor offers an amendment to perfect either amendment, he will be held to five minutes.

Mr. NORRIS. Yes; but will that apply to others than the Senator offering the amendment?

The PRESIDING OFFICER. It will, as long as there is an amendment to the amendment pending.

Mr. NORRIS. I wanted to have it made clear to begin with. I am not particular what the ruling is, just so we understand when a Senator must use his 10 minutes, if at all.

Mr. SMITH of South Carolina. Mr. President, a parliamentary inquiry.

Mr. ROBINSON. Mr. President—

The PRESIDING OFFICER. The Senator from South Carolina will state it.

Mr. SMITH of South Carolina. The parliamentary inquiry is this: Under this agreement will the Chair rule that a Senator speaking to the bill in whatever time he sees fit, may speak 10 minutes, but when he addresses himself to an amendment he may speak only 5 minutes? Has he or has he not the right to speak 10 minutes on the bill and 5 minutes on any amendment?

The PRESIDING OFFICER. The Chair will rule, in accordance with the ruling by the Vice President under a similar unanimous-consent agreement, that when an amendment to perfect either question is pending the 5-minute rule will obtain. If any Senator gets the floor when there is no amendment to either question pending, he may take 10 minutes on either question.

Mr. ROBINSON. Mr. President—

Mr. SHAFROTH. Mr. President, I should like to know what the situation is.

The PRESIDING OFFICER. The Senator from Arkansas addressed the Chair first and is recognized.

Mr. ROBINSON. If I correctly understand the ruling of the Chair, the 5-minute rule is now in order.

Mr. PENROSE. Oh, no.

Mr. SHAFROTH. No, Mr. President.

Mr. ROBINSON. Well, I make the point of order that the 5-minute rule is now in order, and upon that I wish to be heard just briefly. I understand, of course, that it is not to come out of the time of the Senator from North Dakota.

The language of the unanimous-consent agreement is:

That during the consideration of the said section no Senator shall speak more than once or longer than 10 minutes upon the section as a whole, or more than once or longer than 5 minutes upon any amendment that may be pending or that may be offered thereto; that the amendment proposed by the committee, with such amendments as may be offered to it, shall be first considered.

The effect of this unanimous-consent agreement is to make the amendment of the Senator from Oregon the pending question, and that is the pending question; and so long as an amendment is pending the 5-minute rule applies.

Mr. GRONNA. Mr. President, will the Senator yield to me for just a question?

Mr. ROBINSON. Let me finish this statement, please. Now, section 12 can not be the pending question. The parliamentary situation is this: The committee first reported that section with a large number of amendments. Those amendments would have been the pending question but for the unanimous-consent agreement, which displaces the first report of the committee and makes the amendment of the Senator from Oregon the pending question. The rule provides that as long as an amendment is pending, or an amendment to that amendment, the 5-minute rule shall apply. When the amendments have been disposed of and the section has been perfected, then, and not until then, under the plan, the literal language of the unanimous-consent agreement, does the 10-minute rule apply.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. CURTIS. Under the rule as I understand it, the order of amendment is reversed. Under the old rule, the perfecting of the House provision would have been first in order. Now, after the committee amendment is voted upon, whether the substitute offered by the Senator from Arkansas is agreed to or the committee amendment, will we have the opportunity to vote

as between the amendment and the original House provision, and then may we perfect the House provision before the vote is taken?

The PRESIDING OFFICER. As the Chair understands it, the pending amendment is the committee amendment offered by the Senator from Oregon. That is the pending question. If a substitute is offered—it has not yet been offered—if a substitute is offered, which is a motion to strike out and insert, that will be another question, and either the pending question or the substitute may be perfected before the vote is taken on the substitute. All of that will be under the five-minute rule. After the Chamberlain amendment has held the boards against all substitutes, then that will be the question, as amending the section. Not until that is disposed of, and the section comes up for passage, will the 10-minute rule apply.

Mr. LODGE. Mr. President—

Mr. CURTIS. But the point I wanted to get at is this: When will we have the opportunity to perfect the House provision?

The PRESIDING OFFICER. That will be done after the Chamberlain amendment is disposed of, one way or the other. Mr. LODGE and Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE. Mr. President, as I understand it, the motion of the Senator from Oregon is to strike out and insert—to strike out the section, and to insert the amendment proposed by the committee. That leaves the amendment proposed by the committee, under our rules, open to amendment. It has to be dealt with first under the unanimous-consent agreement, as I apprehend, which sets aside the rule which gives priority to the original clause; but I take it that the original clause can be perfected after we have perfected the amendment. Am I right?

The PRESIDING OFFICER. That was the ruling of the Chair.

Mr. MYERS and Mr. GRONNA addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

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

Mr. GRONNA. Mr. President, I rise to a question of privilege.

Mr. MYERS. Well, I rise to a point of order, Mr. President.

The PRESIDING OFFICER. The Senator from Montana will state his point of order.

Mr. MYERS. The point of order will not come out of the Senator's time. The Senator from Arkansas [Mr. ROBINSON] said that the Chamberlain amendment is the pending question before the Senate.

The PRESIDING OFFICER. It is.

Mr. MYERS. I make the point of order that my amendment, which I offered yesterday to the Chamberlain amendment, is the question before the Senate.

The PRESIDING OFFICER. There was no amendment offered yesterday, if the Senator will pardon the Chair. It was merely proposed, and is now lying on the table, and may be called up when the Senator gets the floor for that purpose; but it is not pending.

Mr. MYERS. Can I call it up now?

The PRESIDING OFFICER. No; the Senator has not the floor for the purpose of offering an amendment. He has the floor for the purpose of stating a point of order.

Mr. GRONNA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from North Dakota will state his parliamentary inquiry.

Mr. GRONNA. I do not understand that the Chair has yet rendered his decision. Are we entitled to 10 minutes while the proposed committee amendment is pending?

The PRESIDING OFFICER. The Chair has ruled that the five-minute rule is in order until the amendment proposed by the Senator from Oregon is disposed of.

Mr. GRONNA. Very well.

Mr. JONES of Washington. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. JONES of Washington. I did not understand the answer made to an inquiry. Is the amendment proposed by the Senator from Oregon a substitute for section 12 of the House bill.

The PRESIDING OFFICER. Yes; to strike out and insert a substitute.

Mr. JONES of Washington. Is it not in order to perfect the House provision before a vote is taken upon the substitute?

The PRESIDING OFFICER. It would have been but for the unanimous-consent agreement.

Mr. JONES of Washington. Well, Mr. President, I want to say that I am satisfied that there were very few Senators here who understood the unanimous-consent agreement as suspending all the rules of the Senate. The unanimous-consent agreement may have been worded in order to bring about a situation like this, but it was not understood by those who gave their consent to it.

The PRESIDING OFFICER. The present occupant of the chair was not a party to any negotiations. He is merely construing the agreement.

Mr. THOMPSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. THOMPSON. Before I can state it, I desire to call the Chair's attention to the fact that the committee amendment is the one now contained in the bill. I can not understand how a substitute offered by the committee could take precedence over the amendments as previously reported by the committee in section 12.

The PRESIDING OFFICER. Because the unanimous-consent agreement distinctly states that it shall.

Mr. THOMPSON. No; I beg the Chair's pardon. It states, if the Chair will read it, that the amendment proposed by the committee shall be first considered, and I construe that to be the committee amendment now in the bill, and not the Chamberlain amendment.

The PRESIDING OFFICER. The Chair is informed that the amendment proposed by the committee is the one offered by the Senator from Oregon now; not the one printed in the bill.

Mr. THOMPSON. That is the amendment that is offered as a substitute, as I understand it.

Mr. STONE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. THOMPSON. All that I am interested in is this: On the assurance of the Chair that we can have a vote on the original House provision somewhere along the line, I do not care where it takes place; but I should like to have a vote as between the House provision and the original Senate committee amendment and then the substitute as finally offered. I do not understand, as a parliamentary proposition, that a substitute offered by a committee has any greater force than a substitute offered by an individual Senator.

The PRESIDING OFFICER. It has not. The Senator is right about that.

Mr. STONE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Missouri will state his point of order.

Mr. STONE. I make the point of order that there is no quorum present, and I should like to have the roll called.

The PRESIDING OFFICER. The Senator from Missouri suggests the absence of a quorum. The Secretary will call the roll.

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

Ashurst	Gronna	McLean	Sherman
Bankhead	Hale	McNary	Shields
Beckham	Hitchcock	Martin	Smith, Ariz.
Borah	Hollis	Myers	Smith, Mich.
Brady	Husting	Nelson	Smith, S. C.
Brandee	James	New	Smoot
Broussard	Johnson, Cal.	Newlands	Sterling
Calder	Johnson, S. Dak.	Norris	Stone
Chamberlain	Jones, N. Mex.	Overman	Sutherland
Coit	Jones, Wash.	Page	Thomas
Culberson	Kellogg	Penrose	Thompson
Cummins	Kendrick	Phelan	Tillman
Curtis	Kenyon	Poinexter	Townsend
Dillingham	Knox	Pomerene	Trammell
Fernald	La Follette	Ransdell	Underwood
Fletcher	Lewis	Reed	Wadsworth
France	Lodge	Robinson	Warren
Frelinghuysen	McCumber	Shafroth	Watson
Gerry	McKellar	Sheppard	Wolcott

Mr. ROBINSON. I announce the unavoidable absence of my colleague, the junior Senator from Arkansas [Mr. KIRBY].

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. The Senator from North Dakota.

Mr. THOMPSON. Mr. President, will the Senator yield to me for just a minute?

Mr. GRONNA. I can not yield now, Mr. President.

Mr. THOMPSON. A parliamentary inquiry, Mr. President.

Mr. GRONNA. On June 11, 1917, the American Medical Association passed resolutions condemning alcoholic beverages and stated: "We are justified in saying that the Nation loses two billions worth of energy in their production." Under pro-

hibition the same two and a quarter billions would be spent on nonalcoholic drinks and on other things necessary and beneficial to the human race.

We have an opportunity to-day to make this Nation "bone dry," and let us do it. Let us take from the young boy and the young girl the temptation of frequenting the dramshops. Let us raise this tax in a manner which will not reduce the efficiency or corrupt the morals of American humanity. And those of you who fear riots should remember that it is far more dangerous to have bread riots without bread than beer riots without beer.

Mr. President, I am exceedingly sorry to find myself in opposition to the President of the United States. I am not opposed to any legislation that will give the Chief Executive of this Nation, especially in these days of peril, all the authority necessary to enable him to command and mobilize every industry in this land, in order to win for this Nation a glorious victory and a lasting and durable peace. But I am confident that the President is mistaken in his opinion that it is necessary in order to collect revenue to continue the manufacture of brandies, beer, and wine. I am also convinced that it is a mistaken idea to assume that there would be any dissatisfaction among the people of this country to prohibit the use of alcoholic beverages, when we know that every ounce of foodstuff will be needed to feed the American people and the allies of Europe.

Sir, I have the conviction—and in the words of the Apostle Paul, when appearing before the governors and King Agrippa, he said—

And herein do I exercise myself to have always a conscience void of offense toward God and toward men.

Therefore I can not follow the President of the United States but must follow my own conscience, because I know that the elimination of alcoholic beverages from the human race will add to their efficiency. I know that it will benefit their condition morally. I know from practical experience, living as I do in a State where, for 30 years we have had prohibition, that from an economic standpoint the eradication of the saloon and the prohibition of the manufacture and sale of intoxicating liquors is one of the great factors for economic prosperity, for intellectual, social, and moral advancement. In taking this position I voice not only my own conviction but the sentiments of the people of my State and, I believe, a majority of the people of the United States.

About one-half of our country is to-day "bone dry." We all admit that in order to supply the allies of Europe our supply of cereals, especially wheat, is insufficient and short. As a partial remedy for this a majority of the people of the United States believe that instead of taking these important food products and converting them into alcoholic beverages we should conserve them and manufacture them into bread.

A majority of the Members of the House seemed to recognize the wishes of the people of the country, and they provided for a "bone-dry" provision in this food bill. A majority of this body was in favor of this provision, but a few days ago our hopes were shattered by the announcement from the White House that the President of the United States is opposed to the prohibition of beer and wine.

Mr. President, I am sorry that the Chief Executive of this Nation has taken such a step. I know that he is woefully mistaken, both from an economic and an ethical standpoint. This is a question which in times of peace has been advocated by millions of our people. It is a question which will be agitated and discussed until it has been justly solved. It will not do to say that the demand for prohibition will cease because the President of the United States has seen fit to enter his protest against this legislation. Those of you who are sincere in the belief that prohibition is for the best interests of this country, both from an economic and moral standpoint, have no right to surrender your views to any man, not even the President of the United States.

Is there anybody who dares to question the advantage and the necessity of a sober people during war as well as in times of peace? There is not a Member of this body who can successfully contradict the statement that the revenue derived from the liquor traffic is a most expensive system of collecting the revenue for our Government. There is not a Member of this body who can successfully deny that in prohibition States taxation has been decreased and wages have increased to the laboring man. And as wages have increased the efficiency of labor has increased to the advantage of the employer. Social conditions have improved for the betterment of the individual, the family, and society. Conditions in prohibition States have changed, not for the worse, as is always stated by the friends of the liquor traffic; not with dissatisfaction to the laborer or the employer; it has not increased taxation; it has not resulted in riots among any class of men, but it has improved

conditions of men in all businesses and in all walks of life. Institutions of learning for the enlightenment of man have been substituted for the bawdy house and the saloon. Men and women have improved their condition financially, physically, intellectually, and morally. So, why should we abandon our position because the Chief Executive of this Nation is opposed to it?

I remember well when the Webb-Kenyon bill was vetoed by President Taft. When that veto came back to Congress we met his objection with a determination to follow our own consciences, and we refused to sustain his veto. Not a single Member who belonged to the party with which I am affiliated changed his position. We voted to override his veto, and, although President Taft said in that veto that he believed it was unconstitutional, the Supreme Court of the United States has since upheld that law, and it is in full force and effect to-day.

Now, so far as I am personally concerned, I care not whether it is a Republican President or a Democratic President on questions as important as this is, affecting every citizen of our land not only from an economic standpoint, but from the standpoint of morality, I shall refuse to follow him.

I refuse to follow President Wilson because I know that so far as the revenue is concerned it is an economic waste for the Government to continue the license system and to continue to collect revenue for the manufacture or sale of intoxicating liquors.

I have during my business career employed thousands of men. I know from the practical standpoint that the services of a sober man are infinitely more valuable than the services of a drunk or even the services of a man who even drinks moderately. That fact is being recognized by the large as well as by the small business man and employer all over this land.

I am not qualified to speak from a military standpoint, but I do not believe that it is true that the efficiency of a soldier is increased by feeding him intoxicating liquors. I believe that in war as well as in peace the services of the sober man are far superior to those of the man who uses alcoholic drinks.

I am sorry that our President failed to recognize this great opportunity to show his appreciation of the efforts made by the millions of mothers of men and women in this country to do away with the liquor traffic at least during the war.

Mr. President, I ask to have printed, in connection with my remarks, part of a speech delivered by the immortal Abraham Lincoln at a meeting of a temperance society on February 22, 1842.

THE VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

EXTRACTS FROM AN ADDRESS BEFORE THE SPRINGFIELD WASHINGTONIAN TEMPERANCE SOCIETY, FEBRUARY 22, 1842, BY ABRAHAM LINCOLN.

Turn now to the temperance revolution. In it we shall find a stronger bondage broken, a viler slavery manumitted, a greater tyrant deposed; in it, more of want supplied, more disease healed, more sorrow assuaged. By it no orphans starving, no widows weeping; by it none wounded in feeling, none injured in interest; even the dram maker and dramseller will have glided into other occupations so gradually as never to have felt the change, and will stand ready to join all others in the universal song of gladness. And what a noble ally this to the cause of political freedom; with such an aid its march can not fail to be on and on, till every son of earth shall drink in rich fruition the sorrow-quenching drafts of perfect liberty. Happy day when—all appetites controlled, all poisons subdued, all matter subjected—mind, all conquering mind, shall live and move, the monarch of the world. Glorious consummation! Hail, fall of fury! Reign of reason, all hail!

Mr. GRONNA. I have before me a statement printed by the board of temperance, prohibition, and public morals of the Methodist Episcopal Church, under date of June 28, 1917, entitled "Let the churches buy a bone-dry bond issue to replace liquor revenue," which reads as follows:

WASHINGTON, D. C., June 28, 1917.

LET THE CHURCHES BUY A BONE-DRY BOND ISSUE TO REPLACE LIQUOR REVENUE.

In the event of national prohibition we pledge that the churches of the United States will buy \$500,000,000 of liberty bonds annually during the period of the war, which will more than replace the revenue that might be derived from the liquor traffic.

BOARD OF TEMPERANCE, PROHIBITION, AND PUBLIC MORALS OF THE METHODIST EPISCOPAL CHURCH,
By CLARENCE TRUE WILSON, D. D., Secretary.

BOARD OF TEMPERANCE OF THE PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA,
By CHARLES SCANLON, LL. D., Secretary.

CHURCH TEMPERANCE SOCIETY OF THE PROTESTANT EPISCOPAL CHURCH,
By REV. JAS. EMPRINGHAM, D. D., Secretary.

THE NORTHERN BAPTISTS,
By REV. SAMUEL ZANE BATTEN, D. D., Secretary.

COMMITTEE ON TEMPERANCE AND SOCIAL SERVICE OF THE SOUTHERN BAPTIST CONVENTION,
By A. J. BARTON, D. D., Chairman.

AMERICAN TEMPERANCE BOARD OF DISCIPLES CHURCH,
By REV. L. E. SELLERS, D. D., Secretary.

A study of over a million recorded lives, based upon records made by expert investigators employed by insurance companies, shows that on an average, of those who reach 20 years of age, abstainers live to be 64 years old, moderate drinkers live 51 years, and hard drinkers are not accepted.

I also have a letter from the National Eclectic Medical Association, signed by H. H. Helbing, recording secretary, which I ask to have included in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The letter referred to is as follows:

NATIONAL ECLECTIC MEDICAL ASSOCIATION,
St. Louis, Mo., June 25, 1917.

Hon. A. J. GRONNA,
Washington, D. C.

HONORABLE SIR: As the recently elected secretary of the National Eclectic Medical Association, I beg your indulgence while I bring to your notice action taken at our meeting held in Nashville June 19-22, 1917. It was a resolution similar to that passed by the American Medical Association relating to the deleterious effects of alcoholic beverages upon the human system and calling for war prohibition.

We should have war prohibition so as to increase our efficiency in this crisis, the greatest in our history. There is, or will be, a shortage of labor; therefore brewery and distillery workers will be needed in the other trades and at the front.

The revenue song of the liquor traffic is as old as the Civil War and as foolish as the story of Baron Munchausen. A moment's reason will convince any sane man that the food value of the grain wasted will pay all the liquor revenue and a billion dollars more, since it will feed 7,000,000 men per year.

Your constituents at home are becoming more and more convinced that it is a sensible thing to do during the war, and public sentiment is rapidly changing in favor of the absolute prohibition of the manufacture of alcoholic beverages, including wine and beer, during the war. I hope you will so view the question and give prohibition for the war your valuable vote.

Yours, very truly,

H. H. HELBING,
Recording Secretary.

Mr. GRONNA. I also have a memorial signed by Leo F. Rettger, a professor at Yale University, and other members of the faculty of the university, and one from R. J. Caldwell Co., of New York, which I ask to have inserted in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

Hon. A. J. GRONNA,
Washington, D. C.

MY DEAR SIR: Undersigned urge immediate legislation by which Congress shall itself prohibit use of any foodstuffs to make any intoxicating liquors, also preventing use of whisky on hand as a beverage. We believe American people will not approve legislation that spares either whisky, wine, or beer, or transfers responsibility to overburdened President.

Leo F. Rettger, Yale University; T. C. White, Connecticut Agricultural College; Karl B. Musser, United States Department of Agriculture and Connecticut Agricultural College; H. F. Judkins, Connecticut Agricultural College; B. A. McDonald, Connecticut Agricultural College; H. L. Garrigus, Connecticut Agricultural College; L. H. Lamson, Jr., Connecticut Agricultural College; Howard D. Newton, Connecticut Agricultural College; Marshall Dawson, Connecticut Agricultural College; W. F. Kirkpatrick, Connecticut Agricultural College.

NEW YORK, June 29, 1917.

Hon. ASLE J. GRONNA,
United States Senate, Washington, D. C.

DEAR SIR: I trust that beer will be included in the prohibition, for the manufacture of it consumes quite enough grain to constitute its suppression on economic grounds. If it is true that there are \$500,000,000 revenue to the Government from the manufacture and sale of beer, which the Finance Committee of the Senate seems to fear the Government would lose and the people have to make up in some other way, by the suppression of the traffic in beer, I contend that this is a mistaken premise.

The amount of grain liberated for food purposes by the abolishment of the manufacture of beer would quite likely influence the price of grains for food purposes to a sufficient extent to make up to the public far more than the tax on beer, so if they did have to pay it in some other way they could do so with profit. Moreover the money they would save from not spending it on beer would very easily, in the aggregate, equal the present beer tax many times over.

The Government would be the gainer by, first, more efficient results from workmen; second, by releasing a large number of men from an unproductive industry to engage in a productive industry, which would mean much more to the Government than any other single item in the whole argument.

Faithfully, yours,

R. J. CALDWELL.

Mr. GRONNA. I also ask leave to have printed as an appendix to my remarks certain telegrams which have been sent to me—I have only collected a few of them—and an extract from the CONGRESSIONAL RECORD of this year.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The matter referred to is as follows:

BISMARCK, N. DAK., June 29, 1917.

Senator A. J. GRONNA,
Washington, D. C.

Stand by House provision intact. We want neither wine nor beer, but food for the world.

Mrs. A. S. HOFFMAN,
President Woman's Christian Temperance Union.
Mrs. H. W. RICHOLT,
President Ladies' Aid, Methodist Episcopal Church.
Mrs. F. L. WATKINS,
Secretary North Dakota Epworth League.

BISMARCK, N. DAK., June 29, 1917.

Senator A. J. GRONNA,
Washington, D. C.

Stand by House provision intact. We need food, not booze.

W. J. Huchon, pastor Methodist Church; J. Jack, president Officials' Methodist Church; G. Newcomb, superintendent Friendless Society; H. Lobach, collector; F. McCurdy, States' attorney; R. Wilcox, editor Public Opinion; P. Wessel, manager telephone company; H. Johnson assistant.

VALLEY CITY, N. DAK., July 6, 1917.

Hon. A. J. GRONNA,
Washington, D. C.

Please use your best influence against the eliminating of wine and beer from the food-control bill, and use every possible means that in your judgment will safeguard our boys in the Army and Navy.

Mrs. S. H. Cook,
President Woman's Christian Temperance Union of
Getchell Prairie, Leal, Valley City, Scandinavian Societies.

BOTTINEAU, N. DAK., July 5, 1917.

Senator A. J. GRONNA,
Washington, D. C.

We protest against eliminating wine and beer from food-control bill. Ask for national prohibition.

O. Rishoff; P. J. Scully; K. Weeks; J. E. Martin; G. Hebert; H. Layne; John H. Kirk; A. Bertume; P. L. Klyver; A. R. Mackay; Dr. J. A. Johnson; Mrs. B. E. Evers, president Woman's Christian Temperance Union.

OLYMPIA, WASH., June 23, 1917.

W. G. CALDERWOOD,
Executive Secretary Committee on Wartime Preparation,
Raleigh Hotel, Washington, D. C.

Quoted advertisement in Washington papers simply rehash. Familiar with liquor campaign. Falsehood everywhere exploded. Actual prohibition experience after 18 months, practically every former brewing interest, including largest, adopted other productions, increased pay rolls, better business, safer investments, vastly improved material prosperity, and moral welfare. No suggestions whatever to return to conditions permitting manufacture and sale of alcoholic liquors.

GEORGE F. COTTELL,
Chief Engineer State Highway Commission
and Ex-Mayor Seattle, Wash.

LA GRANGE, GA., June 22, 1917.

W. F. CALDERWOOD,
Executive Secretary Committee on Wartime Preparation,
Raleigh Hotel, Washington, D. C.

From my observation prohibition greatly lessens drinking. All forms of intoxicants, also their attendant crimes and court records, indisputably sustain this. Breweries need not suffer loss if they will divert operations to making alcohol for fuel and industrial uses. It will be a national crime if we do not prohibit use of grains for making intoxicants.

FULLER E. CALLAWAY,
President Merchants' Cotton Mills Co.

TACOMA, WASH., June 23, 1917.

W. F. CALDERWOOD,
Executive Secretary, Raleigh Hotel, Washington, D. C.

Our business best in history. City's bank deposits and building permits show large increase. Jail inmates cut one-half. Saloon buildings now occupied by business that is a benefit. Most brewery buildings of State now used for other purposes. Pay rolls of State greatly increased; money formerly wasted for drink now goes for legitimate uses benefiting buyer and seller. Emphatically our experience proves prohibition a decided success.

W. H. REED,
Secretary West Coast Steel Co.
Love, Warren, Mosroe Co.,
By A. V. Love, President.
YOUNGLOHE GROCERY CO.,
By E. A. YOUNGLOHE, President.

SPOKANE, WASH., June 22, 1917.

COMMITTEE ON WAR-TIME PROHIBITION,
Care W. G. Calderwood, Executive Secretary,
Raleigh Hotel, Washington, D. C.

Seventeen months of permit-liquor system cut off three-fourths of use of whisky and beer in Washington. Total prohibition in force here, for past two weeks has brought drunkenness and crime in Spokane to minimum. Nearly all former saloon rooms now occupied by useful business. Many former breweries in State now used for soft drink and canning factories. Wages are going up. Factories and farms calling in vain for workmen; banks hold 50 per cent more deposits than two years ago, and poorhouse has shrunk 50 per cent. No argument could coax people of Washington to return to saloon system.

HENRY RISING,
Editor Spokane Chronicle.

OLYMPIA, WASH., June 22, 1917.

W. G. CALDERWOOD,
Executive Secretary, Committee on War-Time Prohibition,
The Raleigh Hotel, Washington, D. C.

Replying your wire 21st saloons in this State closed January 1, 1916. Brewery properties practically without exception have been converted to other uses, notably manufacture fruit juice and dairy products. Permit system under which individuals can import limited quantities intoxicants at stated intervals has doubtless increased proportionate consumption hard liquors among certain classes. This permit system will discontinue July 1. Since saloons closed commitments to prisons and county jails have decreased 50 per cent. Purchase larger quantities and better qualities of merchandise and pay more promptly.

There is no question but that people of the State of Washington are better off in every respect morally, physically, and financially under prohibition than when saloons were in operation.

ERNEST LISTER,
Governor of Washington.

HOQUIAN, WASH., June 23, 1917.

W. G. CALDERWOOD,
Executive Secretary, Committee on War-Time Prohibition,
Raleigh Hotel, Washington, D. C.

Answering your wire of yesterday, prohibition in our Western States has not driven men to drink whisky, brandy, or rum. On the contrary, it has proven the greatest blessing to the working class and everyone else. There has been a constant increase in wages and prosperity in business ever since Oregon and Washington went dry, and that was true before war conditions affected this western country. I suppose it is true that investments in breweries have very materially decreased although have not become worthless because all the large concerns I know of have been turned into manufacturing something else. Taxes have not increased because the increase in property has more than taken care of this item. As to pay rolls being cut off there has been a great deal more work in Oregon and Washington since they went dry than ever before. Instead of a decrease in pay rolls they have been very largely increased. Altogether it is the best investment that these two States have ever made, and the sentiment in favor of it to-day is very much greater than when it was carried. Nearly everybody, even the drinking class, are in favor of prohibition because of the great benefit derived from it.

N. J. BLAGEN,
President Grays Harbor Lumber Co.

[From CONGRESSIONAL RECORD, June 27, 1917, p. 4741.]

THE RESULTS OF TURNING FRUITS INTO WINE AND BRANDY.

[Prepared by Scientific Temperance Federation, of Boston, Miss Cora F. Stoddard, executive secretary.]

The proposal to leave the way open for the continued manufacture and sale of wines and distilled liquors from fruits is a proposal to open a Pandora's box of troubles from which the United States has been relatively free.

The total consumption of wines in the United States in 1850 was 6,316,371 gallons. In 1915 it was 32,911,909 gallons. But while the total consumption had increased fivefold, the per capita consumption in 1915 was but 0.32 gallon as against 0.27 gallon in 1850. The highest per capita consumption of wine was 0.67 gallon in 1909 and 1911. These figures show that up to now wine has constituted a relatively small part of our alcohol consumption, less than 3 per cent at the most.

The increase which has taken place in the total amount consumed is an increase in the use of domestic wines. The consumption of imported wines has remained fairly constant through all these years (6,095,000 gallons in 1850, 5,656,219 gallons in 1915), never rising above 10,000,000 gallons or falling below 3,000,000 gallons.

But the total consumption of domestic wines increased from 221,249 gallons in 1850 to a maximum of 9,863,735 gallons in 1915. (United States Statistical Abstract, 1915, p. 514.)

This indicates in a measure the development of the wine-producing industry which began in Ohio shortly after 1850, and in the sixties was given a strong foothold in California, which is now the largest wine-producing section of the United States.

The emphasis laid by the wine producers upon what they call "light wines," which they urge as desirable "hygienic drinks" likely to promote "temperance," has obscured the fact that along with the development of the wine industry there has been an increased consumption of spirits made from fruits. The consumption of these fruit spirits (brandy, etc.) has increased from 1,223,830 gallons in 1870 to 2,516,054 gallons in 1915; that is, has practically doubled. (United States Statistical Abstract, 1915, p. 514.) This means that the development of wine production is accompanied by production of a form of spirits, brandy, which averages 45 per cent alcoholic strength—stronger in alcohol than the average whisky. (Report committee of 50, Physiological Aspects of Liquor Problem, vol. 2, p. 339.)

Furthermore, the wines themselves are by no means all "light wines." The report of the Commissioner of Internal Revenue (1916, p. 17) shows that normally nearly 5,000,000 gallons of brandy are used in fortifying wines; that is, in increasing their alcoholic strength above the 10-13 per cent of alcohol obtainable by fermentation. These fortified wines may contain from 15 to as much as 24 per cent of alcohol. That this is no small item to be considered appears in the fact that in 1915, an average year, there were 4,852,848 gallons of brandy used in fortifying 15,646,086 gallons of wine, resulting in 18,580,373 gallons of this stronger wine. (Report committee internal revenue, 1916, p. 117.)

If fruits are exempted from the measure prohibiting the use of food-stuffs for the manufacture of distilled liquors, we not only leave the way open but give direct encouragement to the development of another spirits industry which will draw from the food supply by taking fruits, and those some of the commoner fruits necessary in several ways to the health of the people.

Anything that tends to reduce the available supply of these fruits, to make them expensive, either deprives the people of needed food constituents or compels them to seek them elsewhere through vegetables, grains, milk, eggs, etc., of which there is already a scarcity.

For health reasons, therefore, it is important that we should not encourage the greater use of fruits in making spirituous or various liquors, as will be the case if we do not include fruits among the food-stuffs prohibited in the manufacture of alcoholic beverages.

Again, such exemption will encourage the making of stronger alcoholic beverages than those produced from grains. The lightest wine has, on the average, a larger alcoholic content than strong beer. The fortified wines, as already stated, contain from 14 to 24 per cent alcohol. Fruit brandy contains from 40 to 60 per cent of alcohol, as against from 40 to 50 per cent in whisky.

From the point of view of conserving man power as well as food-stuffs, we shall therefore gain nothing by opening the way to a larger production and use of wine and brandy. No one can doubt for a moment that if the use of grain is prohibited in the manufacture of whisky, rum, and fermented liquors, and the use of fruits is not prohibited, we shall see a lively increase of activity among the wine and brandy producers.

THE DRUNKENNESS OF HISTORY MOSTLY ON WINE.

There is nothing in the history of the nations that gives us any reason to suppose that this will be anything but a detriment to the efficiency of the Nation at a time when every particle of energy is required.

As long as human deeds have been recorded, whether in song and story or on stones, papyrus, or printed page, the record has contained accounts of man's drunkenness. Edicts and exhortations against it are found in the most ancient writings of China, India, and Persia. In Egypt its origin is credited to Isis or Osiris. Pompeii had a statue of Bacchus. The Bible contains many references to drunkenness. It closed the career of Alexander the Great and many of the high and low in ancient Greece and Rome.

But the drunkenness of the ancients was wine, beer, or cider drunkenness. The accredited inventor of distillation died in 1106 A. D., hence whisky and other distilled liquors were not responsible for the intemperance of the olden times.

THE WOES OF WINE IN FRANCE.

At the beginning of the present war France abolished absinthe, but left her wine and brandy and other liquors. Here is what is said by a poster issued in 1916 by the French Society Against Alcoholism, the honorary president of which is M. Raymond Poincaré, the President of France:

L'ALARME.

[Société Française D'Action Contre l'Alcoolisme; honorary president, M. Raymond Poincaré.]

To French women and French young people:

1. Alcohol is as formidable an enemy to you as Germany.
2. It has cost France since 1870 in men and in money more than the present war.

3. Alcohol pleases the taste; but, a veritable poison, it destroys the body.

4. Drinkers grow old early. They lose half their normal life and are easy prey to numerous weaknesses and maladies.

5. The "little glasses" of parents are transformed into hereditary weaknesses in their descendants. France has to-day about 200,000 insane, twice as many consumptives, to say nothing of the victims of gout, scrofula, rickets, premature degeneracy, and the majority of criminals.

6. Alcoholism reduces our productivity two-thirds, increases the cost of living and misery.

7. Like the criminal Kaiser, alcoholism decimates and ruins France, to the great joy of Germany. Mothers, young people, husbands, fight alcoholism and remember the glorious wounded and dead for the country.

8. You will thus accomplish a great task, equaling that of our heroic soldiers.

This poster was approved by M. Clementel, minister of commerce, and was placed by direction of the under secretary of the health service in all offices under his direction. This is a French declaration after absinthe was prohibited; wine and spirits remain.

France and Italy have been through the experience that lies before us if we open the way to a larger production of wine and spirits made from wine. After the grapevine pest, phylloxera, was conquered in France numerous regions previously devoted to grain were converted into vineyards. If France had this acreage still producing grain, it would now be helping out her food supply. Overproduction of wine encouraged its conversion into spirits. To-day there are not far from 2,500,000 wine and cider producers and a million home distillers (Frédéric Rieman, secretary of the Le Ligue Nationale contre l'Alcoolisme, 1916), and these constitute a body of interests which have blocked every effort during the war to free France from the handicap which drink places upon her, as stated in the poster already presented. The French press publishes lively demands that the spirits be requisitioned and turned to military and industrial uses instead of into the stomachs of the people. "Alcohol," said Le Figaro a few months ago, "is at the same time one of the best aids to national defense—in the powder mills—and one of its most cruel enemies—in the stomachs of the workmen in war industrial establishments. Who dares hesitate to choose between these uses?"

A recent book by Jean Finot, editor of La Revue, which has been passed by the censor, portrays some of the conditions with which France is struggling, due to her wine-spirits interests. (See CONGRESSIONAL RECORD, May 4, p. 1802.) It shows that the wine and spirits shops undermining the health and morals of the soldiers when off duty; drinking in convalescence retards or prevents recovery from wounds, increases infractions of discipline, handicaps employers in the production of munitions, delays transportation of supplies. Many of the generals have found it necessary to take measures to protect the soldiers at the front. Gen. Joffre forbade absolutely the sale of alcohol and of alcoholic drinks to soldiers of all grades in the army zone. He specified as forbidden "absinthe, bitters, vermouth, liqueurs, fruit spirits, and all other alcoholic liquids not specified." He forbade soldiers to accept as a gift any amount whatever of the drinks above named, and announced that any soldier violating this rule would be brought before the police and military courts, and that he would go so far as to definitely close up establishments guilty of violating this decree. Such are the difficulties which France has had during the war after prohibiting what was believed to be her worst enemy—absinthe—and leaving wine, fruit spirits, and other drinks.

How was it before the war?

An official proclamation in Paris as long ago as 1903, written by Dr. Débove, dean of the faculty of medicine, and Dr. Faisans, physician to the principal general hospital of Paris, declared that "alcoholism is chronic poisoning, resulting from the habitual use of alcohol, even when not taken in amounts sufficient to produce drunkenness. The so-called hygienic drinks (wine, beer, and cider) also contain alcohol. The man who daily drinks an immoderate amount of wine, of cider, or of beer becomes as surely alcoholic as the one who drinks brandy. Alcoholism causes a great variety of diseases. It is one of the most frightful scourges, whether regarded from the point of view of the health of the individual, of the existence of the faculty, or of the future of the nation." Such was the official warning given in wine and fruit-spirits drinking France 15 years ago.

A report to the French Academy of Medicine in 1907 by Dr. Fernet showed that among 1,500 deaths in hospitals and insane asylums in Paris, more than one-third were due in part to alcoholism; alcoholism was a contributory cause in 23.6 per cent of the cases; the sole cause in 10.2 per cent.

How cheapness and abundance of wine (such as would be fostered if we do not include fruits among the foodstuffs to be conserved) did not tend to promote temperance in France is shown by a survey by Ernest Massard in the St. Antoine quarter of Paris in 1901. Of 500 patients who came under his observation in the hospital, the average used from 4 to 5 quarts of wine a day; 56 who declared they were never drunk used from 1 to 2 quarts of wine a day and brandy, rum, and absinthe in addition, and 400 of the 500 patients showed signs of alcoholism.

"The scourge of drink," wrote M. Bourgeois, an ex-cabinet minister, "has a permanent place in all our social miseries. We meet it everywhere. It hides itself behind tuberculosis, in insanity, in crime, but it is always at the bottom of our evils and degeneracies."

An enormous increase in tuberculosis in France has been one of the serious developments of the war in consequence of trench life and conditions. But long before the war physicians had called attention to the fact that statistics on the consumption of alcohol according to departments in France showed a parallel with those of tuberculosis. Dr. Jacques Bertillon declared that "alcohol appears to be the most deadly cause of the weakening of the organism in preparation for tuberculosis. It is the master cause. All other causes disappear in comparison." Dr. Roublinovich, of the Salpêtrière, declared: "They talk about the great scourge, tuberculosis, which decimates France. The greatest scourge, however, is alcoholism. It is this which gives up the key to the house and permits the sacking. There is no more burning question than the battle against this cause of all other scourges." And, again, Dr. Landowsky in picturesque phrase declared, "Alcoholism prepares the bed for tuberculosis."

Figures compiled in 1907 under the direction of the French ministry of the interior (La Semaine Médicale, July 10, 1907) showed that of 71,551 inmates of insane asylums 9,932, or 13.6 per cent, were there as the direct or indirect result of alcohol.

These facts are not cited as any derogation of our great ally whose splendid spirit and achievements we in this war hail with honor. But they do show that the nation which has freely produced and used wine could not stop there, but passed on to the use of fruit brandy and worse liquors, and that it has suffered before the war and during the war from all the consequences that we had seen from other alcoholic liquors.

SWITZERLAND'S WARNING AGAINST WINE.

Switzerland, another wine-using country, found that alcoholism developed in alarming proportions.

In 1885 the Government took a Government monopoly of the manufacture and sale of distilled liquors, and has ever since appropriated a part of the profits to preventing drunkenness and the curing of inebriates. The use of brandy decreased as a result of the monopoly, but the use of wine increased from 38 liters per person in 1884 to 69 liters in 1898. One of the ardent advocates of the monopoly legislation, E. W. Millet, of Bern, found on comparing the consumption of actual alcohol that during the five-year period 1880-1884 preceding the adoption of the spirits monopoly the average per capita consumption of actual alcohol was 14.3 liters. In the decade 1892-1902, although the consumption of distilled liquors had decreased, the consumption of wine had so greatly increased that the actual per capita consumption of alcohol had gained by 10 per cent and amounted to 15.78 liters per capita, as against 14.3 liters before the impetus was given to wine drinking by adoption of the spirits monopoly.

The actual increase was even greater, as during the interval thousands of Swiss had become total abstainers.

ITALY'S LESSON OF WINE PERILS.

Italy, too, a wine producing and using country, shows a growing tragedy from drink.

Dr. Leonardo Bianchi published in Nuova Antologia (August, 1916) a long article on the development of the wine industry in Italy and its economic disadvantages to a country which has to import so heavily its grain supplies. He urges that there be no extension of vine cultivation, that vines destroyed by the phylloxera be not replaced, that instead the land be used for the cultivation of wheat and other grains greatly needed by Italy.

But here, too, is a physical problem similar to that of France. "The problem for Italy," says Dr. Bianchi, "is not so much attention to acute alcoholism (drunkenness) as to chronic intoxication, which slowly and daily undermines the vigor of the country."

"In all such diseases as apoplexy, epilepsy, hysteria, general paralysis, progressive paralysis, and insanity, suicide, alcohol holds a not insignificant place as a cause." But while he considers that only one-fifth of these deaths were attributable in part to alcohol, they mount into tens of thousands in a period of years. And "between these and the perfectly healthy of a race is a large zone which swarms with human weaklings, delinquents, those brutal to wives and children, deaf to the voice of conscience, and the children who suffer in the higher mental functions from the influence of alcoholic intoxication in the parents."

Dr. Gina Lombroso-Ferrero, daughter of the great criminologist Lombroso and wife of the historical Ferrero, says of alcoholism in Italy in a recent article: "The whole drink problem is being grappled with determinedly in Italy at the present time. The recent increase in alcoholism has been so tremendous as to cause anxiety in Government circles and among people interested in social questions."

"The epidemic of alcoholism is all the more remarkable in a country like Italy, because it was practically free from it 30 years ago. Our experts assign to the evil two main causes—the stupendous spread of industrialism employing machinery, and overproduction by wine growers."

From 1890, and still more from 1900 onward, the evil grew. Official statistics show that the quantity of wine consumed per inhabitant in 1884 was 72½ liters (a liter is slightly more than a quart); in 1905 it was 111½ liters. As to beer, the figures for 1879 is 0.50 liter per head, and for 1905, 0.89. Consumption of distilled alcohol jumped from 0.49 per head to over 1 liter. These figures are in reality much below the truth, as they do not cover contraband or illicit drinking. The anti-alcohol league of Milan recently made a special inquiry, which showed that consumption per head of all forms of alcohol in Milan had increased threefold in 25 years.

"Parallel with this increased drinking runs a corresponding rise in the death rate, which was only 1.5 per 100,000 inhabitants in 1887, and which in 1909 had risen to 4 per 100,000."

"It follows as a matter of course that cases of insanity kept pace with the increase in alcoholic consumption. Dr. Paolo Amaldi, director of the Florence Asylum and one of the leaders of the Italian Anti-alcohol League, who has for many years conducted a minute inquiry into the causes of insanity, has found that in the three years 1903-1905 out of a total of 38,764 asylum inmates (22,168 men, 16,596 women) the cases due to drink numbered 3,398 (3,075 men, 323 women). But these figures nearly doubled in the triennial period 1909-11, the total inmates crazed through drink being 7,092."

"Crime, too, kept pace. The ministry of justice has issued statistics showing that in 1906 the proportion of crimes due to drink was 4.46 per cent; by 1909 it had risen to 6.41 per cent, with an increase in the number of condemnations from 6,408 to 9,302. In addition the courts found for the same year that drink caused irresponsibility for various offenses in 5,426 cases. On this aspect of the drink evil Lombroso wrote:

"Crime grows apace with pauperism. The old saying, in the presence of every unsolved criminal mystery, 'Look for the woman,' might

be completed, perhaps corrected, by adding 'or the bottle.' Prof. Ferri discovered the curious fact that in France, while crimes of bodily injury diminished notably during a given period, they showed a marked increase in the month of November, which is the wine-gathering season. And Sclopis declared in our own Parliament that nine-tenths of the crimes committed in Italy were done in saloons."

THE WINE WAY TO DRUNKENNESS PICTURED.

Vance Thompson, the well-known journalist, in a recent book speaks out of personal observation of what has happened in France and Italy: "The greater part of my life I have lived in wine countries. Always one remembers the best of life; the dirty and tragic parts slip out of mind. . . . And so with the wine lands. Go to the real facts of life—banish the haze of poetic fancy—and what you see is the real cannikin-clinking merriment of comic opera but a sadder, drearier way of life."

"I am speaking of lands where the grapes grow, where wine is 'natural, pure, and cheap.' It is there at its best. The alcohol, always a poison, is in its least harmful form concealed in the beneficent juice of the grape—hidden in suavity and perfume. And what it does to the race of men, dwellers in sunlight, you know; for you have shuddered at these crippled and distorted generations, with their beggars and idiots, bearing one and all to the eye of the physiologist the stigmata of alcoholic penalties."

"No drunkenness in southern Europe? He who makes that statement speaks out of deep ignorance. He has never dwelt in the villages of Provence or wandered over the wide roads of Italy. You do not, I admit, see so wild and manifest a drunkenness as in the harsh, northern, spirit-drinking lands; but the southern drinker, making up in quantity what was wanting in the alcoholic strength of his beverage, reaches the same stage of physical impairment, begets the same poisoned offspring, dies in the same kind of alcoholic dissolution—to use the technical phrase. His moral corruption, as his physical degeneration, is slower in its progress; but statistics must be piled hospital high to show it reaches the same end."

"It was in my horoscope to watch for 20 years the growth of the alcohol habit in France. I saw the nation weary of the too feeble intoxicant of wine and take to strong drink. During those years, the drinking of absinthe alone arose from an annual consumption of 1,000,000 gallons to over 5,000,000 gallons. The French race, with dangerous deterioration, turned from the slow poison of wine to the fiercer and more active of alcohol poisons—to the wilder alcohol of amers and absinthes."

"With what fine spiritual energy, born of battle peril, France drew herself back from the abyss of racial degeneration you shall see, but assuredly she was going—even as the wine boy is making for whisky drunkenness—toward the alcoholic deterioration which is national deterioration, which is national death."

"Let there be no doubt about it; the wine way to drunkenness is a way like any other. You say it is cleaner, with gayer prospects and brighter skies? Nine-tenths of that is cant and cheap apology of second-rate, brandy-loosened peets. It is not a clean way—if you have followed the trail of the wine drunkard, home faring."

Thus the experience of three wine-producing and wine-using countries show that wine production, when encouraged, tends to divert to this purpose land needed for other foods so long as the growers produce grapes for wine instead of for food or nonalcoholic drinks. In all three countries the tendency has been toward an increased use of wine, leading to chronic alcoholism, with all its physical and moral waste of human power and efficiency. In both France and Italy, but especially in France, it has led to production and use of spirits, which has intensified the evils of alcoholism and which to-day, in the midst of this world war, is a tremendous handicap in affecting the food supply, in reducing the present effectiveness of the nation, in reestablishing normal industrial relations which must be restored as rapidly as possible, and in impairing the future generations.

HOW NOT TO DO IT.

For the United States now to leave open the way to these losses by giving the wine and fruit brandy industries an opportunity to enlarge and take the place of beer and whisky is to ignore the solemn lessons of experience which are already written large in tragedy in the national life of these other nations.

If the United States really intends to stop waste of food and human power by alcohol, it must include the prohibition of the use of fruits as well as of grain in the manufacture of liquor for beverage purposes.

Mr. ROBINSON. Mr. President—

The VICE PRESIDENT. The Senator from Arkansas.

Mr. THOMPSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Kansas will state it.

Mr. THOMPSON. Just before the call of a quorum I rose and made a parliamentary inquiry which has not yet been settled, and I should like to have it settled.

The VICE PRESIDENT. The Senator will state it now.

Mr. THOMPSON. I should like to have the Chair settle it, so that we may know exactly what we are doing. I wish to call the Chair's attention to the fact that section 12, which we are now considering, contains the original House provision, with the original amendment made by the Agricultural Committee; and there has been read here an amendment introduced by the Senator from Oregon [Mr. CHAMBERLAIN], which is in the form of a substitute for that section. Now, what I want to know is, are we not permitted to perfect section 12 as it came originally from the committee, this amendment of the Senator from Oregon being in the nature of a substitute which, under our rules, is simply a motion to strike out the entire section and amend by the insertion of a new section? There is no section to strike out until we perfect the amendment of the committee. As I understand the rules, we have the right first to perfect the House amendment.

Mr. HOLLIS. Mr. President, may I suggest, as a part of the parliamentary inquiry, that, as I understand it, the original section 12 which came over from the House was proposed to be

amended by the Committee on Agriculture and Forestry. Now, the Committee on Agriculture and Forestry, through its chairman, has offered another amendment, which takes the place of its first amendment. That leaves the language of the House section 12 as it came over here the pending question, with the amendment offered by the Senator from Oregon, a motion to strike out and insert; so that the two matters to be considered are the House language in section 12 and the amendment offered by the Senator from Oregon. I think that must be so.

Mr. ROBINSON obtained the floor.

The VICE PRESIDENT. Let the Chair get a clear understanding. Section 12 as contained in the bill is now before the Senate, and has certain committee amendments in it. Does the Chair understand that the committee has withdrawn the amendments as shown in the printed bill and offered in lieu of the House text this amendment?

Mr. CHAMBERLAIN. That is correct, Mr. President. May I make this further statement? It is true that section 12 of the House bill was amended in committee, and it was reported out with those amendments, but subsequently the Committee on Agriculture and Forestry reported out a substitute for what they had done in committee. So the pending amendment is the committee amendment. It was not the purpose of the unanimous-consent agreement to prevent the perfecting of the House provision or what is contained in the bill as originally reported out from the Senate committee.

The VICE PRESIDENT. Does the Chair understand that the committee has withdrawn the committee amendments to section 12?

Mr. CHAMBERLAIN. That is the first report of the committee, but the committee amendment that is now pending was reported out on the 28th of June, and takes the place of the former committee amendment.

Mr. THOMPSON. I do not think there has been any action in the Senate withdrawing the amendment, and my point is that a committee amendment coming in that way has no more force than if it were an amendment introduced by an individual Senator as a substitute, except, of course, it now has the sanction of a majority of the committee behind it; but from a parliamentary standpoint it does not seem to me to be in any better situation than if an individual Senator would have offered the substitute.

It makes no difference when it comes in, but I want a fair understanding of the matter before we commence to vote. I should like to have a vote between the original House provision and the original Senate amendment which is before us now, and then, if the former fails, of course a vote would come upon any substitute to strike out and insert. It has been held here squarely that we have a right to vote upon and perfect the section to be stricken out. How can a substitute strike out something that is not in the bill?

Mr. MYERS. Mr. President, I rise to a point of order, and I wish to state the point of order. Yesterday I sent to the desk a proposed amendment to the Chamberlain amendment, and the Senator from Arkansas [Mr. ROBINSON] offered a substitute for the Chamberlain amendment. I contend that the amendment I offered should be disposed of first, that we should be allowed to perfect the Chamberlain amendment before we know whether we want to adopt the substitute offered by the Senator from Arkansas.

Mr. ROBINSON. Mr. President, if I may be permitted to make a suggestion in reference to the point of order, not in the discussion of the amendment of the Senator from Oregon—

Mr. MYERS. I shall be glad to hear the Senator.

Mr. ROBINSON. I will state to the Chair that neither the amendment of the Senator from Montana nor my own amendment has been formally offered. I have the floor now, and expect during my time to offer that amendment.

Mr. MYERS. But my point of order is that my amendment should come first.

Mr. ROBINSON. The Senator can not take me off the floor on the theory that he wants to offer an amendment when I have the floor for the purpose of discussing an amendment that is already pending.

Mr. MYERS. The Senator stated that he is going to offer a substitute, and it might be voted on before I can offer mine.

Mr. THOMPSON. Will the Senator permit me a moment on the question of order?

Mr. ROBINSON. Mr. President, as to the parliamentary inquiry of the Senator from Kansas, the situation is very simple. The unanimous-consent agreement, according to the ruling of the previous occupant of the chair, the Senator from New Hampshire [Mr. HOLLIS], and I think it is entirely correct, is that by virtue of that agreement the Chamberlain amendment, which is the committee amendment, is the pending

question; that is, the motion to strike out and insert, and it is to that question that I wish to address myself, if I am given the opportunity of doing so. The Senator from Kansas will be afforded his own opportunity, and the Senator from Montana will have an opportunity of offering any amendment that he desires.

The VICE PRESIDENT. Now, let us settle this question so that there can not be any doubt about it. There is not any doubt but that the committee had a perfect right to withdraw the amendment that it proposed to section 12, prior to the consideration by the Senate, and to offer a substitute for section 12 in the nature of an amendment. That leaves before the Senate the original section 12 of the House and the proposed amendment of the committee in the nature of a motion to strike out and insert, each of which is open to amendment, the part to be stricken out being first subject to amendment. The Senator from Kansas has a perfect right hereafter, not in the time of the Senator from Arkansas, to offer upon his own behalf the amendment now printed to section 12 of the bill and to have a vote upon it.

Mr. THOMPSON. Mr. President, a parliamentary inquiry. Does not the action of the Senate have to be taken before a committee or a Senator can withdraw an amendment?

The VICE PRESIDENT. No; when a committee reports an amendment the committee can withdraw the amendment before any action has been taken. The Senator from Arkansas has the floor.

Mr. ROBINSON. Mr. President, the amendment which I intend to offer, in the nature of a substitute for the amendment reported by the Committee on Agriculture, forbids the use of foods, food materials, or feeds in the manufacture of distilled spirits for beverage purposes.

The amendment of the Senate Committee on Agriculture carries substantially the same provision and in addition authorizes the President to limit, regulate, or prohibit the use of foods or feeds in the production of vinous, malt, or fermented liquors whenever he shall find that such action is necessary in order to assure an adequate and continuous supply of food.

The original provision as it passed the House forbade the manufacture of distilled spirits and also of vinous, malt, or fermented liquors.

It became apparent that controversy over this feature of the bill was delaying its passage, and the President, who regards the early enactment of food-control legislation as indispensable to the efficient and successful conduct of the war, suggested to representatives of the legislative committee of the Anti-Saloon League of America that vinous, malt, and fermented liquors be eliminated from the bill. His letter making this suggestion has been published in the press. It is as follows:

THE WHITE HOUSE,

Washington, D. C., June 29, 1917.

MY DEAR DR. CANNON: I am very glad to respond to the request of Senator MARTIN, the Democratic floor leader in the Senate, that I give to your legislative committee an expression of my opinion with regard to the wisest and most patriotic policy to be pursued toward the food administration legislation now pending in the Congress.

I regard the immediate passage of the bill as of vital consequence to the safety and defense of the Nation. Time is of the essence; and yet it has become evident that heated and protracted debate will delay the passage of the bill indefinitely if the provisions affecting the manufacture of beer and wines are retained and insisted upon. In these circumstances I have not hesitated to say to Members of the Senate who have been kind enough to consult me that it would undoubtedly be in the public interest in this very critical matter if the friends of those provisions should consent to their elimination from the present measure. Feeling that your committee is actuated by the same patriotic motives which inspire me, I am confident that these considerations will seem to you, as they seem to me, to be imperative.

With much respect, sincerely, yours,

WOODROW WILSON.

Rev. JAMES CANNON, JR., D. D.,

Chairman Legislative Committee,

Anti-Saloon League of America.

The legislative committee, the general superintendent, and the legislative superintendent of the Anti-Saloon League of America promptly accepted the President's proposition, and, in so far as they were concerned, agreed to the elimination of vinous, malted, or fermented liquors from the pending bill, reserving, however, the right to urge hereafter the passage of legislation prohibiting the use of foodstuffs in the manufacture of beer and wines either in the form of a separate bill or in connection with other war legislation.

The reply of the representatives of the Anti-Saloon League to the President's letter has also been published. It is as follows:

WASHINGTON, D. C., June 30, 1917.

To the PRESIDENT,

White House, Washington, D. C.:

We have earnestly considered the statement in your letter of yesterday to the legislative committee of the Anti-Saloon League of America that in the face of the present food crisis you are greatly concerned lest the early passage of the food-administration legislation now pending in Congress be jeopardized by a heated and protracted debate upon cer-

tain sections of the bill relating to the manufacture of foodstuffs into intoxicating liquors.

We are aware of the threats made by the friends of beer and wine in the Senate of an indefinite and protracted filibuster against those provisions of the bill. We beg to assure you that, as patriotic Americans, determined to uphold you as Commander in Chief of the Army and Navy in the present war, we will not, for our constituency, offer any obstruction to the prompt passage of the food-control bill.

Of course, we can not presume to indicate to Members of Congress what action they should take in view of this request from the President of the United States. They will doubtless act in accordance with their own convictions of duty.

We are glad to note that your request applies only to the pending food-administration legislation. It will be our purpose to urge the passage of legislation prohibiting the waste of foodstuffs in the manufacture of beer and wines at the earliest possible date, either in the form of a separate bill or in connection with other war legislation. We assure you of our purpose as patriotic American citizens to cooperate in every possible way in the winning of the great war in which our Nation is engaged.

Sincerely and respectfully, yours,

JAMES CANNON, JR.,
ARTHUR J. BARTON,
WAYNE B. WHEELER,
E. H. CHERRINGTON,
Legislative Committee.
P. A. BAKER,
General Superintendent.
E. C. DINWIDDIE,
Legislative Superintendent.

My substitute for the committee amendment conforms in letter and in spirit to the compromise suggested by the President and agreed to by the Anti-Saloon League. The committee provision is objectionable because it imposes upon the President a function which is clearly legislative and which Congress ought to exercise itself whenever conditions justify or require.

In the next place the committee provision is not only subject to criticism because it expressly imposes upon the Chief Executive duties which are legislative in their nature, but it is also objectionable to Senators on the other side of the Chamber because they claim it confers a great political power and influence upon the Executive. It is urged that the existence of authority of the President to confiscate hundreds of millions of dollars' worth of property through the activities of agents upon whose judgment and conduct he must necessarily depend is unprecedented and unreasonable. Expressing no approval of this argument, I mention it merely to emphasize the fact that unless the Congress determines this question for itself the passage of the food-control bill will probably be indefinitely delayed.

As a still further objection to the committee provision it may be said that since Congress is likely to be in almost continuous session during the war, the Executive would be very slow to exercise the power sought to be conferred upon him, and would likely relegate the matter to Congress. Therefore nothing is accomplished by its passage.

Much has been said, and no doubt more will be, during the progress of this debate concerning the subject of bone-dry prohibition. No doubt the sentiment in favor of national prohibition is growing. The prohibition issue, however, is not directly involved in this legislation, nor can it be. No provision suggested to this bill contemplates national prohibition.

This, of course, is due to the fact that under the Constitution no power exists in Congress to enact a statute forbidding the sale or use throughout the Nation of liquors as a beverage. Before such legislation can be passed an amendment to the Constitution is required. The question in Congress is therefore confined to food-conservation measures, and does not seek to prevent the importation or sale of alcoholic beverages. If none were manufactured in the United States, it would still be possible to import such beverages from foreign countries and sell them here. If the manufacture of liquors should be totally suspended in the United States, we would not and could not have prohibition. Importation would probably be increased and the total consumption would probably be diminished because of the inevitably higher prices which would prevail.

Mr. President, I offer the following amendment. I ask that the Secretary may read the amendment. I offer it as a substitute for the committee provision. It is to strike out the committee amendment and insert the following in lieu thereof.

The VICE PRESIDENT. It will be read.

The SECRETARY. In lieu of the part proposed to be inserted by the committee insert:

SEC. 12. That from and after 30 days from the date of the approval of this act no person shall use any foods, fruits, food materials, or feeds in the production of distilled liquors, except for governmental, industrial, scientific, or medicinal purposes. Any person who willfully violates this section shall, upon conviction thereof, be punished by a fine of not exceeding \$5,000 or by imprisonment for not more than two years, or both.

Mr. ROBINSON. Mr. President, I address myself now to the amendment which I have just offered.

Importation would probably be increased and the total consumption would probably be diminished because of the inevitably higher prices which would prevail. It is also true that

such legislation might tend to promote national prohibition through the adoption of the necessary constitutional amendment and statute. If the committee provision prevails, national prohibition will, in my judgment, be postponed until after the war. By the adoption of the substitute, which as stated represents the compromise agreed upon between the President and the representatives of the Anti-Saloon League, everything of probable benefit will be accomplished that is likely to be done under the committee provision. The manufacture of distilled spirits in the United States will be suspended, and an enormous amount of food materials which would enter into the same if manufacture were continued, will be conserved. Of course a part of it may be shipped abroad and used there in the production of distilled spirits.

If the manufacture of beer is suspended, the price of that beverage will be greatly increased, because after a short time only imported beer can be obtained. Many influences are at work to create unrest and dissatisfaction in the great industrial centers where it is of supreme importance that nothing occur to disturb the peaceful and contented attitude of laborers. In some localities, at least, it is probable that great dissatisfaction will temporarily grow out of the increase in the price of malt liquors, which must occur if manufacture of beer be at once suspended. I do not think this condition could be permanent or of far-reaching importance, but it is worthy of consideration.

Congress is proceeding rapidly with temperance legislation, and it is proceeding within the Constitution. We have recently passed the Webb-Kenyon Act making interstate shipments of liquors subject to State prohibition laws. That was a great step forward. We have also enacted prohibition for the District of Columbia. In the Army bill of the present year the sale of intoxicating liquors to soldiers in uniform is prohibited and penalized. Congress has also forbidden the publishing of liquor advertisements in prohibition territory. By the legislation now proposed we are suspending the manufacture of distilled liquors. It is not remarkable in view of this record that many of the friends of temperance should be willing and anxious to avoid the reactionary movements which must inevitably result from ill-considered legislation calculated to accomplish nothing of benefit and pregnant with possibilities of evil. The overshadowing consideration in the minds and hearts of all patriots is to win the war against Germany and vindicate the right of our citizens to life, liberty, and the peaceful pursuit of their lawful avocations; to preserve the spirit of liberty and enkindle the fires of democracy beneath the thrones of autocracy. I have no doubt that all Senators, indeed, all Members of Congress, are imbued with this spirit and purpose. The war, for the present at least, is to be fought in France. Congress can not regulate the liquor question there. However closely the promotion of temperance may be associated with progress, the mere existence of a state of war does not empower Congress to enact national prohibition. I believe this substitute represents a sane, reasonable, and fair solution of the present controversy and that it will promote the speedy passage of this bill.

Mr. MYERS. I offer an amendment to the Chamberlain amendment.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. Amend the committee amendment designated as section 12 by inserting between the word "spirits" and the word "for" in line 3, page 1, of the printed amendment the words "or of vinous, malt, or fermented liquors."

Further amend the committee amendment by striking out all thereof after line 3, on page 1, of the printed amendment.

Mr. ROBINSON. Mr. President, I make the point of order that the amendment of the Senator from Montana is not now in order.

Mr. MYERS. Mr. President, I desire to be heard on the point of order. I contend that we have a right to perfect the Chamberlain amendment before we vote on the substitute for it. The Senator from Arkansas offers a substitute for the Chamberlain amendment. The Senate has a right to take the Chamberlain amendment in hand and fix it up in the way a majority of the Senate want it before the substitute is voted on, because we do not know whether we would perfect the substitute on the Chamberlain amendment until a majority of the Senate takes the Chamberlain amendment and puts it in the shape it wishes it. Therefore I contend that my amendment should be considered ahead of any substitute for the entire section.

The VICE PRESIDENT. The Chair believes the amendment of the Senator from Arkansas is amendable. The amendment of the Senator from Oregon is a proposition to strike out and insert and, under Rule XVIII of the Senate rules, the part to be stricken out and the part to be inserted must, for purposes of amendment, be regarded as a question. This rule makes the

amendment of the Senator from Arkansas [Mr. ROBINSON] an amendment of the first degree. This amendment itself is therefore clearly open to amendment.

Mr. CURTIS. I offer the following amendment to the House provision.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 18 strike out line 16 down to and including the word "beverages" on line 21 and insert the following:

Sec. 12. That no person shall use any foods, food materials, or feeds in the production of alcohol, except for governmental, industrial, scientific, medicinal, sacramental, or other nonbeverage purposes.

Mr. ROBINSON. Mr. President, I make the point of order that the amendment of the Senator from Kansas is not now in order, and I would like to be heard on it for just a moment, if the Chair will hear me.

Mr. CURTIS. I offered it on the statement of the Presiding Officer.

Mr. ROBINSON. Will the Chair give me just a moment on the point of order? I shall take only a moment. I am clearly satisfied the Chair overlooks the language of the unanimous-consent agreement. It is true that under the rule of the Senate the House provision would be first perfected, but under the unanimous-consent agreement it is as expressly provided that the amendment of the Senator from Oregon shall be first perfected. The language in that express provision is this:

That the amendment proposed by the committee, with such amendments as may be offered to it—

Which makes my amendment in order; it is subject to being perfected—

shall be first considered, and that the section as finally amended in Committee of the Whole—

And so forth.

That reverses by unanimous consent of the Senate the rule of the Senate, which would ordinarily apply, requiring that the Senate shall first perfect the House provision. It is an anomalous situation. I will say that I think it is the only construction that the language justifies. What effect could be given to the provision that the amendment of the Senator from Oregon and such amendments as may be offered to it shall be first considered unless you do give it the construction and effect that I am insisting upon, and that is that before you perfect the House provision you first perfect this amendment. In other words, the substantive proposition now before the Senate, the one that takes the place of everything else, is the amendment which the Senator from Oregon has offered for the amendment reported by the committee, and the committee amendment, by virtue of the unanimous-consent agreement, becomes the pending question, and, by the express language of the agreement and such amendments as may be offered to it, must first be perfected before we can take up the House provision.

Mr. CURTIS. I think the agreement applies to only the Senate amendment and was not intended in any way to change the rule in reference to the vote being first had upon the House provision. The agreement applies to only such Senate amendments that might be offered.

The VICE PRESIDENT. It is not the business of the Chair to construe unanimous-consent agreements made by the Senate. It is a senatorial construction.

Mr. SMOOT. Mr. President, I think the Chair is right in ruling that the amendment offered by the Senator from Kansas is in order. Rule XVI provides that when an amendment is offered by way of a substitute the substitute and the original House provision can be amended with a view of perfecting them. The Senator from Kansas offered an amendment to the House provision to perfect it. The first vote will come on the amendment offered by the Senator from Arkansas as perfected, but the vote should not come upon the amendment of the Senator from Kansas until the House provision is also perfected, so that the Senate shall know exactly what it is voting upon.

The VICE PRESIDENT. The ruling of the Chair has not been changed on the subject at all. This must be construed in the light of the rules of the Senate in the opinion of the Chair.

Mr. HOLLIS. I understood the Chair to rule that the amendment offered by the Senator from Arkansas is in order. If so, it is the pending amendment until it is disposed of, and another amendment can not be also before the Senate.

The VICE PRESIDENT. The Chair thinks the amendment of the Senator from Arkansas is in order, and as it is the purpose of both the Senator from Oregon and the Senator from Arkansas to strike out the original House text, the original House text is first to be perfected.

Mr. HOLLIS. Then the effect of the ruling of the Chair is that there can be two motions pending at the same time, and

that the amendment of the Senator from Kansas is to be passed upon before the amendment of the Senator from Arkansas.

The VICE PRESIDENT. No; the effect of the ruling of the Chair is that if an amendment to the House text is offered and there be no amendment pending to it, that amendment is in order and takes precedence.

Mr. THOMPSON. Mr. President, in connection with this question I beg to call the attention of the Chair to a decision of the former President pro tempore, Senator Clarke of Arkansas, on page 259 of the Precedents, wherein it is held exactly as the Chair has held at the present time. The statement of the President pro tempore then was:

A substitute under our rules is practically a motion to strike out and insert; it constitutes two questions. The friends of the original text of the bill may perfect it—

Just as the Senator from Kansas proposes to do—

if they so desire, before the question is put on the adoption of the substitute; but if no amendment shall be offered to the original bill, the question will be on the adoption of the substitute.

The unanimous-consent agreement was made in view of the rules of the Senate—

Mr. ROBINSON. May I be indulged for a few words more?

Mr. OVERMAN. Will the Senator yield to me for a moment on this question?

Mr. ROBINSON. Certainly.

Mr. OVERMAN. I wish to suggest to the Senator from Arkansas, and I call the attention of the Senator from Kansas to it, the words the Senator from Kansas proposes to strike out in his amendment are committee words and were put in by the committee originally. The committee have withdrawn that amendment, so his amendment is not in order because it proposes to strike out words even the committee have not proposed.

The words proposed to be stricken out by his amendment are:

That from and after 30 days from the date of the approval of this act.

The committee have withdrawn that, as I understand it. So the amendment is not in order from that standpoint.

Mr. THOMPSON. The committee certainly can not withdraw the House text of the bill.

Mr. ROBINSON. The Senator from North Carolina is correct in his suggestion. The language which the Senator seeks to strike out is not in the House provision. It is in an amendment heretofore reported by the committee, and withdrawn by the committee. So the Senator is seeking to strike out something that has been heretofore withdrawn. He does not address his amendment to the amendment of the Senator from Oregon, which is the pending question, nor does he address it to the language in the House provisions, but he addresses his amendment to the language which was first reported by the Senate committee and afterwards withdrawn by it. Therefore he is striking out something which has already been withdrawn.

But in addition to that, the remark has been made that the rules of the Senate govern the matter. Mr. President, the object of the unanimous-consent agreement is to suspend the operation of the rule. Everyone understands that. The plain effect of this provision, and it must be construed according to its language, is that the first thing to be considered is the Chamberlain amendment, and that that must be perfected together with such amendments as may be offered to it. That plainly makes the amendment which I have offered subject to amendment, in my judgment.

Mr. NORRIS. May I ask the Senator a question?

The VICE PRESIDENT. The Chair would suggest that there is an orderly way of overruling the Chair by taking an appeal.

Mr. HITCHCOCK. I think the suggestion of the Chair is wise, and because the Chair has intimated that the Senate ought to settle it, I appeal from the decision of the Chair.

Mr. ASHURST. I move to lay the appeal on the table.

The VICE PRESIDENT. The Senator from Nebraska appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. STONE. Will the Chair state his decision?

The VICE PRESIDENT. The Chair stated that notwithstanding the express terms of the unanimous-consent agreement the amendment proposed by the committee with such amendments as may be offered to it shall be first considered, and that the amendment being one to strike out section 12 and insert a different section, the original section 12 is first subject to amendment.

Mr. FLETCHER. Mr. President, I ask to have the amendment proposed by the Senator from Kansas [Mr. CURTIS] stated. If it is true that it simply strikes out what was proposed as a

committee amendment, but never offered as a committee amendment, and leaves the provision as it came to the Senate, then there is nothing to strike out and nothing to insert, and the Senator's object would be accomplished by voting down the amendment.

The VICE PRESIDENT. That is undoubtedly true.

Mr. ASHURST. Mr. President, in order to cut off debate, I move to lay the appeal from the decision of the Chair on the table.

Mr. JONES of Washington. On that I ask for the yeas and nays.

Mr. FLETCHER. I am not debating the matter. I have a right to have the amendment stated.

The VICE PRESIDENT. The Chair would like to know what the amendment is. The Secretary will please state it.

The SECRETARY. Mr. CURTIS offers the following amendment: On page 18, to strike out, beginning with line 16, down to and including the word "beverages," in line 21, and to insert the following:

SEC. 12. That no person shall use any foods, food materials, or feeds in the production of alcoholic beverages or of alcohol except for governmental, industrial, scientific, medicinal, or sacramental purposes.

Mr. CURTIS. Mr. President, in order that the Senate may understand the purpose of the amendment, may I state that all it proposes to do is to transpose the words "or of alcoholic beverages" in the House provision in order to make the section read as it was originally intended it should read. Were the language left as it now is, it would not accomplish what was intended to be accomplished by it. I hope the amendment may be adopted.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on laying the appeal from the decision of the Chair on the table.

Mr. JONES of Washington. I have asked for the yeas and nays on the motion.

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

Mr. FLETCHER (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. GALLINGER], but I transfer that pair to the Senator from Delaware [Mr. SAULSBURY] and vote "yea."

Mr. GERRY (when his name was called). I desire to be counted as present.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GORE] to the Senator from Arkansas [Mr. KIRBY] and vote "yea."

The roll call was concluded.

Mr. JAMES (after having voted in the negative). I transfer the pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to the senior Senator from New Jersey [Mr. HUGHES] and will allow my vote to stand.

Mr. ROBINSON. I announce the unavoidable absence of my colleague, the junior Senator from Arkansas [Mr. KIRBY].

The result was announced—yeas 53, nays 29, as follows:

YEAS—53.

Ashurst	Hale	Myers	Smith, Mich.
Beckham	Johnson, Cal.	Nelson	Smith, S. C.
Borah	Johnson, S. Dak.	New	Smoot
Brady	Jones, Wash.	Newlands	Sterling
Chamberlain	Kellogg	Norris	Sutherland
Colt	Kendrick	Page	Thomas
Cummins	Kenyon	Polindexter	Thompson
Curtis	King	Reed	Tillman
Dillingham	Knox	Shafroth	Townsend
Fernald	La Follette	Sherman	Trammell
France	Lodge	Shields	Vardaman
Frelinghuysen	McKellar	Simmons	Watson
Gore	McLean	Smith, Ariz.	Wolcott
Gronna	McNary	Smith, Ga.	

NAYS—29.

Bankhead	Hollis	Penrose	Stone
Brandegge	Husting	Phelan	Swanson
Broussard	James	Pittman	Underwood
Calder	Jones, N. Mex.	Pomerene	Wadsworth
Culberson	Lewis	Ransdell	Williams
Fletcher	McCumber	Robinson	
Harding	Martin	Sheppard	
Hitchcock	Overman	Smith, Md.	

NOT VOTING—12.

Fall	Goff	Kirby	Walsh
Gallinger	Hardwick	Owen	Warren
Gerry	Hughes	Saulsbury	Weeks

So the appeal from the decision of the Chair was laid on the table.

Mr. MYERS. Mr. President, I move to amend the amendment offered by the Senator from Arkansas [Mr. ROBINSON] by inserting between the word "spirits" and the word "for," in line 3, of page 1, of the printed amendment, the words "or of vinous, malt, or fermented liquors."

The VICE PRESIDENT. The Senator from Kansas has an amendment pending.

Mr. CURTIS. I will say to the Senator from Montana that I have an amendment pending.

The VICE PRESIDENT. The question is on the amendment.

Mr. MYERS. I did not understand the Senator's amendment was pending to the amendment offered by the Senator from Arkansas.

The VICE PRESIDENT. No; it is pending to the original bill.

Mr. MYERS. Is not the amendment offered by the Senator from Arkansas pending? It was received.

The VICE PRESIDENT. The Chair thought the Senate had just settled that question.

Mr. MYERS. Then, it is not in order to amend his amendment.

The VICE PRESIDENT. The Senator from Kansas [Mr. CURTIS] has an amendment pending. The question is on that amendment.

The amendment was agreed to.

Mr. CUMMINS. I offer the amendment to the House text, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "beverages," on page 18, line 21, it is proposed to insert:

No alcoholic beverage shall be imported into the United States during the existing war, and no part of the distilled spirits now in bond in the United States shall be withdrawn during the said war to be used as a beverage.

Mr. CUMMINS. Mr. President, I am in favor of the House provision of the bill as against either of the amendments which have been heretofore proposed; but I believe the House provision is weak in two respects: First, there is nothing to prevent the importation of alcoholic liquor. I understand that the revenue bill which is now before the Senate contains a provision of that kind, but we do not know what its fate will be. I have therefore proposed this as an amendment to the House provision.

One of the objections urged to the House provision is that the 300,000,000 gallons of distilled spirits now in bond can be used during the war for beverage purposes, and that we shall thereby convert this country into a whisky-drinking Nation. There is some force in the suggestion so repeatedly made that strong liquor is more objectionable than the weaker liquor; and the amendment that I have just proposed is intended to keep the distilled spirits in bond during the war, except in so far as they may be withdrawn for other purposes, or except in so far as the President of the United States may commandeer them for governmental purposes. The fundamental idea of the amendment is that we can prosecute the war in which we are now engaged more energetically and more efficiently without liquor than with it, and I want the opinion of the Senate upon that subject.

Mr. SHAFROTH. Mr. President, I am opposed to the amendment offered by the Senator from Arkansas [Mr. ROBINSON], and I heartily approve of the amendment offered by the Senator from Iowa [Mr. CUMMINS], which prohibits the importation of distilled liquors during the existing war with Germany after their manufacture has been prohibited in the United States. As the Senator from Iowa has stated, conservation not only of food but of human energy is sought to be accomplished in this bill.

I want to direct attention to the fact that David Lloyd-George, premier of England, has recently said:

We are fighting Germany, Austria, and drink. So far as I can see, the greatest of these three deadly foes is drink.

Von Moltke, who for many years was the commander in chief of the German forces, used this expression:

Beer is a far more dangerous enemy to Germany than all the armies of France.

Maj. Gen. Frederick Dent Grant used this language:

Ninety-five per cent of the desertions and acts of lawlessness in the Army are due to liquor. If I could by offering my body as a sacrifice free my country of this fell destroyer, drink, I would thank God for the privilege of doing it.

There is the testimony of three men, the most highly qualified judges possible to be found, and they practically say that we can not win this fight without adopting measures that will prevent the use of liquor.

Mr. President, some complaint is made that we purpose interfering with an industry, and that to enact prohibition legislation of this kind will cause that industry to suffer a great loss. When, however, that question is closely examined, it is found not to be serious. The provisions of this bill in regard to the prohibition of the manufacture of alcoholic liquors will apply only for the duration of the war. Consequently, if the

war ends in six months all the loss sustained will simply be that resulting from closing the breweries and the distilleries for that period of time.

Mr. VARDAMAN. Mr. President, if the Senator will permit me to say just one word at this point, I wish to say that whenever the United States goes "dry" for two years, it will never return to the liquor traffic.

Mr. SHAFROTH. That may be true; and I hope there will never be a return to the traffic. We can then provide for an equitable arrangement.

Mr. President, there is also a clause in the House bill providing for the commandeering of distilled liquor, and when we consider that it takes 1 pint of alcohol to manufacture 1 pound of powder, and further, that at the present time in this war more powder is being used in every three minutes than was exploded in the three days' battle at Gettysburg, we can realize the extent of the demand there will be for alcohol for the purpose of manufacturing munitions of war. Consequently there should practically be no loss to the distillers by reason of the passage of this bill.

Mr. President, in every prohibition measure that has been presented or adopted in the States beers and wines have been included with distilled liquors.

Why is that? There must be some reason for it. It is true that beer is a milder drink than whisky; it is true that wine is a milder drink, but why are they always coupled with distilled liquors? It is because if they are not coupled the saloon is bound to exist. That is the reason. We will have wine saloons and we will have beer saloons, which will also mean a great deal of "bootlegging" of distilled spirits. It is only by including in prohibition measures all intoxicating liquors that we can get rid of the saloon.

Mr. President, it does seem to me that when we consider the fact that prohibition already exists in 24 or 25 States, the effect of this bill will not be so serious as Senators contend. The fact that there are large numbers of men employed in these industries is no indication that we are going to throw out of work permanently the 289,000 men now in the employ of the liquor industries. There is now a greater demand for labor at higher wages than has ever existed in the United States, and hence they will not remain without employment. That labor as now used is nothing but wasted energy—nay, more, it is used in the manufacture of that which weakens our energies and impairs our minds. According to a recent resolution of the American Medical Association, "alcohol is wholly without drug value, either as a tonic or stimulant or in any other therapeutic way." The imperative need of this crisis is the production and preservation of foods and the prohibition of the use of those things which impair our efficiency. It is only by the conversion of useless into productive labor that we can hope to win the war and thereby accomplish our high ideals in the preservation and extension of human liberty.

The VICE PRESIDENT. The time of the Senator from Colorado has expired.

Mr. BRADY. Mr. President, I had not intended to address the Senate on the pending amendment relative to prohibition for the reason that I know full well that no amount of argument by another Senator could cause me to change my views, formed after due deliberation and careful thought on the subject of temperance, or as to the advisability of permitting the use of beer and wine during the war, and I am equally certain that nothing I may say will change very many of the votes that will be cast to-day on the amendment now pending relative to the manufacture and sale of wines and beers during the present war. But as a member of the Agricultural Committee that considered and reported this bill, I feel that I owe it to myself, my constituents, and the country to offer a few words of explanation relative to the action that I shall take to-day when the final vote on this question is taken; for I shall vote against this amendment and in favor of the House one, for the reason that I am opposed not only to the use of distilled liquors, but am also opposed to the use of wine and beer as beverages. What I shall say will be somewhat in the nature of a review of the history of the bill so far as it concerns the Senate and the Committee on Agriculture and Forestry.

On June 25 H. R. 4961 was introduced, read twice, and referred to the Committee on Agriculture and Forestry. On June 26 the chairman of the Committee on Agriculture and Forestry appointed a subcommittee, consisting of seven members, to consider the bill and make recommendations relative to the same to the full committee. The subcommittee appointed by the chairman agreed upon the following amendment.

Mr. President, I ask that this amendment be printed as a part of my remarks without reading.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The amendment referred to is as follows:

(a) That from and after 30 days from the date of the approval of this act it shall be unlawful for any person, firm, or corporation to use in the manufacture of any intoxicating liquors for beverage purposes any perishable or nonperishable feeds, foods, or food materials. (b) Whenever the President shall find it necessary to conserve the perishable products referred to in the preceding paragraph he is empowered to permit the use of such products in the manufacture of vinous liquors; and when the question arises as to whether any particular product is perishable or nonperishable, or is suitable for foods or feeds, the President is authorized to determine that question, and his determination shall be conclusive for the purposes of this act. (c) Whenever in the judgment of the President the public interest would be subserved thereby he is empowered to permit the limited use of the materials mentioned in paragraph (a) of this section in the manufacture of malt or fermented liquors, and to prescribe the alcoholic contents thereof. (d) The Commissioner of Internal Revenue shall be charged with the administration of this section, and he is authorized with the approval of the President to require the taking out of such permits, the keeping of such records, the execution of such bonds, and the observance of such rules and regulations as may be necessary and proper for the execution of the same. (e) Any person who willfully violates this section shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding \$5,000 or by imprisonment for not more than two years, or both.

Mr. BRADY. On June 27, at a full meeting of the Senate Committee on Agriculture and Forestry, after due consideration of H. R. 4961, adopted an amendment, which was in substance the House amendment forbidding the manufacture of foodstuffs into intoxicating liquors, with an exception of wine-making from fruits; and another amendment authorizing and directing the President to commandeer distilled liquors for war purposes was made mandatory. I ask, Mr. President, that the amendments referred to, being sections 12 and 13, be inserted in the RECORD, as a part of my remarks, without reading.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The sections referred to are as follows:

SEC. 12. That from and after 30 days from the date of the approval of this act no person shall use any foods, food materials, or feeds in the production of alcohol, except for governmental, industrial, scientific, medicinal, sacramental, or other nonbeverage purposes. Any person who willfully violates this section shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or by imprisonment for not more than two years, or both: *Provided*, That whenever the President shall find it necessary to conserve perishable fruits he is empowered to permit the use of such perishable fruits in the manufacture of vinous liquors; and when the question arises as to whether any particular fruit is perishable or nonperishable the President is authorized to determine that question, and his determination shall be conclusive for the purposes of this act: *Provided further*, That the Commissioner of Internal Revenue shall be charged with the administration of this section, and he is authorized, with the approval of the President, to require the taking out of such permits, the keeping of such records, the execution of such bonds, and the observance of such rules and regulations as may be necessary and proper for the execution of the same.

SEC. 13. That the President is authorized and directed to commandeer any or all distilled spirits in bond at the date of the approval of this act for redistillation in so far as such redistillation may be necessary to meet the requirements of the Government in the manufacture of munitions and other military and hospital supplies, or in so far as such redistillation would dispense with the necessity of utilizing products and materials suitable for foods and feeds in the future manufacture of distilled spirits for the purposes herein enumerated. The President shall determine and pay a just compensation for the distilled spirits so commandeered; and if the compensation so determined be not satisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation for such spirits, in the manner provided by section 24, paragraph 20, and section 142 of the Judicial Code.

Mr. BRADY. This amendment, with the full committee present, was adopted by a vote of 9 to 7, and the bill with this amendment was reported to the Senate and substituted for S. 2463; and the Senate commenced consideration of the bill and it was presumed by the minority, although they voted against the amendments offered to the House sections, that the matter was settled and that the members of the Committee on Agriculture and Forestry would give their support to the measure as agreed upon by the full committee on June 27.

On June 29, 1917, the President wrote the following letter to Rev. James Cannon. I ask, Mr. President, that the letter of the President be inserted in the RECORD, without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The letter referred to is as follows:

JUNE 29, 1917.

MY DEAR DR. CANNON: I am very glad to respond to the request of Senator MARTIN, the Democratic floor leader in the Senate, that I give your legislative committee an expression of my opinion with regard to the wisest and most patriotic policy to be pursued toward the food-administration legislation now pending in the Congress. I regard the immediate passage of the bill as of vital consequence to the safety and defense of the Nation. Time is of the essence; and yet it has become

evident that heated and protracted debate will delay the passage of the bill indefinitely if the provisions affecting the manufacture of beer and wines are retained and insisted upon. In these circumstances I have not hesitated to say to Members of the Senate who have been kind enough to consult me that it would undoubtedly be in the public interest in this very critical matter if the friends of those provisions should consent to their elimination from the present measure. Feeling that your committee is actuated by the same patriotic motives which inspire me, I am confident that these considerations will seem to you, as they seem to me, to be imperative.

With much respect, sincerely, yours,

WOODROW WILSON.

Rev. JAMES CANNON, JR., D. D.,
Chairman Legislative Committee
Anti-Saloon League of America.

Mr. BRADY. In consequence of this letter written by the President, the committee was again called together and the committee by a vote of 6 to 5 adopted the following amendment prohibiting the making of whiskey and other distilled liquors and leaving beer and wine to the discretion of the President:

SEC. 12. That it shall be unlawful for any person, firm, or corporation to use any foods, food materials, or feeds in the manufacture of distilled spirits for beverage purposes. (b) Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, food materials, or feeds in the production of vinous, malt, or fermented liquors, or that reduction of the alcoholic content of any such liquors is essential, in order to assure an adequate and continuous supply of food or feed, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given and shall remain unrevoked, no person shall, after a reasonable time, which shall be prescribed in such notice, use any foods, food materials, or feeds in the production of such vinous, malt, or fermented liquors except in accordance with the limitations, regulations, and prohibitions prescribed in such notice, or to produce any such liquors having an alcoholic content in excess of the amount prescribed therefor in such notice. When the question arises as to whether any particular product is suitable for food or feed, the question shall be determined by the President and his determination shall be conclusive for the purposes of this section. (c) Except as otherwise herein provided, the Commissioner of Internal Revenue shall be charged with the administration of this section, and he is authorized, with the approval of the President, to require the taking out of such permits, the keeping of such records, the execution of such bonds, and the observance of such rules and regulations as may be necessary and proper for the execution of the same. (d) Any person who willfully violates this section shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or by imprisonment for not more than two years, or both.

Mr. President, as a member of the Committee on Agriculture and Forestry, I voted against this amendment in the committee and reserved the right to oppose it on the floor of the Senate. It is plain to be seen that in consequence of the President's interposition the committee vote of 9 to 7 for the amendment above described was suddenly changed to a vote of 6 to 5 in favor of the amendment, leaving the manufacture of beer and wine to the discretion of the President. It is my desire and purpose to support the President whenever I can conscientiously do so, and I will do so whenever I believe that it will be for the benefit of my country or will contribute to the winning of the war; but I do not propose that the President shall set moral standards for me when in doing so we weaken rather than strengthen the defense of our country. No intoxicated general ever won a battle; no intoxicated soldier ever did effective service in the line of battle, and no man can produce food, fuel, or munitions of war, all of which are necessary for the defense of our country, if he spends his idle hours in drinking wine, beer, or intoxicating liquors of any kind, and I do not propose by my vote to place temptation before the young men that we are compelling by conscription and draft to sacrifice their lives, while we permit the slackers at home to consume by drink and to thus waste the products of the soil that we need so much to feed the needy and the hungry. If we ask the soldier to die for us, we ought to be willing to go dry for him.

I am in favor of the House provision, and I hope that it will be adopted.

Mr. President, I therefore ask to have inserted in my remarks the portions of the CONGRESSIONAL RECORD on pages 4584 and 4585, being a statement by the Senator from Oregon [Mr. CHAMBERLAIN], who has charge of the bill, and some remarks by the junior Senator from Mississippi [Mr. VARDAMAN], together with a telegram received by him and his answer to it. It seems to me that that part of the RECORD would be especially interesting at this time, and I hope that each and every Member of the Senate will again read it.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

Mr. CHAMBERLAIN. * * * Mr. Hoover, accompanied by Judge Lindsley, who advises with him on the legal aspects of the food bill, came to see me Saturday morning just before the convening of the Senate to discuss a few proposed amendments to the bill. It was so near the hour of convening the Senate that I requested them to come up to the office Sunday morning, and promised them I would endeavor to have the members of the Agricultural Committee present so that the proposed amendments might be discussed by them.

I submitted the matter of Mr. Hoover's request to the members of the committee, and they subscribed to the following agreement:

We, members of the Committee on Agriculture and Forestry, will meet informally with Mr. Hoover Sunday morning at 10 o'clock in the Military Affairs Committee room of the Senate to discuss with him certain features of the food-regulation bill.

GEORGE E. CHAMBERLAIN,
WILLIAM H. THOMPSON,
T. P. GORE,
MORRIS SHEPPARD,
HOKA SMITH,
E. D. SMITH,
ED. S. JOHNSON.

A. J. GRONNA,
JAMES H. BRADY,
WILLIAM S. KENYON,
G. W. NORRIS,
JOHN B. KENDRICK,
JOSEPH E. RANDELL,
F. E. WARREN.

I believe the agreement was signed by every member of the committee to whom it was presented.

In pursuance of the request of the committee, a meeting was held in the Military Affairs Committee room at 10 o'clock. Mr. Hoover was present, and Judge Lindsley as well, the proposed amendments were discussed.

I will say, Mr. President, that I do not remember ever having met any of these gentlemen except Mr. Dinwiddie, and he has always treated me with the greatest courtesy and consideration, and has never attempted to intrude his presence upon me either as a member of the Agricultural Committee or in any other way. I think the article in question does all these distinguished gentlemen very great injustice. I ask that the letters to which I have referred may be read.

The VICE PRESIDENT. The Secretary will read as requested. The Secretary read as follows:

JUNE 29, 1917.

MY DEAR DR. CANNON: I am very glad to respond to the request of Senator MARTIN, the Democratic floor leader in the Senate, that I give your legislative committee an expression of my opinion with regard to the wisest and most patriotic policy to be pursued toward the food-administration legislation now pending in the Congress. I regard the immediate passage of the bill as of vital consequence to the safety and defense of the Nation. Time is of the essence; and yet it has become evident that heated and protracted debate will delay the passage of the bill indefinitely if the provisions affecting the manufacture of beer and wines are retained and insisted upon. In these circumstances I have not hesitated to say to Members of the Senate who have been kind enough to consult me that it would undoubtedly be in the public interest in this very critical matter if the friends of those provisions should consent to their elimination from the present measure. Feeling that your committee is actuated by the same patriotic motives which inspired me, I am confident that these considerations will seem to you, as they seem to me, to be imperative.

With much respect, sincerely, yours,

WOODROW WILSON.

Rev. JAMES CANNON, JR., D. D.,
Chairman Legislative Committee
Anti-Saloon League of America.

JUNE 30, 1917.

To the PRESIDENT.

The White House, Washington, D. C.:

We have earnestly considered the statement in your letter of yesterday to the legislative committee of the Anti-Saloon League of America, that in the face of the present food crisis you are greatly concerned lest the early passage of the food-administration legislation now pending in Congress be jeopardized by a heated and protracted debate upon certain sections of the bill relating to the manufacture of foodstuffs into intoxicating liquors.

We are aware of the threats made by the friends of beer and wine in the Senate of an indefinite and protracted filibuster against those provisions of the bill. We beg to assure you that as patriotic Americans, determined to uphold you as Commander in Chief of the Army and Navy in the present war, we will not for our constituents offer any obstruction to the prompt passage of the food-control bill.

Of course we can not presume to indicate to Members of Congress what action they should take in view of this request from the President of the United States. They will doubtless act in accordance with their convictions of duty.

We are glad to note that your request applies only to the pending food-administration legislation. It will be our purpose to urge the passage of legislation prohibiting the waste of foodstuffs in the manufacture of beer and wines at the earliest possible date, either in the form of a separate bill or in connection with other war legislation.

We assure you of our purpose as patriotic American citizens to co-operate in every possible way in the winning of the great war in which our Nation is engaged.

Sincerely and respectfully, yours,

P. A. BAKER,
General Superintendent.
EDWIN C. DINWIDDIE,
Legislative Superintendent.
JAMES CANNON, JR.,
ARTHUR BARTON,
WAYNE B. WHEELER,
Legislative Committee.

Mr. CHAMBERLAIN. Mr. President, in pursuance of the call of the members of the committee for the meeting yesterday, the committee met and discussed some of the proposed amendments, and adjourned to meet again this morning at 10 o'clock. The amendments which were suggested by the committee will be reported to the Senate in due course. The committee, not by unanimous consent, but by a majority of the members present, have agreed upon a substitute for the liquor provision in the bill. I desire at this time to have it read into the RECORD, so that Senators may know what has been done with respect to it.

Mr. VARDAMAN. May I ask the Senator in charge of the bill if he knows whether or not the President made the request of the patriotic Senators who opposed this prohibition feature of the bill to withdraw their opposition in order that the bill might pass?

Mr. CHAMBERLAIN. Mr. President, the foregoing letter contains all I know about the President's views. I have not had any communication with or from him on the subject, and the letter which has just been read covers all I know about his views. I ask that the proposed amendment be read.

The VICE PRESIDENT. The Secretary will read it.

The Secretary read as follows:

"SEC. 12. That it shall be unlawful for any person, firm, or corporation to use any foods, food materials, or feeds in the manufacture of distilled spirits for beverage purposes. (b) Whenever the President

shall find that limitation, regulation, or prohibition of the use of foods, food materials, or feeds in the production of vinous, malt, or fermented liquors, or that reduction of the alcoholic content of any such liquors is essential, in order to assure an adequate and continuous supply of food or feed, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given and shall remain unrevoked, no person shall, after a reasonable time, which shall be prescribed in such notice, use any foods, food materials, or feeds in the production of such vinous, malt, or fermented liquors except in accordance with the limitations, regulations, and prohibitions prescribed in such notice, or to produce any such liquors having an alcoholic content in excess of the amount prescribed therefor in such notice. When the question arises as to whether any particular product is suitable for food or feed, the question shall be determined by the President, and his determination shall be conclusive for the purposes of this section. (c) Except as otherwise herein provided, the Commissioner of Internal Revenue shall be charged with the administration of this section, and he is authorized, with the approval of the President, to require the taking out of such permits, the keeping of such records, the execution of such bonds, and the observance of such rules and regulations as may be necessary and proper for the execution of the same. (d) Any person who willfully violates this section shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$5,000 or by imprisonment for not more than two years, or both."

Mr. VARDAMAN. Mr. President, I wish to ask permission out of order, and I think it is pertinent at this time, to have a telegram read, addressed to me from the Anti-Saloon League of Mississippi, and my reply thereto.

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

The Secretary read as follows:

"Senator J. K. VARDAMAN,
Washington, D. C.:

"We are depending on you to do your best for a bone-dry war measure. Do not exempt beer and wine.

"MISSISSIPPI ANTI-SALOON LEAGUE,
Per T. J. BAILEY, Superintendent."

"WASHINGTON, D. C., July 1, 1917.

"Rev. T. J. BAILEY,
Superintendent Anti-Saloon League, Jackson, Miss.:

"Your telegram received.

"The good old ship Prohibition, heavily loaded with the hopes of millions of consecrated women and men for nation-wide prohibition, sailing with fair winds and good prospects to the port of victory, was submerged day before yesterday by the President of the United States. It is now lying on the bottom beneath about 40 fathoms of beer and wine, with one whole side knocked out. I am afraid some of the officers of the crew deserted before it went down. Will do my best to save the wreck. But it is my deliberate judgment that no power on earth except the people can raise it.

"JAMES K. VARDAMAN."

Mr. BRADY. I ask, Mr. President, to have inserted as a part of my remarks the views of the minority of the Committee on Agriculture and Forestry, signed by the Senator from North Dakota [Mr. GRONNA] and myself, on section 12 of the bill.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

VIEWS OF THE MINORITY, H. R. 4961, SENATE COMMITTEE ON AGRICULTURE AND FORESTRY, ON NEW SECTION 12 (SUBSTITUTE FOR OLD SECTION 14).

On calendar day, June 22, H. R. 4961 was read twice and referred to the Committee on Agriculture and Forestry. The chairman of the committee appointed a subcommittee of seven to consider the bill and recommend amendments. On June 27, at a full meeting of the Senate Committee on Agriculture and Forestry, after due consideration of H. R. 4961, it rejected what is known as the prohibition amendment recommended by the subcommittee and adopted House amendment forbidding the manufacture of foodstuffs into intoxicating liquors, in substance, with an exception of wine making from fruits; and another House amendment authorizing the President to commandeer distilled liquors for war purposes was made mandatory. These are sections 14 and 14a in House act—12 and 13 in Senate revision as reported in the bill now before the Senate for consideration.

On July 1 another meeting of the Agricultural Committee was called and the committee was asked to reconsider that action adopting sections 12 and 13. The same was reconsidered and a section known as section 12 was adopted, permitting the manufacture of wines and giving the President power to authorize the manufacture of beer, authority being given in subsection (b), which reads as follows:

"Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, food materials, or feeds in the production of vinous, malt, or fermented liquors, or that reduction of the alcoholic content of any such liquors is essential, in order to assure an adequate and continuous supply of food or feed, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. Whenever such notice shall have been given and shall remain unrevoked, no person shall, after a reasonable time, which shall be prescribed in such notice, use any foods, food materials, or feeds in the production of such vinous, malt, or fermented liquors except in accordance with the limitations, regulations, and prohibitions prescribed in such notice, or to produce any such liquors having an alcoholic content in excess of the amount prescribed therefor in such notice. When the question arises as to whether any particular product is suitable for food or feed, the question shall be determined by the President, and his determination shall be conclusive for the purposes of this section."

The minority adhere to the previous amendments, which was at best a compromise made for the sole purpose of assisting in the speedy passage of the bill and with the hope that at a later date the committee might report a bill creating effective prohibition. We give notice that we will move to strike out sections 14 and 14a, House bill, and insert the same amendment as reported June 27, except such minor corrections in the language of the amendment. The amendment to be offered will read as follows:

"SEC. 12. That from and after 30 days from the date of the approval of this act no person shall use any foods, food materials, or feeds in the production of alcoholic liquors except for governmental, industrial, scientific, medicinal, sacramental, or other nonbeverage purposes. Any person who willfully violates this section shall, upon conviction thereof, be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both: *Provided*, That whenever the President shall find it necessary to conserve perishable fruits he is empowered to permit during the year 1917 only the use of such perishable fruits in the manufacture of vinous liquors; and when the question arises as to whether any particular fruit is perishable or nonperishable the President is authorized to determine that question, and his determination shall be conclusive for the purposes of this act: *Provided further*, That the Commissioner of Internal Revenue shall be charged with the administration of this section, and he is authorized, with the approval of the President, to require the taking out of such permits, the keeping of such records, the execution of such bonds, and the observance of such rules and regulations as may be necessary and proper for the execution of the same."

JAMES H. BRADY.
A. J. GRONNA.

Mr. LODGE. Mr. President, I have just examined the pending amendment. It seems to me that the first part of the amendment relating to the importation of distilled liquors is clearly going beyond the power of the Senate. That is provided for in the revenue bill now pending, which contains a provision prohibiting the importation into the United States of distilled liquors of any kind. That is where the provision should be—in the bill to raise revenue, which has come from the House. But I do not think, in connection with this bill, the Senate can originate revenue legislation, and the matter is entirely taken care of, as I have said, in the revenue bill.

Mr. CUMMINS. Mr. President, does the Senator from Massachusetts make a point of order?

Mr. LODGE. I can not make a point of order on the Constitution.

Mr. CUMMINS. But it sounded very much as though the Senator were making a point of order.

Mr. LODGE. I merely wished to call attention to the fact that we were exercising the power of originating revenue legislation, and I do not think under the Constitution the Senate can do that. I know that it is rather old-fashioned to refer to the Constitution, but the House is apt to stand upon its rights in that matter.

Mr. CUMMINS. Mr. President, the House ought to stand on its rights; but this is not an amendment for raising revenue.

The VICE PRESIDENT. The Senator from Iowa has spoken once.

Mr. SHERMAN. I should like to make an inquiry of the Senator from Massachusetts for information. I have understood, from the arguments of many Senators here of long experience and great ability, that the Constitution has been suspended by the declaration of war.

Mr. LODGE. That is a possible view.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa.

Mr. JONES of Washington. Mr. President, I am opposed to the amendment known as the Chamberlain amendment. I am opposed to it, because I am not in favor of placing the responsibility upon the President of determining a matter which we ought to determine ourselves. The Congress of the United States knows whether or not it wants to conserve the food of this country by stopping the manufacture of beer and wines. If it wants to do that, it ought to do it, and it ought not to impose a burden of that character upon the President of the United States, who already has sufficient duties to perform, even though the President may have been in favor of having a duty of this kind placed upon him, as would appear from the original bill as introduced in the House of Representatives, which provided for placing this whole power, not only with reference to wines and beer but also with reference to distilled liquors, upon his shoulders.

Mr. President, I am opposed to the amendment in the nature of a substitute proposed by the Senator from Arkansas [Mr. ROBINSON]. I am opposed to it, because it does not attempt to prohibit the manufacture of foodstuffs into wine and beer. I am in favor of the House provision. I am in favor of it unamended, if it can not be amended in certain particulars. I am in favor of the amendment proposed by the Senator from Iowa to the original text of the House bill. I hope that it will be adopted. It may be that the revenue bill has a provision in it prohibiting the importation of distilled liquors, but we do not know what will be the fate of that provision on that measure. This amendment is not an amendment raising revenue, and I doubt very much whether it is subject to the constitutional objection which has been raised.

The amendment also provides that distilled liquors in bond shall not be taken out and used for beverage purposes. That ought to please the honorable Senator from Massachusetts [Mr. LODGE], who made such a great speech a few days ago in behalf

of the manufacturers of beer out of the foodstuffs of the country in this time of stress and sorrow. He was fearful that if we prohibited that we would drive men to drinking distilled liquor or whisky. Now, Mr. President, we want to meet that very serious objection of the honorable Senator from Massachusetts by prohibiting the use of distilled liquors for beverage purposes; and I hope that the amendment of the Senator from Iowa will have his support.

Mr. HOLLIS. Mr. President, the constitutional prohibition in regard to revenue bills is that they must originate in the House of Representatives. This bill did originate in the House of Representatives. Moreover, this is not a bill to raise revenue, nor is the amendment offered by the Senator from Iowa an amendment intended to raise revenue. It is a prohibitory amendment pure and simple. There is not even an incidental revenue in it.

I make these remarks because the Senator from Iowa had spoken once, and was not free to support his own amendment, and I think there can be no doubt that the amendment is perfectly constitutional.

Mr. GORE. This is a regulation of commerce, and obviously constitutional.

Mr. STONE. Mr. President, I should like to make an inquiry of the Senator from Iowa with regard to the purposes of his amendment. I did not hear his remarks in explanation of it. I was called out, and while I suppose he made an explanation of the purposes of his amendment, I did not hear it.

Just what object has the Senator in mind to accomplish by the amendment which forbids the withdrawal of distilled spirits in bond during the period of the war?

Mr. CUMMINS. The purpose is to limit the amount of spirits that can be consumed during the period of the war. I would rather fight the war sober than otherwise.

Mr. STONE. That is a frank statement. I understand, then, stating it in a somewhat different way but in substance the same, that the Senator's purpose is not to decrease or diminish revenue, nor is it to conserve the production and distribution of foods or foodstuffs. It is not to accomplish anything of that kind, but just simply to put upon this bill an amendment which in its essence—aye, in its declared and inevitable purpose—is to forbid the withdrawal from bond of distilled liquors for consumption during the period of the war. The Senator proposes that, notwithstanding the fact, with which he must be familiar—I would not suppose that any Senator here could be more familiar with that fact—that it would involve a loss during the war of a revenue amounting to approximately \$250,000,000, which would have to be made up in some way, either by the levy of additional taxes directly on the people in some form to be collected during the current fiscal year, or by the issuing of interest-bearing nontaxable bonds. Now, there is the proposition presented by this amendment.

Mr. NORRIS. Mr. President, the question as to whether the use of foodstuffs should be permitted in the manufacture of beer is a question of conservation. There are other reasons, I concede, sufficient to impel me, at least, to vote against such permission; but I want now for a few moments to consider it entirely and solely as a conservation proposition. As a conservation proposition it is closely related to the problem of winning this war.

In round numbers there are about 50,000,000 bushels of barley, 15,000,000 bushels of corn, and 2,000,000 bushels of rice used every year in the manufacture of beer. Mr. President, we are engaged in a war that we all want to win. We are all willing to make all kinds of sacrifices in order that we may win. The widow must give up her son to be sacrificed on the altar of his country. The wife must surrender her husband. The maid must bid farewell to her lover. We must all part from those that are near and dear to us in order that they may, if necessary, shed their lifeblood in the trenches on a foreign soil. Everybody is called upon to sacrifice something. All over the country we are now organizing the women to conserve the food supplies of the Nation. Everyone is called upon to sacrifice, to eat less, to work more, to give up all luxuries in order that the food for the Army and the Navy and those who are laboring to sustain and supply the Army and the Navy may be conserved and used to the best possible purpose. Women are doing the work of men in order that the ranks of the Army may be kept filled. In all the patriotic homes of America we are called upon to conserve and prevent the waste of food in order that we may be able to feed the soldiers and contribute to the food supply of our allies. Every patriotic citizen is called upon to do his utmost in the production and conservation of human food in order to win this war. He must give up all his luxuries and many of the comforts of life. He must not hesitate to make any sacrifice

in this hour of his country's distress. We are facing a world shortage of food. Disaster and defeat will be ours unless we do our part in conserving the food of the world. The major part of the food must come from America. In this predicament is it asking too much to demand that men should give up their beer? It may mean the difference between victory and defeat. Can patriotic men refuse to make that much of a sacrifice?

Why is it that we demand of all of our people these sacrifices, and yet when it comes to the manufacture of beer we apply a different rule? If we must give up the lives of those we love, if we must surrender the luxuries and the comforts of life, if we must all strive in every way possible to produce a little more food, why should not those who make beer be called upon to suspend their operations in order that the food that is used in the manufacture of beer may be utilized for the sustaining of human life?

Mr. President, it seems to me that it should be done alone on the ground of conservation, to conserve the food products of the country, in order to feed not only ourselves and our soldiers but the soldiers and the people of our allies. How many loaves of bread would these millions of bushels of grain make? How many hungry children would they feed? How far would they go toward sustaining human life where it is imperatively necessary in order that success may come to our arms?

It is argued here that those who have been in the habit for years of drinking beer will object to it. Why it is even said by some that they will strike. I do not believe it. I will not impute to the laboring men of the country who drink beer such a lack of patriotism. Can it be possible that men will refuse to give up the pleasure, the comfort, or even the benefit, if you want to put it that way—although I do not concede that it is a benefit—of drinking beer when by continuing to do so they will lessen the efficiency of the American Army and the efficiency of the armies of our allies and make it harder for the people who are not in the Army to sustain human life?

The VICE PRESIDENT. The time of the Senator from Nebraska has expired. The question is on the amendment of the Senator from Iowa.

Mr. CUMMINS. On it I ask for the yeas and nays.

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

Mr. COLT (when his name was called). I have a pair with the senior Senator from Delaware [Mr. SAULSBURY], but I am at liberty to vote upon this bill and the amendments. I vote "nay."

Mr. FLETCHER (when his name was called). I announce my pair and its transfer as before and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a pair upon this question with the junior Senator from Massachusetts [Mr. WEEKS]. I therefore withhold my vote. If at liberty to vote on this subject, I would vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. GOFF] to the junior Senator from Arkansas [Mr. KIRBY] and vote "nay."

Mr. LODGE (when Mr. WEEKS's name was called). My colleague [Mr. WEEKS] is unavoidably absent from the city. His pair with the junior Senator from West Virginia [Mr. SUTHERLAND] has already been announced. If present, my colleague would vote "nay."

The roll call was concluded.

Mr. STONE (after having voted in the negative). I desire to change my vote from "nay" to "yea."

Mr. ROBINSON. I again announce the unavoidable absence of my colleague [Mr. KIRBY].

The result was announced—yeas 54, nays 30, as follows:

YEAS—54.

Ashurst	Johnson, S. Dak.	New	Smith, S. C.
Beckham	Jones, Wash.	Norris	Smoot
Borah	Kellogg	Overman	Sterling
Brady	Kendrick	Owen	Stone
Chamberlain	Kenyon	Page	Swanson
Cummins	King	Phelan	Thompson
Curtis	Knox	Polindexter	Townsend
Fernald	La Follette	Ransdell	Trammell
Fletcher	McCumber	Robinson	Vardaman
Gore	McKellar	Shafroth	Walsh
Gronna	McNary	Sheppard	Watson
Hale	Martin	Sherman	Wolcott
Hollis	Myers	Shields	
Johnson, Cal.	Nelson	Smith, Mich.	

NAYS—30.

Bankhead	Frelinghuysen	Lodge	Thomas
Brandeggee	Gerry	McLean	Tillman
Broussard	Harding	Newlands	Underwood
Calder	Hitchcock	Penrose	Wadsworth
Colt	Husting	Pomerene	Warren
Culberson	James	Reed	Williams
Dillingham	Jones, N. Mex.	Smith, Ga.	
France	Lewis	Smith, Md.	

NOT VOTING—12.

Fall
Gallinger
GoffHardwick
Hughes
KirbyPittman
Saulsbury
SimmonsSmith, Ariz.
Sutherland
Weeks

So Mr. CUMMINS's amendment was agreed to.

Mr. STONE. Mr. President, I wish to ask whether a motion to reconsider will be in order at any time during the consideration of the amendment covered by the special unanimous-consent order of the Senate?

The VICE PRESIDENT. The Chair is of opinion that a motion to reconsider would be in order at any time while the bill is in Committee of the Whole.

Mr. CUMMINS. Well, Mr. President—

Mr. STONE. I desire to say that before the pending matter—that is, section 12—is disposed of, I shall desire to make a motion to reconsider the vote by which the amendment offered by the Senator from Iowa was agreed to.

Mr. CUMMINS. Mr. President, I did not hear the early part of the suggestions of the Senator from Missouri. Does he move to reconsider, or merely give notice of his intent so to do?

The VICE PRESIDENT. He gives notice of his intention to move to reconsider before the amendment is finally passed on.

Mr. STONE. I think that is what I will do; but I asked the Chair a moment ago, and I understood the Chair to state that I could offer a motion to reconsider at any time while the bill was in Committee of the Whole.

The VICE PRESIDENT. The Chair expressed the opinion that the Senator has a right to do that.

Mr. STONE. I understood the Chair to say that; and I said I thought I would do so before section 12 was finally disposed of.

Mr. CUMMINS. Mr. President, I hope the Chair will not forget the unanimous-consent agreement; and I doubt whether a motion to reconsider this particular amendment would be in order after the final vote upon this section, as provided for in the unanimous-consent agreement.

Mr. ROBINSON. Mr. President, what is the pending question?

The VICE PRESIDENT. The pending question, if the Chair can remember it, is the amendment offered by the Senator from Arkansas [Mr. ROBINSON] to the committee amendment.

Mr. MYERS. Mr. President, I move to amend the amendment offered by the Senator from Arkansas by inserting a comma after the word "distilled" at the end of line 3, and inserting after the comma the words "vinous, malt, or fermented."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the amendment offered by the Senator from Arkansas, at the end of line 3, after the word "distilled," it is proposed to insert a comma and the words "vinous, malt, or fermented," so that it will read:

From and after 30 days from the date of the approval of this act, no person shall use any foods, fruits, food materials, or feeds in the production of distilled, vinous, malt, or fermented liquors, except for governmental, industrial, scientific, or medicinal purposes.

Mr. MYERS. Mr. President, there is a great movement on in this country to bring about economy in everything during the prosecution of the war, and especially economy in the use of foodstuffs. We have been advised from high sources to waste nothing, especially to waste no food, to eat less, and to see that no more food is put on the table than will be consumed. We are urged to have wheatless days, wheatless meals, meatless days and meatless meals. The good housewives of the country are signing pledges to economize in the household in every way possible, to restrict as much as possible within the limits of reason and the bounds of health the amount of food prepared and consumed. Cards by the hundreds of thousands and millions are being distributed all over the country, and the signing of those pledges has begun here in Washington, the fountain head of our Government. The foremost ladies in the land are signing those cards, thus pledging themselves to economy in the use, preparation, and consumption of food. It will rapidly spread all over this city and over all the country.

I understand that about 112,000,000 bushels of grain are consumed in this country annually in the manufacture of beer; and yet, while we are binding ourselves to the strictest economy in the matter of food, in preparing and eating less and wasting none, if the amendment presented by the Senator from Arkansas [Mr. ROBINSON] prevails we will be devoting 112,000,000 bushels of grain per year to the manufacture of beer in this country. It seems to me it would be highly inconsistent for housewives and families to be grinding themselves down to the last ounce of food that will maintain health and strength, and then to

throw away 112,000,000 bushels of grain in the manufacture of beer.

It reminds me a good deal of a man saying to his family: "Now, mother, you must prepare just as little food as possible; you must give the children just as little food as necessary to keep them alive; you must mend and patch their old clothes; you must deny yourself many of the comforts of life," and they act upon his advice, and then he goes out and spends 50 cents or a dollar each and every day for beer. I think that would be inconsistent and farcical. It seems to me we would be acting upon the same principle if we should put that plan into practice on a broader scale by adopting, unamended, the amendment of the Senator from Arkansas. We should be consistent in all we do.

Mr. VARDAMAN. Mr. President, I suggest to the Senator that everybody is expected to make sacrifices except the man who has a thirst for liquor or the man who owns a brewery.

Mr. LODGE. Mr. President, as I understand it, this amendment extends to beer and wine the prohibition of the amendment offered by the Senator from Arkansas which is confined to distilled liquors. If I am wrong the Senator from Montana will correct me.

Mr. MYERS. That is correct, Mr. President.

Mr. ROBINSON. The statement of the Senator from Massachusetts is correct. If the amendment of the Senator from Montana is agreed to, it will be substantially the House of Representatives' provision which forbids the use of food material and feeds in the manufacture of either distilled spirits or malt or vinous liquors. I am unable to agree to the amendment which the Senator from Montana has offered. In presenting my amendment to the Senate I discussed the fact that in order to effect what appears to be a fair and reasonable settlement of this controversy the President suggested, and the representatives of the Anti-Saloon League agreed to the elimination of malt and vinous liquors from the bill. That, of course, does not bind anyone upon the subject of national prohibition or other legislation that may hereafter arise.

The necessity for the speedy passage of this measure has been emphasized by many Senators as well as by the President. I am aware that some criticism of the President's action has been interposed here this afternoon on both sides of the chamber. I do not believe the men who represent the prohibition, who consented to the suggestion the President made, or anyone else who has fairly considered the subject, will reach the conclusion that the President did anything else than what he considered to be his patriotic duty in order to relieve the country from the perils that now threaten it by reason of the speculation in food products which are necessary to maintain our Army abroad and our people at home.

I express the hope under these circumstances that the amendment of the Senator from Montana may not be adopted.

Mr. PITTMAN. Mr. President, I did not vote on the last amendment because I could not vote on it and maintain a consistent stand. I will vote for a bill separate and apart from this bill that shall provide for bone-dry prohibition in this country during the war. I have heretofore gone as far as I could on this matter under the constitutional authority of Congress.

But I know this that these prohibition amendments are being voted for by certain Senators here not because they want prohibition, nor because they expect prohibition in any form whatever, but solely for the purpose of killing this bill. There are Senators in this body who have spoken against the House provision and have spoken against provisions such as we just carried, and yet they voted for the amendment just now. Why? It was not because they wanted it, it was not because they ever expected it to be a law, and therefore it must have been because they sought an excuse to filibuster against the passage of this bill.

There are two classes of Senators in this body who are opposing the bill. One of these is opposing it because they are opposed to prohibition. The other class is opposing it for the reason that they resent any Government control over the business interests of this country. Neither one of these classes has sufficient votes to prevent a cloture bill from passing, but both classes acting together have more than one-third of this body and can prevent any vote from being obtained on the bill at any time. That is the whole situation.

I am going to vote against the tacking of a beer-prohibition amendment on this bill, because I believe that by the defeat of such amendment we will obtain the necessary support for the bill of that class who are against prohibition. We will then get two-thirds of the votes of this body, and it requires two-thirds of the votes to terminate debate and obtain a final vote.

As it requires two-thirds of this body to stop debate, it can only be accomplished by dividing the opposition to the bill. This fact is well known to practically every Senator on this floor.

I know that there are thousands of families in this country who are the victims of alcohol, but there are 100,000 times as many who are suffering to-day by reason of the criminally exorbitant price of food.

Much as I would like to crush out the effect of liquor in this country, I would far rather to-day place in the reach of the poor people of this country the food that they must have. This fight is now on between those who seek to immediately grant food to the poor and those who are opposed to the bill or who hold prohibition above human life. That is the thing we are facing now, and I regret to say that some Senators on this floor who are to-day voting to put prohibition amendments on the bill will later be found using such amendments, if they are adopted, as an excuse for a filibuster against the bill. I ask the country to watch and see if some of the men here who are voting to tack on this bill prohibition amendments do not do everything in their power to prevent the bill from ever coming to a vote. If that is so, then their votes are insincere and are given for the very purpose of defeating the bill, and for no other purpose.

I regret to see some of those who have charge of the bill on the floor here voting for prohibition amendments that they will later move to strike out. It is an inconsistency that the country will not understand, and it is their own fault if the country does not understand them. There is not a Senator here who does not know that if you tack prohibition on this bill it means the death of the bill, because more than one-third of the body are opposed to prohibition and will do everything in their power to prevent prohibition from being maintained. I but seek the passage of the bill. I will vote for the bill with or without prohibition amendments.

The VICE PRESIDENT. The time of the Senator from Nevada has expired.

Mr. THOMAS. I should like to ask the Senator in my time if he is not aware of the fact that the amendment which has just been adopted upon the liquor traffic, if my information is correct, does not affect rectified spirits at all? Consequently its operation would be only upon the manufacture of artificial liquor and a monopoly of the whisky business of the country during the war.

Mr. NORRIS. Mr. President, I have heard it said often that there are Senators who are going to filibuster against this bill; in fact, that the prohibitionists are going to filibuster against it. If it is going to be filibustered against by somebody else—

Mr. PITTMAN. I did not understand the Senator.

Mr. NORRIS. I have heard it said repeatedly by various classes of Senators that Senators were going to filibuster against the bill. I have never believed it. I do not believe it now.

Mr. President, I have the greatest respect for those who are opposed to the so-called prohibition provision. They are just as loyal as the other Senators are to the country. They are just as anxious to give honest legislation; they are viewing it from their viewpoint. But, Mr. President, to say that if prohibition is tacked on the bill it means the defeat of it, because more than a third of the Senators are opposed to prohibition, it seems to me, is making a statement that is without any foundation whatever.

There has been no debate on the bill that has not been legitimate. Although I have not agreed with those who are opposing parts of it and some who are opposing the entire bill, I must concede that they have made logical and able arguments from their standpoint.

Are we to get frightened because some Senators who are opposed to prohibition threaten a filibuster? I think it is only a bluff. There will be no filibuster. Let us settle the question on its merits. I certainly would not want to admit that the liquor interests were so strong that they could hold up such important legislation, using the United States Senate as the instrument.

The President is likewise entitled to his view, but he should not be allowed to frighten anybody. He said in a letter:

Time is of the essence; and yet it has become evident that heated and protracted debate will delay the passage of the bill indefinitely if the provisions affecting the manufacture of beer and wine are retained and insisted upon.

Mr. President, somebody ought to tell the President that he is mistaken; that he is misinformed. That was the argument the President used in his letter. It had the effect of changing the Agricultural Committee. That committee, after extended hearings, put in a provision that prohibited the use of foodstuffs in the manufacture of beer; but when the Presi-

dent wrote that letter, and after it had been circulated, the committee met again and undid all of their work along that line. They went up the hill as prohibitionists, but when the President spoke they went down on the other side with their prohibition knocked out. They heard the President; and it is evident that at least some Senators recognized the master's voice.

Mr. President, this prohibition question ought to be determined on this measure upon its merits. No man ought to be induced to vote one way or the other through fear of defeat of the bill if some particular thing happens.

As far as I am concerned, if somebody wants to filibuster they must take the responsibility. I do not believe there is any Member of this body who has any intention or idea of filibustering. He will probably debate the bill legitimately and honestly and from his viewpoint bring out what argument he may think has a proper bearing upon the question; but there is not any danger, in my judgment, of the bill not passing. I think a large majority of the Senators are for it.

I am going to vote for it myself even though I expect to vote for a good many of the pending amendments, whether prohibition is put on or whether it is left off. I believe that the effect of putting on or taking off the prohibition amendment will not control on the final vote half a dozen votes. At least, the fate of the bill does not depend upon it. It is hardly fair, it seems to me, for Senators to say if we put on this amendment we defeat the bill, and try to induce those who are anxiously trying to bring about the passage of the bill to vote against such an amendment.

Mr. President, while I am on my feet I want to put into the Record some correspondence. I have a letter from Gustave Hafer, the president of the Farmers Feed Co., of New York City. This is a company that deals in feed products, and makes a specialty of brewers' wet and dried grains. He wrote a letter making an argument against the prohibition of food products in the manufacture of beer. I consider it a very able argument. It is scientific in its nature.

The VICE PRESIDENT. The time of the Senator from Nebraska has expired.

Mr. SHERMAN. Mr. President, I have two telegrams which I have selected from a great number which I have received. I am in favor of the amendment offered by the Senator from Montana. I do not desire at this time on this amendment to take the time of the Senate, but I send to the desk two telegrams urgently in favor of the manufacture of malt liquors and the use of the same, and I ask the Secretary to read not only the body of the telegrams but the names.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, the Secretary will read the telegrams.

The Secretary read as follows:

CHICAGO, ILL., June 27, 1917.

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

Remember the laboring class; a glass of beer is invigorating after a day's hard work.

Alex Jankowski, William Kavalikas, Henry Telkes, F. Kazimir, F. Kruting, P. Dubkaitis, Charles Jankaitis, P. Sirios, C. Christman, John Chovanec, W. Michalowski, M. Somson, August Graff, G. Kurniakop, W. Facklan.

CHICAGO, ILL., June 27, 1917.

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

We and our wives and grown-up children desire a glass of beer with our meals. Don't take it away from us.

P. Vishontas, Charles Luzaitis, N. Faguttia, Peter Rosja, J. Woluzis, T. Pappas, G. Bolchardt, S. Bousamf, Ed Thomenz, Albert Pohl, F. Zopletal, F. Teister, B. Suk, R. Eral, M. Segdonna, M. Miller, F. Fiedler, S. Ewalt.

Mr. GORE. I merely wish to say, Mr. President, that I was under the impression the proceedings of the Senate were conducted in English.

Mr. STONE. Mr. President, I should like to have the pending amendment read.

The PRESIDING OFFICER. The Secretary will read it.

The SECRETARY. The Senator from Montana [Mr. MYERS] proposes to amend the amendment offered by the Senator from Arkansas [Mr. ROBINSON] as follows: After the word distilled and before the word "liquors" insert a comma and the words "vinous, malt, or fermented," so that it will read—

Mr. STONE. Yes; I know how it would read. Of course that amendment, if agreed to and written into the law, would peremptorily end the manufacture not only of distilled spirits but of fermented and vinous beverages.

Mr. President, I am not going to debate this at this time. I say at this time I am not going to undertake in the four or five minutes at my disposal to state my objections to that scheme, but, to my thinking, the proposition is so absolutely indefensible that

it ought to be debated and must and will be debated in the Senate before the bill passes if it is agreed to here now. That ought to be understood.

I am not willing that a bill containing a proposal of that kind should be enacted into law right off the bat, so to speak. I am not going to discuss it. I mean later, if the occasion should unhappily arise—I say unhappily, perhaps I should say unwisely projected here—I shall debate it at such length as I please, and I think there are other Senators who will do the same thing.

Mr. President, I believe the President of the United States is absolutely right. I want to ask gentlemen here—I will not say upon this side or that, for it is not a partisan question—I want to ask Senators whether the President was right when he asked that the question of fermented and vinous manufactures should be eliminated from the bill in the interest of expediency if nothing else, and he put expediency on the ground of patriotism?

We did not enter into an agreement by which we are bound to vote upon section 12 with a limitation on debate of five minutes; but if a proposal like that of the Senator from Iowa [Mr. CUMMINS] is written into this section I will be heard from a little later on. I repeat that the request, the urgent invocation to the Congress of the President, based on high principles of patriotism—

The PRESIDING OFFICER. The time of the Senator from Missouri has expired.

Mr. STONE. I am sorry, for I had not quite finished.

Mr. CHAMBERLAIN. Mr. President, I intend to vote against the amendment proposed by the Senator from Montana [Mr. MYERS], not because I am opposed to prohibition, for I believe in it, and the people of my State have adopted it, but I place the national crisis above the wishes of any class of citizens in my State.

Mr. President, in the great crisis that confronts us now, it seems to me there are enough delicate questions to be met and overcome without injecting into the situation a provision in this bill which will antagonize a great many of the people of our country, particularly in the larger cities. That one question might be eliminated from this crisis, and we ought to eliminate it, if it is possible to do so. The President has undertaken wisely to eliminate it; the Senate committee has undertaken to eliminate it by absolutely prohibiting the use of food products in the manufacture of distilled spirits, and leaving to the discretion of the President the question of permitting the use of such products in the manufacture of malt and vinous liquors, in such quantities and at such times as his judgment dictates.

Mr. President, it seems to me that the temperance people and the prohibitionists as well, one of whom I happen to be, have an opportunity to fortify their position in this country for prohibitory legislation by voting for the amendment as reported out of the committee by me and as the action of the committee. The prohibitionists have an opportunity to strengthen and fortify the prohibition sentiment by leaving to the President the power of controlling the situation during this crisis; and if the President does, as I think he will do—for he is an astute, wise, and a patriotic man—control the manufacture of malt and vinous liquors and the alcoholic contents thereof, at the end of three years he can practically put the American people upon a nonstimulating beverage, and eventually bring about prohibition in its best, in its wisest, and in its most statesmanlike form.

For that reason, Mr. President, and not because I am in favor of the manufacture of alcoholic liquors of any kind, I am going to vote against the amendment of the Senator from Montana, in the hope that the Senate will in its wisdom adopt the proposition which was reported out of the committee and for the committee by myself.

Mr. JONES of Washington. Mr. President, a few days ago the honorable Senator from Massachusetts [Mr. LODGE] prophesied a rebellion if this provision were inserted in the bill. He said that the laboring men were the ones who were likely to rebel. That was a libel upon labor and the laboring man. Mr. President, the people of this country now see where the rebellion comes from. We have a rebellion threatened here upon the floor of the Senate; it is a remarkable spectacle, and yet I am glad that it has been presented. I am glad that the people of the country have the declaration made here on the floor of the Senate by the Senator from Nevada [Mr. PITTMAN], and the Senator from Missouri [Mr. STONE], showing clearly where the rebellion will come from.

Mr. PITTMAN. Mr. President—

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

Mr. JONES of Washington. I can not yield, Mr. President. The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. PITTMAN. The Senator misrepresents—

Mr. JONES of Washington. The RECORD will speak for itself.

Mr. PITTMAN. I rise to a question of privilege.

The PRESIDING OFFICER. The Senator has no right to interrupt the Senator for a question of privilege. He will be recognized after the Senator from Washington has concluded.

Mr. PITTMAN. The Senator has misrepresented my position.

Mr. JONES of Washington. The RECORD will speak for itself. I certainly do not desire to misrepresent him. The Senator from Nevada, as I remember, stated that there were a third at least of Senators on this floor who would not consent to a conclusion of the debate on this bill, and who would not vote for a cloture resolution under which debate could be closed. If that is not rebellion or a threat of rebellion against the action of a majority of the Senate I do not know what it is.

The Senator from Missouri, after he had joined in the unanimous-consent agreement on yesterday that not only should we vote upon section 12 but that, after we had done so in Committee of the Whole, it should not be reserved for the consideration of the Senate, makes a threat. If that is not rebellion, I do not know what it is. I am glad, however, that the people of the country have it shown clearly upon the RECORD who it is who propose to defeat this bill unless their will is incorporated in it.

The Senator from Arkansas [Mr. ROBINSON] referred to the Anti-Saloon League. I am not here to speak for them; I am here as a Senator; I am not acting under their direction. I am discharging my duty as a Senator from the State of Washington, but, Mr. President, I do not think the Senator's statement with reference to the temperance organizations of the country was just exactly fair to them. I know the Senator did not intend it to be unfair, but the President appealed to these organizations. Instead of coming to the Senate or to Congress in an official way and appealing to the Representatives of the people here, who have sworn to do their duty, he went to outside organizations and appealed to them as patriotic citizens to withdraw their efforts in behalf of certain legislation. They patriotically said they would agree to do that, but they did not agree to support any legislation that might be proposed here. They did not agree to the proposition of the Senator from Arkansas; it was not presented to them, but they did say this:

We are aware of the threats made by the friends of beer and wine in the Senate of an indefinite and protracted filibuster against these provisions of the bill. We beg to assure you that as patriotic Americans, determined to uphold you as Commander in Chief of the Army and Navy in the present war, we will not for our constituencies offer any obstruction to the prompt passage of the food-control bill.

Mr. President, they are not offering any obstruction to the passage of this bill. The Senators on this floor in favor of temperance are not offering any obstruction to the passage of this bill. We agreed upon yesterday to a proposition submitted by the friends of the brewery interests, and now it is before the Senate under that agreement. It is for a majority of the Senate to say what legislation they desire and to represent their constituencies and the great majority sentiment of the people of this country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PITTMAN. Mr. President, I think the Senator from Washington [Mr. JONES] might be excused, because of his fanaticism, if he had not known how the Senator from Nevada stands on this question. The Senator from Nevada has voted on prohibition measures in this body in the presence of the Senator from Washington, and has on every and all occasions in the last few years voted on the prohibition side. Therefore, if there was any doubt as to the meaning of the Senator from Nevada in the remarks he made, and had the Senator from Washington desired to be just in his expression, he would have resolved the doubt at least along the line it was natural to resolve it. He should have asked the Senator from Nevada what he meant by his statement if he were in any doubt.

The Senator from Washington knows that the Senator from Nevada stated here that he would vote for absolute prohibition, and that statement stands in the record of my remarks. I stated very plainly here that the only reason why I was voting against attaching this prohibition amendment to this bill was because I believed it was intended to kill the bill, and whether it was intended in that way or not it would kill the bill. That is what I said, and I stated that I refrained from voting upon the Cummins amendment because it would be inconsistent for

me to vote against the Cummins amendment when I favored that kind of legislation and yet later vote to eliminate that character of legislation from the bill because I believe it will be destructive of this bill. My whole position in this matter must have been understood. It was understood by the other Senators in this body, but it seems that there are some here who are uncharitable to others whenever their position is opposed at all. I do not care for that; I do not care for the criticism of the Senator from Washington. It neither injures me in the eyes of my people, nor in my self-respect; but I regret that at this time, when there are thousands of poor people throughout this country barely able to get sustenance, that this matter should be dragged in here for months and months of debate, to satisfy the vanity and the love of publicity of some Members of this body. It is to be deplored.

My position is known here. I say that the fight against this bill to-day is furthered on one side by intent and on the other by ignorance. There are those here who openly have declared on this floor that they are opposed to any form of control of big business in this country through the means of Government instrumentalities. There are others here who have time and time again declared to the country their unalterable opposition to prohibition, and they have demonstrated by their actions that they will go to any length, that they will filibuster for any length of time, to defeat a bill that contains such a provision.

We know now that that which urged the President of the United States was the deplorable condition throughout this country to-day; we know that that which actuated the President of the United States was patriotism of the highest character—a patriotism that can be realized by a man of intelligence, but can not be comprehended by those lacking in that respect. I would rather follow him blindly than to follow some of the Senators in this body even after months and months of their harangues and debates; but I do not have to follow him blindly. I know that there are over one-third of the Members of this body, including those who are bitter antiprohibitionists and those who are bitter anti-Government controllers, who would prevent this bill ever coming to a vote. I am not one of those, and none of my actions in the past would justify any such accusation.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired.

Mr. JONES of Washington. Mr. President, I rise to a question of personal privilege.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. The Chair desires to make an explanation. The Chair was informed before the Senator from Nevada [Mr. PITTMAN] was recognized a second time, that the Senator's previous speech was on the Cummins amendment; otherwise the Senator would not have been recognized, and his being recognized is not to be taken as a precedent for anyone else being recognized on a question of personal privilege.

Mr. STONE. I desire to rise for the same reason.

The PRESIDING OFFICER. The Senator from Missouri has spoken once on this amendment. So has the Senator from Washington.

Mr. STONE. I rise to a question of privilege.

The PRESIDING OFFICER. The Senator can not be recognized under the unanimous-consent agreement for a question of personal privilege.

Mr. STONE. The Chair did recognize another Senator.

The PRESIDING OFFICER. That was under a mistake, and if any Senator had objected the Chair would not have recognized that Senator.

Mr. STONE. Very well; I do not care.

The PRESIDING OFFICER. The Senator from Nevada proceeded by unanimous consent.

Mr. PHELAN. Mr. President, as I understand, the amendment before the Senate is the one proposed by the Senator from Montana [Mr. MYERS], which would, in effect, forbid the manufacture of distilled, vinous, and malt liquors in any form; in other words, it would serve the purposes of those who desire to make the country "bone dry" not only during the period of the war but for all time.

The President of the United States at this stage has ventured his views, and I submit that the President of the United States is in the possession of information of the most serious and impelling character; otherwise he would not have taken part in a controversy of this kind, certainly not for protecting either vinous or malt liquors for their own sake. He had in mind the effect of invading the rights of the people with respect to their habits of life.

The Constitution is the protection of the people, and the Constitution does not tolerate the invasion of personal rights in this manner, as I take it, because the law frowns upon the doing

indirectly what can not be done directly. There has been proposed a constitutional amendment by which the manufacture of all liquors will be barred in this country, and that doubtless will come up sooner or later; but now the advocates of that constitutional amendment are seeking by mere legislation to accomplish the same end, which, I contend, is something which, in the essence and in the spirit, is not jurisdictional for the Congress.

The President is of the opinion that the masses of the people of this country—and they may be very remote from the Senate and they have not always had spokesmen in Washington—consider the proposed legislation an invasion of their rights, in so far as it affects their daily habit of drinking beer with their luncheons or their dinners, and as well an intolerable interference; and they laugh derisively at the claim that this is a free land which denies them a privilege which is enjoyed in the autocratic countries from which they came.

The Senator from Illinois [Mr. SHERMAN] proclaimed yesterday that he was a "bone dry" advocate, and, I think, as a matter of pleasantry he introduced telegrams, appended to which were the names of some of our foreign fellow citizens who have done much to develop industrially the United States and who should be considered in all measures of legislation. I would be sorry to believe that the Senator had been imposed upon; but it does not detract one iota from the appeal which was made because there were appended to those telegrams unpronounceable names.

There are involved these two questions—and I know my time is very brief—one the destruction of a valuable industry without compensation—something repugnant to the ideas of equity of all good men. This property has yielded vast revenues to the Government, and which is to be destroyed at one fell blow. One hundred and forty million dollars, under the new revenue bill, will be yielded by beer and five or six million dollars by wine—incomes which we need very much at this crisis.

The PRESIDING OFFICER. The time of the Senator from California has expired.

The question is on the amendment offered by the Senator from Montana to the amendment proposed by the Senator from Arkansas.

Mr. SHEPPARD. Mr. President, shortly after the present session of Congress began I was asked by representatives of the press as to the course I intended to pursue in reference to prohibition. I replied that I would continue to do everything I could for prohibition; that I believed it especially desirable as a war measure, but that I would not support prohibition or anything else to the extent of interfering with the plans of the President for the conduct of the war. When, therefore, the President publicly announced that it had become evident to him that insistence on the wine and beer provisions of the bill to conserve the Nation's food supply, as reported by the Senate Committee on Agriculture, would delay this great measure indefinitely—a measure the immediate passage of which the President said he considered as of vital consequence to the safety and defense of the Nation—I concluded, so far as I was concerned, that I would not insist on those provisions, but would fight for complete, unqualified prohibition in connection with some other measure or in the form of separate legislation. The present bill does not by any means offer the only opportunity of voting for prohibition during the present session. I propose, so far as my voice and vote may go, to hold up the hands of Woodrow Wilson in the management of this war.

Mr. PAGE. Mr. President, I expect to vote for the amendment offered by the Senator from Montana [Mr. MYERS]. If I correctly understand his amendment, I am in full accord therewith. I do not like to have anyone question my patriotism because I vote in this way, for I am voting in accordance with my own judgment and conscience and in accordance with what I believe to be the will and wishes of a very large majority of the people of the State which I have the honor in part to represent.

I have taken very little time in the discussion of this measure, as you all know, and I have made it a point from the beginning not to ask for the publication in the RECORD of a single telegram or letter of the many I have received on this bill; but I have received a letter recently which considers this question solely upon the ground of food and labor conservation, a letter, by the way, written by a man who confides that he sometimes drinks. From the viewpoint of labor conservation he certainly has valuable views, and I am going to read them, if my time will permit. The letter is very brief. It is from the manager of the Jones & Lamson Machine Co., of Springfield, Vt., one of the largest, the most vigorous, and most prosperous of the business corporations of Vermont. It is a corporation composed of men of the very highest character, and its manager, Mr. Flanders, I

personally know to be a man of great executive and business ability.

I read from Mr. Flanders's letter:

SPRINGFIELD, VT., June 26, 1917.

HON. CARROLL S. PAGE,
Washington, D. C.

MY DEAR SENATOR: The backwoods Vermonter has no convenient way of knowing what goes on in Congress other than through the reports in the daily papers. I see by the New York Times that the food bill has come to the Senate from the House with a drastic prohibition clause attached to it. I see also that there is danger of this being modified or nullified in the Senate. That would be without any question a serious mistake.

In giving my reasons for asking you to use all your wisdom and energy in retaining a drastic measure of prohibition in this bill, let me state first that I have never called myself nor allowed myself to be called a teetotaler. I drink beer occasionally, and am particularly fond of some varieties of wines, though I do not often indulge in them. I feel, however, that these indulgences on my part are a matter of very small importance as compared with the following considerations relating to prohibition as a war measure:

The first and most important advantage of it is, of course, that it will release a large volume of food that is urgently needed. Grains employed in the manufacture of malt or spirituous liquors, even when the brewers' grains are afterwards used for feeding stock, do not finally bring into the human system anything like the amount of food value they would bring if used as foods in the first place. There is, of course, no argument about this matter.

The thought in the next paragraph is one to which I wish the Senators would give especial attention:

The second argument for war prohibition relates to its effect on the labor market. We and every other industry are feeling the labor shortage very keenly, and will feel it still more when we come to remove 500,000 men from productive work and put them into the non-productive activity of war. The hundreds of thousands of men engaged in the manufacture and sale of alcoholic liquors should be the first source of supply drawn on to fill in this tremendous hole in useful industry. They will thus be removed from labor that is almost invariably useless and harmful, to activities that will be of the utmost importance for the maintenance of our existence as a nation.

In the third place, prohibition will affect not merely the quantity of labor available, but also its quality as well. No one knows better than a large employer of labor the immense amount of mental incapacity, bodily ill health, and unreliability in working time caused by liquor drinking, and this condition can be seen as plainly in a so-called prohibition locality like our own as it can anywhere.

This brings me to a fourth consideration, which is purely a personal one, namely, that this business of trying to make a pretense of keeping up prohibition against liquor selling in a community surrounded by liquor selling, liquor manufacturing, and liquor dealing areas is a colossal farce. It is one that sickens every decent Christian citizen every time he looks into it, and it is thrust under his nose so strongly that he has to look into it whether he wants to or not. It would be a great personal satisfaction, despite my liking for some of the lighter forms of alcoholic drinks, to have its manufacture absolutely shut off.

Lastly, let me say with all earnestness that no one, except those interested, are fooled for a moment by the plea that the business is needed for the sake of furnishing taxes. It would be ten times preferable to take the tax raised by this industry and put it directly onto income—the burden would be less heavy in the long run. The wasteful consumption of food materials, the diminishing of the quantity of labor available for the necessities of the war, and the depreciation in the quality of that labor impose a tax infinitely greater than the few millions of dollars of revenue obtained from the business itself.

Yours, sincerely,

RALPH E. FLANDERS.

Mr. HUSTING. Mr. President, I have here a letter which I desire to read to the Senate, written by Hon. John M. Olin, of Wisconsin, one of the foremost lawyers of Wisconsin, if not of the Northwest, and a man who has been more prominent in the prohibition movement in Wisconsin than any other one man in the State. I received from him a letter dated June 26, as follows:

MADISON, WIS., June 26, 1917.

Senator PAUL O. HUSTING,
Washington, D. C.

DEAR MR. HUSTING: I am inclosing herewith copy of a letter which I have just dictated to the chairman of the prohibition national committee, and am also including the circular letter which I got from such chairman, thinking that you might be interested in the matter.

Very truly, yours,

JOHN M. OLIN.

The inclosure is as follows:

Mr. VIRGIL G. HINSHAW,
Chairman Prohibition National Committee,
326 West Madison Street, Chicago, Ill.

DEAR SIR: I have your letter of June 21, asking contribution toward meeting expense of securing petitions, etc., in favor of prohibition of the manufacture of any intoxicating liquors, including wine and beer.

I have for some 40 years or more been in favor of absolute prohibition, but I can not aid in any such movement as is being made at Washington, the object of which is to attach to a bill for the regulation of food, etc., a provision in effect establishing absolute prohibition during the continuance of the war. I do not believe in any such method as is here being pursued and recommended by your circular letter. The result of such legislation at this time, put through in this way, would be, I think, disastrous.

The bill, as shown by the vote in the House, is not an honest one, or at least is not being advocated honestly. I refer here to the vote in favor of the bill in the House by those who are known as "wets." Why does this element in Congress vote for this bill? This question is very easily answered. They are voting for the bill for the purpose of harassing the President in the measures that should be taken to prepare for and prosecute the war. I hope sincerely that your movement will not succeed.

Prohibition should stand upon its own merits. If you desire to ask for a prohibition amendment at this time, then have a resolution introduced to that effect so that the different Members of Congress can vote squarely on the question one way or the other without tying the matter up to any other phase of legislation.

Very truly, yours,

JOHN M. OLIN.

Mr. President, I believe that is the view held by a great many people of the United States who favor prohibition. They object to having it considered at this time or attached to this bill for fear it may delay, hinder, or defeat this bill. I believe that Mr. Olin agrees with the chairman of the Anti-Saloon League. I have stated before that I am not in favor of prohibition, but if or when the time comes when the barley or other cereals needed in the manufacture of beer are necessary for the purpose of food conservation I shall vote for it. I can not believe, however, that that is necessary now, nor can I bring myself to vote for it when the effect of this bill will be not to conserve the food but merely to shift it into the markets of our allies, who have not yet seen fit to prohibit the brewing of beer. Now, I find no fault with that. I cite that, however, as evidence which convinces me that the time has not yet arrived when it is necessary for the United States to do something which the allies by their actions say is not necessary. If that is the case, I do not believe we are justified in bringing about the disastrous results that this amendment would bring to people intimately connected with this industry, or to disarrange or put awry the domestic conditions of this country.

There are two kinds of people in this country, some favoring prohibition and some opposing it, and they are very evenly divided. I do not believe in rolling the apple of discord into the arena at this time, to divide the people, when it seems to me the vital thing to do is to cement the people together and not drive them apart. I do not look to see anybody rebel, no matter what happens in this matter, but I do not believe in promoting the possibility or probability of any such thing.

I stand by the President on this matter. He has taken this thing under advisement, and he believes, and even those who are strongly in favor of prohibition agree with him, that it would be unwise at this time to fasten a prohibition bill on a food bill, which may result in its defeat or its indefinite postponement. The thing in which I am vitally interested is the winning of this war, and I am going to vote for anything and everything that will promote that end.

Now, this proposition as a prohibition measure has no place in a food bill. As a food-conservation measure it would be futile, inasmuch as our allies are now using the grain in the same way we are now using it. Thus no benefit to anybody could come of it. The sacrifices of those who would suffer disaster thereby would be fruitless and the injury done them wanton. Its passage would hinder, delay, if not defeated, the food bill, which is particularly calculated to remedy serious public ills whereby millions and millions of people are suffering and in want because of these delays. The defeat of the food bill would spell irretrievable disaster. The President is right in asking to have the prohibition question set aside rather than imperil the bill, and that he is right is acknowledged by some of the warmest and most zealous prohibitionists both in and outside this Chamber.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired. The question is on the amendment offered by the Senator from Montana to the amendment of the Senator from Arkansas.

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

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

Mr. FLETCHER (when his name was called). Making the same announcement of my pair and its transfer as before, I vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. Goff] to the junior Senator from Arkansas [Mr. Kirby] and vote "nay."

Mr. LODGE (when Mr. WEEKS's name was called). My colleague [Mr. WEEKS] is detained from the Senate and is paired with the junior Senator from West Virginia [Mr. SUTHERLAND]. If my colleague were present and at liberty to vote, he would vote "nay."

The roll call was concluded.

Mr. SUTHERLAND. I have a pair on this subject with the junior Senator from Massachusetts [Mr. WEEKS], and therefore withhold my vote. If at liberty to vote, I would vote "yea."

Mr. ROBINSON. I again announce the unavoidable absence of my colleague [Mr. KIRBY].

The result was announced—yeas 34, nays 52—as follows:

YEAS—34.

Ashurst	Brady	Dillingham	Gronna
Beckham	Cummins	Fernald	Hale
Borah	Curtis	Gore	Johnson, S. D.

Jones, Wash.
Kellogg
Kendrick
Kenyon
McCumber
McKellar

Myers
Nelson
Norris
Page
Poindexter
Shafroth

Sherman
Shields
Smith, Mich.
Smoot
Sterling
Thompson

Townsend
Trammell
Verdaman
Wolcott

NAYS—52.

Bankhead
Brandegge
Broussard
Calder
Chamberlain
Colt
Culberson
Fletcher
France
Frelinghuysen
Gerry
Harding
Hitchcock

Hollis
Husting
James
Johnson, Cal.
Jones, N. Mex.
King
Knox
La Follette
Lewis
Lodge
McLean
McNary
Martin

New
Newlands
Overman
Owen
Penrose
Phelan
Pittman
Pomerene
Ransdell
Reed
Robinson
Sheppard
Simmons

Smith, Ga.
Smith, Md.
Smith, S. C.
Stone
Swanson
Thomas
Tillman
Underwood
Wadsworth
Walsh
Warren
Watson
Williams

NOT VOTING—10.

Fall
Gallinger
Goff

Hardwick
Hughes
Kirby

Saulsbury
Smith, Ariz.
Sutherland

Weeks

So Mr. MYERS's amendment to the amendment of Mr. ROBINSON was rejected.

Mr. CUMMINS. I offer the following amendment to the amendment proposed by the Senator from Arkansas.

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

The SECRETARY. Insert after the word "purposes," in line 5 of the printed amendment, the following:

No distilled liquors or spirits now in bond in the United States shall during the existing war be withdrawn to be used as a beverage, nor shall there be imported into the United States during said war any distilled liquors.

Mr. CUMMINS. Mr. President, according to the amendment proposed by the Senator from Arkansas, prohibition is limited to distilled liquors or spirits. The amendment which I now present prohibits the importation during the war of distilled liquor or spirits, and also prohibits the withdrawal from bond of such liquor during the same period. It is exactly the same amendment limited to distilled spirits that the Senate has already adopted modifying the House provision which is extended to fermented and vinous liquors.

I have nothing to add to the suggestion I have already made with regard to the propriety of such an amendment. I have heard it said that if the amendment were adopted by the Senate rectified spirits would not be included. That is true in so far as rectified spirits have passed out of the supervision of the Government and taxes have been paid upon them. I do not hope to be able to bring within the provisions of the amendment all the liquors in the United States, but it is my desire to bring just as many of them within its scope as is possible.

Mr. JAMES. Mr. President, the amendment proposed by the Senator from Iowa presents two distinct and separate propositions, first prohibiting withdrawal of whiskies in bond, and second the prohibition of the importation of whiskies. I ask for a division of those two questions.

Mr. WILLIAMS. Mr. President, the Senator from Massachusetts made a point on the previous amendment which was lightly cast aside by the Senator from Iowa, in which I think there is very much merit. This House can not originate a revenue measure nor can it originate a revenue amendment or a revenue provision. I heard the new and startling doctrine that a provision which affected the revenue was not a revenue provision unless it increased the revenue. Of course, a provision decreasing revenue is just as much a revenue measure as a provision increasing it. This provision if it is adopted by the Senate will reduce the revenue of the United States on liquors imported and liquors forbidden to be taken out of bond when the tax is paid, and that is, when it is paid, \$250,000,000, as I roughly estimate it in my mind now. It is a provision affecting the revenue; it is a revenue provision, and there is no right to originate it in this House.

Mr. OWEN. Mr. President, the House provision itself would preclude the manufacture of not only distilled liquors but vinous liquors as well. The Senate therefore has a perfect right to amend the bill in such form as it sees fit. Moreover, while it has been argued that the liquors in bond have been used as the basis of credit, and that might affect business conditions in the country, I call the attention of the Senate to the fact that while it would have the effect of making certificates issued against such property in bond no longer a quick asset it would be an asset of constantly increasing value, because under this process the whiskies that would be in bond would continue to increase and would increase quite rapidly as an asset although not a quick asset.

Mr. BRANDEGEE. Mr. President, I shall be perfectly willing to vote that no food material should be used for the manu-

facture of distilled liquors during the period of the war, but I am unable to support this amendment, which provides that no distilled liquors or spirits now in bond in the United States shall during the existing war be withdrawn to be used as a beverage. It seems to me that would be an act of pure confiscation. A man who has invested his money in liquor or who has manufactured liquor and put it into a bonded warehouse is paying storage on it and insurance, I assume. If he can not withdraw it to sell it in the market, if it is for beverage purposes, we are practically saying that all the liquor that is in bond shall be kept there during the war at the expense of the man who put it there, although it is his property and he desires to sell it. The only thing he can do to stop the running charges, the insurance on storage, is to destroy his own property himself.

I do not think that such an amendment is either wise or necessary at this time. It must be so that hundreds of thousands if not millions of dollars have been borrowed upon liquor that is now in storage. It affects existing contracts. It would impair many banks and business men.

At the outset of this war, with every foreign belligerent having participated in the war pretty effectively for two or three years without any such drastic legislation as this, it does not seem to me that it is necessary for this country to start with such a revolutionary and possibly unconstitutional procedure as this.

I have no doubt in my own mind that if the country can be put upon a beer and light-wine basis, if the subject is approached reasonably in a spirit of gradual progress, a great deal of good can be done, and I have no doubt whatever that any possible stopping or decrease in the bringing of distilled liquors which might be accomplished by legislation of this kind will be tremendously overbalanced by the wave of indignation that will arise from all classes in this country.

The greatest source of strength that this Nation can have in the war is to have a united spirit of its people in favor of its prosecution, but if one-half or more of all the people of this country are to be hounded and persecuted by the other half in a hysterical spirit of bigotry and intolerance, instead of fighting a foreign war we will be fighting an internecine war, and we will be fighting ourselves when we ought to be fighting the foreign enemy.

For that reason, Mr. President, I can not support the amendment.

Mr. POINDEXTER. Mr. President, in regard to the point of order made by the Senator from Mississippi [Mr. WILLIAMS], he says that this amendment is out of order because it affects the revenue and consequently must originate in the House of Representatives. I do not think the Senator from Mississippi would seriously urge that position. There is not any constitutional requirement that bills which affect the revenue shall originate in the House of Representatives. The Constitution says that those raising revenues shall originate in the House of Representatives. To hold that a bill which cuts off revenue of the United States comes within that provision of the Constitution would be equivalent to saying that a prohibition law itself passed by a State was unconstitutional, because it affected the revenues of the United States, and nobody ever heard of such a suggestion or ever would make it.

This amendment of the Senator from Iowa might cut off some revenues of the United States, just as legislation which is passed almost every day by Congress affecting the business of the country affects directly or indirectly the sources of revenue. We have an income tax. We pass a law authorizing the Government to commandeer a man's business, his shipyard, or his coal mine. It destroys the income of that man or that corporation, and consequently destroys that source of revenue of the United States. All that is no more beyond the power of the Senate to enact on that account than this amendment of the Senator from Iowa, nor is the amendment any more beyond the jurisdiction of the Senate than such legislation as that.

Mr. STONE. Mr. President—

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

Mr. POINDEXTER. I yield.

Mr. STONE. This is an academic discussion.

Mr. POINDEXTER. I do not think it is academic unless the Senator from Mississippi is not going to insist upon his point of order.

Mr. STONE. I will take the floor in my own time, but I will ask a question of the Senator. We have now a law levying an income tax, levying an excess profits tax, and so on. Does the Senator think that a bill could be introduced in the Senate, originated here in the Senate, be considered and passed merely to reduce—not to raise but to reduce—the income tax, to reduce

the excess-war profits tax, or reduce any other tax levied? Does he draw the distinction in this way, that it is all right and within the Constitution to have a bill in the Senate that reduces taxes but unconstitutional to put a bill in the Senate that raises taxes. Is that the Senator's view?

Mr. POINDEXTER. Not at all. The case the Senator states is an entirely different case from the amendment of the Senator from Iowa, for this reason, that that would be a revenue act; it would be necessarily an amendment of the existing law, as it reduces the income tax or the import duties; it is a change of the revenue law, and consequently fixes the terms of the revenue law itself, and under which the revenue is raised. This has nothing whatever to do with any revenue law. It does not change in the slightest degree any existing revenue statute. It affects conditions of business and trade which indirectly may affect sources of revenue, the means by which the business of the country pays revenue for the support of the Government. That is an entirely different thing from a law raising revenue.

The VICE PRESIDENT. The time of the Senator from Washington has expired.

Mr. NORRIS. Mr. President, a short time ago I was about to place in the RECORD some correspondence in regard to the question of the food value of the ingredients of beer. I was interrupted by the expiration of my time. As I was about to say, I had a letter from Mr. Gustave Hafer, president of the Farmers' Feed Co., of New York City, a company engaged in brewers' wet and dried grains, in which Mr. Hafer made an argument showing the value of these feeds after the beer had been extracted from them. It was, I thought, a very able argument from that standpoint, and to a great extent it was a technical one. I sent the letter to E. A. Burnett, one of the professors of the University of Nebraska, who is the dean of the College of Agriculture of that State, and asked him for his analysis of it. I got a reply from Prof. Burnett. I ask unanimous consent to insert in the RECORD without reading the letter of Mr. Hafer and also the analysis made by Prof. Burnett.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters referred to are as follows:

FARMERS' FEED CO.,
New York, May 3, 1917.

Hon. GEORGE W. NORRIS,
Senate Chamber, Washington, D. C.

DEAR MR. NORRIS: In this great crisis, and actuated by a sincere desire to assist the Government in its effort tending to a conservation of all food products and the protection of business interests, we beg to subjoin concisely the following facts and statistics concerning the amount of grain utilized in brewing during the past year and the salvage recovered from that process, which is used for the purpose of feeding dairy cattle and horses:

TOTAL AMOUNT OF GRAIN USED IN BREWING BEER DURING THE PAST YEAR.

Product in natural state.		Bushels.
Barley		48,000,000
Corn grits		15,000,000
Rice		2,000,000

Total used in brewing beer..... 65,000,000

By-product consumed as a dairy feed and horse ration.

	Bushels.
Brewers' dried grains equal to 450,000 tons.....	50,000,000
Malt sprouts equal to 50,000 tons.....	7,142,857

Recovered for utilization as dairy feed and horse ration..... 57,142,857

(One bushel of brewers' dried grains of 18 pounds per bushel has the feeding value of a bushel of oats of 32 pounds per bushel.)

Total amount of grains produced in the United States in 1915 and 1916.

	1915	1916
	Bushels.	Bushels.
Corn.....	2,994,793,000	2,583,241,000
Wheat.....	1,025,891,000	639,886,000
Rye.....	54,050,000	47,383,000
Barley.....	228,851,000	180,927,000
Oats.....	1,549,030,000	1,251,992,000
Total.....	5,852,525,000	4,703,429,000

The brewers consumed of these grains a total of 65,000,000 bushels per annum, or a percentage as follows:

	Per cent.
1915.....	1.116
1916.....	1.382

A comparison of the raw grains consumed in the brewing process and the salvage recovered in the form of by-products will show as follows:

	Bushels.
Utilized in brewing.....	65,000,000
Recovered through the operation of brewing, directly available as a dairy and horse food.....	57,142,857

In this connection we beg to submit a unit of weight per bushel and the protein contents per pound:

	Per bushel.	Digestible protein.
	Pounds.	Per pound.
Barley.....	48	8.4
Corn grits.....	56	7.8
Rice.....	48	6.8
Dried brewers' grains.....	18	23.6
Malt sprouts.....	14	21.6

As shown above, approximately half a million tons of brewers' dried grains and malt sprouts are produced and used in the United States annually, and, as their digestible protein contents are about three times greater than the original raw grain, it is clear that over a million tons of the latter, or its equivalent, would have to come from somewhere in order to fill up the hole in the Nation's food supply if these excellent products were taken off the market.

In view of the recent agitation to curtail the production of beer during the war on the theory that it will release a quantity of grain for more useful or necessary purposes, permit us to suggest, in view of the above tables, which show so small a proportion of the total crop diverted to brewing operations and so large a conservation in reclaimed by-products, that you will be doing the agricultural interests of the country in general, and milk producers in particular, a very marked service by giving these important facts your serious consideration.

We feel that anything broadly affecting the agricultural and live-stock interests of the country can not fail to be the concern of every good American among us, which, we trust, is sufficient apology for addressing you in the matter.

Very truly, yours,

FARMERS' FEED CO.,
GUSTAVE HAFFER, President.

THE UNIVERSITY OF NEBRASKA,
COLLEGE OF AGRICULTURE,
Lincoln, May 28, 1917.

Hon. GEORGE W. NORRIS,
United States Senate, Washington, D. C.

MY DEAR MR. NORRIS: Your favor of the 5th instant inclosing a letter from Mr. Gustave Hafer has lain sometime on my table awaiting an opportunity for answer.

I have asked our chemist to go over this letter and he disagrees with Mr. Hafer on several important points. In the first place, it would seem that Mr. Hafer has undertaken to estimate feeding value purely upon protein contained in the grains as compared with that contained in the salvage recovered. This is not an accurate method of estimating feeding value, which should be determined either upon dry matter or upon digestible nutrients, including both protein and carbohydrate foods.

I have no figures to show the accuracy of this letter as to the amount of grain used in the brewing industry. You would have much better facilities than I to determine whether or not this estimate is correct. The analysis made by our chemist, Dr. F. W. Upson, is as follows:

"The 65,000,000 bushels of grain used in the brewing industry are equivalent to 1,621,000 tons of grains. The recovered by-products according to Mr. Hafer's own statement are equivalent to 500,000 tons. In other words, of the total amount of grain which goes into the process, 30.8 per cent by weight is recovered in the by-products. The difference of 69.2 per cent is largely carbohydrate lost in the brewing process.

"The statement that 'One bushel of brewers' dried grains of 18 pounds per bushel has the feeding value of a bushel of oats of 32 pounds per bushel,' is not true. The table at the bottom of page 2 has no meaning for the reason that the unit for the protein is not stated. While it is true that the per cent by weight of protein in the brewers' grains is higher than in oats, the per cent of carbohydrate is lower. The following table shows the number of pounds of food material in 1 bushel of oats, 32 pounds, as compared with 1 bushel of brewers' grains, 18 pounds.

	Water.	Ash.	Protein.	Fiber.	Carbohydrate (starch).	Fat.
1 bushel oats, 32 pounds, contains.....	Pounds. 3.3	Pounds. 1.02	Pounds. 3.65	Pounds. 3.46	Pounds. 19.0	Pounds. 1.53
1 bushel brewers' grain, 18 pounds.....	1.57	.65	4.5	2.45	7.6	1.25

"We see that one bushel brewers' grain contains more protein than one bushel oats; not, however, twice as much, but one and one-fourth as much. The brewers' grains contains, however, 7.62 pounds carbohydrate per bushel, as against 19 pounds for a bushel of oats. According to Henry the total digestible food material in one bushel of oats (32 pounds) equals 20.1 pounds, and in one bushel of dried brewers' grains 10.2 pounds. One bushel oats has therefore twice the feeding value of one bushel dried brewers' grains.

"The statement in paragraph 1 on page 3 of Mr. Hafer's letter is misleading. He states that over one million tons of grain would have to come from somewhere in order to fill up the hole in the Nation's food supply if these excellent products (brewers' grains) were taken off the market. The answer is that if no grain were used for brewing we would have Mr. Hafer's million tons in the grain thus saved, plus 621,000 tons left over.

"We should call attention also to Mr. Hafer's inconsistency in emphasizing the importance of the 500,000 tons of brewers' grains to the feeding industry, while not admitting the importance of the million-odd tons which are lost to useful purposes in the brewing process."

I am returning you the letter of Mr. Hafer and hope that this statement may still be useful to you.

I am, very truly, yours,

E. A. BURNETT.

Mr. CUMMINS. Upon the amendment pending I ask for the yeas and nays.

Mr. JAMES. I asked for a division of the amendment. The Vice President was not in the chair at the time. The amendment provides for a prohibition against the importation of liquors in the United States, and also prohibition against taking out of bond whiskies in the United States. There are two separate and distinct propositions, and I ask for a separate vote.

The VICE PRESIDENT. The Senator from Kentucky is entitled to it. The vote will be taken on the first part of the amendment:

No distilled liquors or spirits now in bond in the United States shall during the existing war be withdrawn to be used as a beverage.

That is the first part of the question involved upon which the yeas and nays are requested.

Mr. CUMMINS. I ask for the yeas and nays upon both propositions.

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

Mr. FLETCHER (when his name was called). Making the same announcement of my pair as before and its transfer, I vote "yea."

The roll call was concluded.

Mr. TILLMAN. Making the same announcement as heretofore of my pair and its transfer, I vote "yea."

Mr. SUTHERLAND. I desire to make the same announcement as to my pair and its transfer as I did on the previous vote. I am paired with the junior Senator from Massachusetts [Mr. WEEKS], and therefore withhold my vote. If permitted to vote, I should vote "yea."

The result was announced—yeas 44, nays 41, as follows:

YEAS—44.

Ashurst	Johnson, Cal.	Nelson	Smith, Ga.
Beckham	Johnson, S. Dak.	Norris	Smith, Mich.
Borah	Jones, Wash.	Overman	Smith, S. C.
Brady	Kellogg	Owen	Smoot
Cummins	Kendrick	Page	Sterling
Curtis	Kenyon	Phelan	Thompson
Fernald	La Follette	Polindexter	Townsend
Fletcher	McCumber	Ransdell	Trammell
Gore	McKellar	Shafroth	Vardaman
Gronna	McNary	Sheppard	Walsh
Hale	Myers	Sherman	Wolcott

NAYS—41.

Bankhead	Harding	New	Swanson
Brandegee	Hitchcock	Newlands	Thomas
Broussard	Hollis	Penrose	Tillman
Calder	Husting	Pittman	Underwood
Chamberlain	James	Pomerene	Wadsworth
Colt	Jones, N. Mex.	Reed	Warren
Culberson	Knox	Robinson	Watson
Dillingham	Lewis	Simmons	Williams
France	Lodge	Smith, Ariz.	
Frelinghuysen	McLean	Smith, Md.	
Gerry	Martin	Stone	

NOT VOTING—11.

Fall	Hardwick	Kirby	Sutherland
Gallinger	Hughes	Saulsbury	Weeks
Goff	King	Shields	

The VICE PRESIDENT. On the first part of the amendment of the Senator from Iowa [Mr. CUMMINS], the yeas are 45 and the nays are 40. So that is agreed to. The vote will now be taken on the second part of the amendment, which reads:

Nor shall there be imported into the United States during said war any distilled liquors.

The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as heretofore of my pair and its transfer, I vote "yea."

The roll call was concluded.

Mr. SUTHERLAND. I desire to make the same announcement with regard to my pair as heretofore. I am paired with the junior Senator from Massachusetts [Mr. WEEKS] and therefore withhold my vote.

The result was announced—yeas 69, nays 10, as follows:

YEAS—69.

Ashurst	Hale	Nelson	Smith, S. C.
Bankhead	Harding	New	Smoot
Beckham	Johnson, Cal.	Norris	Sterling
Borah	Johnson, S. Dak.	Overman	Swanson
Brady	Jones, N. Mex.	Owen	Thomas
Brandegee	Jones, Wash.	Page	Thompson
Calder	Kellogg	Phelan	Townsend
Chamberlain	Kendrick	Pittman	Trammell
Colt	Kenyon	Polindexter	Vardaman
Cummins	King	Ransdell	Wadsworth
Curtis	Knox	Reed	Walsh
Dillingham	La Follette	Shafroth	Warren
Fernald	McCumber	Sheppard	Watson
Fletcher	McKellar	Sherman	Williams
France	McLean	Simmons	Wolcott
Frelinghuysen	McNary	Smith, Ariz.	
Gore	Martin	Smith, Ga.	
Gronna	Myers	Smith, Mich.	

NAYS—10.

Broussard	Hollis	Lewis	Underwood
Gerry	Husting	Pomerene	
Hitchcock	James	Robinson	

NOT VOTING—17.

Culberson	Hughes	Saulsbury	Tillman
Fall	Kirby	Shields	Weeks
Gallinger	Lodge	Smith, Md.	
Goff	Newlands	Stone	
Hardwick	Penrose	Sutherland	

The VICE PRESIDENT. The entire amendment of the Senator from Iowa is adopted.

Mr. CUMMINS. A parliamentary inquiry, Mr. President. If the amendment proposed by the Senator from Arkansas [Mr. ROBINSON] by way of substitute is rejected, will the amendment which has been proposed on behalf of the committee by the Senator from Oregon [Mr. CHAMBERLAIN] be still open to amendment under the unanimous-consent agreement?

The VICE PRESIDENT. Certainly. The question is on the amendment of the Senator from Arkansas as amended.

Mr. CURTIS. Mr. President, I am opposed to the Chamberlain amendment or the committee amendment. I am also opposed to the Robinson amendment. I prefer the House provision as amended to either, but I believe the Robinson amendment is better than the Chamberlain amendment. I believe it would be a mistake to leave the question as to beer and wine to the President of the United States, as is done by the Chamberlain amendment, and I shall therefore cast my vote for the Robinson amendment, and upon the final vote shall cast my vote for the House provision.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] as amended.

Mr. WADSWORTH. Mr. President, I desire to ask the Senator from Arkansas if he would be willing to accept an amendment to his amendment which would insert the word "manufacturing" after the word "industrial"? I believe that that would clarify the section somewhat and permit the use of distilled spirits.

Mr. ROBINSON. I have no objection to the amendment, and, so far as I am authorized to do so, I am willing to accept it.

Mr. PENROSE. Mr. President—

The VICE PRESIDENT. The Senator from New York [Mr. WADSWORTH] offers an amendment, which will be stated.

Mr. PENROSE. I was going to offer an amendment in view of certain things which have occurred, but I shall take the opportunity perhaps to offer it later on some other occasion.

The VICE PRESIDENT. The amendment proposed by the Senator from New York to the amendment will be stated.

The SECRETARY. The Senator from New York [Mr. WADSWORTH] moves, after the words "governmental, industrial," to insert "manufacturing."

The VICE PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. REED. I now ask that the amendment as amended be reported.

The VICE PRESIDENT. The Secretary will read the amendment as amended.

The SECRETARY. In lieu of the words proposed to be inserted by Mr. CHAMBERLAIN for the committee it is proposed to insert the following:

SEC. 12. That from and after 30 days from the date of the approval of this act no person shall use any foods, fruits, food materials, or feeds in the production of distilled liquors except for governmental, industrial, manufacturing, scientific, or medicinal purposes. No distilled liquors or spirits now in bond in the United States shall, during the existing war, be withdrawn to be used as a beverage; nor shall there be imported into the United States during said war any distilled liquors. Any person who willfully violates this section shall upon conviction thereof be punished by a fine of not exceeding \$5,000 or by imprisonment for not more than two years, or both.

Mr. VARDAMAN. Mr. President, a parliamentary inquiry. Is that the amendment that is offered as a substitute for the committee amendment?

The VICE PRESIDENT. It is.

Mr. SMITH of Michigan. Mr. President, if I understood the reading of the amendment, it relates to "persons" entirely, and not to companies or corporations. Am I correct in that?

Mr. GORE. The word "persons" is defined in the bill as including corporations.

Mr. SMITH of Michigan. That is a part of this bill?

Mr. GORE. It is a part of the bill.

Mr. ROBINSON. Mr. President, did the Senator from Michigan address an inquiry to me?

Mr. SMITH of Michigan. Mr. President, if the Senator from Arkansas will permit me, I understand the committee bill defines a person to be a company or corporation, artificial or natural?

Mr. MARTIN and others. Question!

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] as amended. (Putting the question:) By the sound the "ayes" seem to have it.

Mr. PENROSE. Mr. President, I desire to offer an amendment to the amendment. After the word "purposes," I move to insert the following proviso:

Provided, That the word "manufacturing" as used in this paragraph shall not include the manufacture of brandies and distilled spirits for the fortification of wines.

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania to the amendment of the Senator from Arkansas as amended.

Mr. POMERENE. I ask that that amendment to the amendment be again stated. I am not quite sure that I understand it.

The VICE PRESIDENT. The Secretary will again state the amendment offered by the Senator from Pennsylvania.

The SECRETARY. After the word "purposes," in line 5 of the amendment of Mr. ROBINSON, it is proposed to insert:

Provided, That the word "manufacturing" as used in this paragraph shall not include the manufacture of brandies and distilled spirits for the fortification of wines.

Mr. PHELAN. Mr. President, I do not desire the Senate to act upon that amendment or any other amendment without understanding its significance. The question was about to be put by the Chair and the sentiment seemed to be in favor of the Robinson amendment.

The amendment of the Senator from Arkansas forbids the use of distilled liquors except for governmental, industrial, scientific, and medicinal purposes. The word "manufacturing" was proposed to be added by the Senator from New York. If the amendment as originally proposed by the Senator from Arkansas were adopted, I contend that the word "industrial" would embrace wine-making, and therefore I supported the amendment. I think the amendment proposed by the Senator from New York is superfluous. It is merely cumulative, because "industrial" and "manufacturing" are substantially the same thing. However, because it is cumulative, I am in favor of it.

But the Senator from Pennsylvania, for reasons best known to himself, has seen fit to introduce an amendment which will prevent the manufacture of sweet wines. I voted against whisky because I am opposed to whisky. I voted for the Cummins amendment because I believe it to be in the public interest, and I have consistently contended that the use of light wines and beers has never done anyone any harm; that to prohibit them is an invasion, without sufficient justification, of the personal rights of our citizens; and that there is no strong demand, either in this Chamber or outside of this Chamber, for the abolition at this time of light wines and beer. The people who work with their hands and support this structure of Government ask for that little comfort with their daily meals—the mixture of water and wine and the glass of beer. It does not seriously affect the purposes of the war by the conservation of food.

I am opposed to whisky because it destroys the food of the people and destroys the life and moral stamina of the people.

Now, if the Senator from Pennsylvania, for the purpose of punishing those who favor light wines and beer, as an eleventh-hour provision seeks to prevent, in this food measure, the manufacture of light wines and beer, then I should like to know it and I should like the line to be drawn in this Chamber.

Are we to abolish light wines and beers because King John Barleycorn decrees it—he who is consuming the substance of the people and the grains and cereals of the land?

I hope that the amendment of the Senator from Pennsylvania will not be adopted.

Mr. PENROSE. Mr. President, I do not intend to speak in favor of this amendment. I only wanted to have an opportunity of calling to the attention of the country the broad and patriotic and statesmanlike qualities of the Senator from California, his sympathies embracing, as they do, the needs and requirements of 100,000,000 people, extending from the Atlantic to the Pacific Ocean.

It is unfortunate that whisky in bond is not located in California. If it were, its beauties would immediately become apparent and the zealous activities of the Senator from California would be enlisted. But it happens to be largely a product of New England and the East, and hence it is obnoxious in his sight. But as to wines, they are medicinal and healthful and inspiring, no matter how decocted or adulterated, provided they are made in California.

The Senator has been most active in trying to have everything done to diminish taxation on wines of every kind, so that they might escape their burden of war taxes, and in every way to benefit this industry. He has deliberately by his vote prac-

tically destroyed by confiscation several hundred million dollars, much of it carried in banks, loaned in good faith, located in New England and in Pennsylvania, and helped to enact a law which will unquestionably be unconstitutional, and which places the Senate of the United States before the people of all the world as prompted by a spirit of fanaticism to absolutely ignore the Constitution and the rights of property not located in California.

Mr. PHELAN. Mr. President—

The VICE PRESIDENT. The Senator from California has had his time.

Mr. PHELAN. Has my time expired?

The VICE PRESIDENT. Yes; the Senator has had his time. The question is on the amendment of the Senator from Pennsylvania to the amendment of the Senator from Arkansas.

Mr. PENROSE. I call for the yeas and nays.

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

Mr. SUTHERLAND (when his name was called). I make the same announcement as before with reference to my pair, and withhold my vote, not knowing how my pair would vote on this question.

The roll call was concluded.

Mr. KNOX (after having voted in the affirmative). I voted under a sympathetic misapprehension. [Laughter.] I desire to change my vote from "yea" to "nay."

Mr. FLETCHER. I make the same announcement as before as to my pair and its transfer and vote "nay."

The result was announced—yeas 6, nays 72, as follows:

YEAS—6.			
McCumber	Sheppard	Stone	Townsend
Reed	Sherman		
NAYS—72.			
Ashurst	Hale	Martin	Smith, Ga.
Bankhead	Hollis	Myers	Smith, Mich.
Beckham	Husting	Nelson	Smith, S. C.
Borah	James	New	Smoot
Brady	Johnson, Cal.	Newlands	Sterling
Broussard	Johnson, S. Dak.	Norris	Swanson
Calder	Jones, N. Mex.	Overman	Thomas
Chamberlain	Jones, Wash.	Owen	Thompson
Cuberson	Kellogg	Page	Tillman
Cummins	Kendrick	Penrose	Trammell
Curtis	Kenyon	Phelan	Underwood
Dillingham	King	Pittman	Vardaman
Fernald	Knox	Polindexter	Wadsworth
Fletcher	La Follette	Pomerene	Walsh
France	Lewis	Ransdell	Warren
Frelinghuysen	Lodge	Robinson	Watson
Gerry	McKellar	Shafroth	Williams
Gronna	McNary	Shields	Wolcott
NOT VOTING—18.			
Brandegee	Gore	Kirby	Smith, Md.
Colt	Harding	McLean	Sutherland
Fall	Hardwick	Saulsbury	Weeks
Gallinger	Hitchcock	Simmons	
Goff	Hughes	Smith, Ariz.	

Mr. PENROSE's amendment to the amendment of Mr. ROBINSON was rejected.

The VICE PRESIDENT. The question now recurs on the amendment of the Senator from Arkansas [Mr. ROBINSON] as amended.

Mr. UNDERWOOD. Mr. President, I desire to state my position on this question.

So far as I am personally concerned, I should be very glad to vote for an amendment or a bill that would conserve the grain supply of the country to the people of the United States; and it was my purpose to vote for an amendment that would prohibit the use of grain in manufacturing distilled spirits during the period of the war, if I could have done so. As this amendment is now presented to the Senate, by reason of the amendment offered by the Senator from Iowa, it presents the proposition that in order to vote to conserve the grain supply of the country I shall be compelled to vote to confiscate a large amount of property without just compensation. I shall also be compelled to vote to destroy something like \$300,000,000 of revenue to this Government. If this bill as now amended becomes a law, I doubt its constitutionality, but it is not for me to pass upon that question now. I believe the Supreme Court will decide in the end that you can not take a man's property without paying just compensation; and if you provide in the bill that liquor in bonded warehouses can not be taken during the period of the war, for the time being and perhaps forever, you take away these people's property. You destroy the securities on which thousands of dollars have been loaned by the banks of this country. You may produce a financial panic.

I am not willing, for the sake of conserving a portion of the grain supply of this country, to jeopardize the financial condition of the country by my vote. I am not willing to vote to take a man's property without just compensation. If you want to add to this bill a provision that if this property is withheld

the Government of the United States shall pay for it, I am willing to go that far with you; but I am not willing to confiscate the property of these people, nor am I willing to destroy this revenue. Therefore, I find myself in an attitude where I can not vote for this amendment as it is presented, or any other amendment carrying these terms.

I have not discussed the question, but I do not think I can allow my vote to stand in the negative, as I intend to vote, without making this explanation in the RECORD to endeavor to show my constituents what my position is.

Mr. PENROSE. Mr. President, I simply desire to say that I entirely concur in what the Senator from Alabama has said, and I intend to vote against the amendment.

Mr. BRANDEGEE. Mr. President, I voted against the amendment offered by the senior Senator from Iowa for the same reason as stated by the Senator from Alabama; but I much prefer the Robinson amendment to the so-called Chamberlain amendment, which is the committee amendment, and I know that if the Robinson amendment should be voted down the Senator from Iowa will probably offer the same amendment to the Chamberlain amendment, and the votes are here to put it on. Therefore, unwilling as I am to vote for it in its present shape, I find myself in the dilemma of being compelled to choose the lesser of two evils, and on that theory I shall vote for the Robinson amendment. Whether or not I shall vote for section 12 of the bill as amended I do not know.

Mr. CHAMBERLAIN. Mr. President, I hope the Senate will vote down the amendment of the Senator from Arkansas, because that leaves the whole question as to vinous and malt liquors open to be fought out on the floor of the Senate in some other shape.

Now, Mr. President, the committee amendment, it seems to me, will settle this question. I think I may safely say that with the exception that it absolutely prohibits the use of food products in the manufacture of distilled liquors, it is in conformity with the wishes of the Commander in Chief of the Army and of the Navy as originally expressed to the House of Representatives. I do not say that that is a sole reason why the Senate should adopt the committee amendment, but I say that he, as the Commander in Chief of the Army and Navy, is in a position to know just what is best to be done in this critical emergency.

The amendment that comes from the committee absolutely prohibits the use of food products in the manufacture of distilled liquors, and it leaves to the President the power to say what amount of food products shall be used in the manufacture of malt and vinous liquors and to fix the alcoholic content. Now, with that power, and with his ample knowledge of the conditions which confront this country, it seems to me that the amendment of the Senator from Arkansas ought to be voted down and the committee amendment adopted, leaving it to the President, as the emergencies present themselves in the course of the war, to adopt that policy which will be safest for the country. I am satisfied that the Members of the Senate have enough confidence in the President to know that power will be used by him only in such a way as to best suit the emergencies as they arise during the progress of the war.

I hope the committee amendment may be adopted, and to that end the pending amendment voted down.

Mr. BORAH. Mr. President, a parliamentary inquiry. Do I understand that in case the Robinson amendment should be adopted, we would then have an opportunity to vote upon that as a substitute for section 12?

The VICE PRESIDENT. Undoubtedly.

Mr. BORAH. And we have a choice between section 12 and the Robinson amendment?

The VICE PRESIDENT. Between section 12 and the Robinson amendment.

Mr. BORAH. Mr. President, I shall vote for the amendment offered by the Senator from Arkansas because I believe that this is a matter which the Congress itself ought to meet and dispose of. I think it is a responsibility which rests upon us. It is a policy that is either wise or unwise, and we should not shift that responsibility.

Believing that the Congress ought to meet the question and determine it and settle it for itself, I prefer to vote for the amendment offered by the Senator from Arkansas rather than the amendment offered by the Senator from Oregon.

Mr. LEWIS. Mr. President, we have in this body, conjointly with the House of Representatives, from time to time passed laws providing that they should be executed by different heads of departments according to the time and occasion requiring such; notably, the regulations concerning the pure-food act, the execution of which was put in the hands of the Secretary of Agriculture and his agents; that concerning oleomargarine, for

a long time under the Secretary of the Interior and his agents; those respecting the administration of public lands, in certain respects under the administration of the Secretary of the Interior, to be enforced or not, limited or expanded, according to the circumstances as they shall develop.

With this policy in my mind I introduced an amendment here as a substitute to take the place of section 12, providing, sir, that the whole subject matter of the limitation of the use of food for beverages should be left to the same source at which the food act has been left for administration. Such is my view now. I feel that the whole matter should be left to the President to be executed by him through such aid as shall be provided, upon the same theory that we have left the administration of other foods to the Secretary of Agriculture and the administration of land to the Secretary of the Interior.

My view, which I beg to impose on the Senate, is this: Conditions to-day may justify to the mind of Senators a peremptory and absolute enactment which may so change when we are not in session as to seriously embarrass the enactment of that law and embarrass the Government in the execution of it. Therefore for myself I regard it more prudent for the country, I regard it more for its welfare, to vest the execution of such a measure in the discretion of those who command the whole subject, that it may from time to time change such administration of it or limit it according to the conditions as they arise.

For that reason, Mr. President, I prefer to support the amendment of the committee and oppose the amendment of the distinguished Senator from Arkansas, thinking that the method of the amendment by the committee would serve a better object and a better purpose to the end which we have in view.

Mr. SHEPPARD. Mr. President, when the present food-conservation measure came from the administration, after having been developed by the combined efforts of the House and Senate Committees on Agriculture, the Secretary of Agriculture, and various agricultural authorities and heads of farmers' organizations throughout the country, it contained a section giving the President the power to limit, regulate, or prohibit the making of foodstuffs into any kind of alcoholic liquors, and authorizing him to determine the alcoholic contents thereof in the interest of food conservation. This is a complete answer to the charge, so widely repeated, that prohibitionists forced the liquor question into the deliberations on this bill. The presence of this section in the bill, as originally framed, showed that the President, the Secretary of Agriculture, and both House and Senate Committees on Agriculture believed that the use of foodstuffs in making alcoholic liquors was a waste, and that power to limit or prevent this waste should be given. This section was in the bill when the President requested both these committees to confer with him at the White House, and when from time to time he talked to Members of both Houses regarding the measure, expressing the deepest anxiety over its fate. The House amended this section by directly prohibiting the making of foodstuffs into alcoholic liquors. The Senate Committee on Agriculture reported a similar amendment, except as to wine, after the bill had reached the Senate, and it was then that the beer interests threatened the defeat of the entire measure. Evidently the President had in mind the provision added by the Senate committee, in line with the House action, when he made an appeal for its elimination.

It would be a distinct step backward, therefore, if an amendment should now be adopted relieving wine and beer of all restriction and control. Whatever decrease may take place in the amount of grain made into whisky will be largely offset by the making of additional foodstuffs into beer and wine, due to their increased consumption, which is sure to follow, if no restrictions are imposed, and no material saving in foodstuffs would in the end be effected. Dr. Wiley, one of the greatest food experts of the time, tells us that barley, the main constituent of beer, is an excellent human food, as well as a valuable animal food. Alcohol is a liquid poison, which attacks the tissues composing every organ of the human body. As the tissues composing the brain and nerves are the most delicate of all, it attacks them first, and the result is a loss of control over the normal functions of thought and action, ranging from hilarity to murder. This is the result whether alcohol is taken in the form of wine or beer or whisky, or in some other guise. It has been demonstrated that the alcohol in a single glass of beer will so affect the brain and nerves and arm of an engineer as appreciably to prolong the time between the sight of a danger signal and the swing of the throttle, and thus to imperil or destroy the lives of hundreds of passengers. The need of a clear brain and steady nerve in an age of machinery is doing more for prohibition than all other agencies put together. Men drink whisky, wine, and beer for the same purpose—for the alcohol they contain.

Let me quote here a resolution adopted by the American Medical Association at its sixty-eighth annual session held at New York City last month:

Whereas we believe that the use of alcohol as a beverage is detrimental to the human economy; and
Whereas its use in therapeutics, as a tonic or a stimulant, or as a food has no scientific basis: Therefore be it

Resolved, That the American Medical Association opposes the use of alcohol as a beverage; and be it further

Resolved, That the use of alcohol as a therapeutic agent should be discouraged.

Let me say that therapeutics is the term applied to that branch of medicine which deals with the methods of curing disease, or of controlling and resisting its evils. The language of the above resolution is that of one of the foremost scientific bodies of the world, not the language of dreamers, enthusiasts, or fanatics. It is one of the plainest and most effective indictments of alcohol that has yet been drawn. It makes no distinction as to whisky and wine and beer, because all represent stages of alcoholism. Prohibition prevails by State or local action in three-fourths of the territory of the United States, a territory in which lives more than 60 per cent of the American people, and yet in none of this territory is the line drawn between whisky on the one side and beer and wine on the other.

The difference, therefore, between the amendment proposed by the Senator from Arkansas and that proposed by the Senator from Oregon [Mr. CHAMBERLAIN] is fundamental. If we surrender control of wine and beer in this dreadful time and regulate whisky alone, we endeavor to draw a distinction which does not exist and blind ourselves to the truth. The object of food conservation is the development of man power to the highest possible limit. Put wine and beer beyond control and our man power will be menaced by alcoholism practically as much as ever before. The adoption of the amendment proposed by the Senator from Arkansas will destroy the admirable plan which the President evidently had in mind when this food-protection bill was first developed, namely, the gradual decrease of the alcoholic contents in all liquors until the shackles of alcoholism could be permanently broken, an emancipation comparable to that which his immortal predecessor, Lincoln, effected for millions of the human race. If the Chamberlain amendment should be adopted, the President will gradually lower the alcoholic contents of beer and wine until those addicted to these beverages will have become accustomed to the change and we will pass to the condition of a dry nation without the disturbance and without the resentment and financial loss so many seem to fear.

I hope therefore that the Chamberlain amendment will finally be adopted.

Mr. CUMMINS. Mr. President, in view of the observations of the Senator from Alabama [Mr. UNDERWOOD] I desire to be heard just a moment upon the pending question. The amendment which has been adopted and which I had the honor to offer does not take property without due process of law. It merely suspends for the time being the right of the citizen to use the property. I assume that it is within our power to say that in the period of storm and trouble through which we are now passing, if any citizen has property that can not be used without increasing the storm and trouble, or if being used diminishes our power and strength to pass safely through the storm, he must not use it until the storm has passed.

If when war is over, Mr. President, the Government shall determine that intoxicating liquor of this kind shall not be used in the United States, then common fairness and honesty will require the Government to make adequate compensation for the property which it has taken; but until that time comes we need not meet the point raised by the Senator from Alabama. I know that it will deprive for the moment the country of a revenue of some \$200,000,000 or \$250,000,000, but it must be remembered, Mr. President, that when the 300,000,000 gallons of whisky are sold the people of the United States will pay for it nearly \$2,000,000,000, and by just so much will their capacity to respond to the demands of this time be lessened. I would rather lose a revenue of \$250,000,000 than stand by, when every resource is to be called upon, and see the people of the country pay out \$2,000,000,000 a year for the beverages from which we derive a revenue of \$250,000,000.

I shall feel constrained to vote against the amendment proposed by the Senator from Arkansas because, as much as I believe in the Senate or Congress determining for itself this matter of commerce, I would rather leave to the President the power to exclude beer and wine from the commerce of the country than to do nothing whatever with respect to those beverages.

I would have some hope that in the exercise of his discretion he would banish these drinks from the public use, and therefore I think the amendment of the committee is preferable.

I say now, as was anticipated by the Senator from Connecticut, that if the amendment of the Senator from Arkansas is rejected, I shall offer as applicable to the committee amendment the same provision with regard to bonded spirits and imported spirits that has already been adopted to the House text and to the amendment of the Senator from Arkansas.

Mr. HARDING. Mr. President, I am moved to make some remarks because the Senator from Iowa [Mr. CUMMINS] has touched on the particular theme that impels me to oppose the pending legislation. I have understood that the question of the prohibition of manufacture was introduced as a method of food conservation, and the drift of the afternoon is toward prohibition, not toward food conservation.

If I could have my way, Mr. President, I would give assent to the complete abolition of the liquor traffic in this land, but I shall never give my vote to that abolition when I think the procedure is unjust; and I contend that the amendment of the Senator from Iowa is unjust in every application. If it does not literally confiscate the lawful property of the United States, it does suspend the use of that property for the period of the war, and the war may be 1, 2, or 10 years in duration; and by the suspension of the use of that property you jeopardize every loan, amounting to millions of dollars, secured by certificates of storage. Aside from that, you apply the lash of confiscation to lawfully existing property that has been taken under the wing of Government partnership since the first internal-revenue law was ever written.

Mr. President, there seems to be an impression that we have got to become a prohibition country to win the war. It ought to be the first thought in the mind of every Senator and every citizen to win the war. I am for that, and if I believed it were necessary to adopt prohibition in this country to win the war, I would vote for it in spite of my conviction of the injustice involved.

But, Mr. President, it has not been proven necessary for the United States to be prohibition to win a war. We have never been a prohibition Nation heretofore to win a war, and there is not an allied country engaged in this war with us that is a prohibition nation. I know of only one prohibition nation on the face of the earth, and it has the least to its credit in the way of triumphant warfare. I refer to Turkey.

It is not, Mr. President, that I for a moment rise to defend "John Barleycorn" or the malted beverages of this land. I have already stated my position. I think no man can stand and make a speech in defense of intoxicating liquors. But, Mr. President, on the calendar lying on my desk, on page 6, calendar No. 61, is a joint resolution proposing an amendment to the Constitution of the United States. In that amendment the prohibition question itself is frankly, flatly, and squarely submitted. Why has not this body the courage to take up and settle the prohibition question under that amendment? Then when such an amendment is adopted the country can righteously and justly undertake to dispose of the liquor traffic and the manufacture of distilled and fermented liquors and add a just compensation to the property thereby destroyed. Whenever that is proposed it shall have my vote in this body.

I want to be just, Senators. At the same time I want to be committed to the cause of this country. Let us for a moment put aside the narrow view. I can not find fault with the prohibitionist who is insistent on furthering the cause in which his heart is so deeply enlisted; I can not find fault and I do not find fault with the manufacturer of intoxicating beverages who is opposing this legislation, but I have a very strong conviction, Senators, that this difficult question ought to be settled quite apart from the extremists on either hand. This is a time when men can march safe to the front in the middle of the road, and, coming to the front, settle this question.

In my State, Mr. President, we have twice had the prohibition question submitted to a vote of the people, and though we are very evenly divided, the majority has been against us. The same story might be told of many other States that are still in the liberal column. On the other hand, there are some 24 or 25 States in the Union in the dry column. Why, in the name of sense, must we as a war proposition divide among ourselves and rend the concord of American spirit and the unity of American citizenship, which is far more essential to the winning of this war than the adoption of prohibition for the moment?

Mr. President, I presume I am trespassing. Perhaps later—
The VICE PRESIDENT. The Senator's time has expired.

Mr. SHAFROTH. In my time I should like to ask the Senator from Ohio a question.

Mr. HARDING. I would be glad to have the Senator ask it.

Mr. SHAFROTH. Would it be acceptable to the Senator for a commandeering provision to be made in either of these amendments by which the Government of the United States would pay to the person who owned these liquors the fair value thereof?

Mr. HARDING. Mr. President, if the Senator from Colorado can write an amendment that will stand not only for commandeering liquor in the storage warehouses of the country but under Government supervision and at the same time take over every brewery and distillery in the United States, I shall support him and vote for the prohibition which will result from that amendment.

Mr. SHERMAN. Mr. President, I will vote to settle the property rights involved in this amendment in its own time and place, if given the opportunity. I wish the question now settled whether a sober nation is a better nation in war and that we approach that settlement freed from the entangling questions of property rights. That is what the Senate has this day voted. I am looking in the faces of Senators on the majority side of this Chamber whose ancestors saw vanish overnight by the signature of an Executive pen countless millions of property that was as sacred as the property contained in a whisky barrel.

Mr. HARDING. Mr. President—

The VICE PRESIDENT. Will the Senator from Illinois yield to the Senator from Ohio?

Mr. SHERMAN. I yield.

Mr. HARDING. I do not want to trespass, but the Senator will say that the Great Emancipator himself believed in justice and desired to compensate for the property that was taken.

Mr. SHERMAN. Yes; he did, and it was rejected by certain of the States to which the proposition was made. I could not go into that detail now in the time allotted here. It is known to the Senators and their constituents of that time. Your ancestors, my fellow Senators, in the States where you lost the property by the proclamation of half century ago, when slavery melted instantly into nothingness, bound up your wounds, economically and otherwise, turned to your ruined homes, girded up your loins like men, and bore the loss without complaint. Not one dollar has ever been paid you by this Republic. Your fathers and grandfathers lost every dollar of the slave property that vanished into thin air overnight. It was the fortunes of war, and, like vanquished warriors, your fathers bore the burdens of defeat.

Is a distillery more sacred than a human soul, in peace or in war? If your ancestors in certain States lost millions by the proclamation of emancipation, can you not stand overnight sincere to your convictions, and continue to vote steadfastly as you have begun, and that the holders of stocks of whisky may abide the results of this amendment, and trust hereafter to legislation to pay for the property values involved in the action of this day? I will meet that, Mr. President, when I reach it in due time.

Mr. WILLIAMS. Mr. President, may I ask the Senator from Illinois a question?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. SHERMAN. Yes, sir.

Mr. WILLIAMS. Does not the Senator from Illinois recognize a clear distinction between confiscating the property of an enemy and confiscating the property of your own citizen? My father's property was confiscated, but he was an enemy fighting the United States.

Mr. SHERMAN. There is a distinction without a difference. The man who for pecuniary gain will pour liquid hell-fire into a soldier's blood and brain under the pretense of making a soldier of him is a public enemy. He is worse infinitely than the one who raised the standard of revolt in 1861. If this Nation endures it will not be saved by the spurious courage born of whisky but the clear eye and steady hand of sober men. Your ancestor felt the bitterness of defeat. To-day his descendants are living under the flag and are patriotic and making the same sacrifices we of the Northern States are making, who won in that great struggle. Do not think for a moment I do not appreciate the spirit that animates you Senators and your constituents of this day. You made the great sacrifice; you are in the Union; you are here now as living evidences, preserved to this day, of the loyal sentiment that animates you this year and hereafter in this war of a united American people. There is, it is true, a distinction, but it is a distinction without a difference.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. REED. I offer an amendment, to come in after the amendment of the Senator from Iowa.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. At the end of the amendment heretofore agreed to it is proposed to insert the following proviso:

Provided, however, That the President is hereby empowered to permit the withdrawal of liquor in bond if, in his opinion, such withdrawal is in the public interest.

Mr. STONE. How would it read if that amendment were agreed to?

The VICE PRESIDENT. The Secretary will read the amendment as it will read as proposed to be amended.

The Secretary read as follows:

No distilled liquors or spirits now in bond in the United States shall, during the existing war, be withdrawn to be used as a beverage; nor shall there be imported into the United States during said war any distilled liquors: *Provided, however,* That the President is hereby empowered to permit the withdrawal of liquors in bond if, in his opinion, such withdrawal is in the public interest.

Mr. REED. Mr. President, the vote on the adoption of the amendment of the Senator from Iowa was pretty close, and it seems to me that the amendment I have offered may afford a means of adjustment. There is much to be said in favor of the argument which was adduced by the Senator from Ohio [Mr. HARDING]. The cold truth of the matter is, I think, that nearly all of the liquor, or at least a great part of the liquor, that is held under Government bond has been mortgaged to banks and other financial institutions. This law would, of course, make it impossible to foreclose upon that liquor; hence the security would be destroyed. It is likely to break some banking institutions and to visit loss upon innocent stockholders. I think we can become so radical that we will do harm instead of good. I believe it would be safe to pass this question over to the President; and if, upon investigation, he finds that great injustice is to be done, and that it is to the public interest to relieve this liquor from the inhibition of the bill, he can be trusted to act wisely and justly in the matter.

SEVERAL SENATORS. Question!

The VICE PRESIDENT. The question is on the amendment of the Senator from Missouri to the amendment of the Senator from Arkansas as amended.

Mr. STONE. Mr. President, I ask the Senator from Oregon if he will not consent to let us recess until 11 o'clock to-morrow morning, and in the meantime I will ask if the Senate will not direct that section 12, with the amendments so far agreed to, may be printed. We can consider it then to-morrow morning advisedly. This very important matter involves far more than the mere question of stopping the sale of liquor. It involves other things, and I think, Mr. President, we ought to allow the section to go over until to-morrow morning, in order that Senators may familiarize themselves with it as it now stands.

Mr. CHAMBERLAIN. Mr. President, quite a number of Senators have expressed a desire to see the amendment printed in its amended form, so that we may act intelligently upon the matter when the vote is taken; and, at the suggestion of the Senator from Missouri, if there is no objection to taking a recess, I move that the Senate take a recess until to-morrow morning at 11 o'clock.

Mr. STONE. I suggest that the Senator ask that the section be printed as amended.

Mr. CHAMBERLAIN. And in the meantime I ask that the section as amended be reprinted.

The VICE PRESIDENT. Without objection, the section as amended will be reprinted.

Mr. CUMMINS. Mr. President, will the Senator from Oregon withhold his motion just a moment?

Mr. CHAMBERLAIN. I withhold the motion.

Mr. CUMMINS. I ask unanimous consent to present an amendment to the bill, not relating to this section, for the purpose of having it printed and referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, the amendment will be received, printed, and referred to the Committee on Agriculture and Forestry.

Mr. KING. If the Senator from Oregon will withhold his motion for a moment further, I desire to submit an amendment, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

RECESS.

Mr. CHAMBERLAIN. Mr. President, I renew my motion that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 30 minutes p. m., Friday, July 6, 1917) the Senate took a recess until to-morrow, Saturday, July 7, 1917, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, July 6, 1917.

The House met at 12 o'clock noon.

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

Take us, O God our Heavenly Father, into Thy confidence and make us susceptible to Thy will, that we may be faithful servants in the working out of Thy plans and purposes.

We can not always trace the way
Where Thou, Almighty One, dost move;
But we can always, always say
That God is love.

And that in the dispensation of Thy providence the dark shall be made light, truth though crushed to earth shall rise again, and every wrong shall be made right. For faith shall find its purpose, hope its answer, and love its full fruition. Man may retard or accelerate, but he can never thwart Thy purposes, for Thou art God.

Hear us and answer our prayer, in His Name. Amen.

The Journal of the proceedings of Tuesday, July 3, 1917, was read and approved.

LEAVE TO EXTEND REMARKS.

Mr. LONGWORTH. Mr. Speaker, I ask permission to extend my remarks in the RECORD by publishing two statements, one by Dr. Taylor, an aid of Mr. Hoover, on the relation between the manufacture of yeast and malted liquors, together with some comments of my own thereon.

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

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, I wish, in this connection, to direct the attention of the House to what was said here on Friday, June 29. I do this now because inadvertently, when I reserved the right to object on Tuesday last, I mentioned the wrong date, Saturday, June 30, in referring to what the gentleman from North Carolina [Mr. KITCHIN] had said. I should have referred to his language on Friday, June 29, and therefore before this request is granted I desire to remind gentlemen of the agreement made by the House on that day.

On page 4491 of the RECORD, right-hand column, after some preliminary remarks, the gentleman from North Carolina [Mr. KITCHIN] said:

We can have an understanding that nothing will be done during the week except to meet and adjourn for three days at a time until Monday week.

Mr. ADAMSON. If the gentleman will yield for one minute, I want to emphasize the importance of understanding absolutely that nothing will be done except what is stated, because if Members go away under a gentlemen's agreement and a handful come here and somebody gets up a little insignificant thing and asks unanimous consent it ought not to be allowed.

Mr. KITCHIN. I think every man will be committed in honor to stand by this understanding that nothing will be done next week except to meet and adjourn over.

Now, the understanding was clear that nothing of any sort was to be done here except to obey the constitutional mandate which prohibits an adjournment for longer than three days without the consent of the other House. That this was the understanding is shown by what the gentleman from Wisconsin [Mr. LENROOT] said during the same discussion, on page 4492, left-hand column, near the top:

Mr. LENROOT. The gentleman's agreement, as stated, would not permit even a request for unanimous consent. My only point was that should not apply to a request for unanimous consent, but that if this bill comes back the gentleman should have full opportunity to object.

The discussion went on, and the gentleman from North Carolina [Mr. KITCHIN] said:

My judgment is we will lose no time, but make time, by consenting to the unanimous-consent request that I have made.

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

Mr. COOPER of Wisconsin. I yield to the gentleman from Texas.

Mr. GARNER. Does the gentleman believe that the asking of unanimous consent to extend remarks in the RECORD is embraced in that agreement? If I got the gist of that agreement, and, as I understood it on the floor at the time, there was to be no business transacted in the House that the Journal would record. The mere extension of remarks is not a matter that is embraced in the Journal. If a bill were called up here for action by unanimous consent, certainly it would be objected to, and ought to be under that agreement, but I can not see any particular objection to gentlemen extending remarks.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. COOPER of Wisconsin. The other day when I reserved the right to object, somebody else made the objection. Having heard what the gentleman from Wisconsin [Mr. LENROOT] said

on Friday, June 29, by way of interpreting the agreement as proposed by the gentleman from North Carolina [Mr. KITCHIN], and remembering the general acquiescence of the Members of the House in that interpretation, I sought the other day to remind the House of this understanding that absolutely nothing should be done here during the present week except to meet and adjourn. We are awaiting action by the Senate on bills we have passed and sent to that body.

Mr. LONGWORTH. But if the gentleman will pardon me, I doubt the accuracy of his conclusion as to our gentleman's agreement. I do not think it ever prohibited the extension of remarks in the RECORD. But even if it did, that was violated about 10 times on Tuesday, and it was not until I made my request that the gentleman from Wisconsin and other gentlemen rose. It is very seldom that I ask to extend remarks in the RECORD. I only do it now because I hope that before final action on the food bill Members will read in the RECORD some data and information that I want to present. That is my only reason for asking consent at this time, because the food bill will probably come back to us from the Senate very shortly.

Mr. GARNER. Will the gentleman from Wisconsin permit this suggestion? There is a very vast difference, as he knows, between the RECORD and the Journal. Anything undertaken to be done by the House that would have to be recorded in the Journal would, I think, be a legitimate subject to object to under this gentleman's agreement.

Mr. COOPER of Wisconsin. Mr. Speaker, before I reply to what the gentleman from Texas has said, I wish again to direct attention to the language on June 29 of the gentleman from Georgia [Mr. ADAMSON]:

If the gentleman will yield for one minute, I want to emphasize the importance of understanding absolutely that nothing will be done except what is stated, because if Members go away under a gentlemen's agreement and a handful come here and somebody gets up a little insignificant thing and asks unanimous consent it ought not to be allowed.

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

Mr. COOPER of Wisconsin. One moment. I am not going to object, but that was an express statement, not questioned by anybody, that under the agreement nothing would be done except to meet and adjourn for three days. Now, in reply to the question of the gentleman from Texas [Mr. GARNER] let me put a question to him. It is a supposititious case, but it might occur: Suppose that somebody had printed an article in a newspaper that the gentleman from Texas did not think told the truth about a subject important to him, and that some Member wishing to get it into the RECORD should ask leave to extend his remarks and, leave being granted, should print that article while the gentleman from Texas was absent. Might not that be a matter of serious consequence to the absent gentleman from Texas?

Mr. GARNER. I will say to the gentleman that I do not anticipate any such state of affairs.

Mr. COOPER of Wisconsin. It is not a question of whether the gentleman would anticipate any such state of affairs. I am directing attention to the agreement of June 29 which sought to make such a thing impossible.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 1811) providing for counting of service in the Army or Navy of the United States as equivalent to residence and cultivation upon homestead entries, and in the event of the soldier's death in such service providing for the issuance of patent for such land to his widow or minor children, had requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHAFROTH, Mr. PITTMAN, and Mr. SMOOR as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 8.

Resolved by the Senate (the House of Representatives concurring). That there be printed in document form 50,000 copies of the bill (H. R. 4280) to provide revenue to defray war expenses, and for other purposes, and Senate Report No. 75 thereon, of which 25,000 shall be for the use of the House of Representatives, 20,000 for the use of the Senate, 2,500 for the use of the Committee on Ways and Means of the House of Representatives, and 2,500 for the use of the Committee on Finance of the Senate.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to the Committee on Interstate and Foreign Commerce:

S. 1854. An act to save daylight and to provide standard time for the United States.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that on June 30, 1917, they had presented to the President of the United States, for his approval, the following bill:

H. R. 3548. An act providing for the modification of the designs of the current quarter dollar.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 12 o'clock and 12 minutes p. m.) the House, under its previous order, adjourned until Monday, July 9, 1917, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, recommending an authorization for the use of the appropriation of \$30,000 for equipment for the commissary department, United States Naval Academy, contained in urgent deficiency appropriation act approved June 15, 1917, for pay of additional employees of that department (H. Doc. No. 248); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Little River, S. C. (H. Doc. No. 249); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of communication of the acting president of the Board of Commissioners of the District of Columbia, submitting supplemental estimates of appropriations required by the District of Columbia for the fiscal years 1917 and 1918 (H. Doc. No. 250); to the Committee on Appropriations and ordered to be printed.

4. A letter from the chairman of the Interstate Commerce Commission, transmitting report of tests of the Wooding train-control system (H. Doc. No. 251); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. MANN: A bill (H. R. 5325) in relation to trading with the enemy; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT: A bill (H. R. 5326) to authorize the President to increase temporarily the Signal Corps of the Army, and to purchase, manufacture, maintain, repair, and operate airships, and for other purposes; to the Committee on Military Affairs.

By Mr. KEHOE: Memorial of the State Legislature of the State of Florida, requesting that the reservation known as the Choctawhatchee Reservation in West Florida be withdrawn and the land therein be restored to homestead entry; to the Committee on the Public Lands.

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. 5327) granting an increase of pension to Robert J. Clark; to the Committee on Pensions.

Also, a bill (H. R. 5328) granting a pension to Mary J. Allen; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 5329) granting an increase of pension to William H. Rock; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 5330) granting an increase of pension to William Criswell; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 5331) granting an extension of patent to Rosella Rebecca Reilly; to the Committee on Patents.

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): Petition of the City Council of Cedar Rapids, Iowa, praying that the President and Congress of the United States insist on the freedom and independence of Bohemia; to the Committee on Foreign Affairs.

Also (by request), petition of Tyler Place Senior Christian Endeavor Society, St. Louis, Mo., favoring war-time prohibition; to the Committee on the Judiciary.

Also (by request), petition of the National Woman's Party, meeting at Salt Lake City, Utah, protesting against imprisoning women pickets in the District of Columbia; to the Committee on the District of Columbia.

Also (by request), petition of the membership of the Congregational Church of Wasco, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also (by request), petition of Kauai (Hawaii) Chamber of Commerce, pledging loyalty and support to the Government of the United States; to the Committee on Military Affairs.

By Mr. ALEXANDER: Petitions of Jesse Wright and 184 other citizens; W. S. Walker and 40 other citizens; Mrs. E. W. Prentiss and 50 other citizens; Rev. P. F. Meek and 73 other citizens; J. S. Vanzant and 28 other citizens; C. H. Edson and 15 other citizens; Miss Ethel Cuniff, noble grand, and 22 other ladies of the Rebekah Lodge; Mrs. M. D. Shamblin and 18 other ladies; Mrs. E. S. Miner and 56 other citizens; R. J. Tilley and 33 other citizens, all of Bethany, Harrison County; and Mrs. A. O. Stanley, Mrs. V. H. Sanders, and 70 other ladies of Sheridan, all in the State of Missouri, favoring the prohibition of the liquor business as a war measure; to the Committee on the Judiciary.

By Mr. BROWNING: Memorial of Haddon Grange, Patrons of Husbandry, No. 38, favoring the closing of distilleries and breweries in the United States as a war measure; to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Petition of the Evangelical Lutheran Congregation of Edgerton, Wis., asking that the law relating to the carrying in the mails of matter containing liquor advertisements be amended in certain respects; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. P. L. Munger and other residents of Janesville, Wis., urging enactment of House bill 5118, providing for osteopathic physicians in the Army and Navy; to the Committee on Military Affairs.

Also, petition of the congregation of the First Evangelical Lutheran Church of Racine, Wis., and the members of the First Methodist Church, Clinton, Wis., urging the enactment of legislation prohibiting the use of foods in the manufacture of alcoholic liquors, etc.; to the Committee on Agriculture.

By Mr. DALE of New York: Petition of the Evangelical Lutheran Congregation of Brooklyn, N. Y., urging that the act of Congress approved March 3, 1917, House bill No. 19410, be amended to allow the mails to carry such mailing matter as is unconditionally necessary to enable churches, one and all, to secure the wine needed for sacramental purposes; to the Committee on the Post Office and Post Roads.

By Mr. DRUKKER: Petition of residents of Paterson, N. J., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. EAGAN: Petition of P. F. Volland Co., Chicago, Ill., urging that the Federal law against the misuse of the flag be amended so that it shall not apply to sheet music; to the Committee on the Judiciary.

Also, petition of National Association of Owners of Railroad Securities, in re the general rate increase requested by the carriers of the country; to the Committee on Interstate and Foreign Commerce.

Also, petition of Federal Council of the Churches of Christ in America, urging that incomes and profits should be taxed to the furthest possible point without checking production and the exemption of the incomes dedicated to the maintenance of religious and social agencies; to the Committee on Ways and Means.

Also, petition of the Publishers' Association of New York City, indorsing the protest of American Newspaper Publishers' Association against the levying of a special discriminating war tax on the newspaper business; to the Committee on Ways and Means.

Also, petition of State Council of the Amalgamated Sheet Metal Workers' International Alliance of the State of New Jersey, protesting against the high cost of living and urging that a remedy be found therefor; to the Committee on Agriculture.

By Mr. HASTINGS: Petition of Maywood Presbyterian Church, Oklahoma City, Okla., protesting against use of food supplies in the manufacture of beer, wine, or distilled liquors; to the Committee on Agriculture.

Also, petition of the Methodist Church South, Atoka, Okla., protesting against the use of any foodstuffs in the manufacture of beer, wine, or distilled liquors; to the Committee on Agriculture.

By Mr. JOHNSON of Washington: Petition of members of the Woman's Christian Temperance Union and voters of the seventh ward, Tacoma, Wash., favoring the prohibition of the manufacture and sale of intoxicating liquors; to the Committee on the Judiciary.

By Mr. LONERGAN: Resolution signed by 21 Swedish-American citizens of Hartford, Conn., in favor of prohibition during the war; to the Committee on the Judiciary.

By Mr. LUNN: Petition of W. A. Campbell and citizens of Haganan, N. Y., asking for an amendment to the Constitution that will suitably express national acknowledgment of Almighty God, as the source of all authority in civil government, etc., and the placing of all Christian laws, institutions, and usages of the Government on an undeniable legal basis in the fundamental law of the land; to the Committee on the Judiciary.

Also, petition of Mrs. John H. Giles, of Amsterdam, N. Y., asking for full national prohibition during the period of the war; to the Committee on the Judiciary.

Also, petition of G. Cozzi, C. Buonocore, N. Fabroni, Simon Straus, and sundry citizens of New York City, asking that enactment of national prohibition be defeated; to the Committee on the Judiciary.

Also, petition of D. C. Brownell and citizens of the towns of Perth and Mayfield, asking for national prohibition for the period of the war as a measure to conserve the food supply of the Nation; to the Committee on Agriculture.

Also, petition of J. C. E. Van Etta, of Schenectady, N. Y., asking that Congress take such measures as may be necessary to eliminate all sources of profit in the production, transportation, and distribution of the food supply of our country, to the end that every man, woman, and child shall be supplied with sufficient good and wholesome food to keep them in perfect physical condition; to the Committee on Agriculture.

Also, petition of Mrs. Francis A. De Graff and 800 members of the Woman's Christian Temperance Union of Montgomery County, N. Y., asking for prohibition during period of the war and asking that religious papers be exempted from taxation; to the Committee on the Judiciary.

By Mr. McCLINTIC: Petition of Raywood Presbyterian Church, Oklahoma City, Okla., signed by E. B. Surface, pastor, favoring prohibition as a war measure; to the Committee on the Judiciary.

By Mr. McFADDEN: Petitions signed by 99 residents of Montrose, Pa., urging Congress to enact legislation prohibiting the manufacture of alcoholic beverages from foodstuffs, to conserve the world's food supply, and to prohibit the sale of such beverages during the period of the present world war to preserve the physical and moral strength of the Nation; to the Committee on the Judiciary.

By Mr. RANDALL: Petitions of Woman's Missionary Society, Duarte; Woman's Missionary Society, San Diego; Methodist Episcopal Church South of California; Woman's Missionary Council of the Methodist Episcopal Church of Downey, all in the State of California, praying for prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of 180 citizens of Pasadena, Cal., for national prohibition; to the Committee on the Judiciary.

Also, memorial of Boy Scouts' Association of Los Angeles County, representing 2,600 Boy Scouts of the ninth and tenth congressional districts, with more registered voters than were cast for President in any one of 18 separate States, that while Boy Scouts enthusiastically plant, produce, and save, they call upon Congress to prevent monstrous waste of food grains in the breweries and distilleries; to the Committee on the Judiciary.

Also, petition of the Philotes Club, of Los Angeles, for prohibition of the manufacture and sale of intoxicating liquors during the war; to the Committee on the Judiciary.

Also, petition of 31 citizens of Glendale and Tropic, Cal., favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of 464 citizens of Schenectady, 368 citizens of Albany, 112 citizens of Amsterdam, and 485 citizens of Watertown, all in the State of New York, urging Congress to enact national prohibition of the manufacture and sale of intoxicating liquors for the period of the war; to the Committee on the Judiciary.

By Mr. RAINEY: Petition of the Home Missionary Society, of Waverly; F. H. Payne and 39 other citizens of Maredosia; the Methodist Church of San Jose; Mrs. Clara Sperry and 30 other citizens of Jacksonville; Methodist Church of Rockport; and First Baptist Church, of Jerseyville, all in the State of Illinois, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of First Congregational Church, of Jacksonville, Ill., favoring food conservation; to the Committee on Agriculture.

By Mr. SNELL: Petition of citizens of Plattsburg, N. Y., favoring full national prohibition of the manufacture, sale, and transportation of intoxicating beverages for the period of the war in conservation of the man power, military and industrial efficiency, and the food supply of the Nation, and that all liquors now in bonded warehouses and elsewhere shall be commandeered by the Government and redistilled for undrinkable alcohol, to be purchased by the Government for war purposes, and that we oppose an increase in the tax on intoxicating liquors as a means of raising a revenue to prosecute the war; to the Committee on the Judiciary.

Also, petition of the Brotherhood of the Keeseville Methodist Episcopal Church, Keeseville, N. Y., favoring prohibition of the manufacture and sale of every form of intoxicating beverage liquor for the duration of the war; to the Committee on the Judiciary.

By Mr. SNYDER: Memorial of the Mowhawk Valley Branch of Collegiate Alumnae for the moral protection of the Army; to the Committee on Military Affairs.

Also, memorial of the Federated Men's Bible Class of the Mohawk Valley, N. Y., pledging loyalty to the Government and administration in the present situation of the country; to the Committee on Military Affairs.

By Mr. STEENERSON: Petition of mass meeting on the Fourth of July of producers of grains and other food products, for the passage of laws prohibiting the manufacture and sale of intoxicating liquors, to conserve the food and man power of the country and help win the war; to the Committee on Agriculture.

Also, petition of the Minnesota Woman Suffrage Association, protesting against picketing and other unpatriotic demonstrations in Washington by persons purporting to represent the women of America; to the Committee on the District of Columbia.

By Mr. TEMPLETON: Petition of the Trinity Lutheran Congregation of Hazleton, Pa., against the manufacture of intoxicating liquors from grains; to the Committee on Agriculture.

By Mr. TIMBERLAKE: Petition of J. R. Haynes and 36 other citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. WARD: Petition for the passage of a bill to prohibit the use of foodstuffs during the war for the manufacture of intoxicating beverages, signed by John Dingman, presiding officer, at a meeting of the Evangelical Lutheran Church, Sharon Springs, N. Y.; to the Committee on the Judiciary.

Also, petition of citizens of Kingston, East Kingston, Sauger-ties, and vicinity, Ulster County, N. Y., protesting against prohibition legislation; to the Committee on the Judiciary.

By Mr. WOOD of Indiana: Petition of citizens of Reynolds, Ind., opposing prohibition of the liquor business, and especially as to wine destined for sacramental purposes; to the Committee on the Judiciary.

SENATE.

SATURDAY, July 7, 1917.

(Legislative day of Thursday, June 28, 1917.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

CONSERVATION OF FOOD AND FUEL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4961) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hitchcock	Myers	Smith, S. C.
Bankhead	Hollis	Nelson	Smoot
Beckham	Husting	New	Sterling
Borah	James	Norris	Stone
Brady	Johnson, Cal.	Overman	Sutherland
Brandegee	Johnson, S. Dak.	Penrose	Swanson
Broussard	Jones, N. Mex.	Pittman	Thompson
Chamberlain	Jones, Wash.	Poinceter	Tillman
Coit	Kellogg	Pomerene	Townsend
Culberson	Kenyon	Reed	Trammell
Cummins	King	Robinson	Underwood
Curtis	Knox	Shafroth	Vardaman
Dillingham	Lewis	Sheppard	Wadsworth
Fernald	Lodge	Sherman	Walsh
Fletcher	McCumber	Simmons	Warren
Frelinghuysen	McKellar	Smith, Ariz.	Watson
Gerry	McLean	Smith, Ga.	Williams
Gronna	McNary	Smith, Md.	
Hale	Martin	Smith, Mich.	