Brotherhood of Locomotive Engineers, in favor of bill H. R. 2869—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: Rresolution of Lodge No. 103, Brotherhood of Boiler Makers and Iron-ship Builders, of Salt Lake City, Utah, in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. HUGHES of New Jersey (by request): Two petitions of the joint committee of the American Anti-Trust League, of Washington, D. C., relative to antitrust legislation—to the Committee on the Judiciary.

By Mr. KELIHER: Petition of Division No. 14, Ancient Order of Hibernians, of Norfolk County, Mass., in favor of the bill providing for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

Also, petition of the Kearsarge Association of Naval Veterans, of Boston, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Real Estate Exchange and Auction Board, Boston, Mass., in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Chadwick Boston Lead Company, in favor of bill H. R. 9050—to the Committee on Ways and Means.

Also, petition of Manning Brothers, of Boston, Mass., in favor of bill S. 4845—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: Papers to accompany bill granting an increase of pension to John M. Porter—to the Committee on Invalid Pensions.

Also, resolution of the Commercial Exchange of Des Moines, Iowa, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, petition of the Woman's Christian Temperance Union, of Richland, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of the officers and directors of the State Historical Society of North Dakota, in favor of bill H. R. 9876—to the Committee on Printing.

By Mr. MIERS of Indiana: Papers to accompany House bill to increase the pension of Charles H. Dunihueby—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolutions of public meetings held in Duquesne Theater, Pittsburg, and Carnegie Music Hall, Allegheny, on March 5 and 6, 1904, in favor of bill to create the Colonization Bureau and to provide for advances to actual settlers on the public domain—to the Committee on the Public Lands.

Also, petition of Commodore Barry Assembly, No. 3, American Catholic Union, of Philadelphia, in favor of the bill providing for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

Also, petition of David Knickerbocker Boyd, of Philadelphia, in favor of bill S. 4845—to the Committee on Public Buildings and Grounds.

Also, resolution of a convention of the Republicans of Virginia, in favor of the Jamestown Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, resolution of the Patent Law Association of Chicago, in favor of bills H. R. 11585 and S. 4062—fo the Committee on Patents.

By Mr. NEEDHAM: Petition of residents of Watsonville, Cal., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the board of supervisors of the county of San Joaquin, Cal., in favor of a bill declaring Bensons Ferry to be the head of navigation of the Mokelumne River—to the Committee on Rivers and Harbors.

Also, resolution of Board of Trade of San Francisco, against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Resolution of Lodge No. 188, Brotherhood of Boiler Makers and Iron-ship Builders, of Geneva, N. Y., in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. PORTER: Petition of the Philadelphia Board of Trade, in favor of bill S. 2641—to the Committee on Naval Affairs.

Also, petition of the Philadelphia Board of Trade, in favor of bill S. 4505—to the Committee on Military Affairs.

Also, petition of Philadelphia Chapter of the American Institute of Architects; the City Parks Association, of Philadelphia; and Edgar V. Seeler, president of Philadelphia Chapter of the American Institute of Architects, relative to erecting public buildings on the Mall, Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. RHEA: Petition of J. R. Young and others, of Logan, Ky., in favor of bill H. R. 3574—to the Committee on Ways and Means.

Also, petitions of N. H. Simmons and 44 others, and Robert Barbour and 40 others, of Glasgow, Ky., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, nine petitions of citizens of Todd and Logan counties, Ky., relative to amending the revenue laws—to the Committee on Ways and Means.

By Mr. SCOTT: Petition of the Grand Army of the Republic post at Gardner, Kans., in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 5037, granting an increase of pension to R. H. Stillwell—to the Committee of Invalid Pensions.

By Mr. SMITH of Texas: Papers to accompany bill H. R. 14378, to amend an act entitled "An act to protect trade and commerce," etc.—to the Committee on the Judiciary.

By Mr. SNOOK: Petition of the Farmers' Mutual Protective Association of Carryall Township, Paulding County, Ohio, in favor of a good-roads bill—to the Committee on Agriculture.

By Mr. TAWNEY: Papers to accompany bill granting a pension to John Horstmann—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Petition of the A. Merriam Company, of South Acton, Mass., in favor of bill H. R. 9302—to the Committee on Ways and Means.

Also, petition of Annie E. Fillebrown and 38 others, of Ayer, Mass., in favor of a forest reserve in the White Mountains—to the Committee on Agriculture.

By Mr. ZENOR: Petition of the Troy Chair Company, of Troy, Ind., in favor of bill H. R. 9302—to the Committee on Ways and Means.

SENATE.

MONDAY, *March 28, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on the request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed with amendments the bill (S. 4672) to authorize the New York, New Haven and Hartford Railroad Company to construct, maintain, and operate a bridge across the Connecticut River, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 3256) directing the issue of a check in lieu of a lost check drawn by Thomas J. Hobbs, disbursing clerk, in favor of Crane & Co., of Dalton, Mass.; and

A bill (H. R. 13480) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River in Vigo County, Ind.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 9) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory;

A bill (H. R. 9135) for the relief of F. R. Lanson;

A bill (H. R. 9985) providing for the donation of lots A, B, K, and L, in block 39, in Fort Dalles military addition to The Dalles, Oreg., as shown on the plat of the city of The Dalles, Oreg., to the Oregon Historical Society;

A bill (H. R. 10208) for the relief of the Allegheny College, at Meadville, Pa.;

A bill (H. R. 10866) to amend section 68, chapter 23, of volume 28, of the United States Statutes at Large;

A bill (H. R. 12685) for the reappraisement and sale of the undisposed lands within the Fort Walla Walla Military Reservation, in the State of Washington;

A bill (H. R. 13740) for the relief of the Western Alaska Construction Company's Railroad;

A bill (H. R. 14110) to authorize the donation of a certain unused and obsolete gun now at Chickamauga Park, Ga., to Phil Kearny Post of the Grand Army of the Republic, at Nelsonville, Ohio; and

A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

PETITIONS AND MEMORIALS.

Mr. BURROWS presented a petition of sundry citizens of Fennville, Mich., praying that an appropriation be made for the construction and maintenance of good roads; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Deckerville, Mich., and a petition of sundry citizens of Fennville, Mich., praying that an appropriation be made to increase the salaries of rural letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry business firms of Deckerville, Mich., praying that rural free-delivery carriers be allowed to carry on express-package business; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Parkville, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of U. S. Grant Circle, No. 20, Grand Army of the Republic, of Rochelle, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Board of Trade of Chicago, Ill., praying for the enactment of legislation providing for the removal of tunnels under the Chicago River; which was referred to the Committee on Commerce.

Mr. PROCTOR presented a petition of Federal Labor Union, No. 9636, American Federation of Labor, of Rutland, Vt., praying for the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. BEVERIDGE presented a petition of the Central Labor Union of Lafayette, Ind., praying for the passage of the so-called "eight-hour bill." and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented a petition of E. C. Atkins & Co., of Indianapolis, Ind., praying that an appropriation be made to prevent the overflow of the flood waters in the Kaw Valley, in Missouri and Kansas; which was referred to the Committee on Commerce.

He also presented the petition of Dr. Charles A. White, of Danville, Ind., praying for the enactment of legislation to increase the efficiency of the medical department of the Army; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the First Baptist Church of South Bend, Ind., and a petition of sundry citizens of Moores Hill, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a memorial of the F. and N. Lawn Mower Company, of Richmond, Ind., remonstrating against the adoption of the proposed metric system; which was referred to the Select Committee on Standards, Weights, and Measures.

Mr. BAILEY presented a petition of sundry citizens of Devine, Tex., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DOLLIVER presented a petition of the Commercial Exchange of Des Moines, Iowa, praying for the enactment of legislation to reorganize the consular service of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Patent Law Association of Chicago, Ill., praying for the enactment of legislation to amend section 493 of the Revised Statutes, relating to patents; which was referred to the Committee on Patents.

He also presented a petition of Local Lodge No. 161, Brotherhood of Boiler Makers and Iron-ship Builders of Boone, Iowa, praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of J. W. Johnson and sundry other citizens of Gowrie, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Trades League of Philadelphia, Pa., praying for the passage of the so-called "post-check bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Presbytery of Fort Dodge, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Philippine Islands; which was referred to the Committee on the Philippines.

Mr. ANKENY presented a petition of William McKinley Circle, No. 11, Department of Washington and Alaska, Ladies of the Grand Army of the Republic, of Seattle, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Mount Valley Grange, No. 78, Patrons of Husbandry, of Amboy, Wash., praying that increased appropriations be made for agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented the petitions of M. J. Dunmock, of Richmond, Va.; of H. P. Wood, of San Diego, Cal.; of Charlton, Gilbert & Knewzli, of Marquette, Mich.; of Clarke & Howe, of Providence, R. I., and of G. A. Parker, of Hartford, Conn., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which were referred to the Committee on Appropriations.

He also presented a petition of the Brightwood Park Citizens' Association, of the District of Columbia, praying for the enactment of legislation distinguishing the appropriations for extraordinary projects of improvements in the District of Columbia from appropriations for current needs, etc.; which was referred to the Committee on Appropriations.

He also presented a petition of the congregation of the First Baptist Church of Somersworth, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6976) granting an increase of pension to Jane Wheeler;

A bill (H. R. 12102) granting an increase of pension to Lavalle C. O'Barr;

A bill (H. R. 13263) granting an increase of pension to Caroline E. Pratt;

A bill (H. R. 5415) granting a pension to Susan R. Choat; and

A bill (H. R. 9812) granting an increase of pension to Henry N. McLane.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10932) granting a pension to Eliza Woolard;

A bill (H. R. 878) granting a pension to Robert S. Rose;

A bill (H. R. 12029) granting an increase of pension to Esther J. Reynolds;

A bill (H. R. 12527) granting an increase of pension to Jane Allen; and

A bill (H. R. 13042) granting a pension to Esther J. Lee.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (S. 240) granting a pension to Charles Weitfle, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4018) granting an increase of pension to James Gunn; and

A bill (H. R. 6858) granting an increase of pension to Nelson Hart.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5208) granting an increase of pension to William A. Bentley; and

A. bill (S. 4086) granting an increase of pension to Ralph Van Brunt.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 5181) granting an increase of pension to John W. Pearson;

A bill S. 5112) granting an increase of pension to Kettil Torgeson;

A bill (S. 5149) granting an increase of pension to Charles A. McKean; and

A bill (H. R. 12460) granting a pension to Annie M. Powell.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5182) granting an increase of pension to Charles B. Davis;

A bill (H. R. 9738) granting a pension to Rebecca Simpson;

A bill (H. R. 10974) granting an increase of pension to Robert Conn;

A bill (H. R. 8120) granting an increase of pension to Delzon Allen;

A bill (H. R. 8121) granting an increase of pension to Joseph M. Ellis;

A bill (H. R. 12461) granting an increase of pension to Milton Graham;

A bill (H. R. 12592) granting a pension to Henry C. Nash;
A bill (H. R. 12938) granting an increase of pension to Daniel Reed;
A bill (H. R. 13117) granting an increase of pension to Lewis Sawyer;
A bill (H. R. 5055) granting an increase of pension to Woodson R. Daniel;
A bill (H. R. 5105) granting an increase of pension to Jacob P. Fishback;
A bill (H. R. 5247) granting an increase of pension to Lora Milliken;
A bill (H. R. 6592) granting an increase of pension to Sarah C. Wilson;
A bill (H. R. 11999) granting an increase of pension to William Vincent;
A bill (H. R. 12452) granting an increase of pension to John A. McNerney;
A bill (H. R. 12504) granting an increase of pension to Juliett Field;
A bill (H. R. 9256) granting an increase of pension to Enoch Stahler;
A bill (H. R. 9599) granting an increase of pension to Grace P. Paddock;
A bill (H. R. 8283) granting an increase of pension to Henry Herkes;
A bill (H. R. 9280) granting an increase of pension to James M. Hildreth;
A bill (H. R. 9697) granting an increase of pension to Reuben Nightingale;
A bill (H. R. 9792) granting a pension to Fanny Tracy; and
A bill (H. R. 7517) granting an increase of pension to Lemuel N. Bishop.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 6933) granting a pension to Louisa M. Wright, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also (for Mr. TALIAFERRO), from the same committee, to whom was referred the bill (S. 4948) granting an increase of pension to E. A. Peyton, reported it with amendments, and submitted a report thereon.

He also (for Mr. TALIAFERRO), from the same committee, to whom was referred the bill (H. R. 11301) granting an increase of pension to Ellen Caroline Steele, reported it without amendment, and submitted a report thereon.

Mr. SMOOT, from the Committee on Pensions, to whom was referred the bill (S. 3151) granting an increase of pension to Hayden M. Thompson, reported it with amendments, and submitted a report thereon.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3489) granting a pension to Annie Colt McCook;
A bill (S. 4920) granting an increase of pension to Mary Jane Mullins;
A bill (S. 4169) granting a pension to Galena Jouett; and
A bill (S. 4353) granting an increase of pension to Edward M. McCook.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1687) granting an increase of pension to Harvey R. Backus; and
A bill (S. 3119) granting a pension to Raynor H. Newton.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5194) granting an increase of pension to Charles L. Overley;
A bill (H. R. 10941) granting an increase of pension to Mary Dougherty;
A bill (H. R. 7772) granting a pension to Robert Leach;
A bill (H. R. 7986) granting an increase of pension to Stephen Bricker;
A bill (H. R. 10988) granting an increase of pension to August Graf;
A bill (H. R. 6923) granting a pension to Olive Bassett;
A bill (H. R. 10626) granting an increase of pension to Cynthia A. Conant;
A bill (H. R. 7431) granting an increase of pension to Charles N. Burns;
A bill (H. R. 7773) granting an increase of pension to Samuel H. Thoroman;
A bill (H. R. 12342) granting an increase of pension to Lawrence H. Rousseau;
A bill (H. R. 12389) granting an increase of pension to Napoleon Paulus;
A bill (H. R. 12628) granting an increase of pension to Andrew P. McConkey;
A bill (H. R. 10997) granting a pension to Mary McGill;
A bill (H. R. 8099) granting an increase of pension to Stephen L. Richardson;
A bill (H. R. 5681) granting an increase of pension to Philip Whyrich;
A bill (H. R. 12474) granting a pension to George Preston Reeves;
A bill (H. R. 12680) granting an increase of pension to Hervey Polen; and
A bill (H. R. 13067) granting an increase of pension to Thomas W. Prentiss.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 682) granting a pension to Jacob S. Grimes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7474) granting an increase of pension to Fannie C. Morey, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 12498) granting an increase of pension to Sarah N. Maddox;
A bill (H. R. 5107) granting an increase of pension to John W. Kling;
A bill (H. R. 5533) granting an increase of pension to Hugh L. Freeman; and
A bill (H. R. 6425) granting an increase of pension to David Walker.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3029) granting a pension to Margaret French;
A bill (S. 1244) granting a pension to Sue Stevens Eskridge; and
A bill (S. 5056) granting an increase of pension to James D. Folsom.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (S. 3734) granting an increase of pension to Martha W. Cushing, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5124) granting an increase of pension to Charles H. Avery;
A bill (S. 3334) granting an increase of pension to Frances G. Belknap;
A bill (H. R. 9905) granting an increase of pension to Peter Sullivan;
A bill (H. R. 6940) granting an increase of pension to Susannah O. Wardrop;
A bill (H. R. 9796) granting an increase of pension to William Berkley;
A bill (H. R. 13283) granting an increase of pension to William York;
A bill (H. R. 5856) granting an increase of pension to Nancy A. King;
A bill (H. R. 12544) granting an increase of pension to Edward Hayford;
A bill (H. R. 12557) granting an increase of pension to George W. Gardiner;
A bill (H. R. 12624) granting an increase of pension to Eva H. Wingate;
A bill (H. R. 13230) granting an increase of pension to Amos T. Richardson; and
A bill (H. R. 5298) granting a pension to William E. Coffin.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 5096) granting an increase of pension to Edmond G. Pugsley, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5210) granting an increase of pension to William L. Beach;
A bill (S. 5211) granting an increase of pension to Mary A. Hayward;
A bill (S. 5078) granting an increase of pension to Asa Smith;
A bill (H. R. 5953) granting an increase of pension to Marcel Gagnon;
A bill (H. R. 10045) granting an increase of pension to George Sluyter;

A bill (H. R. 10798) granting an increase of pension to James H. Allen;

A bill (H. R. 8620) granting an increase of pension to Celia M. Viven; and

A bill (H. R. 6881) granting an increase of pension to Zachariah T. Bryant.

Mr. BALL, from the Committee on Pensions, to whom was referred the bill (S. 1494) granting an increase of pension to Edward Colvin, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10651) granting a pension to Katherine M. Laurence;

A bill (H. R. 7364) granting an increase of pension to Leonard M. Johnson;

A bill (H. R. 5261) granting an increase of pension to Julia M. Oakley;

A bill (H. R. 5846) granting an increase of pension to Carrie K. Baker; and

A bill (H. R. 12099) granting an increase of pension to Edwin M. Slayton.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 1909) granting an increase of pension to William Holliday, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2367) granting an increase of pension to Ferdinand Mergel;

A bill (S. 423) granting an increase of pension to Louisa Weaver;

A bill (S. 4811) granting an increase of pension to Phebe Sibley; and

A bill (S. 2011) granting a pension to Maggie E. Bamford.

Mr. HEYBURN, from the Committee on the Geological Survey, to whom was referred the bill (S. 3788) to provide for an examination to determine the feasibility of reclaiming the overflowed lands of the Kootenai River, in northern Idaho and Montana, reported it without amendment, and submitted a report thereon.

COURTS IN GEORGIA.

Mr. BACON. I am instructed by the Committee on the Judiciary to report back to the Senate favorably without amendment two House bills, short bills, and I ask that they may be immediately considered. They relate to the sessions of courts, local matters, important to be disposed of, so that they may not be delayed beyond the time when those courts will meet.

The PRESIDENT pro tempore. The first bill reported by the Senator from Georgia will be read for information.

The Secretary read the bill (H. R. 12904) providing for holding of courts of the eastern division of the northern Federal judicial district of Georgia at Athens, Ga.; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The second bill reported by the Senator from Georgia will be read.

The Secretary read the bill (H. R. 13352) transferring the county of Pierce, in the State of Georgia, from the eastern to the southwestern division of the United States district court for the southern district of Georgia, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WABASH RIVER BRIDGE.

Mr. ELKINS. I am directed by the Committee on Commerce, to whom was referred the bill (S. 5075) to authorize the board of commissioners of Vigo County, Ind., to construct and maintain a wagon, foot, and trolley-car bridge across the Wabash River at the foot of Wabash avenue, in the city of Terre Haute, in said county and State, to report it favorably with an amendment.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Commerce was to add, after the word "bridge," at the end of section 4, on page 3, line 2, a comma and the following:

> And equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

The amendment was agreed to.

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

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

COURTS IN MISSOURI.

Mr. BLACKBURN. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 8681) to detach the county of Linn, in the State of Missouri, from the western and attach it to the eastern judicial district of said State, to report it favorably with an amendment.

Mr. STONE. The bill just reported by the Senator from Kentucky is of purely local import in Missouri, and there are some reasons why it ought to be acted upon speedily. I ask unanimous consent that it be considered now.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on the Judiciary was, in line 3, to strike out the word "county" and insert "counties;" and after the word "Linn," in the same line, to insert the words "and Chariton;" so as to make the bill read:

> *Be it enacted, etc.*, That the counties of Linn and Chariton, in the State of Missouri, be detached from the western and attached to the eastern judicial district of the State of Missouri: *Provided*, That the courts of the said western district shall retain and exercise jurisdiction over all causes and proceedings, civil and criminal, arising in or coming from said county and begun and pending at the date of the taking effect of this act as completely as if this act were not passed.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to detach the counties of Linn and Chariton, in the State of Missouri, from the western and attach them to the eastern judicial district of said State."

BILLS INTRODUCED.

Mr. BAILEY introduced a bill (S. 5283) for the relief of the estate of Alexander C. Crawford, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McCREARY introduced a bill (S. 5284) granting a pension to Mary Jane Lewis; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5285) granting an increase of pension to James T. Goode; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5286) for the relief of the Methodist Episcopal Church South, of Bryantsville, Ky.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. DOLLIVER introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5287) granting an increase of pension to Amos M. Runkle;

A bill (S. 5288) granting an increase of pension to James H. Lewis;

A bill (S. 5289) granting an increase of pension to Peter Baker; and

A bill (S. 5290) granting an increase of pension to Justin C. Kennedy.

Mr. DOLLIVER introduced a bill (S. 5291) to correct the military record of James Boyle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5292) to correct the military record of Solomon W. Kyle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUAY (by request) introduced a bill (S. 5293) for the relief of the Colville Indians occupying the Colville Reservation, in the State of Washington, and comprising the San Puell Indians, the Columbia Indians (or Moses's band), the Nez Percé Indians (or Joseph's band), the Okanogan Indians, the Lake Indians, and the Colville Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. LODGE introduced a bill (S. 5294) to refund internal-revenue taxes paid by owners of private dies; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAPP introduced a bill (S. 5295) to remove the charge of desertion from the military record of Daniel W. Seal; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 5296) granting an increase of

pension to George W. Bryant; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 5297) granting an increase of pension to Jerry L. Gray; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 5298) to incorporate the Lammi Interstate Railway Company, and for other purposes; which was read twice by its title, and referred to the Committee on Interstate Commerce.

AMENDMENT TO CLAIMS BILL.

Mr. TELLER submitted an amendment intended to be proposed by him to the bill (H. R. 9548) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act;" which was referred to the Committee on Claims, and ordered to be printed.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. STEWART submitted an amendment proposing to appropriate $1,000 for printing the report of the Venezuelan arbitrations at Caracas, Venezuela, the usual number of copies for the Senate and House of Representatives, and 250 extra copies for the Department of State, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

CONTRACTS FOR POST-OFFICE SUPPLIES.

Mr. CLAY. I submit an amendment intended to be proposed to the pending post-office appropriation bill. It is short, and I ask that it be read and referred to the Committee on Post-Offices and Post-Roads.

The PRESIDENT pro tempore. If there be no objection, the proposed amendment will be read.

There being no objection, the amendment was read and referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed, as follows:

To amend the bill making appropriation for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes, by adding the following section, to be known as section 7.

"SEC. 7. The Postmaster-General, in making purchases for supplies necessary for the Post-Office Department, shall advertise, as now provided by law, and award contracts for such supplies to the lowest bidder in pursuance of existing law. The Postmaster-General shall have recorded in a book to be kept for that purpose a true and faithful abstract of all bids made for furnishing supplies to the Post-Office Department, giving the name of the party bidding, the terms of the offer, the sum to be paid, and he shall keep on file and preserve all such bids until the end of the contract term to which they relate. Each bidder shall have the right to be present, either in person or by attorney, when the bids are opened, and shall have the right to examine and inspect all bids. All purchases and contracts for supplies for the Post-Office Department shall be made by or under the direction of the Postmaster-General, and in purchasing such supplies preference shall be given to articles of domestic production and manufacture, conditions of price and quality being equal. There shall be separate proposals and separate contracts for each class of material furnished. It shall be the duty of the Postmaster-General to report to Congress at the commencement of every regular session. This report shall contain a schedule embracing the bids by classes, including the name of the bidder, the prices named, indicating such as have been accepted. These records shall be open at all times for the inspection of Congress, and for the inspection of those who may be interested in such contracts made, or to be made, to furnish supplies to the Post-Office Department."

ELI AYERS.

Mr. TELLER. I move that the bill (S. 3170) to quiet the titles of certain lands in the State of Mississippi and for the relief of the estate of Eli Ayers be recommitted to the Committee on Indian Affairs.

The motion was agreed to.

MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY.

Mr. COCKRELL. On the 16th instant I introduced a bill (S. 5065) permitting the Missouri, Kansas and Oklahoma Railroad Company, a consolidated railroad corporation organized and existing under the laws of the Territory of Oklahoma, to sell its railroads and properties to the Missouri, Kansas and Texas Railway Company, a corporation organized and existing under the laws of the State of Kansas; which was referred to the Committee on Territories. I move that that committee be discharged from the further consideration of the bill, and that it be referred to the Committee on Indian Affairs.

The motion was agreed to.

ESTATE OF THE LATE SENATOR FLANAGAN.

Mr. BAILEY (by request) submitted the following resolution, which was read:

Resolved by the Senate of the United States of America, That the Secretary of the Senate be, and is hereby, authorized to pay to the heirs of the late J. W. Flanagan, formerly a Senator from the State of Texas, for balance of salary due him as Senator of the United States from March 4, 1869, to March 29, 1870, the sum of $5,356.16, to be paid from the miscellaneous items of the contingent fund of the Senate, as follows:

One-seventh to each of his three living children, Webster Flanagan, James W. Flanagan, Mrs. Fanny Swan, and one-seventh to Webster Flanagan for the heirs of Mrs. Laura Stewart; one-seventh to James W. Flanagan, jr., for the heirs of R. B. Flanagan, and one-seventh to Thomas Yates for the heirs of Mrs. Marion Yates, and one-seventh to Mrs. Emma Flanagan for the heirs of S. H. Flanagan.

Mr. BAILEY. I take it that the resolution would properly be referred to the Committee on Privileges and Elections, but I am informed that in cases of Senators situated exactly as Senator Flanagan's was, payments have been made upon reports from the Committee to Audit and Control the Contingent Expenses of the Senate, and that being true, if it is in order under the rules to send it to that committee, I would prefer to have it go there.

Mr. HOAR. Let the resolution be read again.

Mr. BAILEY. If there is any question about it, I shall not insist on that reference, and will just let it go to the Committee on Privileges and Elections.

The PRESIDENT pro tempore. The Chair does not think there is much question about it. Ordinarily such resolutions are referred to the Committee on Privileges and Elections, and after having been reported by that committee they are referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. ALLISON. That is right.

Mr. BAILEY. Very well; let it take that course.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Privileges and Elections.

Mr. HOAR. Let me say to the honorable Senator that the Committee on Privileges and Elections a year or two ago went very carefully over all these claims for arrears or inequalities in the pay of Senators in the past—the Senator from Alabama [Mr. PETTUS] was one of the committee—and they adopted a carefully considered general rule about it. So they will be able to deal with this question, I think, very easily.

Mr. BAILEY. Very well.

DECISION IN MERGER CASE.

Mr. GORMAN. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That there be printed, for the use of the Senate, 13,000 copies of the decision of the Supreme Court of the United States in the case of the Northern Securities Company and others *v.* The United States, with concurring and dissenting opinions, 3,000 for Senate document room and 10,000 for Senate folding room.

Mr. COCKRELL. Will that include the briefs?

Mr. GORMAN. No, sir.

Mr. COCKRELL. Merely the opinions?

Mr. GORMAN. Simply the opinions; not the briefs. I will state to the Senator from Missouri that it would take quite a long time to have the document printed with all the briefs, and this comes within the rule, the cost being less than $500.

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

The resolution was considered by unanimous consent, and agreed to.

LIFE-SAVING DEVICES ON RAILWAYS.

Mr. CARMACK submitted the following resolution; which was referred to the Committee on Interstate Commerce:

Resolved by the Senate, That the Interstate Commerce Commission be instructed to inquire into the utility of the various patent life-saving devices for use in railway transportation, and make report as soon as practicable to the Senate.

NEW PANAMA CANAL COMPANY.

Mr. DRYDEN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 400 copies of Senate Document No. 188, first session Fifty-sixth Congress (New Panama Canal Company of France), with illustrations.

REPORTS OF DIRECTOR OF THE MINT.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 3,000 additional copies of the Report of the Director of the Mint on the Production of the Precious Metals for the calendar year 1902, bound in cloth and wrapped, for the use of the Director of the Mint.

Resolved, That there also be printed 3,000 additional copies of the Report of the Director of the Mint Covering the Operations of the Mints and Assay Offices of the United States for the fiscal year ended June 30, 1903, to be bound in cloth and wrapped, for the use of the Director of the Mint.

HOUSE BILLS REFERRED.

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

A bill (H. R. 9985) providing for the donation of lots A, B, K, and L, in block 39, in Fort Dalles military addition to The Dalles, Oreg., as shown on the plat of the city of The Dalles and surroundings and filed in the local land office at The Dalles, Oreg., to the Oregon Historical Society; and

A bill (H. R. 12685) for the reappraisement and sale of the undisposed lands within the Fort Walla Walla Military Reservation, in the State of Washington.

The following bills and joint resolution were severally read

twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa.;

A bill (H. R. 14110) to authorize the donation of a certain unused and obsolete gun now at Chickamauga Park, Ga., to Phil Kearny Post of the Grand Army of the Republic, at Nelsonville, Ohio; and

A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers.

The bill (H. R. 9) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 9135) for the relief of F. R. Lanson was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 10866) to amend section 68, chapter 23, of volume 28 of the United States Statutes at Large was read twice by its title, and referred to the Committee on Printing.

The bill (H. R. 13740) for the relief of the Western Alaska Construction Company's Railroad was read twice by its title, and referred to the Committee on Public Lands.

FISH-CULTURAL STATION IN IDAHO.

Mr. HEYBURN. I desire present consideration of the bill (S. 4248) to establish a fish-hatching and fish station in the State of Idaho.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Fisheries with an amendment, in line 8, to strike out the words "United States Commissioner of Fish and Fisheries" and insert "Secretary of Commerce and Labor;" so as to make the bill read:

Be it enacted, etc., That the sum of $25,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of a fish-cultural station in the State of Idaho, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce and Labor.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill to establish a fish-cultural station in the State of Idaho."

PENSION ORDER OF INTERIOR DEPARTMENT.

Mr. ALLISON, Mr. CARMACK, and Mr. PENROSE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Tennessee is recognized. The Senator from Tennessee desires to call up a resolution which was laid on the table subject to his call. That is the Chair's reason for recognizing him, as it is practically morning business.

Mr. PENROSE. I ask the Senator from Tennessee if he will permit me to call up a short bill in reference to a lost check.

Mr. CARMACK. I have promised to yield to the Senator from Kentucky [Mr. MCCREARY]. Let the resolution be brought up first, and then I will yield to both Senators.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution submitted by Mr. CARMACK on the 21st instant, as follows:

Resolved, That the Committee on the Judiciary be instructed to inquire and report to the Senate whether, in the opinion of said committee, there is any authority of law for a recent order of the Secretary of the Interior to the effect that all persons who served in the Army or Navy of the United States during the war of the rebellion, and who have reached the age of 62 years, shall be presumed to have incurred such disabilities as to entitle them to receive pensions under the act of Congress, June 27, 1890.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

Mr. LODGE. What is the resolution? I ask that it may be read again.

The PRESIDENT pro tempore. It will be again read.

Mr. MCCREARY. I ask the Senator from Tennessee to yield to me for just a moment.

Mr. CARMACK. I will state to the Senator from Massachusetts that I do not want to have the resolution voted on this morning. I expect to discuss it briefly and then let it go over again.

Mr. LODGE. I withdraw the request. I thought it was a request to have it passed.

Mr. MCCREARY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee say he desires that the resolution shall go over?

Mr. CARMACK. I desire to discuss the resolution briefly and will then let it go over again. I yield now to the Senator from Kentucky.

CENTRAL UNIVERSITY OF KENTUCKY.

Mr. MCCREARY. I ask unanimous consent for the immediate consideration of the bill (S. 4448) for the relief of Central University of the State of Kentucky, and A. R. Burnam and John Bennett.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to release Central University of the State of Kentucky, and A. R. Burnam and John Bennett, sureties, from the payment of $556.72, for small arms and ordnance stores furnished Central University of the State of Kentucky, which were lost, destroyed, or taken away without the fault or negligence of Central University of the State of Kentucky, or the sureties, A. R. Burnam and John Bennett.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PITTSBURG SHEAR, KNIFE AND MACHINE COMPANY.

Mr. PENROSE. The Senator from Tennessee [Mr. CARMACK] has consented to yield while I ask for the consideration of a small bill for the issuance of a duplicate check in lieu of one lost. I ask unanimous consent for the present consideration of the bill (H. R. 10925) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with amendments, in line 3, after the first word, "That," to strike out "said:" in line 5, before the word "original," to insert "an;" and in the same line, after the word "check," to insert "issued by him on the 6th day of November, 1902;" so as to make the bill read:

Be it enacted, etc., That D. M. Taylor, major of ordnance, United States Army, be, and he is hereby, instructed to issue a duplicate of an original check issued by him on the 6th day of November, 1902, No. 38017, upon the assistant treasurer of the United States at Chicago, in favor of the Pittsburg Shear, Knife and Machine Company, for the sum of $3,048.50, under such regulations in regard to its issue and payment as have been prescribed by the Secretary of the Treasury for the issue of duplicate checks under the provisions of section 3646, Revised Statutes of the United States.

The amendments were agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I desire to give notice that on next Monday, after the completion of the routine morning business, I shall move to take up the bill (S. 5093) for the protection of the President of the United States, and for other purposes, and I shall ask the Senate to proceed with the consideration of the same until it shall have been disposed of.

CONNECTICUT RIVER BRIDGE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4672) to authorize the New York, New Haven and Hartford Railroad Company to construct, maintain, and operate a bridge accross the Connecticut River; which were, on page 4, line 1, to strike out "two years" and insert "one year;" and in the same line, to strike out "six" and insert "three."

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

The motion was agreed to.

Mr. PLATT of Connecticut. That passes the bill, I understand.

The PRESIDENT pro tempore. It does.

DISPOSITION OF PENSIONS OF INSANE PENSIONERS.

Mr. MCCUMBER. I ask the Senator from Tennessee [Mr. CARMACK] to yield to me that I may secure the consideration of a bill which I think will lead to no debate.

Mr. CARMACK. I yield to the Senator from North Dakota.

Mr. MCCUMBER. I ask unanimous consent for the present consideration of the bill (S. 3781) relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane.

The PRESIDENT pro tempore. The bill will be read for information, subject to objection.

The Secretary read the bill: and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the provision in the act approved August 7, 1882, appearing on page 330 of the Twenty-second Statutes at Large and relating to pensions of inmates of the Government Hospital for the Insane, so as to read as follows:

During the time that any pensioner shall be an inmate of the Government Hospital for the Insane, all money due or becoming due upon his or her pension shall be paid by the pension agent to the superintendent of the hospital,

upon a certificate by such superintendent that the pensioner is an inmate of the hospital and is still living, and such pension money shall be by said superintendent disbursed and used, under regulations to be prescribed by the Secretary of the Interior, for the benefit of the pensioner, and in the case of an invalid pensioner, his wife, minor children, and dependent parents, if any, in the order named, and to pay his or her board and maintenance in the hospital, the remainder of such pension money, if any, to be placed to the credit of the pensioner, and to be paid to the pensioner or the guardian of the pensioner in the event of his or her discharge from the hospital, or to be applied to the general uses of the hospital in the event of the pensioner's death while an inmate thereof. This provision shall also be applicable to all unexpended pension money heretofore paid to the officers of said hospital on account of pensioners who were inmates thereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSION ORDER OF INTERIOR DEPARTMENT.

Mr. ALLISON. Regular order, Mr. President.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Tennessee [Mr. CARMACK] relative to a pension order of the Interior Department is before the Senate, on which the Senator from Tennessee [Mr. CARMACK] is entitled to the floor.

Mr. CARMACK. Mr. President, as I have said before, I meant no disrespect to the Committee on Pensions, of which I am a member and for whose other members I have a very high regard, in naming the Committee on the Judiciary in this resolution. I have named that committee because I think the duty to be performed belongs to that committee and to no other.

This resolution presents a legal and constitutional question, involving the legal and constitutional powers of the Executive and the legal and constitutional rights of Congress. I am asking for a legal opinion with respect to the legal and constitutional rights of this body, and I naturally seek that opinion from the committee which is properly regarded as the legal advisers of the Senate.

The order of the Secretary of the Interior deals with the matter of pensions, but the importance of this resolution is not affected in the least by that fact. I am not asking the Senate to investigate any question with reference to the effect of that order upon the pension roll or upon the annual pension appropriations. I am asking the Senate to take legal advice with reference to its own constitutional rights and privileges as a part of the lawmaking department of this Government. I think, Mr. President, that legal opinion ought to be given by a committee of lawyers.

If this question is of any importance whatever, it is a question of the very highest importance. If the investigation called for should be made at all, it should be made by a committee whose members have been selected by the Senate because of their preeminent legal abilities and their preeminent fitness to advise the Senate upon all questions involving an interpretation of the Constitution and the laws.

The Committee on Pensions is a committee composed of very able men, but that committee was not chosen with reference to the legal abilities of its members, and, as a matter of fact, the majority of that committee are not lawyers at all. So, while there are some excellent lawyers on that committee, it seems to me a little absurd that the Senate should ask for legal advice upon a legal and constitutional question from a committee the majority of whose members are not lawyers at all. For that reason, I repeat, without meaning any disrespect whatever to the Committee on Pensions, I have asked that this investigation and report be made by the Committee on the Judiciary.

Mr. President, I do not intend this morning to discuss at any great length the merits of this proposition. I have before me a copy of this order issued by the Secretary of the Interior.

In substance it declares that hereafter any man who served ninety days in the Union Army, and who has reached the age of 62, shall be presumed—and under this order I think it amounts practically to a conclusive presumption—to have incurred such disability as to entitle him to a pension whether or not he makes the proof required by the plain letter of the law.

Here is the law, the act of 1890, as amended by the act of April 23, 1900:

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States.

"Upon making due proof of the fact." I do not know whether anyone here will contend that that is modified by the provision that proof shall be made "according to such rules and regulations as the Secretary of the Interior may provide," but it seems plain to me that that must be subordinate and ancillary to the requirement that "due proof" shall be made.

Evidence is not proof; it only becomes proof when it is strong enough to establish the fact, to convince the mind of the fact in question. The law distinctly provides that the fact of disability shall be proven as a fact; and you can not prove it by any presumption that dispenses with the taking of evidence and the making of proof. You must make proof; you must show that the disability exists as a fact. You do not make "due proof" of a fact by a presumption that dispenses with proof; you do not make "due proof" of a fact by simply begging the question and assuming the very fact to be proven.

This law further says:

And in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown be rated.

"Each and every infirmity shall be duly considered" before you can determine and decide that a man is so disabled as to entitle him to a pension. You can not presume that these infirmities exist. The law requires that proof shall be made in every case. No matter whether a man is 62 years old, or 61 years old, or 60 years old, or 59 years old, the law makes no distinction—"each and every infirmity" must "be duly considered and the aggregate of the disabilities shown rated" before you can place a man on the pension list.

This order attempts in a rather curious way to get around that provision of the statute. It says:

Whereas old age is an infirmity the average nature and extent of which the experience of the Pension Bureau has established with reasonable certainty.

"Whereas old age is an infirmity." Why, Mr. President, we speak of the infirmities of age; but, except by a figure of speech, where the cause is put for the effect or the effect for the cause, you can not say that age is an infirmity in itself any more than a gunshot wound is an infirmity. Thousands of men during the late war received gunshot wounds without any appreciable diminution of their bodily strength and vigor, and without any impairment of their ability to earn a support. In the same way thousands of men have reached the age of 62 without any appreciable impairment of their ability to earn a support. Whether, when a man has reached the age of 62 years, the disabilities and infirmities of age come upon him is a fact to be proved in every case.

What is an infirmity? It is a mental or a physical weakness. The fact that a man has lived to be 62 years of age does not of itself constitute a physical weakness. It may be a cause of it. The fact that a man has lived to be 75 years of age may be the cause of his death, but you can not assume that he is dead by proving that he is 75 years old; and you can not assume that because a man has reached 62 years he has certain infirmities—such infirmities as would entitle him to a pension—because age itself is not an infirmity. It causes infirmities, but the age that makes one man infirm does not make another man infirm. It depends upon the native vigor and strength of his constitution whether at any particular age a man has become infirm. That, under this law, is a matter to be proven as a fact and not to be assumed or presumed as a fact, so that proof may be dispensed with.

Mr. President, I am not to be answered by the statement that the Department itself has made a precedent for such action in the past and that this violation of the law only differs from past violations of the law in being more flagrant and outrageous in its character. I say it is a piece of executive legislation. How did it happen to come here, Mr. President? I call attention to a very remarkable coincidence. This order says:

Ordered, (1) In the adjudication of pension claims under said act of June 27, 1890, as amended, it shall be taken and considered as an evidential fact, if the contrary does not appear, and if all other legal requirements are properly met, that when a claimant has passed the age of 62 years he is disabled one-half in ability to perform manual labor, and is entitled to be rated at $6 per month; after 65 years, at $8 per month; after 68 years, at $10 per month, and after 70 years, at $12 per month.

I want to read an extract from a bill now pending in the Congress of the United States. It reads as follows:

That every officer or enlisted man in the Army or Navy of the United States coming within the provisions of the second section of the act of June 27, 1890, as amended by the act of May 9, 1900, who is or may become 62 years of age shall be pensioned under said acts at $6 per month, and every one who is or may become 65 years of age shall be pensioned at $8 per month; those who are or who may become 68 years of age shall be pensioned at $10 per month, and those who are or who may become 70 years of age shall be pensioned at $12 per month.

This order has simply been taken and copied from a bill pending here in the Congress of the United States. Why? Mr. President, it had become evident that that bill could not pass.

Mr. OVERMAN. May I ask the Senator a question?

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

Mr. CARMACK. I do.

Mr. OVERMAN. Is it not true that there are service-pension bills now pending before the Committee on Pensions of the Senate?

Mr. CARMACK. There are two service-pension bills now pending before the Committee on Pensions of the Senate; and this

order has copied almost verbatim the language of one of the bills now pending in the Congress of the United States. Congress has practically refused to make that bill a law.

It had become evident that Congress would not enact any such legislation; and when it did become evident that that could not be done and would not be done, the Secretary of the Interior says "It is not at all necessary; we will not fool with those cattle up there"—as the President of the United States once described the Congress of the United States—"we will not fool with those cattle, but go on and pass a law ourselves by a simple twist of the wrist."

Mr. FORAKER. Mr. President——

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

Mr. CARMACK. I do.

Mr. FORAKER. I rose to inquire of the Senator how it became evident that the bill to which he has called attention could not be favorably acted upon by Congress? I ask only for information. I never heard of the bill until the Senator read it just now; I do not know anything of its history; and I do not know in which House it was introduced.

Mr. CARMACK. It was introduced in both Houses. It has never been reported favorably by any committee; and if the Senator had been a member of the Committee on Pensions, as I am, he would know——

Mr. FORAKER. Has there been any action taken upon it?

Mr. CARMACK. No; and there will not be.

Mr. FORAKER. I want to ask the Senator another question while I am on my feet, if I do not too much interrupt him——

Mr. CARMACK. Not at all; I am always glad to be interrupted by my friend from Ohio.

Mr. FORAKER. My question is whether it is true, as I have seen it stated in the newspapers, that a similar order to this was made during the Administration of Mr. Cleveland in regard to pensioners of the Mexican war?

Mr. CARMACK. I do not think so. That was covered by law.

Mr. OVERMAN. That was an act of Congress.

Mr. CARMACK. Congress passed an act pensioning Mexican veterans 62 years of age.

Mr. FORAKER. I am asking for information. I have seen it stated that this order is framed in exact accordance with an order made during the Administration of Mr. Cleveland.

Mr. CARMACK. The Senator from Ohio will excuse me. There was an act of Congress fixing that.

Mr. FORAKER. I know the Senator has just so stated, but I do not so understand.

Mr. CARMACK. If the Senator will permit me, I will read from this order, and I think that will settle the question:

Whereas by act of Congress in 1887——

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Texas?

Mr. CARMACK. I will read this order, and then I will yield to the Senator.

Whereas by act of Congress in 1887, when thirty-nine years had elapsed after the Mexican war, all soldiers of said war who were over 62 years of age were placed on the pension roll—

So it will be seen that was by an act of Congress.

Now I yield to the Senator from Texas.

Mr. FORAKER. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee [Mr. CARMACK] has yielded to the Senator from Texas [Mr. BAILEY].

Mr. BAILEY. Mr. President, I was just about to volunteer the suggestion that doubtless this will be considered the act of the Government. I remember some few weeks ago, when the entire country was horrified by that great fire calamity in Baltimore, the President of the United States telegraphed over there to the mayor, expressing his sympathy with that stricken people, and he wound the telegram up by saying: "If there is anything the Government can do to relieve your situation, I pray you call on me." He thinks he is the Government.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. CARMACK. I do.

Mr. LODGE. I want to ask the Senator—merely for information—if this presumption of disability arising from age has not existed before this time?

Mr. CARMACK. Yes, Mr. President; as stated a while ago, there was a precedent for that.

Mr. MCCUMBER. Let me ask the Senator a question.

Mr. LODGE. Let the Senator answer me, if he does not mind.

Mr. CARMACK. I will tell the Senator in a moment. The ages were fixed at 65 and 75. It is stated in this paper somewhere.

Mr. LODGE. When were the ages fixed at 65 and 75?

Mr. CARMACK. Yes—

The former rules of the office fixing the minimum and maximum at 65 years and 75 years, respectively, are hereby modified as above.

I think the Senator from Florida has that date. I have it not.

Mr. ALDRICH. Who was President when it was done?

Mr. LODGE. Yes; who was President when that was done?

Mr. CARMACK. I do not know. I have not the date here.

Mr. FORAKER. I observe that a resolution was passed calling on the Department or the President, one or the other, for full information in regard to this order, and I was waiting until it came in. I should like to inquire, as the Senator evidently has been investigating this matter, whether that resolution has yet been answered?

Mr. CARMACK. I do not know. I have an official copy of the order.

Mr. FORAKER. We all have the order. It was published in the papers.

Mr. CARMACK. This is an official copy of the order. I waited to get an official copy before making any remarks upon it. But there are other things embraced in the resolution of the Senator from North Carolina [Mr. OVERMAN].

Mr. OVERMAN. I will say to the Senator from Ohio that there has been no answer, although it is ten days since the resolution was passed.

Mr. MCCUMBER. I will ask the Senator for information, whether it is not a fact that from and since the time of Cleveland's Administration it has been a rule in the Bureau of Pensions that when a man has reached the age of 65 years it was presumed that he was incapable of performing more than half of a man's labor, and that if he were 75 years of age he was presumed to be unable to perform manual labor? Is not that a fact, and is it not true that it has been simply a matter of presumption only? Is it not true that when Judge Lochren was Commissioner of Pensions he inaugurated this rule, and that the rule has been found to work reasonably well?

Mr. ALDRICH. Who was President at that time?

Mr. MCCUMBER. Judge Lochren was Commissioner under Mr. Cleveland.

Mr. ALDRICH. Mr. Cleveland then was President?

Mr. MCCUMBER. Yes, sir.

Mr. CARMACK. I said before that I do not know when it originated, and I do not care when it originated. I said before that this order differed from the precedent that had been established before only in being a more outrageous and flagrant violation of the law. I do not care when such an order was made. It was a bad precedent, and if there is any bad precedent made anywhere or ever has been made since the foundation of this Government the present President of the United States will be certain to find it and act upon it, especially if it is a precedent in the direction of Executive aggression upon legislative power.

I called attention to the fact, the important fact, that in this particular case a bill was pending and is now pending in the Congress of the United States to accomplish the very thing that is sought to be accomplished by this order, and it being evident, as my friend knows, that none of those bills could pass at this session of Congress, the Secretary of the Interior, acting, no doubt, under the direction of the President of the United States, proceeds to pass the law which the Congress had refused to pass.

Mr. MCCUMBER. I want to ask the Senator another question.

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from North Dakota?

Mr. CARMACK. I do.

Mr. MCCUMBER. The Senator states that the effect of these rules will be practically to make a law of this bill which was introduced.

Mr. CARMACK. What is that?

Mr. MCCUMBER. That the effect of these rules will be the same as though the bill the Senator has read were enacted into law. Then, if that be true, how does it happen that similar rules have never operated in that way?

Mr. CARMACK. You never had any such rules.

Mr. MCCUMBER. We have had exactly the same rules, with the exception that 65 years was the age of the minimum presumption and 75 the maximum. The rules, so far as their evidential character was concerned, was exactly the same. They differ in no respect, as I understand, and yet the Department has never held that when a man——

Mr. CARMACK. I did not yield for a lengthy argument.

Mr. MCCUMBER. I wish to explain this. The Department has never held, under their rules, that when a man has reached the age of 65 he should draw the minimum pension of $6 a month, but that it was only prima facie evidence.

Mr. CARMACK. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee declines to yield further.

Mr. CARMACK. It is an evidential fact if the contrary does not appear. How is the contrary going to appear?

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. CARMACK. I must be allowed a little while in my own behalf.

The PRESIDING OFFICER. The Senator from Tennessee declines to yield.

Mr. ALDRICH. I want to ask a very simple question.

Mr. CARMACK. Very well.

Mr. ALDRICH. Is the Senator now willing to admit——

Mr. CARMACK. That it commenced under Mr. Cleveland?

Mr. ALDRICH. Yes.

Mr. CARMACK. Yes; perhaps it did. It commenced under Mr. Cleveland; but I do not think that helps a particle. I admit that it was under Mr. Cleveland's Administration that the law was first violated in this particular—and it was exceedingly unfortunate, in that it gave the present occupant of the White House an opportunity, upon which he has eagerly seized, to go still further and make it still worse.

I admit it was first done under Mr. Cleveland's Administration, but that shows the evil of making a breach in the law. It shows the evil of making an order that violates the law. The first order, taken by itself—the order giving a pension at 75 years—independent of the question that it was not authorized by law, was a fairly reasonable order; but this order goes to an extreme, and if you can assume that a man is disabled when he is 62 years old, you can presume that he is disabled when he is 40, or 50, or 55, or 60 years old. It makes a service pension, and I emphasize with respect to this matter the statement that this order was made as a substitute for legislation which they could not get from Congress. That is the important point, the vital point, in this whole business.

This bill was introduced in the House of Representatives on the 1st day of December, 1903. It has been pending in Congress until the 28th day of March, with no report from any committee. Every member of the Committee on Pensions knows there will be no report, that there will be no serious effort to pass the bill; and the fact is that the Secretary of the Interior just sent and got a copy of that bill and copied the language of it and made it an Executive order.

I saw published the other day in a newspaper an article by one Private Dalzell, one of the greatest pension heroes in the country, applauding this order and saying, "Hereafter we will not need any pension legislation from the Congress of the United States. Let these bills die. We will never need them any more. We will never have to bother ourselves again by appealing to a stingy Congress to get what we want. The President of the United States has opened for us the doors of the Treasury by breaking down the laws of the land. He has invited us to help ourselves. We do not need to appeal to the lawmakers to get laws. The Executive of the Government can make for us all the law we want." That is the meaning of this order. It is and was intended to be a substitute for legislation which had been sought and could not be had.

Mr. McCUMBER. Mr. President, I wish to answer in very brief manner the Senator from Tennessee. What the Senator asks is that this particular resolution be referred to a different committee from that to which it would naturally go, and that it be sent to the Judiciary Committee, and his reason for asking that it be sent to that committee is that there are great legal and constitutional questions involved. And yet, if I am to take the argument of the Senator, it would seem that there is no question in his mind about any great legal or constitutional question being involved. It is a very simple proposition, and one that any layman can easily see through.

Mr. CARMACK. But, if the Senator will permit me——

Mr. McCUMBER. With pleasure.

Mr. CARMACK. I find my position promptly controverted by a distinguished lawyer upon the Committee on Pensions. So, while there is no question about it—there is none in my mind, and there is none in his—we think about it in different ways, and so long as there is a doubt upon the question, it being a legal question, I should like to have it decided by a committee of lawyers. The chairman of the Committee on Pensions is himself a very able lawyer, and I know that, but, as he knows, a majority of our committee are not lawyers.

Mr. McCUMBER. And, according to the argument of the Senator, it should be referred to a committee of doctors and not to a committee of lawyers. Whether 62 years of age is an age as to which a legal presumption may be drawn whether a person is capable of performing a full day's work or a full amount of manual labor in a day is a question practically for the physician rather than the lawyer, and that is really the only question there is in this whole matter.

I presume it is safe to say that presumptions make up the great portion of all of our lives and what we do. When a person is 80 years of age, as every man knows—and he knows it as a presumption from facts within his knowledge—he is incapable of performing the same service that he could perform when he was 24 years of age. Courts take judicial notice of that fact. Everybody takes judicial notice of that fact. The Senator himself is forced to take judicial notice of it if he is acting as a judge.

Mr. CARMACK. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Tennessee?

Mr. McCUMBER. With pleasure.

Mr. CARMACK. Is it not also true that when a man is 60 years of age he is not as strong and vigorous as he was at 24?

Mr. McCUMBER. It is a presumption of law that he is not so vigorous as he was at the age of 24, but it is a presumption only, which may be rebutted by proper and competent evidence.

Now, the Senator assumes that the Pension Bureau will, under this provision of law, which simply changes the age from 65 to 62 years, adopt entirely different methods of investigation than what they have had heretofore. What right has the Senator to assume that they would disobey the law any more under this rule than they have disobeyed it in the last ten or fifteen years? Why will he assume that they will disobey that law which he has read, and which reads "each and every infirmity shall be duly considered?"

Now let us take this portion of the law in connection with the ruling itself and see if the rule works any hardship. Let me call the Senator's attention to it:

In the adjudication of pension claims under said act of June 27, 1890, as amended, it shall be taken and considered as an evidential fact—

Evidential only—

if the contrary does not appear, and if all other legal requirements are properly met, that when a claimant has passed the age of 62 years he is disabled one-half in ability to perform manual labor.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from North Carolina?

Mr. McCUMBER. I will yield in just a moment. Take that in connection with the law itself, which requires them not only to take into consideration the fact of age, but also each and every infirmity in determining whether a person is capable of performing manual labor.

Mr. CARMACK. The Senator is mistaken.

Mr. McCUMBER. I am not at all mistaken.

Mr. CARMACK. Instead of taking into consideration the infirmity, it says that the age itself is an infirmity. It is a substitute for proof of infirmity.

Whereas old age is an infirmity.

The age itself becomes an infirmity under this order, and you do not have to consider any other infirmity.

Mr. McCUMBER. The Senator can not read it into this order——

Mr. CARMACK. It is in there.

Mr. McCUMBER. That it is to be taken as conclusive evidence? If it was, his position of course would be sound. But age is simply to be taken as prima facie evidence. In other words, after he has shown that he is 65 years of age, that itself may throw upon the Department the burden of proof to show that, notwithstanding the fact he is 65 years of age, he is able to perform that degree of manual labor; and after taking into consideration that which the law compels them to consider—each and every infirmity—in connection with this prima facie rule of evidence, they may then determine whether or not he is capable of performing manual labor.

It has not in the past operated in any sense as a hard and fast rule, and which would grant every ex-soldier a pension. If that were true, then the rules which have been in existence for the last ten or twelve years would have placed upon the pension roll at $6 every ex-soldier 65 years of age. The Senator knows that that is not true. It would have placed upon the pension roll at $12 every man who had reached the age of 75 years. The Senator knows that that is not true; and he knows that we have before our committee hundreds of bills in favor of persons who have reached an age above 65 or above 75, where they could not get the required amount under the rules, because the Department has held that, notwithstanding this presumption, other evidence has shown that the soldier or the claimant was able to perform manual service.

We had before us but the other day, as perhaps the Senator will remember, a case where the gentleman was over 68 years of age, as I remember. He sought to obtain a pension under the act of June 27, 1890. The Department refused to give him over $6, they claiming that, notwithstanding the fact of his age, from other evidence it was proven that he was performing manual service at the time and earning a good salary. These are cases that are be-

fore us all the time, and I can certainly see no great danger in changing the rule from 65 to 62.

The Senator quoted the bill which was introduced in the House, which he says was copied by the Department in making this rule. It is a vast difference whether you grant a person of 65 years of age a pension of $6 or whether you say that his age shall be simply prima facie evidence. I think he is entitled to that amount.

I think the Senator will find that instead of the Bureau of Pensions getting their inspiration and their information from this bill which was introduced into Congress, the bill was taken from their rules, with a slight change. That is all. It seems to me, when you take into consideration the fact that the very act under which the pension of 1890 is granted requires the Department to consider every infirmity and every other condition going to show whether or not the claimant is capable of performing manual service, and when we assume, as we have a right to assume, that the officers of the Government will not disobey the plain dictates of that law, that that, taken into consideration in connection with this prima facie rule, is an all-sufficient safeguard against any raid upon the Treasury or any attempt upon the part of the Department to make laws for themselves.

They have a right to make rules, and this Bureau, above any other bureau in the Government, is capable of determining that question. Why? Simply because since 1862 the Bureau have had constantly before them from five to eight hundred thousand cases, and they are able therefore to determine from the evidence that is constantly pouring in upon them what age of a man's life is such as disables him from performing complete manual labor or even partial service. They have reduced it to a science.

Why was this changed? Was it because of this bill? No, Mr. President. Congress has intimated in the act which gave pensions to the soldiers of the war with Mexico that 62 years of age should be considered as a proper age where it could be safely said a man was unable to perform manual labor, at least in full. The Bureau cite that provision of the law. They took the sentiment of Congress, which expressed its own opinion into law, and adopted that as the rule. They have been a little above this before.

They simply reduce it to an opinion that had been expressed into a law by the Congress of the United States. It seems to me that they have not greatly disobeyed the law of the country, nor have they attempted in any way to make any other or new law.

Mr. CARMACK. Has the Senator from North Dakota concluded?

Mr. McCUMBER. Yes.

Mr. CARMACK. Has the Senator a copy of the Lochren order?

Mr. McCUMBER. I have it here.

Mr. CARMACK. I should like to see it.

Mr. McCUMBER. The Senator from Minnesota has it now.

Mr. CARMACK. Mr. President, the Senator from North Dakota said that if I were correct in my construction of the order which has been read, under the previous order fixing the age at 65 and 75, every man of that age would be on the pension roll. In the first place, I have not the slightest doubt in the world that that order has so operated as to place thousands of men on the pension roll who if they had been required to prove their claims would not have been able to do so. My recollection is that that order differs considerably from this, and the whole wording of this order shows that the intent and purpose is to accomplish what was intended to be accomplished by this bill.

Whereas old age is an infirmity, the average nature and extent of which the experience of the Pension Bureau has established with reasonable certainty.

Mr. SPOONER. Does the Senator deny that?

Mr. CARMACK. I do.

Mr. SPOONER. Does the Senator mean to say that old age is not an infirmity?

Mr. CARMACK. I do.

Mr. SPOONER. I am glad to hear it.

Mr. ALDRICH. Although you would want some better evidence?

Mr. CARMACK. I do not know any man who bears his 62 years with more ease and honor than the Senator from Wisconsin, and I offer the honorable Senator as an exhibit to prove that 62 years of age does not constitute infirmity.

Mr. SPOONER. I can testify to the fact that I can not do the manual labor now that I could do ten or fifteen years ago.

Mr. CARMACK. I do not believe the Senator ever could do any manual labor.

Mr. SPOONER. I have done a great deal.

Mr. CARMACK. I can not believe it.

Mr. SPOONER. What?

Mr. CARMACK. I can not believe it.

Mr. SPOONER. The Senator does not doubt my word?

Mr. CARMACK. I am compelled to doubt that the Senator could ever have been classed as a manual laborer.

What I was saying is that age may cause infirmity, just as a gunshot wound or an accident of any kind may cause an infirmity, but age itself is not an infirmity. Whether it produces infirmities at any particular time of life depends upon the native vigor of a man's constitution. It must be decided with reference to each particular man.

Mr. SPOONER. I will ask the Senator upon what theory it is that officers of our Army are retired compulsorily at 64?

Mr. ALDRICH. And of the Navy at 62?

Mr. CARMACK. You can make a presumption of law by act of Congress whenever you want to. Of course the law in that case has made a presumption that when a man reaches the age of 64 he does not have the same physical vigor that he formerly had.

Mr. SPOONER. The law has simply taken note of a fact which all men know. That is all.

Mr. CARMACK. That is true at 63 years of age, it is true at 62 years of age, it is true at 61 years of age; but when you come to make laws about it, the law has to fix some particular time, and there is no particular lapse of time which constitutes in every particular case a disability that would entitle a man to a pension.

Mr. SPOONER. It seems to me, if the Senator will permit me a moment, that the trouble with his argument is that it does not distinguish between a law and a rule of evidence justifiably adopted in the administration of the law.

Mr. CARMACK. Yes, I am trying to distinguish between them. I say that this law lays down the rule of evidence when it says you can establish it by proof, by due proof, and by considering each and every infirmity and by rating the aggregate of those infirmities. That is the way you have to do it. The law says how it shall be proven and how it shall be established, and you can not obey that law by a presumption that dispenses with the taking of evidence and making the proof.

Mr. McCUMBER. Will the Senator yield to me for a question?

Mr. CARMACK. I was trying by the language of the "whereases" to this order to show its purpose, and I should like to complete that.

Mr. McCUMBER. That is just the point on which I was about to ask the Senator a question.

Mr. CARMACK. Very well.

Mr. McCUMBER. I want to ask the Senator what difference it makes whether or not it regards old age as an infirmity? Is not the spirit of the law such that it is intended to take care of every man who is unable to perform manual labor, and therefore——

Mr. CARMACK. Upon making proof of that fact.

Mr. McCUMBER. Yes; but whether it is by reason of old age or any other infirmity.

Mr. CARMACK. Of course, but let the fact be proved. He must prove the fact; the law says so expressly. He must make due proof, and the burden of proof is upon him, and it must be proven by showing each and every infirmity that afflicts him, and the aggregate of those infirmities must be rated. The burden of proof is put upon him in the law, and you violate the law when you shift the burden of proof from the claimant to the Government.

Mr. ALDRICH. Will the Senator allow me?

Mr. CARMACK. In a moment, if the Senator pleases.

Whereas old age is an infirmity, the average nature and extent of which the experience of the Pension Bureau has established with reasonable certainty; and

Whereas by act of Congress in 1887, when thirty-nine years had elapsed after the Mexican war, all soldiers of said war who were over 62 years of age were placed on the pension roll—

Citing the law passed by Congress—

Whereas thirty-nine years will have elapsed on April 13, 1904, since the civil war, and there are many survivors over 62 years of age.

The very purpose of this order, as shown in the "whereases" which precede it, is to put every man who is 62 years of age on the pension roll, because every man in the Army in the war with Mexico, after thirty-nine years had elapsed and who was 62 years of age, was placed on the pension roll. What is the object in citing past legislation if it is not to accomplish the purpose with respect to the veterans of the Union Army that was accomplished by law with reference to the veterans of the Mexican war?

And, whereas old age is an infirmity—

Why, Mr. President, age is considered in itself an infirmity, whether any other infirmity is proven at all or not. It is presumed to be an infirmity—

if the contrary does not appear.

The Government itself by a preponderance of proof must establish the fact that the man is sound, that he has no infirmity, when the law expressly requires that the claimant himself shall prove the fact of his infirmity to such an extent as to entitle him to a pension.

Mr. FORAKER. Mr. President, I have been waiting before investigating this question until we have a response to the resolution which the Senate some days ago adopted calling for information in regard to the same. The Senator has therefore pre-

cipitated a discussion that I confess at the outset I am not fully prepared to engage in satisfactorily. And yet during the few minutes this debate has been in progress I have looked over this order, which I saw but once before, and that was when I read it in the newspapers at the time it was promulgated; and I have been also during these few minutes not only looking at the order, but looking up the statutes, or rather the statute that the order has special reference to—the statute of June 27, 1890.

Now, putting the order, with the practice as I understand it has been heretofore, and the law together, I do not see anything unusual about it. I do not see anything extraordinary about it. I do not see anything in it to condemn or to criticise. I see nothing that is not commendable. I see nothing that I can not heartily and in good conscience thoroughly approve and support.

This is an order issued by the Secretary of the Interior, or rather with the approval of the Secretary of the Interior, for the order is issued by the Commissioner of Pensions. The question is whether or not the Commissioner of Pensions had a right to issue such an order, and then, if so, whether or not, being within his authority, if it should so appear, it is a proper order for him to have issued, looking to the execution of the law that he was charged with the execution of.

Mr. TELLER. Mr. President, will the Senator allow me to suggest to him that it does not seem to me it is a question of the propriety of the order; that is to say, the question is not presented whether, having the authority, he ought to have made this order, but it is simply, Did he have the authority to make the order?

Mr. ALDRICH. I understood the Senator from Tennessee to take a different position. I may have misunderstood him, but I understood him to take the position that as a matter of policy no such order should have been issued.

Mr. CARMACK. I did not do anything of the kind. I said nothing about a matter of policy.

Mr. TELLER. I was interrupting the Senator from Ohio. I will wait, however.

Mr. FORAKER. I am obliged to the Senator from Colorado for interrupting me and making his suggestion. I have no purpose except only to get at the right of this matter.

It is an order, therefore, issued by the Commissioner of Pensions, with the approval of the Secretary of the Interior. So far as anything on the face of things is concerned there is nothing showing that the President—and about that a good deal has been said—had anything to do with it. However, from what I know of the President and his familiarity with all that is done in connection with his Administration and by his Cabinet officers, I have no doubt but that if he knew about it he thoroughly approved it, as I hope he may have done.

But let us look now at the statute first, for that is the beginning of this whole matter. In the second section of the act of June 27, 1890, it is provided as follows:

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States—

Now, note this language—

upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide.

Mr. CARMACK. Will the Senator from Ohio yield to me for a moment?

Mr. FORAKER. Certainly.

Mr. CARMACK. I wish to suggest to the Senator that the right to make rules and regulations can not dispense with the necessity of making due proof of the fact.

Mr. FORAKER. I was about to say that the Senator has anticipated what I was going to say, but he has not, because he has said something other than what was in my mind. He interrupted me just where I was going to say the kernel of this whole thing is. The applicant is to make proof of his infirmity or his disability, it is true, and he is to make "due proof" of it, but how? How is he to make due proof? He is to make due proof of his inability, his incapacity, to use the language of the statute, "according to such rules and regulations as the Secretary of the Interior may provide."

Therefore, Mr. President, we start out with the proposition as a basis of all, as coming first and as controlling, that the Secretary of the Interior has been given by this statute authority to provide rules and regulations governing the production of proof by the claimant for a pension.

Mr. CARMACK. Will the Senator yield to me for a moment?

Mr. FORAKER. Certainly.

Mr. CARMACK. The law also provides that in ascertaining such infirmity each and every infirmity shall be duly considered.

Mr. FORAKER. That is true.

Mr. CARMACK. He can not dispense with that. He must consider each and every infirmity.

Mr. FORAKER. Certainly; and therefore it is that the Secretary of the Interior can not in an observance of the law dispense with a consideration of the infirmity of old age. That lies at the basis of it all.

Now, if the Senator will allow me to pursue for a minute what I had in my mind, he will see the view I take of it. It is that every man within the definition of this statute shall be entitled to a pension when he makes due proof of his incapacity in accordance with the rules and regulations prescribed by the Secretary of the Interior. Therefore it was competent for the Secretary of the Interior, if there had been nothing else in this statute, to prescribe in what mode proof should be made, to define how this, that, or the other incapacity or disability should be proven to the satisfaction of the Pension Bureau.

He has, in the execution of that authority so given him, prescribed a rule or regulation by the issuing of this order for proof as to an acknowledged infirmity or incapacity, namely, old age. What does he say in his order? The Secretary of the Interior says:

Whereas the act of June 27, 1890, as amended, provides that a claimant shall "be entitled to receive a pension not exceeding $12 per month and not less than $6 per month, proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown to be rated."

Now, stopping there a minute—and I stop there not only because it is proper to do so, having in mind what I desire to say, but because it is especially proper to do so in view of the interruption of the Senator from Tennessee, calling my attention to the fact that the law requires the Secretary of the Interior or the Commissioner of Pensions to take into consideration each and every inability or incapacity on which the applicant for a pension may rely for the pension he is claiming to get——

Mr. OVERMAN. Mr. President——

Mr. FORAKER. I ask the Senator to wait just a moment.

It is the duty of the Commissioner of Pensions to do that, and it is the duty of the Commissioner of Pensions to prescribe rules and regulations with reference to the rating to be made as to the disability, which may be on this, that, or any other physical account that you may see fit to name.

Now, is it true or not that old age is an inability or an incapacity? The authority for taking that view was stated in this order. Let me read the second paragraph:

And whereas old age is an infirmity, the average nature and extent of which the experience of the Pension Bureau has established with reasonable certainty.

If it be true that old age is an infirmity—and who will dispute it?—who but the Senator from Tennessee?——

Mr. OVERMAN. Will the Senator from Ohio yield to me for a moment?

Mr. FORAKER. Certainly.

Mr. OVERMAN. Old age is an infirmity now. Was it not an infirmity in 1891?

Mr. FORAKER. Certainly.

Mr. OVERMAN. This law was passed in 1890. I understand the Senator to say that this was a proper order and that it should have been made. Does not the Senator think it a very remarkable fact that the Department should wait fourteen years before making this order, especially since there were two service-pension bills before the Senate Committee on Pensions and also one in the other House before the Committee on Invalid Pensions?

Mr. FORAKER. I do not understand that they did wait. I do not know what the exact fact is, and therefore I am somewhat loath to make any statement about it; but I understand that shortly after this law went into effect, while Mr. Cleveland was President, his Commissioner of Pensions, Judge Lochren, who everybody knows was a very able man, however we might differ with him about politics, and not a very popular man with pensioners, either, as the Senator from Wisconsin [Mr. SPOONER] has just suggested, but a man of ability, a man who knew what he was doing——

Mr. ALDRICH. Now a judge of a United States court.

Mr. FORAKER. Exactly. He is now a judge of a United States court.

Mr. BAILEY. He was overruled by the Supreme Court.

Mr. FORAKER. It is not the first time that a judge of a lower court has been overruled by the Supreme Court. But, Mr. President, my understanding is that Judge Lochren within a year, or two years perhaps it was—I will have the order presently; I have sent for it—issued an order similar to this in character, prescribing that when they came to consider the disability or incapacity of an applicant for a pension under this statute they should take into consideration his age, and there should be attached to that fact, whether his age was 62 or 65 or 75, according as the order may show when we get it, there should be a certain rating made; in other words, that the disability of old age, which the statute required him to take into consideration, should have its rating

and he should prescribe how, when the applicant came to make due proof, he should set forth his different incapacities and establish them all to the satisfaction of the Pension Bureau.

But let me recur to what I was about to say. Is it true or not, as recited in this order, that old age has been shown by the experience of the Pension Bureau to carry with it a disability, and of a character well known to them—established, in the language of this order, to a reasonable certainty?

Mr. OVERMAN. Do I understand the Senator to say that Judge Lochren fixed the age at 65?

Mr. FORAKER. I do not know at what age he fixed it. I say I am loath to speak of that because I have not seen the order. I have sent for it. I suppose all this should have been sent to us before now.

Mr. PLATT of Connecticut. Twelve dollars at 75.

Mr. FORAKER. Twelve dollars at 75.

Mr. GALLINGER. Six dollars at 65.

Mr. FORAKER. Six dollars at 65.

Mr. MALLORY. I do not know that Judge Lochren issued that order, but there was such an order issued, and it has been in force for a number of years.

Mr. FORAKER. I understand so, and I understand also that it has never before been criticised; that is to say, it has never before been criticised that the Pension Bureau should, in considering due proof and in establishing rules and regulations for the production of the same, consider old age, but, on the contrary, they have always taken age into consideration and a rating has been given on account of it.

Now, I want to read the balance of this order to show——

The PRESIDENT pro tempore. The Senator from Ohio will suspend for one moment while the Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor.

Mr. ALDRICH. I suggest that the unfinished business be laid aside temporarily in order that this matter may be disposed of.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of the pending resolution.

Mr. ALLISON. Mr. President——

Mr. ALDRICH. If it will be in order now, I ask that the Senator from Ohio be permitted to finish his remarks.

Mr. ALLISON. Undoubtedly. I was about to ask unanimous consent that the Senator from Ohio may have the opportunity to conclude his remarks. I understand that the resolution goes over at 2 o'clock.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Ohio will proceed.

Mr. FORAKER. I am very much obliged to the Senators for giving me permission to proceed.

Mr. CARMACK. Other Senators may want to speak.

Mr. FORAKER. I was saying, when I was interrupted in order that the unfinished business might be laid before the Senate, that old age has always been regarded as carrying with it a disability or an infirmity or an incapacity, whatever you may see fit to call it. I call it an incapacity, because that is the language employed in the statute and by the Pension Bureau. First, however, that is evidenced, as the Senator from Wisconsin [Mr. SPOONER] suggested a while ago, by many acts of Congress, but particularly by that one providing for the retirement of army officers at the age of 64—a compulsory retirement at that age. Why? A man is not necessarily an unfit man to continue in the Army after 64 years of age—I mean physically unfit. Many men are hale, strong, and vigorous, and capable of rendering efficient service as officers and soldiers long after the age of 64, but the rule is according to human experience that when a man reaches the age of 64 he has been so far affected physically by his age that it is time for him to retire from the duties of a commissioned officer in the Army.

A great many other instances might be suggested, but it is shown on the face of this order that age affects the physical condition of a man, so that it should be taken into consideration as prima facie an evidence of partial incapacity. It is shown on the face of this order that Judge Lochren made a similar order proceeding upon that very theory in 1893, which is the date, I am told, when that order was issued. I say that, however, without having the order before me.

Mr. MALLORY. Will the Senator from Ohio permit me?

Mr. FORAKER. Certainly.

Mr. MALLORY. I have endeavored to obtain a copy of the order which the Senator says was made by Judge Lochren, but I have not succeeded in getting it. I sent this morning to get it. But I understand from authority which I believe to be good that that order fixed or limited the total disability at 75 years, and the minimum disability, or one-half disability, entitling one to $6, at 65. The point I wish to inquire about is, Why is it and how is it, that having been established as the rule, that that rule should be arbitrarily changed so as to make 70 the limit of total disability and 62 the minimum limit?

Mr. FORAKER. I am going to speak of that in a moment. I want to say that whenever that order was made by Judge Lochren he fixed a minimum age when disability on account of age should be taken into consideration, and that a minimum rating should then be given for it; and he fixed a maximum. In doing that he was sustained not only by our law in regard to the retirement of commissioned officers, but he was also sustained in that by the declaration of Congress with respect to pensioners of the Mexican war, for the Congress of the United States has fixed 62 by the act referred to as the age when the minimum should be allowed on account of age to the pensioners of the Mexican war. Therefore there was not anything out of the ordinary in the action of Judge Lochren in that respect. I do not know what his order is. I was about to speak of it from the knowledge that had been given to me. I will, however, confine myself to this order, and then I will be safe.

I am told that this order follows in that respect the order of Judge Lochren. In this order it is not provided that when a man reaches the age of 62 years he shall have $6 a month pension, or that he shall at the age of 65 have $8, or that at 70 years of age he shall have the full pension of $12. That is not the provision of the order. The provision of the order is simply that when it is shown that the applicant has reached the age of 62 years that shall be an evidential fact. Now, what is meant by an evidential fact? It simply means that that fact shall be taken into consideration. If it be shown that that man, although he has reached 62 years of age, is not dependent, and that he has no disabilities or is not dependent, he is not entitled to a pension because of his 62 years of age, but it shifts the burden of proof; that is all.

Mr. TELLER. Will the Senator allow me to ask him a question?

Mr. FORAKER. Certainly.

Mr. TELLER. I do not know exactly what this order means. Does the Senator understand that under it a man reaching the age of 62 is put upon the pension roll without any proof of any other disability?

Mr. FORAKER. No; I understand that when a man is an applicant for a pension undert he act of June 27, 1890, known as the "dependent pension law," he must of course make due proof. That is what the statute requires.

Mr. ALDRICH. Of dependency.

Mr. FORAKER. Of dependency; and then, if all the other conditions of the statute entitling him to a pension are established, the fact that he has reached the age of 62 shall be an evidential fact to be taken into consideration, and if he were to stop there and no proof be offered on the other side, all other conditions having been established, he would be entitled to a rating at $6.

Mr. TELLER. I wish to say to the Senator that I understand under that act he has to prove his poverty, to begin with.

Mr. FORAKER. Yes.

Mr. TELLER. And then, in addition to that, he has to prove inability to secure a living by manual labor.

Mr. FORAKER. Yes, sir.

Mr. TELLER. Now, if this order only means that you shall take into consideration with that fact the fact that he is 62 years of age, that has been the law ever since I have known anything about pensions.

Mr. FORAKER. I think it has always been the law.

Mr. TELLER. It has always been the law that when you considered the disabilities you might consider with other disabilities his age.

Mr. FORAKER. Yes.

Mr. TELLER. I do not know that up to Judge Lochren's order there was ever any positive statement of what the disability should be; but if he was 62 years old, at any time since I have known anything about it, that would be considered in addition to his other disabilities, because the age itself might increase his disabilities, when, in the case a young man, his disabilities would be, I think, less considered.

Mr. FORAKER. I am sure the Senator from Colorado is right in saying that that has always been the practice; that is to say, they would take into consideration age, and they would assume that age carried with it disabilities.

Now, the real question, it seems to me, left here for us to consider is the one asked by the Senator from Florida [Mr. MALLORY] when he interrupted me a moment ago, and that is, why should the minimum age carrying the minimum allowance of pension be reduced from 65 years, where Judge Lochren put it, to 62 years? Now, I do not know. I can only speculate about that. I have not been taken into anybody's confidence in regard to it.

I only assume, Mr. President, for reasons that were stated at the time when that order was promulgated and published in the papers—the reasons I read in the newspapers—that the Commissioner of Pensions, with the approval of the Secretary of the Interior, and with the approval, I hope, of the President of the United States, concluded that a man ought to have—and that the experience of the Pension Bureau showed it—the minimum of $6, all other conditions precedent having been first established, when he reached the age of 62 years. That was the age fixed for the veterans of the Mexican war, and it is the age fixed when a man may be retired by order of the President from a position as an officer in the Army.

It does not seem to me anything extraordinary that the administration of the Pension Bureau, looking to what is fair, what is just, and what is equitable, in view of the spirit and purpose of our pension laws, should give the benefit of the minimum allowance of $6 a month to the soldier who reaches the age of 62 years. It was stated——

Mr. MALLORY. Mr. President——

Mr. FORAKER. Just a moment. It was stated, as I remember—I am quoting only from recollection—that there will be a great saving to the Department, and not a very great increase in the aggregate of expenditures on account of pensions.

Mr. CARMACK. How will there be a saving?

Mr. FORAKER. It was stated that there would be a saving. I do not know upon what authority the statement was made, but I saw in the papers that there would be a saving in the administration of the pension laws of no less than $300,000 on account of this order.

Mr. CARMACK. That is a very important question, Mr. President. In what way will that saving be made?

Mr. FORAKER. What does the Senator say?

Mr. CARMACK. I say it is a very important question as to how the saving will be made.

Mr. FORAKER. It does away to some extent with the necessity for agents to gather testimony and investigate cases.

Mr. CARMACK. Exactly. That is the very point I was making. It dispenses with the taking of testimony to prove a fact required by law to be proven.

Mr. FORAKER. No; the Senator insists that we are dispensing with the requirement of the law as to the necessity of testimony to prove certain facts. We are not doing that at all. Every condition that the law prescribes as necessary to entitle a man to a pension under this act must be shown to exist in his favor—every one—after this order, as well as before.

Mr. CARMACK. Why was it issued, then?

Mr. FORAKER. This order is made in accordance with the statute, which says that the Commissioner shall prescribe rules and regulations governing the making of proof. The only thing it does is to say, when this age that is mentioned shall be shown in the soldier's favor, it shall be prima facie evidence that he is entitled to a pension at a certain rate.

Mr. MALLORY. As the Senator is discussing that point, I should like to ask him for information if the recent order does not provide that the order itself shall not be retroactive?

Mr. FORAKER. Yes; I believe so.

Mr. MALLORY. Would not that work an injustice to men who, say, two years ago, were 62 years of age, and had made application for a pension?

Mr. FORAKER. As the Senator from Wisconsin [Mr. SPOONER] suggests, I will say in answer to the Senator from Florida that these other cases have been adjudicated. The pensioners in those cases made application in accordance with the law which then existed, and in accordance with the rules and regulations as to the making of proofs then in existence; and now it is no injustice, as I understand it, because those soldiers were unable before the order was issued to prove what this order says you do not need to offer any proof upon.

Mr. MALLORY. I am speaking of the case of a man who was 62 years of age and made application, and because of his not showing any permanent disability was turned down. Now, this order fixes the minimum one-half disability at 62 years of age; and I have no doubt that that would be so construed. Would not that man have been entitled, if the order had been issued two years ago, to his pension?

Mr. FORAKER. The Senator's suggestion amounts to an argument that this order ought to have been made sooner than it was made, and I quite agree with him.

Mr. MALLORY. I do not contend that at all, but I wish to call the Senator's attention to the fact that injustice is apparently being done to a certain portion of those applicants who were turned down because they were simply 62 years of age and no more.

Mr. FORAKER. The man who was turned down before this order was made for the reason suggested by the Senator was unfortunate, of course, in not having the benefit of this order, and only Congress, I imagine, can correct that trouble. If the Senator will bear with me, that man is not without hope. The way is open. He can make his application again, and he can now have the benefit of his age, which he could not have before.

Mr. MALLORY. If the Senator will permit me, the only hope he has is that the Department can not be prevented from giving a pension, in my judgment, because we have a statute which gives him the right to come in now and get a pension and to date back to the time when he made his application.

Mr. FORAKER. Undoubtedly the man who has been denied the benefit of this order heretofore because there was then no such order can now, if he becomes an applicant, get the benefit of it. And to what extent does he get it? He gets the benefit of it to the extent that he has a prima facie case in his favor whenever he shows that his age is within the prescribed limit, and if he should apply now, being 65 years old and showing that fact, he would be entitled to $8, the conditions essential to his being granted a pension having been established, provided nobody controverted the fact that his age had carried with it incapacity.

Now, I have before me, kindly furnished by the Senator from Wisconsin, what I understand is a copy of the Lochren order, and I will read it in order that all may get the benefit of having it in the RECORD.

Mr. TELLER. What is the date?

Mr. FORAKER. I will read it all.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, D. C., March 29, 1894.

To the board of revision:

By order of the Commissioner, the rate now received under the act of June 27, 1890, will be continued by the board of revision in cases wherein it appears that the pensioner has reached the age of 65 years.

J. R. VAN MATER,
Acting Chief Board of Revision.

Indorsement.

MARCH 29, 1894.

Respectfully referred to Doctor Featherstonhaugh, medical referee. The inclosed instructions were given to the board of revision to-day. If the medical division will return any cases referred by us where the pensioner is 65 years of age, they will be acted on here.

J. R. VAN MATER,
Acting Chief Board of Revision.

I get that from the Senator from Wisconsin [Mr. SPOONER]. I do not know where he got it. It seems to be a copy, but I understand there was a formal order issued by Judge Lochren as Commissioner of Pensions. Whether there was or not I shall know about definitely pretty soon, as I have sent to ascertain the fact.

Mr. GALLINGER. If the Senator from Ohio will permit me——

Mr. FORAKER. Certainly.

Mr. GALLINGER. I was not in the Chamber during the early stage of this debate, and I observe with a good deal of surprise the opposition that has developed in certain quarters to this order. It is a fact that in the administration of the Pension Bureau a good deal of elasticity has always been allowed in the matter of granting pensions under the act of June 27, 1890. I want to cite one illustration of what I have suggested. The Senator will observe, if he looks at the act, that widows were allowed pensions at the rate of $8 per month if they had no income outside of manual labor, but a very distinguished Democratic Commissioner of Pensions, General Black, thought that that was too restrictive, because it would in almost every case deny pensions to widows. So he issued an order, which became operative, and I think never was criticised, that a widow might have an income outside of manual labor to the amount of $250 per annum. Subsequent to that——

Mr. COCKRELL. Was it not $200?

Mr. GALLINGER. Two hundred and fifty dollars, according to General Black's order.

Mr. COCKRELL. I thought it was first $200; that it was afterwards changed to $250, and subsequently reduced to $100.

Mr. GALLINGER. It was $250, I think.

Mr. NELSON. It was $100 at one time.

Mr. GALLINGER. When I get through my statement, the Senator will observe that I was about to make that remark.

Subsequent to that time a Republican Commissioner of Pensions, Mr. Evans, reduced the amount to $100 per annum; but in neither case was there law for that order. It never was criticised, so far as I know. The Grand Army of the Republic took up the matter, contending that $100 per annum was too small an amount. They came to Congress and asked that we should enact a statute fixing the amount at $250, which we did; and now that amount is allowed by law.

But what I wanted to say was that in the administration of this law, which is somewhat peculiar, the Commissioner of Pensions has always felt that he had some latitude in determining the details. He has done certain things which, perhaps, might be criticised under strict law, but which, as a matter of fact, have always been allowed to go unchallenged.

In the present instance it is a fact that the principle has been recognized and has gone along unchallenged. It has simply been changed by the present Commissioner so far as ages are concerned, and it seems to me that any attack that is made upon his action in that respect will not be successful.

Mr. FORAKER. I think not.

But I was coming to a more complete answer to the Senator from Florida [Mr. MALLORY], who made a very pertinent inquiry in that respect as to why the age should be reduced, and I was trying to give some reasons why the Commissioner of Pensions might have done so. So I want to call attention to the act of Congress itself in respect to the Mexican veterans, where the age at which they should have the benefit of the pension law was fixed at 62 years. I have that statute before me. It was enacted January 29, 1887, and is entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes." In a proviso following that I find this language:

Provided, That every such officer, enlisted man, or widow who is or may become 62 years of age, or who is or may become subject to any disability or dependencey equivalent to some cause prescribed or recognized by the pension laws of the United States as a sufficient reason for the allowance of a pension, shall be entitled to the benefits of this act.

Now, I call attention to the fact that that law enacted by Congress was wholly different from this order of the Commissioner of Pensions in this, that it was sufficient under that law for the soldier to show that he had reached the age of 62 years to entitle him absolutely to his pension, while under the order made by the Commissioner of Pensions the fact that he is 62 years of age is merely an "evidential fact." That is the same as making that fact sufficient to create a prima facie case. I may be going too far in giving it that effect, but certainly it is no more.

Mr. SPOONER. Mr. President, if the Senator will allow me a moment——

Mr. FORAKER. Certainly.

Mr. SPOONER. Upon what conceivable theory could Congress have fixed 62 years as the age, except upon the theory that a person who has served in the Army and arrived at that age would need a pension because of the disability of age?

Mr. FORAKER. It is arbitrary, of course, but it is based, as I tried to show a moment ago, on human experience, and this order of the Commissioner of Pensions is not only based upon human experience, as the act of Congress was, but the Commissioner of Pensions recites that it is based on the experience of the Pension Bureau, which is certainly wide enough and broad enough and extended enough to justify them in fixing a rating for a particular age.

Mr. SPOONER. While the act of Congress made the presumption of disability arising from age conclusive, under the order it is only evidential.

Mr. FORAKER. It is only evidential. The pensioner will have the benefit of that fact, and he shall be rated in accordance with it as prescribed by the Commissioner, provided everything else is proven in his favor, and not otherwise.

Therefore I repeat, as I said in commencing, that I do not see anything extraordinary in this order. On the contrary, I think it a wise and a proper order to be made, and I rejoice that it was made. I think the Secretary of the Interior, the Commissioner of Pensions, the President, and all who had to do therewith are entitled to credit instead of to criticism.

I ask that the order which has given rise to this debate may be inserted in the RECORD in connection with my remarks, so that we may have the benefit of it when we want to refer to it again.

The PRESIDENT pro tempore. Is there objection to the request? The Chair hears none, and that order is made.

The order referred to is as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
March 15, 1904.

Order No.——.

Whereas the act of June 27, 1890, as amended provides that a claimant shall "be entitled to receive a pension not exceeding $12 per month and not less than $6 per month proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown to be rated;" and

Whereas old age is an infirmity the average nature and extent of which the experience of the Pension Bureau has established with reasonable certainty; and

Whereas by act of Congress in 1887, when thirty-nine years had elapsed after the Mexican war, all soldiers of said war who were over 62 years of age were placed on the pension roll; and

Whereas thirty-nine years will have elapsed on April 13, 1904, since the civil war, and there are many survivors over 62 years of age:

Now, therefore,

Ordered, (1) In the adjudication of pension claims under said act of June 27, 1890, as amended, it shall be taken and considered as an evidential fact, if the contrary does not appear, and if all other legal requirements are properly met, that when a claimant has passed the age of 62 years he is disabled one-half in ability to perform manual labor and is entitled to be rated at $6 per month; after 65 years, at $8 per month; after 68 years, at $10 per month, and after 70 years, at $12 per month.

(2) Allowance at higher rate, not exceeding $12 per month, will continue to be made as heretofore, where disabilities other than age show a condition of inability to perform manual labor.

(3) This order shall take effect April 13, 1904, and shall not be deemed retroactive. The former rules of the office fixing the minimum and maximum at 65 years and 75 years, respectively, are hereby modified as above.

E. F. WARE, *Commissioner of Pensions.*

Approved.

E. A. HITCHCOCK, *Secretary.*

Mr. ALLISON. I now ask, Mr. President——

Mr. CARMACK. Before the Senator from Iowa proceeds, I merely want to ask that this matter go over without losing its place.

The PRESIDENT pro tempore. The Chair understands the Senator desires the resolution to lie on the table subject to call?

Mr. CARMACK. Yes, sir.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON. I ask that the unfinished business may be further temporarily laid aside and that the Senate proceed to the consideration of the District of Columbia appropriation bill.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the unfinished business may be temporarily laid aside in order that the Senate proceed with the consideration of the District of Columbia appropriation bill. Is there objection? The Chair hears none.

The Senate, as Committee of the Whole, resumed the consideration of the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 68, line 20, before the word "thousand," to insert "and fifteen;" so as to make the clause read:

For continuing erection of a workhouse for males, $50,000; and the Commissioners of the District of Columbia are authorized to enter into contract for the whole work at a cost not to exceed $115,000.

The amendment was agreed to.

The next amendment was, on page 69, line 3, before the word "thousand," to insert "and twenty-five;" so as to make the clause read:

Toward the erection of a municipal almshouse, including water supply, heating, ventilating, and lighting apparatus, $50,000; and the total cost of said almshouse, including water supply, heating, ventilating, and lighting apparatus, under a contract or contracts, which are hereby authorized therefor, shall not exceed $125,000.

The amendment was agreed to.

The next amendment was, on page 69, after line 3, to insert:

For purchase and installation of laundry machinery, $3,750.

The amendment was agreed to.

The next amendment was, on page 70, line 19, to increase the appropriation for the salary of the superintendent of the Reform School for Girls from $1,000 to $1,200.

The amendment was agreed to.

The next amendment was, on page 70, line 22, to increase the appropriation for salaries of five teachers of industries from $420 each to $480.

The amendment was agreed to.

The next amendment was, on page 71, line 1, to increase the appropriation for the Reform School for Girls from $7,905 to $8,405.

The amendment was agreed to.

Mr. ALLISON. At the end of the appropriations for the Reform School, on page 71, line 9, I move to strike out the total, "$17,905," and insert "$18,405."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Medical charities," on page 71, after line 20, to insert:

For rent of hospital buildings and grounds, $4,000.

The amendment was agreed to.

The next amendment was, on page 72, line 3, to increase the total appropriation for the maintenance of the Freedmen's Hospital and Asylum from $50,000 to $54,000.

The amendment was agreed to.

The next amendment was, on page 72, after line 7, to insert:

For minor repairs to the Columbia Hospital for Women and Lying-in Asylum, $5,000.

The amendment was agreed to.

The next amendment was, on page 72, line 12, before the word "thousand," to strike out "twelve" and insert "fifteen;" so as to make the clause read:

For the care and treatment of indigent patients, under a contract to be made with the Children's Hospital by the Board of Charities, not to exceed $15,000.

The amendment was agreed to.

The next amendment was, on page 72, after line 17, to insert:

For the construction of the east wing of the National Homeopathic Hospital, under the direction of the Commissioners of the District, $25,000; and the total cost of said east wing, under a contract which is hereby authorized therefor, shall not exceed $50,000.

Mr. ALLISON. I wish to modify the amendment by striking out "east" and inserting "south" in line 18 and line 20 of the amendment; so as to read in each case "the south wing."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 73, line 6, to increase the appropriation for maintenance of the Washington Home for Incurables from $3,000 to $4,000.

The amendment was agreed to.

The next amendment was, under the subhead "Child-caring institutions," on page 73, line 14, to increase the appropriation for the expenses of the Board of Children's Guardians from $10,000 to $11,700.

The amendment was agreed to.

The next amendment was, on page 73, line 21, before the word "dollars," to insert "two hundred;" so as to make the clause read:

For board and care of all children committed to the guardianship of said Board by the courts of the District, and for the temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $1,200 to institutions adjudged to be under sectarian control and not more than $300 for burial of children dying while under charge of the Board, $40,000.

The amendment was agreed to.

The next amendment was, on page 74, line 2, to increase the appropriation for the maintenance of the Board of Children's Guardians from $62,000 to $63,700.

The amendment was agreed to.

The next amendment was, on page 74, after line 2, to insert:

The Board of Children's Guardians is hereby directed to contract for the care and maintenance of sixty wards of the Board at the Hart Farm School at the rate of $200 per annum each, and for this purpose the sum of $12,000 is hereby appropriated.

The amendment was agreed to.

The next amendment was, on page 74, after line 7, to insert:

To enable the Commissioners of the District of Columbia to procure a plan or plans for a plain, substantial building or buildings for an industrial home school for colored children, to cost not to exceed $100,000 and to be located on the ground purchased for a municipal almshouse under the provisions of the District of Columbia appropriation act approved March 1, 1901, $1,500.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary homes," on page 75, line 12, to increase the appropriation for the maintenance of municipal lodging house and wood and stone yard, including rent, from $4,000 to $5,000.

The amendment was agreed to.

The next amendment was, on page 75, after line 23, to insert:

For the Columbia Polytechnic Institute for the Blind, to be used for the instruction and employment of the indigent blind who are actual residents of the District of Columbia, and for the purchase and repair of machinery and tools, $2,500, to be expended under the direction of the Commissioners of the District.

The amendment was agreed to.

The next amendment was, on page 77, line 6, after the word "officer," to insert:

and shall perform their duties under the direction of the health officer in accordance with rules formulated by him and approved by the Commissioners.

So as to make the clause read:

Relief of the poor: For relief of the poor, including pay of physicians to the poor, who shall be appointed by the Commissioners of the District of Columbia on the recommendation of the health officer, and shall perform their duties under the direction of the health officer in accordance with rules formulated by him and approved by the Commissioners, $13,000.

The amendment was agreed to.

The next amendment was, under the head of "Militia of the District of Columbia," on page 77, line 14, after the words "commanding general," to insert:

who is hereby authorized and empowered to make necessary contracts and leases.

So as to make the clause read:

For the following, to be expended under the authority of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, and to be accounted for in like manner as the appropriations disbursed for pay of troops, namely, etc.

The amendment was agreed to.

The next amendment was, on page 78, line 2, to increase the appropriation for cleaning and repairing uniforms, arms and equipments, and contingent expenses from $750 to $1,250.

The amendment was agreed to.

Mr. NEWLANDS. Mr. President, I wish to offer an amendment, to come in on page 81, at the end of line 11.

The PRESIDENT pro tempore. Under the unanimous-consent agreement that is not in order. When the committee amendments are disposed of, the bill will still be open to amendment.

Mr. NEWLANDS. Very well.

The reading of the bill was concluded.

Mr. ALLISON. Mr. President, on Saturday the Committee of the Whole passed over several amendments beginning on page 60. I ask that they may be now considered.

Mr. STEWART. Those amendments relate to the health department?

Mr. ALLISON. They are under the health department. All the paragraphs were passed over beginning on page 60 down to and including line 22 on page 62.

The PRESIDENT pro tempore. The question is on the amendment on page 60, line 4, increasing the number of sanitary and food inspectors from six to thirteen.

Mr. STEWART. Of course the amendments of the committee have preference, but I should like to present an amendment right here, if the Senator from Iowa will allow me.

Mr. ALLISON. I hope the Senator will allow the committee amendments to be first considered.

Mr. STEWART. Then that disposes of the whole question.

Mr. ALLISON. Well, Mr. President, I have had an opportunity of looking at the amendment of the Senator from Nevada, and if he offers it I shall be obliged to make a point of order upon it that it is general legislation.

Mr. STEWART. Suppose I offer it as an amendment to your amendment. Will you make the point of order then? Will you allow a vote to be taken upon it?

Mr. ALLISON. I will consider that later, but I think not. Will the Senator allow me to offer the amendments which I intend to propose to the health department provisions and let the amendment now under consideration be passed over for the time being? I have some other amendments which I should like to offer.

Mr. STEWART. In regard to the health department?

Mr. ALLISON. The amendment now under consideration is the amendment of the committee, on page 60, line 4, increasing the number of sanitary and food inspectors from six to thirteen. I ask that that amendment may be passed over for the moment, until we have considered some other amendments which the committee would like to offer.

Mr. STEWART. Very well.

The PRESIDENT pro tempore. The amendment on page 60, line 4, will be passed over for the present.

Mr. ALLISON. On page 60, line 7, I move to strike out "one thousand eight hundred" and insert "two thousand."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 60, line 7, after the word "chemist," it is proposed to strike out "one thousand eight hundred" and insert "two thousand;" so as to read:

Sanitary and food inspector, who shall also inspect dairy products and shall be a practical chemist, $2,000.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 60, line 20, after the word "dollars," it is proposed to strike out—

seven sanitary and food inspectors, two of whom shall be veterinary surgeons, to assist in the enforcement of the milk and pure-food laws, and the regulations relating thereto, at $900 each.

And insert in lieu thereof the following:

Four sanitary and food inspectors, who shall be veterinary surgeons, at $1,200 each, and three sanitary and food inspectors at $900 each, to assist in the enforcement of the milk and pure-food laws, and the regulations relating thereto.

Mr. SPOONER obtained the floor.

Mr. STEWART. Mr. President——

Mr. SPOONER. Does the Senator want me to yield to him?

Mr. STEWART. Yes; before that amendment is acted upon.

Mr. SPOONER. If the Senator will pardon me for just a moment, I want to say that I have been looking somewhat into this matter of meat and food inspection, and I find that there are from 800 to a thousand places in the city where meat, oysters, and other foods are disposed of. There are but three inspectors to do the work of inspecting those places. It is absolutely impossible—and it needs no argument to establish the fact—that three inspectors should be able to do that work, and do it faithfully and systematically. I am informed that two additional inspectors are very much needed for that purpose. Has the Senator from Iowa any objection to providing for them?

Mr. ALLISON. I shall not object to the amendment suggested by the Senator from Wisconsin, but the adoption of his amendment would require the amendment of the committee to be amended on page 60, line 4, by inserting "fifteen" instead of "thirteen."

Mr. STEWART. Mr. President, I want to be heard.

Mr. SPOONER. Has the Senator any objection to my amendment?

Mr. STEWART. No.

Mr. SPOONER. The Senator's amendment would be a substitute for this, anyhow. Let this amendment be perfected before he offers his amendment. It will not take the place of it.

The PRESIDENT pro tempore. Does the Senator from Nevada propose to offer a substitute for this amendment?

Mr. SPOONER. Let us first perfect this amendment.

The PRESIDENT pro tempore. That is why the Chair asked the Senator from Nevada if he proposed a substitute.

Mr. STEWART. I propose to cover the ground there with an amendment that will make it coherent and have some significance.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Iowa [Mr. ALLISON] which has been read. Does the Senator from Wisconsin propose to amend that amendment?

Mr. SPOONER. No.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in after the word "dollars," in line 24, on page 60.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 60, at the end of line 24, after the word "dollars," it is proposed to insert:

Provided, That no officer or employee of the health department shall, during his continuance in office, serve in his private capacity for fee, gift, or reward any person licensed to keep or maintain a dairy or dairy farm in said District, or to bring or to send milk into said District, or any person who has applied or is about to apply for such license, or any manufacturer or dealer in foods, drugs, disinfectants, or similar materials.

Mr. STEWART. Whose amendment is that? Is that yours?

Mr. ALLISON. I offered the amendment.

Mr. STEWART. I object to it as being general legislation, and raise the point of order on it.

Mr. ALLISON. I understand it is a limitation on this appropriation, but if the Senator objects to it, and it is general legislation, I will modify it by saying that "no part of this appropriation shall be used by any"——

Mr. STEWART. I will modify mine in the same way.

Mr. ALLISON. I do not think it is general legislation as it stands. I think it is a limitation requiring these people to perform work for the Government only.

Mr. STEWART. I say this, that if the Senator gave notice he was going to object to mine as general legislation, his is equally so. I do not think it ought to be objected to on that ground. Something ought to go into this bill that will be effective this year and mitigate the now glaring evils.

The PRESIDENT pro tempore. The Chair overrules the point of order.

Mr. STEWART. That is good.

Mr. ALLISON. That is very good.

Mr. STEWART. Then he will overrule the point of order on my amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. STEWART. I do not want to have it so that I can not amend the provision.

The PRESIDENT pro tempore. Are there any further committee amendments?

Mr. ALLISON. Now I propose that we shall return to line 4, as I understand the Senator from Wisconsin wishes to move an amendment.

Mr. SPOONER. I move, in line 4, page 60, to strike out "thirteen" and to insert in lieu thereof "fifteen;" so as to read, "fifteen sanitary and food inspectors, at $1,200 each."

Mr. MCCOMAS. Will the Senator allow an amendment to the amendment to make it "sixteen?"

Mr. ALLISON. I hope the Senator from Maryland will not insist upon amending it any further.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. STEWART. I offer an amendment which will mitigate a great many of the evils under which we now labor. I propose to leave the health officer where he is and give him eight sanitary inspectors, to do with as he pleases.

I propose to give the useless deputy health officer some duties. It also does away with some officials who, I observe, have no duties that they understand. I send the amendment to the desk and ask that it be read.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Nevada will be stated.

Mr. STEWART. I should like to have the attention of the chairman of the committee to the amendment. I do not think he has studied this amendment.

The SECRETARY. On page 60, line 5, after the word "dollars," it is proposed to strike out all down to and including the words "twenty dollars," in line 19, and to insert in lieu thereof the following:

Eight sanitary inspectors, at a salary of $1,000 each; deputy health officer, who shall be well versed in meats, game, poultry, and marine products, $2,000 per annum; five inspectors of meats, game, poultry, and marine products, $1,000 each per annum, who shall be under the immediate control of the deputy health officer, who may suspend any of them at pleasure and report the same to the Commissioners of the District of Columbia; one milk inspector, who shall be familiar with the milk business and have a knowledge of chemistry relating to dairy products, whose duty it shall be to prevent the sale in the District of Columbia of any milk or cream which is not pure and free from any foreign substance used as a preservative, and that the bottles and other vessels in which milk is sold shall be filled only at licensed dairies or dairy farms, and that no cream or milk is retailed in the District of Columbia except from such dairy or dairy farms; six veterinary surgeons, at $1,200 each per annum, who shall be under the control of the milk inspector, and whose duty it shall be to inspect all dairy farms and other places where milk or cream is produced for sale in the District of Columbia; eight dairy inspectors, under the control of the milk inspector, at $1,000 each per annum, whose duty it shall be to inspect all places in the District of Columbia from which milk or cream is sold, and also to inspect all milk and cream brought into the District of Columbia for sale; and the milk inspector shall have power to suspend any inspector under his control and report the same to the Commissioners of the District of Columbia; one practical chemist in the health department, at an annual salary of $2,000; seven clerks, at $1,000 each.

Mr. STEWART. The amendment does not increase the number of officers, but it utilizes those that are there. The deputy health officer has no assigned duties by law, and I doubt whether he is very useful. He is more ornamental than useful, the way he is situated there. Then we place under the health officer eight inspectors for the general work. Then there are five for meat, and the deputy health officer has to be familiar with that business. He ought to go into the field and attend to this business, and not mix this thing up and send a man here and a man there without any order. Then there is a milk inspector, whom they have now, but he attends to various things. Let him be a man who is familiar with the milk business and give it his attention and have control of the inspectors. Then it provides for six inspectors of milk. Several bills that have been prepared in the health office have adopted the same number; they are to inspect the places from which the milk is produced. They are to be veterinary surgeons. Some have proposed four or five, but I think six will find themselves busy all the time, because there are several hundred of these places. Then there are eight dairy inspectors in the District. They are to see that no milk is sold except from licensed dairies and licensed dairy farms. They can attend to that.

Now, in this District there are about 2,000 places where milk is sold and of which there is no inspection. I examined the health officer in regard to that. He said there were from three to five hundred. He did not know how many, but a good many hundred. He corrected himself afterwards and said he had investigated it and that there were over 2,000 places that were not dairies and did not come under the inspection under the law. This amendment requires the bottles to be filled in like dairies.

The amendment is condensed in a few words, so as to reach pretty much everything there is in the milk bill. It gives for meat inspectors five men. It gives fourteen to attend to the milk. It gives eight men to the health officer to attend to other matters, but meat and milk and fish, etc., are the most important things to be looked after. This gives an organization. I should like to have the bill read as amended by the committee. I want to make some comments on that, to show that it is inadequate to reach the difficulty. I have no pride of authorship about the matter, but I have worked on this subject a good while, and I want to see some progress made toward decent inspection, which we have not now. Will the Secretary read the bill as amended, commencing with the "health department?"

The PRESIDENT pro tempore. The health department, on page 60?

Mr. STEWART. Yes.

The PRESIDENT pro tempore. As amended?

Mr. STEWART. As amended by the committe. Then I want him to read it as I propose to amend it, so that the Senate can see the difference.

The Secretary read as follows:

HEALTH DEPARTMENT.

For health officer, $3,500; chief inspector and deputy health officer, $1,800; fifteen sanitary and food inspectors, at $1,200 each; sanitary and food inspector, who shall also inspect dairy products and shall be a practical chemist, $2,000; sanitary and food inspector, who shall be a veterinary surgeon and act as inspector of live stock and dairy farms, $1,200; inspector of marine products, $1,200; chief clerk and deputy health officer, $2,200; clerk, $1,400; four clerks, two of whom may act as sanitary and food inspectors, at $1,200 each; two clerks, at $1,000 each; clerk, $600; messenger and janitor, $600; pound master, $1,500; laborers, at not exceeding $40 per month, $1,920.

Mr. STEWART. The Secretary has now read far enough. Now read the amendment I have offered.

Mr. ALLISON. I think the whole provision had better be read.

Mr. STEWART. I do not care about taking it down any farther.

Mr. ALLISON. We have already amended it below that point.

Mr. STEWART. Well, read that. then.

The PRESIDENT pro tempore. The Secretary will read the remainder of the paragraph.

The Secretary read as follows:

Ambulance driver, $540; four sanitary and food inspectors, who shall be veterinary surgeons, at $1,200 each, and three sanitary and food inspectors, at

$900 each, to assist in the enforcement of the milk and pure-food laws and the regulations relating thereto; in all, $46,960: *Provided*, That no officer or employee of the health department shall, during his continuance in office, serve in his private capacity, for fee, gift, or reward, any person licensed to keep or maintain a dairy or dairy farm in said District or to bring or send milk into said District or any person who has applied or is about to apply for such license or any manufacturer or dealer in foods, drugs, disinfectants, or similar materials.

Mr. STEWART. Now I should like to ask the Secretary to read the paragraph as it would be if amended, commencing at page 60 with the health department.

The Secretary read as follows:

For health officer, $3,500; chief inspector and deputy health officer, $1,800——

Mr. STEWART. Now read that as I propose it shall be amended.

The PRESIDENT pro tempore. The Secretary has not quite reached the point in the reading where the amendment is to be inserted.

Mr. STEWART. Oh, yes; he has.

The PRESIDENT pro tempore. He will reach it in one second, if the Senator will wait.

Mr. STEWART. My amendment comes in immediately after the health officer.

The PRESIDENT pro tempore. As the Senator offered the amendment——

Mr. STEWART. I want to amend it by inserting in line 2, after the word "dollars," the amendment.

The PRESIDENT pro tempore. The Senator now offers his amendment at this point?

Mr. STEWART. Yes; in line 2, after the word "dollars." I was mistaken. I did not have the bill before me.

Mr. ALLISON. Where does the Senator have his amendment come in?

Mr. STEWART. In line 2, after the word "dollars."

The Secretary read as follows:

For health officer, $3,500; eight sanitary inspectors, at a salary of $1,000 each; deputy health officer, who shall be well versed in meats, game, poultry, and marine products, $2,000 per annum; five inspectors of meats, game, poultry, and marine products, $1,000 each per annum, who shall be under the immediate control of the deputy health officer, who may suspend any of them at pleasure and report the same to the Commissioners of the District of Columbia; one milk inspector, who shall be familiar with the milk business and have a knowledge of chemistry relating to dairy products, whose duty it shall be to prevent the sale in the District of Columbia of any milk or cream which is not pure and free from any foreign substance used as a preservative, and that the bottles and other vessels in which milk is sold shall be filled only at licensed dairies or dairy farms and that no cream or milk is retailed in the District of Columbia except from such dairy or dairy farms; six veterinary surgeons, at $1,300 each per annum, who shall be under the control of the milk inspector, and whose duty it shall be to inspect all dairy farms and other places where milk or cream is produced for sale in the District of Columbia; eight dairy inspectors, under the control of the milk inspector, at $1,000 each per annum, whose duty it shall be to inspect all places in the District of Columbia from which milk or cream is sold and also to inspect all milk and cream brought into the District of Columbia for sale, and the milk inspector shall have power to suspend any inspector under his control and report the same to the Commissioners of the District of Columbia; one practical chemist in the health department, at an annual salary of $2,000; seven clerks, at $1,000 each.

Mr. STEWART. Where does he stop? I want to strike out the whole paragraph down to and including the word "dollars" in line 24.

The PRESIDENT pro tempore. When the Senator offered the amendment——

Mr. STEWART. I did not have the bill before me.

The PRESIDENT pro tempore. It was to strike out down to and including the word "dollars" in line 19. Now the Senator proposes to strike out all of the paragraph down to the end of it?

Mr. STEWART. Yes. It will be observed that it is very much mixed and confused. For instance, it says:

Chief inspector and deputy health officer, $1,800.

I do not see any necessity for a deputy at all.

Mr. McCOMAS. Will the Senator allow me?

Mr. STEWART. I want to point out——

Mr. McCOMAS. It is on the point of the deputy health officer. Under the statute the deputy can do certain things when the health officer is not there, or during the thirty or sixty days, whatever time it is, when he takes his summer vacation. When he takes his little leave of absence there are two deputy health officers—Mr. McLean, the very efficient chief clerk, who is by law also——

Mr. STEWART. Let me go along and analyze it.

Mr. McCOMAS. You said there was no need for this officer.

Mr. STEWART. I do not think there is.

Mr. McCOMAS. I want to show that the law would fall if he were abolished.

Mr. STEWART. I do not think so.

Mr. McCOMAS. I will take occasion to show it later on.

Mr. STEWART. You can do it later on. Let me have a little time.

Six sanitary and food inspectors, at $1,200 each; sanitary and food inspector, who shall also inspect dairy products and shall be a practical chemist, $1,800.

That will be retained in the amendment.

Sanitary and food inspector, who shall be a veterinary surgeon, and act as inspector of live stock and dairy farms, $1,200.

There is no necessity for a veterinary surgeon in this office. They want to inspect the farms. There is no necessity of having one here at all. They want to be out inspecting the farms. They do not belong here, for the sick cows are not here to be examined.

Inspector of marine products, $1,200; chief clerk and deputy health officer, $2,200.

There is no necessity for it. I have made him the inspector of milk, and given him some direct duties.

Clerk, $1,400; four clerks, two of whom may act as sanitary and food inspectors——

Mr. MALLORY. Will the Senator permit me to ask him what bill he is reading from?

Mr. STEWART. The House bill.

Mr. MALLORY. I have it before me, and I do not seem to catch on.

Mr. STEWART. On page 60 you will see it.

Mr. MALLORY. I have it.

Mr. STEWART. Line 11—

Chief clerk and deputy health officer, $2,200.

By my amendment, I make him inspector of dairies and give him control of that subject, so that there shall be some order about it.

Clerk, $1,400; four clerks, two of whom may act as sanitary and food inspectors, at $1,200 each.

They may act in this way. It is all mixed up.

Mr. McCOMAS. Will the Senator allow me?

Mr. STEWART. Wait a moment.

Mr. McCOMAS. Very well.

Mr. STEWART. I want to see what this is. It is very much mixed. There is no definite duty assigned to any set of men.

Four clerks, two of whom may act as sanitary and food inspectors, at $1,200 each; two clerks, at $1,000 each; clerk, $900; messenger and janitor, $600; pound master, $1,500.

I intended to retain the pound master. I did not intend to cut that out.

Mr. SPOONER. Did you cut him out?

Mr. STEWART. Yes.

Mr. SPOONER. By mistake?

Mr. STEWART. Yes. Then come laborers. It goes right down, and is all mixed up. Now, you put in a lot more inspectors—seven sanitary and food inspectors, two of whom shall be veterinary surgeons. It is the most incongruous law I ever saw.

Mr. GALLINGER. If the Senator will permit me, in his amendment he has left out not only the pound master, but a messenger and janitor, and forty-eight laborers, who it seems are rather a necessary part of the Department.

Mr. STEWART. Yes, I desire to retain them. I will have to change that. I will have to let the amendment stop at line 19, and then make special amendments striking out the unnecessary ones to correct it. I think the chairman should think this over and study the application. There is one officer for one purpose and one for another. You do not know what the duties of these officers are, and anyone dealing with them does not know what the duties of any particular officer are. He may be a sanitary food inspector, a milk inspector, or he may be a milk inspector one day and something else the next day. There is nobody to whom to make reports. There is nobody overseeing this work. It is as loose as anything you ever saw. I will have to modify my amendment.

Mr. GALLINGER. Another important omission on the part of the Senator is that he has left out for the health department the ambulance driver.

Mr. STEWART. I did not intend to leave it out.

Mr. GALLINGER. I think the Senator would better put in that employee.

Mr. STEWART. Let that go down to line 19, and then let me amend this by striking out these supernumeraries below there. I will move to strike out, in line 20:

Seven sanitary and food inspectors, two of whom shall be veterinary surgeons, to assist in the enforcement of the milk and pure-food laws and the regulations relating thereto, at $900 each.

There is no use in having this mixed in. If I could take the amendment a moment, I would make the corrections.

Mr. McCOMAS. I wish to make a suggestion in aid of the Senator's idea. I am not expressing an opinion as to whether I can or can not vote for his amendment.

Mr. STEWART. You are going to vote for it.

Mr. McCOMAS. There are two deputy health officers. One is Mr. McLean, the chief clerk and deputy health officer, who does a very large part of the work, and the other is Doctor Fowler, who is the deputy health officer and chief inspector.

Now, the proposed amendment must be made to refer to one or the other of those officers before your language, if you will permit

me, is coherent and your system is coordinated. I suppose you desire to have it refer to the chief clerk and deputy health officer?

Mr. STEWART. Yes, sir.

Mr. McCOMAS. Therefore I suggest that the amendment should be applied to the chief clerk and deputy health officer.

Mr. ALLISON. While the Senator from Nevada is re-forming his amendment, on which I reserve the point of order, I wish to say, briefly, that this series of appropriations for the health office is in accordance with the law. I desire to put in the RECORD a statement of the duties of these various inspectors. I will not ask that it be read.

The statement referred to is as follows:

Memorandum relative to the food-inspection service operated as a part of the health department of the District of Columbia.

The report prepared by the health department in response to the Senate resolution of March 3, 1904, has reference only to that part of the food-inspection service specified in that resolution, viz, the inspection of meat, poultry, game, fish, and oysters imported into the District of Columbia in cold storage or refrigerator cars.

The organization of the food and drug inspection service as a whole is as follows:

1. Inspection of meats, poultry, game, fish, oysters, vegetables, and fruits.
2. Inspection of live stock intended for slaughter.
3. Inspection of foods and drugs requiring chemical analysis.
4. Inspection of milk: (*a*) Inspection of dairy farms. (*b*) Inspection of dairies.
5. Chemical laboratory.

1. Inspection of meats, poultry, game, fish, oysters, vegetables, and fruits.—Four inspectors are assigned to this duty. One, the inspector of marine products, is stationed at the wharves where fish, crabs, oysters, etc., are received, so that they may be inspected in bulk rather than after being scattered through the District. Such as pass inspection here, however, are subsequently inspected in the regular course of business in the places where they are offered for sale. At the wharves condemnations are made in large quantities, at times even entire cargoes having been disposed of in that manner because unfit for food. Incidental to the inspection of marine products proper, the inspector specially designated for the inspection of such products inspects watermelons, etc., which arrive by boat.

Three inspectors are charged specifically with the enforcement of the laws relating to the sale of unsound and unwholesome perishable foods, such as are enumerated above, and with the enforcement of the laws relating specifically to the cleanliness of the places where such articles are sold. These inspectors, as a part of their duty, inspect meat, poultry, game, etc., brought into the District in cold-storage or refrigerator cars, as was set forth in the report submitted to the Senate. Each inspector is assigned to a given part of the District, and is required to inspect as frequently as practicable all perishable food stuffs held or offered for sale in markets, stores, etc., and from hucksters' wagons within the territory assigned to him. He is required to determine whether the food inspected is or is not sound and wholesome, and if it be not, to see that it is disposed of in such manner as to make certain that it will not be sold for food, the present practice being to anoint it with kerosene. These inspectors must determine whether the premises where such materials are sold are clean and in good order, and if they are not, must see that suitable action is taken to remove the objectionable conditions. The number of places requiring inspection by these three inspectors is estimated at 842. This represents an average assignment of 281 establishments to each inspector, scattered among 14,000 buildings, located along 150 miles of highway, and in an area covering 21 square miles.

Some idea of the condemnations effected by these men is shown by the following statement of some of the more important condemnations made during the year ended June 30, 1903:

Beef	pounds	16,497
Mutton	do	7,375
Veal	do	1,528
Pork	do	5,781
Rabbits		1,770
Birds		1,096
Fish	bunches	10,233
Crabs		361,000
Clams		137,700
Cabbage		18,582
Cantaloupes		14,177
Berries	quarts	5,762
Cucumbers		1,377

2. Inspection of live stock for slaughter.—One inspector, a veterinary surgeon, is engaged daily in the inspection of live stock intended for slaughter. Animals are inspected both before and after slaughter and in proper cases are condemned.

During the year ended June 30, 1903, there were slaughtered under inspection 31,915 hogs, of which 18 were condemned; 7,575 cattle, of which 7 were condemned; 9,134 sheep, of which 16 were condemned, and 2,070 calves, with no condemnations.

3. Inspection of foods and drugs requiring chemical analyses.—Two inspectors, engaged primarily in the collection of samples of milk and in the inspection of dairies, collect from time to time samples of butter, lard, olive oil, flavoring extracts, baking powder, phenacetin, etc., and present them to the chemist for analysis. A special inspector is assigned to this work from time to time as circumstances indicate. These samples are analyzed as a part of the regular work of the chemical laboratory. During the year ended June 30, 1903, there were analyzed 47 samples of butter, 39 of lard, 5 of olive oil, 58 of flavoring extracts, 53 of cider, 15 of honey, 49 of ice cream, 3 of vinegar, 15 of ice, 134 of phenacetin, and 8 of formaldehyde. This was in addition to the analyses of samples of milk, which will be referred to later.

4. Inspection of milk.—This branch of the food-inspection service must be considered from the standpoint of the inspections of dairy farms and the inspection of dairies.

(*a*) *Inspection of dairy farms.*—Four men are engaged daily in the inspection of dairy farms. All are veterinary surgeons. They are required to visit the various dairy farms in the District of Colombia and in neighboring States, amounting in all to 957, and to determine whether they are properly equipped and maintained for the production of milk. Notices are served for the correction of insanitary conditions, and cattle are condemned as circumstances warrant. This work covers a very large territory. For instance, at Frederick, Md., about 57 miles away, there is gathered daily the milk from 31 farms, and at Purcellville, Va., 47 miles away, the milk from 22 farms, for shipment into the District. Notwithstanding the distances which these inspectors have to travel, the number of visits paid to dairy farms during the year ended June 30, 1903, was 3,399, representing a monthly average of about 280. The number of inspections between July 1, 1903, and February 1, 1904, representing, of course, the months when the roads are most passable, was 2,388, a monthly average of approximately 350.

(*b*) *Inspection of dairies.*—Two inspectors are engaged specially in the inspection of dairies and in the collection of samples of milk from dairies, stores, lunch rooms, milk wagons, and other places where milk is sold. The number of licensed dairies in the District is 94. The number of dairy farms operating wagons for the distribution of milk direct to consumers is 148. The stores, lunch rooms, etc., from which samples of milk have been collected by these inspectors during the past two years is about 2,000. The dairies are subject to special sanitary inspection. The stores, etc., represent merely places where samples of milk are purchased.

During the year ended June 30, 1903, there were collected and analyzed 6,090 samples of milk, 146 of cream, 16 of skimmed milk, and 3 of buttermilk.

5. Chemical laboratory.—The chemical laboratory is operated by a chemist and an inspector who acts as his assistant. In this laboratory are analyzed all samples of foods and drugs collected throughout the District, as well as samples of water coming from public and private wells within the District and from wells located on dairy farms in adjoining States from which milk is shipped into the District. Such chemical analyses as are required by the police department also are done in this laboratory. The total number of samples analyzed during the year ended June 30, 1903, was 7,006.

Mr. ALLISON. There are on the statute book several laws upon the subject of inspection and health in the District. Those laws have been carefully prepared. They are not ancient statutes. They are modern statutes, prepared under the guidance of the late Senator McMillan, who, as we all know, was the most cautious and careful legislator as respects these subjects we have had, except my friend the Senator from New Hampshire, who now presides over that committee. During all this period Senator McMillan had the aid of able men, including the Senator from New Hampshire, as respects these laws. One of them was passed in 1895 and another in 1898, making complete inspection provisions, health provisions, and sanitary provisions in this District.

Mr. KEAN. Does not the Senator from Iowa think it would be well to have them read?

Mr. ALLISON. These laws?

Mr. KEAN. These laws or some parts of them.

Mr. ALLISON. I do not think it necessary now. It may be necessary later in the debate. I regret to say that the report of the health officer for this year is not yet in print, I understand, but I have before me the report of 1902. I will give to the Senate a little indication of what these inspectors do. I should like to call attention to the report on page 51. This list is arranged alphabetically.

Table showing the number of nuisances reported in the District of Columbia during the fiscal year ended June 30, 1902, with reference to nature of nuisance and date of report.

Nature of nuisance.	1901.						1902.						Total.
	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.	
Alleys:													
Filthy	13	28	21	54	22	12	6	2	10	11	30	51	260
Need repair							1					1	2
Areas	1	10	5	2	4	1	5	1	7	6	4	7	53
Ashes	11	2			9		19	2	7	1	1	2	54
Cellars	32	27	17	12	8	6	7	10	16	16	27	20	198
Drainage, surface	27	34	18	33	18	19	13	17	39	18	20	40	305
Garbage	20	18	16	5	3				1	5	5	6	79
Hogpens			2	1						1	2	1	7
Houses:													
Filthy	6	7	2	6	11	5	7	6	13	13	13	7	96
Unfit for habitation	2			1		1	2		1	10	1		18
Slaughter					1			1		1			3
No privy	1	1		7	1	1		1	4	3	1	3	23
Lots:													
Filthy	13	5	4	17	18	15	8	2	33	9		14	138
Stagnant water	17	4	2	6		3		3	22		12	7	76
Manure	26	13	6	20	7	13	1	5	9	10	13	9	132
Miscellaneous	76	64	24	30	35	19	44	17	39	30	51	49	478
Ponds								1	1			1	3

Table showing the number of nuisances reported in the District of Columbia during the fiscal year ended June 30, 1902, etc.—Continued.

Nature of nuisance.	1901.						1902.						Total.
	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.	
Privies:													
Filthy	41	63	4	85	40	76	7	.....	10	17	17	7	367
Unlawful	21	6	10	59	16	84	20	3	71	29	81	71	471
Full	89	137	76	300	139	72	149	53	54	109	152	160	1,490
Leaky boxes	2	14	15	16	4	5	.....	.....	10	3	19	20	108
No permit	.....	.....	.....	.....	.....	.....	116	163	30	30	85	10	434
Roofs, leaky	4	1	.....	18	1	13	6	14	20	10	3	6	96
Sewers	88	70	63	90	102	76	93	54	62	112	131	93	1,034
Sewers, connections	41	22	15	34	29	27	13	18	6	9	24	42	280
Stables	11	9	2	1	4	3	.....	1	2	3	7	10	53
Traps, sewer	.....	1	1	6	1	2	.....	1	.....	.....	1	.....	13
Yards	151	207	115	463	366	211	297	79	342	461	616	340	3,648
Vaults, privy	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	1	.....	2
Water-closets	85	116	65	169	119	80	139	93	124	178	188	154	1,510
Wharves	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Weeds	328	388	276	70	.....	.....	.....	.....	.....	1	11	48	1,122
Wells	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	1
Total	1,106	1,247	760	1,505	958	744	953	547	935	1,096	1,525	1,179	12,555

Then, on the next page, I see another long list to which I will not call attention in detail, showing the amount of food supplies condemned during the year:

Beef, mutton, veal, pork, bacon, sausage, chickens, turkeys, ducks, rabbits, squirrels—

Running down to rhubarb and butter. All these inspections are provided for in this paragraph. Now, the Senator from Nevada, as I understand him, has turned this whole paragraph over to milk inspection.

Mr. STEWART. I beg pardon.

Mr. ALLISON. To meat and milk inspection.

Mr. STEWART. I beg pardon; I submit that the amendment would entirely change the powers and duties of the health officer in this District as to inspectors.

Mr. GALLINGER. Mr. President, the Senator from Iowa did me the honor to suggest that in conjunction with the late chairman of the Committee on the District of Columbia this legislation had been enacted. I happened to be intimately connected with it, and we thought we were giving the District sound laws which would result in benefiting the health of the people. I think now that the laws as a whole are very good laws.

I was not present in the Senate on Saturday last when this subject was under debate. Some two or three things I have been attracted to in reading the proceedings. One was that the Senator from Connecticut [Mr. PLATT] inquired whether or not the Committee on the District of Columbia was entirely guided in their action by the Commissioners of the District of Columbia. I will say, Mr. President, that we always consult the District Commissioners in matters of legislation, and after they have made their recommendations the committee act upon their own volition and report laws that in their judgment they think are sound.

There is one matter which I think was misunderstood, and I think even the Senator from Nevada would want to have it set right, and that was the report made in response to the Senate resolution of March 3, 1904, in reference to the inspection of meat. In the debate it was made to appear that that was all the inspection there is as to meats in this District. As a matter of fact, that Senate resolution simply called for the inspection of meats in cold storage, and it did not relate at all to the inspection of meats or other articles of food that were not brought into the District of Columbia in cold storage.

In justice to those inspectors it is but right that I should state what will be found in the paper the Senator from Iowa submitted, that during the fiscal year ending June 30, 1903, these inspectors condemned 16,497 pounds of beef, 7,375 pounds of mutton, 1,528 pounds of veal, 5,781 pounds of pork, 1,770 rabbits, 1,096 birds, 10,293 bunches of fish, 361,000 crabs, 137,700 clams, 18,582 cabbages, 14,177 cantaloupes, 5,762 quarts of berries, 1,377 cucumbers, etc.

So in this debate it ought to be understood that the response to the Senate resolution simply covered meats in cold storage, and that these officials have been doing a work outside that, according to the statement I have just made, has been of great advantage to the people of the District of Columbia.

I will say that for myself I will be sorry if in the District of Columbia appropriation bill we undertake to legislate for the milk supply to the District of Columbia, including all the necessary details. The Senator from Nevada knows that in the Committee on the District of Columbia this matter has been largely placed in his charge. He reported a bill that passed this body with certain amendments, to which I think he agreed. It has gone to the other House, and is there under consideration.

I think the Senator from Nevada complains of certain matters which are going on there. I do not know anything about them, but I think this matter of milk inspection (and the Senator from Nevada, according to my judgment, is pretty nearly right about it) we ought to provide for in a separate bill, and that the Senator ought to make his fight along those lines. That is my conviction.

So far as the health officer is concerned, I think he is a very competent and, I have reason to believe, a conscientious official. I think he is overworked. He is young, vigorous, energetic, ambitious, and I think he has taken upon his shoulders more work than any one man ought to have in the matter of inspection and the control of officials under his charge. But that matter can be adjusted in due time.

As I before said, I really trust that we will not turn the District of Columbia appropriation bill into a bill to regulate the production and sale of milk in the District of Columbia, encumbered as it must necessarily be with all the details necessary to carry out an act of that kind.

Mr. STEWART. Mr. President, the Senator from New Hampshire says that I must fight it out in the House. The bill that was prepared with his assent was unanimously reported here, and that it would have done a great deal to help this situation all admit. As far as I have heard from the health department, it was satisfactory to them. The health officer went before the committee there. I was there explaining it, and I was informed that it was referred back to him; and instead of amending that bill he produces another bill and it was introduced in the House. It includes the same provisions that are in the bill that passed the Senate and a good many other matters that are not acceptable.

Now, this is not legislation on this appropriation bill; it is only defining the duties of the these officers. The Senator from Iowa has been defining the duties. This purpose here is simply to define the duties.

Some things were left out in the amendment which I offered and I want to state the additions I have made to it. It provides for eight sanitary inspectors at a salary of $1,000 each. Those are under the health officer and he can go on with inspection with those; he can do what he pleases with them. Then the deputy health officer has special duties assigned to him, but he can still act as deputy health officer under existing law. It does not interfere with him at all. My friend from Maryland [Mr. MCCOMAS] was mistaken about that. It does not interfere with his position, but it gives him special duties.

Deputy health officer, who shall be well versed in meats, game, poultry, and marine products, $2,000 per annum.

Five inspectors of meats, game, poultry, and marine products, $1,000 each per annum—

I do not know whether that is enough—

who shall be under the immediate control of the deputy health officer, who may suspend any of them at pleasure and report the same to the Commissioners of the District of Columbia.

That does not add anything more, but simply defines the duties of the deputy health officer and makes it specific and makes somebody responsible. What I complain about in all this work here is changing from one to the other and want of organization.

One milk inspector, who shall be familiar with the milk business and have a knowledge of chemistry relating to dairy products, whose duty it shall be to prevent the sale in the District of Columbia of any milk or cream—

Now, look at his duties here—

to prevent the sale in the District of Columbia of any milk or cream which is not pure and free from any foreign substance used as a preservative, and that the bottles and other vessels in which milk is sold shall be filled only at licensed dairies or dairy farms, and that no cream or milk is retailed in the District of Columbia except from such dairy or dairy farms.

The trouble is that under the provisions here you will not get

anything done in the coming year, which is a most glaring defect in the present law. None of them can be inspected under the present law unless they are dairies, and the court decides that none are dairies unless the dairying is the principal business; and the health officer tells us that there are 2,000 of those.

That whole thing is now a failure if you let them sell at those places. All these inspectors are useless if they can not reach and control these places. This amendment simply says that it shall be his duty to see that the milk comes from a dairy regularly licensed or a dairy farm.

Six veterinary surgeons, at $1,300 each per annum, who shall be under the control of the milk inspector and whose duty it shall be to inspect all dairy farms and other places where milk or cream is produced for sale in the District of Columbia.

Eight dairy inspectors—

They are provided for here—

Eight dairy inspectors, under the control of the milk inspector, at $1,000 each per annum, whose duty it shall be to inspect all places in the District of Columbia from which milk or cream is sold, and also to inspect all milk and cream brought into the District of Columbia for sale.

This simply makes it definite. This is assigning a definite duty and fixing the number, and it also cures a vital defect in the law by providing that milk can not be sold anywhere without inspection. There are 2,000 of those places now; and what is the use of talking about having a good administration when it is admitted that at those 2,000 places there can not be inspection? His first estimate was over 500, and then afterwards he got the matter looked up here and stated that there are over 2,000. It is the duty of this milk inspector to see that milk is not sold at any place except from a licensed dairy or dairy farm.

My amendment also provides for a practical chemist in the health department at an annual salary of $2,000. That we have now, and that is not changed. Then there are seven clerks provided for at $1,000 each, and I put them all under one head.

Seven clerks, at $1,000 each.

Then I had omitted the following clause, which I have added:

Messenger and janitor, $600; pound master, $1,500; laborers, at not exceeding $40 per month, $1,920; ambulance driver, $540.

I had overlooked those items, and I add those, making it a complete section. It is no longer than the other provision, and it does not legislate further than to provide what their duties shall be. There ought to be a head of the milk department and a head of the inspection of meats and fish. There are three departments. Those are separate matters, and they are the most important. Then there is all the matter of garbage directly under the health officer. There will be as many inspectors for that purpose as they now have, and it is not going to interfere with anything that exists. It is no elaboration of the milk bill. It is especially directing the deputy health officer and the meat inspectors, defining their duties more particularly, and then putting all the clerks under one head.

I offer this amendment, with the provision attached to it as I read, as a substitute for the entire paragraph, to come in after the second line on page 60.

The PRESIDENT pro tempore. And to end where?

Mr. STEWART. At the end of the paragraph. I have not given the total there. That will have to be added.

Mr. ALLISON. Mr. President, I am constrained to make the point of order upon the amendment that it is general legislation. It gives to subordinate officers in the health department powers which are now given to the health officer by law. He is at the head of the health department of the government of the District of Columbia. The Senator from Nevada proposes to place all the duties and the responsibilities respecting them upon a deputy.

Mr. STEWART. I beg your pardon; that is not the amendment. The amendment simply makes it the special duty of the deputy health officer to attend to the inspection of meats. It makes it the special duty of the chief inspector to attend to milk. It is all under the health officer the same. It is all under the general provision of law. We do not take any power away, but assign the duties to these officers. The amendment the Senator has already put in defines the duties of the several officers. That can be done in an appropriation bill as well as anything else. It only systematizes it and defines the duties of these heads of departments, so to speak, the health officer, the deputy health officer, and chief inspector. It is all under the control of the health officer; and the deputy health officer has meats under his control. Somebody must look after that directly, and if anything happens people will know to whom to go. They will know who has charge of that business.

In the milk department, if an inspector does wrong, levies blackmail, makes false charges, or does anything of that kind, they do not know to whom to go to make a complaint. They will see that the chief inspector is the man who is attending to this business, and that they can go to him. Of course, there is a bill here making provision as to the health officer and the Commissioners of the District, but this systematizes the work so that I believe something can be done. Otherwise I do not know that they will be able to do more than they are now doing.

The PRESIDENT pro tempore. The Chair understands the Senator from Iowa to say that the provisions of this clause are in pursuance of existing law.

Mr. ALLISON. Every provision, so far as I know, is in pursuance of statutes, especially the statute which provides for a health officer and giving him control of the sanitary situation in this District. He is the responsible officer under the Commissioners. They are all subject to orders, of course.

The PRESIDENT pro tempore. And the Senator says the amendment offered by the Senator from Nevada is not in pursuance of the statute.

Mr. ALLISON. The amendment of the Senator from Nevada places responsibility and control in subordinate officers who are now under the control of the health officer himself.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. STEWART. That is the end of it, then.

Mr. PROCTOR. Mr. President, I rise to a privileged question.

The PRESIDENT pro tempore. The Chair wants to call attention to the fact that there are other amendments of the committee on the same page.

Mr. ALLISON. There are other amendments on the same page.

ARMY APPROPRIATION BILL.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10470) making appropriations for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 6, 7, 9, 10, 11, 12, 19, 20, 21, 24, 34, 35, 38, 42, 47, 54, and 57.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 8, 13, 17, 18, 26, 28, 30, 31, 32, 33, 36, 37, 39, 41, 44, 45, 46, 48, 53, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 74, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: On page 6, line 14, of the bill strike the word "fifty;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "eighty-one thousand and six hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In line 7 of said amendment strike out the following: "the Adjutant-General's section and the Record and Pension section of;" and in line 31 of said amendment, before the word "military," insert the word "the;" and after the word "brigadier-general," in line 34 of said amendment, insert the following:

"*Provided further*, That when the office of military secretary, with the rank of major-general, shall hereafter become vacant it shall not be filled with said rank, and thereafter the chief of the military secretary's department shall have the rank of a brigadier-general with the title of the military secretary, and there shall be only one officer above the rank of colonel in the said department."

And in line 42 of said amendment strike out the words "adjutant-general" and insert in lieu thereof the following:

"Military secretary: *Provided further*, That the chief of the military secretary's department shall be a member of the board of commissioners of the United States Soldiers' Home,"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the words "seventy-six thousand two hundred" and insert in lieu thereof the following: "forty-five thousand eight hundred."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: After the word "audit," in line 14 of said amendment, insert the following: "and the Secretary of War may hereafter authorize the assignment to duty in the office of the Paymaster-General of such paymasters' clerks, now authorized by law, as may be necessary for that purpose;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: After the word inserted by said amendment insert a comma; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Strike out all the matter inserted by said amendment and insert in lieu thereof the following: ": *Provided*, That of the appropriation for construction and repair of hospitals not more than $40,000 shall be used for the enlargement or construction of a hospital at any one post;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "thirty-nine" and insert in lieu thereof the word "forty-five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the words "direct that the same;" and in the same line, after the word "presented," insert the following: "by direction of the President and;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: After the word "accounts," in line 14 of said amendment, strike out all of the matter inserted by said amendment; and the Senate agree to the same.

Your conferees report a disagreement on the following amendments: Nos. 16, 22, 23, 25, 29, 49, 50, and 51.

REDFIELD PROCTOR,
J. V. QUARLES,
F. M. COCKRELL,
Managers on the part of the Senate.

J. A. T. HULL,
F. C. STEVENS,
JAMES HAY,
Managers on the part of the House.

Mr. TELLER. I wish to ask the Senator from Vermont what became of the amendment of the Senate conferring additional rank upon officers going on the retired list?

Mr. PROCTOR. That was disagreed to. I propose, if the report is agreed to, to ask for a further conference on the items still in disagreement.

Mr. TELLER. That is still in dispute?

Mr. PROCTOR. It is still in dispute.

Mr. PLATT of Connecticut. What items are still in dispute?

Mr. PROCTOR. The items still in dispute are No. 16, the increase of enlisted men of the Signal Corps; Nos. 22 and 23, which is a slight increase—only five—of the clerks for the Bureau of Military Information; No. 25 is the pay of those clerks, a mere matter of arithmetic; No. 29 is the amendment the Senator referred to, an advanced grade to retired officers and detail of retired officers. Both those, I might say, are one amendment. I think the provision for detail would be readily agreed to, but as they are in one amendment the whole provision was put into disagreement. No. 49 is the Alaskan wagon trail; No. 50 is the Alaskan trail, which is provided for, and No. 51 is the provision for the Spokane River bridge.

Mr. BAILEY. I should like to ask the Senator from Vermont what became of the amendment which I understand was adopted in the Senate increasing the number of the Engineer Corps?

Mr. PROCTOR. That the House conferees agreed to. The Senate amendment is agreed to.

Mr. SPOONER. I should like to ask the Senator what was done with the Porto Rican proposition?

Mr. PROCTOR. The three-battalion provision that we inserted we receded from, but the House conferees agreed to the balance of the amendment, which provides for a complete organization and for two battalions, and, just as we had it, the examination of the present officers and their provisional appointment for four years.

Mr. SPOONER. Then it is as it was when it passed the Senate, except that the extra battalion is omitted?

Mr. PROCTOR. It is exactly as it passed the Senate, except that the additional battalion put on by the Senate has been dropped.

Mr. SPOONER. I noticed that the Secretary read a provision in regard to the Chief of the Military Secretary's Department being a member of the Board of Commissioners of the Soldiers' Home.

Mr. PROCTOR. Under the law for a long time the Adjutant-General and other aids of the Staff Corps of the Department have been governors, and in changing the title of the Adjutant-General to Military Secretary we merely give the Military Secretary what the Adjutant-General always had.

Mr. SPOONER. It does not increase the number.

Mr. PROCTOR. It does not increase the number. It is merely a transfer of the authority of the Military Secretary.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

Mr. PROCTOR. I move that the Senate further insist on the amendments in disagreement and ask for a further conference with the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference, and Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL were appointed.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

Mr. ALLISON. On page 60, line 24, in the appropriations for the health department, I move to correct the total so as to read "$50,760."

The amendment was agreed to.

Mr. STEWART. Before that matter passes away I should like to remark that there are now over 2,000 places in this District where no inspection of milk can be had under existing law, and the filling of bottles in wagons in the early morning has not yet stopped. There is no machinery for stopping it. These evils are still existing. It is said I must fight it out in the other House. I am not in the habit of going to the other House, although I did go before the committee there to explain the matter to them. The health officer of the District of Columbia had the bill referred back to him and another was introduced, so I am afraid we shall hear no more of the matter.

My object is to inquire of the chairman of the committee if he has such an amendment, and if the matter has been so amended as to give the necessary jurisdiction so as to remedy the glaring evil of having 2,000 places selling milk that can not be inspected at all. I think they have got jurisdiction now, if they want to exercise it.

Mr. ALLISON. Under existing law the Commissioners of the District of Columbia have full power to make rules and regulations for adequate inspection in this District. We have now added, under the amendment of the Senator from Wisconsin [Mr. SPOONER], two additional inspectors. We have introduced other provisions here which, I think, will make inspection more effective; but whatever the defects are, they can be remedied by means of rules and regulations adopted by the Commissioners, if there is force enough provided for in this bill to enable the department to discharge the duty. If the Senator thinks there is not, and if he will offer any further amendment, I shall be glad to aid him.

Mr. STEWART. The attention of the Commissioners has been repeatedly called to the fact that those 2,000 places could not be inspected. I have agitated the matter for years before them and before the health office, and they have made no regulations regarding such inspection. I think they are under the impression that they can not do so, the courts having decided that a dairy is a place where the selling of milk is the principal business, and the Commissioners by their conduct have decided that they can not reach these other places. So this obnoxious practice is still going on.

I have done my duty to the full extent. If the people must submit to having bad milk for the want of proper laws and regulations, I can not help it. But I undertake to say that there has been practically no inspection of milk in this District under the administration of the health officer for the District of Columbia simply because it is said the matter can not be reached. Of course if there are three or four hundred places which they can not reach, they can not reach the 2,000. If they can not make the inspection, it must be from a defective administration. I have done my duty, and if the people of this city are poisoned by bad milk for the want of proper regulations it is not my fault.

The PRESIDENT pro tempore. The next amendment which was passed over will be stated.

The next amendment of the Committee on Appropriations which had been passed over was, on page 61, line 16, after the word "harness," to insert "and for rent of stable, and rent and maintenance of quarantine station;" so as to make the clause read:

For the enforcement of the provisions of the act to prevent the spread of scarlet fever and diphtheria in the District of Columbia, approved December 20, 1890, and the act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and for investigating the causes of cases of typhoid fever reported to the health department under the provisions of an act to require cases of typhoid fever occurring in the District of Columbia to be reported to the health department of said District, approved February 4, 1902, under the direction of the health officer of said District, including purchase and maintenance of necessary horses, wagons, and harness, and for rent of stable, and rent and maintenance of quarantine station, $25,000.

The amendment was agreed to.

The next amendment was, on page 61, line 20, after the word "harness," to insert "and rent of stable;" so as to make the clause read:

For maintaining the disinfecting service, including purchase and maintenance of necessary horses, wagons, and harness, and rent of stable, $5,000.

The amendment was agreed to.

The next amendment was, on page 62, line 17, to increase the appropriation for the necessary traveling expenses of sanitary and food inspectors while traveling outside of the District for the purpose of inspecting dairy farms, etc., from $1,200 to $1,500.

The amendment was agreed to.

Mr. SPOONER. Just a word, Mr. President. I expressed the opinion in the discussion on Saturday last that the health department inspectors should be appointed after passing civil-service examinations. I have learned since then that the Commissioners of the District of Columbia sought to have civil-service examinations applied to employees and officials of the District of Columbia, but that the Supreme Court of the United States decided that the government of the District of Columbia is not a department of the National Government, and the Attorney-General gave the opinion, which I think was correctly given under the law, that it therefore was not competent for the President by order to embrace these officials in the classified service.

After that became established, the Commissioners sought the enactment, so far as their recommendation was concerned, of a law by Congress putting these officials under the civil-service reg-

ulations. There was one such bill pending this year, and I think the Senator from Nevada [Mr. STEWART] reported it adversely from the committee, although the Commissioners recommended it.

Mr. STEWART. Yes.

Mr. SPOONER. What I mainly wished to say, and what I thought was only just to the Commissioners to say, was that I am informed by them that within the last year or year and a half, appreciating the importance of a very careful and critical examination of these inspectors with reference to their appointments, they have, by courtesy of the Civil Service Commission, had the benefit of their assistance in these examinations. So that practically all the health department inspectors——

Mr. ALLISON. And the veterinary surgeons——

Mr. SPOONER. And the veterinary surgeons are examined, so far as they are examined, under the rules of the Civil Service Commission.

Mr. STEWART. I will make one more appeal to the Senator from Iowa in regard to making the point of order against the amendment which I will offer at the end of the paragraph. I propose to offer this amendment, to come in at the close of the paragraph on page 60:

Every place where milk is sold shall be deemed a dairy under the law for purposes of inspection.

The amendment was agreed to.

Mr. ALLISON. I ask unanimous consent to go back to page 4, to offer an amendment.

The PRESIDENT pro tempore. The amendment will be received, in the absence of objection.

Mr. ALLISON. On page 4, after line 18, I move to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 4, after line 18, it is proposed to insert:

Provided, That the personal taxes for the fiscal year 1903 levied against certain tapestries which were presented to the late Lieut. Gen. Philip H. Sheridan for gallant and meritorious services, and which are on exhibition in the National Museum, be canceled, and that no personal taxes be levied against said tapestries so long as they are exhibited in said museum.

The amendment was agreed to.

Mr. NEWLANDS. I offer the amendment which I send to the desk, to come in on page 81, after line 11.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 81, after line 11, it is proposed to insert:

And for the purpose of ascertaining the wasteful use of Potomac water by private consumers, by meter or otherwise, $5,000; and the District Commissioners are authorized to prescribe penalties for such wasteful use.

Mr. ALLISON. I hope the Senator from Nevada will not propose that amendment at this time. The amendment is to provide for meters to be applied to private consumers. I do not think we ought to enter upon such a scheme until we get our new water system. It is a proper thing, it seems to me, to ascertain how much water the General Government here uses, but I hope the Senator will allow that to go over to another year.

Mr. NEWLANDS. Mr. President, I simply wish to say this regarding the amendment: The Government of the United States and the District of Columbia together have gone to a large expenditure in furnishing a very ample quantity of water for the District of Columbia. Every little while an additional appropriation is made for the purpose of enlarging this supply, and it is only of late years that any appropriation has been made for the purpose of purifying and cleaning the existing supply. I see that the officer in charge of these works recommends a survey for the purpose of increasing the supply. That, of course, means in the end a very large capital expenditure for the District of Columbia.

The existing supply of the District of Columbia per capita is larger than that of any city in the world. The city of San Francisco, a city of 100,000 more people than Washington, consumes, I believe, about 20,000,000 gallons less per diem than Washington.

Mr. KEAN. May I ask the Senator from Nevada what is the amount of water consumed per diem in Washington?

Mr. NEWLANDS. The consumption per diem here is over 50,000,000 gallons, approximating 200 gallons for each inhabitant per diem. I believe the per diem consumption of water in New York is something over 100 gallons per capita per diem. This indicates that there has been in the District of Columbia a very wasteful use of water. No one complains of a liberal use of water; but complaint should be made of the waste of water which accomplishes no purpose whatever. The large and excessive use of water does not effectively accomplish the purpose of cleansing the sewers, for that can be better done by a limited supply of water, by banking the water up, and then letting it rush through the pipes and pour through the sewers, rather than by supplying a larger quantity and letting it gradually and continuously pass through the sewers. So that it does not serve the purpose as efficaciously as a system of banking up the water and allowing it to rush through with momentum. A smaller quantity of water can be made more effective in that way.

I have had some experience regarding this matter in the city of San Francisco. There a very large capital expenditure of four or five million dollars was contemplated for the purpose of enlarging the supply. It was concluded before doing that to ascertain whether there was not a waste of water, so the meter system was introduced, not generally for the purpose of measuring to each consumer the water which he used, but simply for the purpose of applying meters here and there where waste was suspected for the purpose of checking such waste. The result was that such a waste of water was found and such waste was so checked as to postpone that capital expenditure for many years.

We have before us, then, a large capital expenditure intended to meet the demand of Washington for water in excess of its real needs, and we have, in addition to that, a constant operating expense in cleansing the water that is not beneficially used. We have not only the capital expense of supplying water not needed, but we also have the operating expense of cleansing it.

We are now expending about three and a half million dollars for the purpose of filtering this water, and if we very largely increase the supply we will probably have to go to an additional expense of many million dollars for the purpose of filtering the additional supply, for all the water that passes through Washington must be filtered. You can not distinguish between that which is used for drinking and that which is used for other purposes, because the same pipe carries the water that is used for all these purposes. The result is that in Washington you will be compelled to go to the expense of filtering nearly twice as much water as can be beneficially used in Washington.

My amendment has not in view at all the limiting of the beneficial use of water in the District; it has not in contemplation the parsimonious use of water. It simply has in contemplation the checking of the waste of water, doubtless unintentional, that accomplishes no good and no purpose whatever. My amendment simply asks for $5,000, to be expended by the District Commissioners in discovering the waste and in checking it. It also provides that they shall prescribe penalties for the waste of water.

The purpose is not to compel the people who are found to be wasting water to pay for the water which they waste, but to adopt such precautions as will make them check this waste.

This bill as it passed the House appropriated $3,000 for ascertaining, by meter or otherwise, the amount of water used by the Government; but I insist upon it that the Government is not the only wasteful user. I believe that you will find after inquiry that the waste of water on the part of private consumers in the District of Columbia far surpasses the waste of the Government itself; and if we are going to make an inquiry as to waste of water by the Government I do not see why we should not at the same time make an inquiry as to the waste of water by private consumers.

I will state to the Senator from Iowa that I should like to have this amendment inserted in the bill, so that the committee of conference can take up the whole matter and shape it according to their wisdom. If they feel that this provision should go out, I am sure I shall have no objection; but it strikes me that it is a matter of importance and that we should insert here the addition to the provision inserted by the House, which will cover the whole matter comprehensively and at the very small additional expense of only $5,000. That additional expense may save the District three or four million dollars in capital expenditure and many hundreds of thousands of dollars in the expense of filtration.

Mr. GALLINGER. Mr. President, I recognize the importance of the subject. There is beyond doubt a considerable waste of water in the District of Columbia, and I think that in some proper way it ought to be provided against. I do not really think, however, that an appropriation bill is the proper place for such legislation, and so I make the point of order against the amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. HANSBROUGH. I desire to offer an amendment, to come in between lines 23 and 24, on page 24; but before doing so I will state to the Senator from Iowa who has the bill in charge that the amendment I propose to offer provides for the extension of School street, which is partly built into the center of the block and stops there.

The children who are obliged to go to the school there—all those living south and west, and, indeed, all those living east of the school—are compelled to go around a very large block to get into School street. It is simply a cul-de-sac lying up against private property and having no outlet whatever.

This amendment provides for the extension of School street through to Kenesaw avenue. I think perhaps the Senator is familiar with it, as the matter was before his committee. I will say that the District Commissioners have eventually reported favorably on this proposition, providing the necessary money is forthcoming, etc.

Mr. ALLISON. The Senator was very happy in his suggestion

that the District Commissioners have "eventually reported" in favor of the proposition. There is a great contest about School street and how it should be improved. I understand that this matter is pending in the Committee on the District of Columbia.

Mr. HANSBROUGH. No; I will say to the Senator that it is not now pending there. The District of Columbia Committee have reported this amendment favorably.

Mr. ALLISON. They have reported it favorably?

Mr. HANSBROUGH. They have authorized me to report it.

Mr. ALLISON. The Committee on Appropriations considered it very fully, and decided that until we knew exactly how to open up this street we would not make it a part of this bill. The item is not estimated for, and therefore I must make the point of order against the amendment of my friend that it is not in order.

The PRESIDENT pro tempore. The amendment has not been offered as yet.

Mr. HANSBROUGH. The amendment is quite lengthy, and I thought I would explain it before it was read.

Mr. ALLISON. It requires the condemnation of property and considerable legislation. I think the Senator had better not press it at this session.

Mr. HANSBROUGH. Of course, if the Senator would make the point of order against the amendment, I feel compelled to withhold it for the present.

Mr. ALLISON. I think that is better.

Mr. NEWLANDS. Mr. President, I offer the amendment which I send to the desk, to come in on page 42, at the end of line 9.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 42, after line 9, it is proposed to insert:

That the Engineer Commissioner of the District of Columbia, the engineer in charge of public buildings and grounds, the Secretary of the Smithsonian Institution, the Supervising Architect of the Treasury, the Superintendent of the Congressional Library, and the Superintendent of the Capitol shall constitute a park commission, which shall have general control of the plans for the park system and public grounds of the District of Columbia; but nothing herein contained shall affect the actual administration of such parks or grounds now existing. Such commission shall make recommendations to Congress regarding such park system, and the sum of $3,000 is appropriated for the expenses of such commission, of which report shall be made to Congress.

Mr. NEWLANDS. Mr. President, I will say in explanation of that amendment that under existing conditions the parks and public grounds of the District of Columbia are under the control of four or five different officials. The Engineer Commissioner has the control of the National Park, which commences beyond the Zoological Park and extends to the District line; the Secretary of the Smithsonian Institution has the control of the Zoological Park; the Commissioner of Public Buildings and Grounds has the control of the Mall; the Superintendent of the Capitol has control of the grounds immediately around the Capitol, and the Superintendent of the Congressional Library has control of the grounds around the Congressional Library. The result of all this is——

Mr. COCKRELL. Who has control of the various parks throughout the city?

Mr. NEWLANDS. The engineer officer in charge of public buildings and grounds has charge of all the public spaces, I believe, in the District.

The result is that there is no cooperation or harmony of action between these officials regarding the park system of Washington. Each park is, I have no doubt, well conducted, but it is not conducted as a part of a general system. I think it is apparent to everybody that in the end all these parks will be connected by parkways, and it is of the highest importance that there should be some general plan for the park development of the District and for harmony and cooperation of action between the officials who are in charge of these various public parks and grounds.

It has been proposed frequently that we should have in the District of Columbia a park commission composed of citizens of prominence, but it seemed to me in framing this amendment, as all of the officials referred to in the amendment are men of ability, men of skill, and men of experience in matters relating both to architecture and to landscape gardening, that the most efficient way would be to consolidate them into one commission and give them the power to meet together and make recommendations to Congress regarding the general park system and to make arrangements for cooperation in their work. This amendment calls only for an appropriation of $3,000 for the expenses of such a commission; and it seems to me that it would be money very well spent. There is a lack of that unity of action that is necessary in such work, a unity of action which Boston has, which New York has, and which all the great cities have.

Mr. ALLISON. I make the point that this amendment is new legislation, and therefore not proper on this bill. Besides, these parks are owned by the Government.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Chair sustains the point of order.

Mr. ALDRICH. Before that matter is disposed of, I should like to make a suggestion, not, however, in regard to the merits of this particular question.

A different rule has always been held in the Senate in regard to the District of Columbia appropriation bill from the rule applied to other general appropriation bills. I should dislike very much to see a rule established that would be so narrow as to prevent any legislation for the District of Columbia in this connection. Any legislation that pertains to the District of Columbia is in a sense local legislation, Congress being given the sole power to legislate for the District of Columbia. Any legislation which is pertinent to the District of Columbia is not general legislation.

Mr. ALLISON. I entirely agree with the Senator from Rhode Island that we should not take too narrow a view of the powers of Congress over the District of Columbia, but I submit that it is hardly proper on the District of Columbia appropriation bill to undertake to gather in all the parks that belong to the United States and make regulations respecting them, especially so when there are numerous opportunities constantly arising where these questions may be dealt with in a better way.

Mr. ALDRICH. I will not press the point.

Mr. FRYE (Mr. KEAN in the chair). If the Senator from Rhode Island will allow me one moment, I presume that the Chair ruled this amendment out on the ground that it was a new item making an appropriation; that it had come from no committee; that it was not in response to any existing law, and that it was not estimated for. I think the amendment clearly out of order in those respects.

The PRESIDING OFFICER. The Chair sustains the point of order.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DESIGNATION OF LAND IN THE DISTRICT.

Mr. GALLINGER. Mr. President, a few days ago Senate bill 3456 was read, and some objection was made to it, which I am now prepared to obviate by amendments. I ask that the bill may be now considered.

Mr. FAIRBANKS. Mr. President——

Mr. GALLINGER. The bill will take but a moment, and I hope the Senator from Indiana will not object.

Mr. FAIRBANKS. I have no objection if the bill can be speedily disposed of.

Mr. GALLINGER. I will say that if there is any discussion on the bill, I will immediately withdraw it.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. GALLINGER] asks unanimous consent for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 3456) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. Mr. President, it will be remembered that the Senator from Georgia took exception to the words "county of Washington" in the bill. The committee have made inquiry about that, and are satisfied that those words should be stricken from the bill. I move to amend the bill by striking out, in section 1, line 4, after the word "the," the word "county" and inserting "territory within the limits of the District of Columbia lying outside of the city;" in line 4, after the word "Washington," by striking out "in the District of Columbia;" in line 6, after the word "land," by striking out "in the said county of Washington;" so as to make the section read:

That for the purpose of facilitating the assessment and taxation of real property in the territory within the limits of the District of Columbia lying outside of the city of Washington the following system of designating the several subdivisions, blocks, lots, and parcels of land is hereby prescribed, and each and every designation made or given in conformity with said system shall be deemed a sufficient description of the property to which it relates for all purposes of assessment and the collection of taxes and assessments of every kind.

The amendment was agreed to.

Mr. GALLINGER. I move, in section 2, page 2, line 3, after the word "all," to insert "of said;" and in line 4, before the word "as," to strike out "in the county of Washington, in said District;" so as to read:

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized and directed to cause to be given numbers to all of said blocks or squares, lots or parcels of land, as said blocks, squares, lots, or parcels of land have been formed by the highway-extension plan now of record in the office of surveyor of the District of Columbia, and existing subdivisions, and to place the numbers so given upon the said highway-extension plan.

The amendment was agreed to.

Mr. GALLINGER. In section 3, page 3, beginning in line 5, I move to strike out:

Said volumes to be known as the taxation and assessment plat books of the county, and marked "County taxation and assessment plat books."

So as to read:

SEC. 3. That the Commissioners of the District of Columbia shall cause to be prepared a series of volumes of plats, on a scale of 100 feet to the inch, embracing all the land in said District outside the city of Washington, these plats to show at all times the separate parcels of land created by subdivisions, sales, wills, condemnations, dedications, decrees of court, or otherwise, each with its distinctive number.

The amendment was agreed to.

Mr. GALLINGER. In section 4, page 3, line 21, after the word "boundaries," I move to strike out "of county property;" so as to read:

SEC. 4. That for the purpose of keeping said books constantly current and up to date, the said Commissioners shall cause an employee of the surveyor's office to make daily transcripts of all deeds of conveyance, wills, condemnations, decrees, and other instruments or proceedings by which boundaries are changed.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill to designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes."

BUILDING FOR THE DEPARTMENT OF STATE, ETC.

Mr. FAIRBANKS. I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The SECRETARY. A bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor.

Mr. ALDRICH. I ask the Senator from Indiana if he is willing to go on with his remarks to-morrow, or to have a time fixed for a vote on this bill, and have a short executive session this afternoon?

Mr. FAIRBANKS. If there could be a time fixed for a vote on this bill to-morrow, it would be entirely agreeable to allow the bill to go over until to-morrow.

Mr. ALDRICH. I suggest that the Senator ask that a vote be taken before adjournment to-morrow.

Mr. FAIRBANKS. That is entirely agreeable. I ask unanimous consent that the vote be taken upon the bill before adjournment to-morrow.

Mr. PATTERSON. I hope the Senator from Indiana will not press that request. My colleague is not in his seat and I know he takes some interest in this bill, and I would rather that he were here when a disposition of this kind is made, unless the Senator from Rhode Island knows——

Mr. ALDRICH. No; I do not know, but I took it for granted that as this bill has been under discussion for some time we might close the discussion on it to-morrow.

Mr. FAIRBANKS. I do not think there is much remaining to be said upon it, if the Senator from Colorado will allow me. I have no doubt that whatever his colleague desires to say can be said before the bill is finally voted upon to-morrow.

Mr. PATTERSON. If the Senator will modify his application for unanimous consent so as to allow the senior Senator from Colorado to object if he desires to do so to-morrow, I will not make any objection.

Mr. FAIRBANKS. I do not quite hear the Senator.

Mr. PATTERSON. I said if the Senator from Indiana will so modify his request for unanimous consent as not to make it applicable to the senior Senator from Colorado, but as to all the rest, I will not object.

Mr. FAIRBANKS. I do not quite understand the effect of the Senator's suggestion.

Mr. PATTERSON. The effect would be that if my colleague desires to object in the morning, he can do so.

Mr. ALDRICH. I suggest that the Senator from Indiana renew his request in the morning. That will be better, perhaps.

Mr. FAIRBANKS. I am willing to take the unanimous consent with that limitation, if you please, because I believe the Senator's colleague will not be unreasonable.

Mr. PATTERSON. He spoke to me the other day about the bill, and he not being here, I think I ought to make a reservation in his behalf. That is all.

The PRESIDING OFFICER. What is the request of the Senator from Indiana?

Mr. FAIRBANKS. That this bill be voted on before adjournment to-morrow, reserving the right to the senior Senator from Colorado to object to-morrow.

Mr. PATTERSON. Yes.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the unfinished business, being Senate bill 1508, may be voted on to-morrow before adjournment, unless the senior Senator from Colorado [Mr. TELLER] objects. Is there objection to the request? The Chair hears none.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 29, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 28, 1904.

SECRETARY OF LEGATION.

Joseph W. J. Lee, of Maryland, to be secretary of the legation of the United States at Panama, Panama, vice William W. Russell, appointed envoy extraordinary and minister plenipotentiary to Colombia.

SURVEYOR OF CUSTOMS.

Jacob S. Greenwald, of Utah, to be surveyor of customs for the port of Salt Lake City, in the State of Utah. New office created by the act of Congress approved March 18, 1904.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Ralph M. Johnson, of Washington, to be a second assistant engineer with the rank of third lieutenant in the Revenue-Cutter Service of the United States, to succeed B. A. Minor, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 28, 1904.

SECRETARY OF LEGATION.

Charles Dunning White, of New Jersey, to be secretary of the legation of the United States at Buenos Ayres, Argentine Republic.

POSTMASTER.

TEXAS.

Crockett Campbell, to be postmaster at Lufkin, in the county of Angelina and State of Texas.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 28, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday, March 26, 1904, was read and approved.

COMMITTEE APPOINTMENTS.

The SPEAKER. The Chair, without objection, will appoint Mr. MORRELL, of Pennsylvania, chairman of the Committee on Militia.

There was no objection.

The following additional committee appointments were announced by the Speaker:

Military Affairs, Mr. PATTERSON of Pennsylvania.

Private Land Claims and Enrolled Bills, Mr. CASTOR.

Pensions, Mr. AIKEN.

Disposition of Useless Papers in the Treasury and other Departments, Mr. BATES and Mr. BASSETT.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14416, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, with Mr. BURTON in the chair.

Mr. HEMENWAY. Mr. Chairman, I yield such time as he may desire to my colleague on the committee, the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT of Massachusetts. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GILLETT of Massachusetts. Mr. Chairman, after encouraging the House in this way to think that I was going to spare them, I appreciate that it is cruel and almost inhuman in me to proceed to take any time; but, inasmuch as a part of what I intend to say is somewhat in the nature of criticism of a speech which was made the other day, I think it no more than fair that I should give oral expression to it.

The gentleman from Mississippi [Mr. SPIGHT], on the closing day of the general debate on the post-office appropriation bill, delivered a speech on the southern problem, which seems to me so reactionary, so surprising, and so discouraging that some one ought to at least express dissent from the extraordinary propositions to which he gave utterance. It certainly has never been my wish, and I think never my conduct, to excite sectional feeling in this House. I hoped the time had come when such questions could be discussed temperately and moderately. I am sure we have recently had a beautiful exposition by a southern man—Mr. Thomas Nelson Page, in the last two copies of McClure's Magazine—of temperance and moderation in the discussion of this question, and in what I say I shall try at least to emulate the fairness of his point of view, though I presume his conclusions will differ from mine.

The gentleman from Mississippi made complaint the other day that in the North there is a hypocritical and pharisaical method of criticising the southern problem, and the gentleman expressed openly what we have sometimes suspected, but what has been generally denied by that side of the House, that the attitude of the South toward the enforcement, or, rather, the violation of the fourteenth and fifteenth amendments to the Constitution is intentional and, he goes on to say, is permanent. These are his words:

> We have enough of this prejudice, if you wish to call it so, to forever debar the negro from active participation in our State governments, to exclude him from our dining rooms except as a waiter, and to shut the door tight and fast to any approach to social equality.

Now, in the cloakroom, in private conversation, it has often been admitted by Members on that side of the House that the fourteenth and fifteenth amendments were violated and intended to be violated; that the new constitutions of some of the Southern States were clearly such violations; but this is the first time it has come to my notice that that has been expressed on the floor of this House, and that it has been stated that it is their intention forever to prevent the participation of the negro in their government. It seems to me that a declaration of that kind ought at least to receive prompt protest. I wish the protest could have come from that side of the House. I think somebody on that side of the House might, with advantage to himself and his section, have expressed dissent from that doctrine, for it seems to me it is what can not ever be substantiated or upheld by rational argument, and it puts this side of the House and puts the North in an unfortunate dilemma.

I have been one who has been glad that we have not acted radically, as I think we had every right to and every provocation to in the case of some of the delegations that have come from the Southern States. I have believed that it was wiser in these cases to rely, as we always must in the end, on local sentiment, with the hope that that local sentiment would gradually develop and gradually become more generous and progressive and fair. It seems, however, to be getting more reactionary, more proscriptive, and more bitter. The force bill, as it was improperly called, was enacted and finally repealed, and while many Republicans were quite willing it should be repealed, yet at the same time they did not abandon it because they felt it was unjust, but because it was felt to be impossible of execution, and we have to admit hat any Federal law, when you come to the final instance, is dependent for its execution on local administration and juries, and therefore any law which has not local sentiment in its favor can not ultimately be executed.

We have recently had an illustration of that before the United States Senate committee, when one of the apostles of the Mormons publicly proclaimed that he was living in open and flagrant violation of the law, and said, in what I thought was a mock heroic attempt to appeal to public sentiment, that he would not abandon any of his wives; he would not be so cruel as to refuse them the pleasure of his attentions, but would rather submit himself to the legal penalty of the crime. It struck me, sir, that that was an empty boast, an absurd affectation of courage, because he well knew that he was not subjecting himself to any danger; he knew that the district attorneys who must draw the indictment against him, the grand juries who must find it a true bill, and the petit juries who must try him were all in sympathy with him and that there was not the slightest possibility of his being convicted. So any Federal law in the South or in the North must always depend on public sentiment to support it, and as long as public sentiment is overwhelmingly against it the law is useless. Lord Brougham, in his redundant and rhetorical style, expressed this thought generations ago when he said:

> In my mind he was guilty of no error, he was chargeable with no exaggeration, he was betrayed by his fancy into no metaphor, who once said that all we see about us, King, Lords, and Commons, the whole machinery of the State, all the apparatus of the system and its varied workings, end in simply bringing twelve good men into a box.

So we must all admit that the jury system, necessarily representing local sentiment, regulates the enforcement of the law; and it is useless to have a law which has no local sentiment behind it. But this House has had abundant opportunity to act upon the unconstitutional laws of the South if it so desired. When the Louisiana constitution was adopted against the open and forcible remonstrance of the two distinguished Louisiana Senators, who insisted that it was unconstitutional, though I suppose they were in sympathy with its purpose, and when the delegation from Louisiana came here and took their seats under a law which I think a majority of this House believed unconstitutional, we had an opportunity, if we so wished, to say to those Members, "Go back, and stay back until you have a legal election."

For myself I am glad that this House did not adopt that course. I believe it is not a ways wise to inflict deserved punishment I believe that although we had a perfect right to declare those seats vacant, although it was legal and would have been no more than fair, yet I think it would have had a worse effect upon the country to have had a sovereign State entirely shut out from representation here than it would to allow the injustice of having a State represented here by Members elected under unconstitutional laws. And I was glad the other day when the gentleman from Illinois [Mr. MANN] brought in the unanimous report of his committee that they would not go into the question of the validity or invalidity of the South Carolina election, but would leave that question to the courts, for it seems to me it is often much wiser that we should submit to injustice than that we should go to extremes. We had an illustration of that, I think, in 1876——

Mr. FINLEY. Will the gentleman from Massachusetts kindly explain in what particulars the provision in the constitution of South Carolina at this time regulating suffrage differs from the provision in the constitution of Massachusetts on that subject?

Mr. GILLETT of Massachusetts. No, Mr. Chairman, I do not think that I will take the time of the House to do that. I said that I was in accord with the decision arrived at by the committee, and I do not wish to be diverted into the question which the gentleman from South Carolina would have me take up when there is no difference of opinion between us about it

I was saying that it is often better to submit to injustice than to go to extremes. I think that in 1876 a great majority of the Democratic party probably believed that they were defrauded of the Presidency; but I was very glad that wise counsels prevailed, and that instead of the hot-heads rushing, as they wished, to arms, and having a war over the disputed election, they submitted. I think that possibly the fact that the most distinguished general in the world was at that time at the head of our Government with a devoted army under him, and that the chances would have been very strongly against them, may have had something to do with their decision; but at any rate I am glad that the decision was made. And if the commission had decided against the Republican party, intrenched as they were in the Government, I trust they would have been equally wise; and although a majority of them, if the decision had been against them, would have believed that they were defrauded of the election, I trust they also would have yielded. I think that sometimes it is wise to yield to what you think is an injustice rather than go to some forcible extreme.

Mr. LAMB. Does the gentleman think that the Republicans, if they had been defeated on that issue, would have thought that they were defrauded?

Mr. GILLETT of Massachusetts. I do think so.

Mr. LAMB. I differ with the gentleman. I have a better opinion of the Republicans.

Mr. GILLETT of Massachusetts. I am sorry to see that there is a little intolerance still left in the mind of my friend. I believe that the great majority of both parties at that time believed that they were right, and whichever party lost was sure to think it had been defrauded of its rights, though if the Republicans had lost I trust they would not have cried about it as persistently as the Democrats have.

I simply use that illustration in stating why I am glad the Republican party did not adopt the extreme course, as I think it would have been fully justified in doing, of saying to the delegation from Louisiana, "You are here under an unfair election; you are here in fraud of this House, and you shall not be allowed your seats."

But I do not by that mean to apologize for or at all to assent to the position that was taken in Louisiana and is taken in these other

States. I do not believe it is fair or wise, and to me it is astonishing that gentlemen as intelligent as those on that side of the House should to-day say that they intend forever to debar the negro from participation in government. Why, there are 10,000,000 of people who can not stay as they are, who must either go up or go down, who will have either to be bondsmen forever or to be citizens, and yet gentlemen come out boldly and say that they mean forever to keep them from any participation in government, and the last gubernatorial election in Mississippi indicates that they wish to keep them forever in ignorance. That does not seem to me to be a thoughtful view to take of the subject. And while I can appreciate how the great mass of the thoughtless people in the South may drift into such opinions, I am surprised that Members of this House, who of course look at the question thoughtfully and with deliberation and with a view to the future, should express such opinions. Nobody on this side of the House expects you or wants you to submit to negro domination. Nobody on this side of the House denies that there is a great mass of the negroes to-day who are not intelligent enough for the suffrage; but what does seem to me Bourbonish and outrageous is to say that none of them ever shall have the privilege, that none of them ever can be developed into the ability to vote or to become citizens.

That, to me, is the phase which I think ought to be criticised and contradicted on this side of the House. We do not blame you for not submitting to negro domination, but why do you not do as we do, and exclude all ignorance, all incapacity from the suffrage? That would be constitutional; that would be fair; that would attain your object; but it almost seems as if you preferred to be unconstitutional and unfair in order to provoke us and prove how useless are constitutional restraints. As far as I know in this session nothing has been said on this question from this side of the House. When we do express our minds we are told that we are exciting sectional feeling. We have heard from the other side arguments in favor of the repeal of the fifteenth amendment. We have heard various statements about social equality and political equality, and I think that, lest it should seem that we are assenting to these doctrines, we ought at least to state that we consider them obsolete and reactionary.

Now, there was another phase of the gentleman's speech on which I wish to say a word or two. He says:

> I frankly confess, and am sorry that I have to do it, that unnecessary lynchings have sometimes occurred in the South. So far as I am concerned, I am opposed to mob violence as a general proposition.

Well, that is something of an admission, although I confess it does not to me seem to do great credit to the gentleman. It sounds a little like assenting to virtue in general and wishing to give yourself a little leeway. I suppose that is the way all of us would like to be virtuous—to have everybody else virtuous and yet to make a little allowance for ourselves. But I am surprised—and this is another question on which the action of that side of the House surprises me—I am surprised that somebody on that side of the House, representing the country where most of the lynchings have occurred, does not get up and put himself on record as opposing lynchings, and as recognizing the principle involved and the result to which they lead. It seems to me every thoughtful man must recognize that they ought to be stopped. I will not speak of burnings——

Mr. SPIGHT. Will the gentleman yield?

Mr. GILLETT of Massachusetts. Yes.

Mr. SPIGHT. I notice that you said "on this side, where most of the lynchings occur."

Mr. GILLETT of Massachusetts. Yes.

Mr. SPIGHT. Does the gentleman know that according to statistics, comparing the negro population North and South, three or four times as many lynchings occur North as South?

Mr. GILLETT of Massachusetts. I do not see what relevancy there is or what right you have to compare the negro population. I have said, and the gentleman can not deny it, that an overwhelming proportion of the lynchings occur in the South.

Now, I will admit, of course, that lynchings occur in the North. I will admit it, and with regret. Why is it that they have occurred in the North? That is one of the things I hold you of the South partly responsible for. We all know that in the North, in every large city or small city, there is a disorderly element which is always ready to plunge into lawlessness. That is not confined to the South.

In every city in the North there is a big element that would always like to have respectable leaders, that would always like to have the apathy of the police, and that upon any impulse would rush into crime. But there is this difference between the South and the North, it seems to me: In the North it is emphatically the disorderly element which does it. In the North the great masses of the people openly condemn it. In the North a man is not afraid to come forward and denounce it at the time, and that is what I wonder at in the South—that you gentlemen who know how wrong it is, know how subversive of popular government it is, do not come forward and publicly and openly try to stop it. That is the complaint I have. Why, I have no doubt that there are plenty of people both North and South who can be excited very readily into an outbreak of violence. It does not take a great deal of inducement—only a little certainty that they will not be prosecuted, that the police are not dangerous. Under such conditions almost anywhere a mob can be aroused and excited. But what prevents it starting is because the thoughtful, intelligent people of most parts of the world recognize that mob violence and lynching ought to be stopped, and therefore, regardless of their indignation at any crime, leave it to the courts to convict and not to a mob.

Why is it that we object to mob violence? Why is it, really, that lynching should be stopped? It is not because we think the man does not deserve what he gets. Undoubtedly in many cases burning is none too good punishment for the fiend. We none of us have a particle of sympathy for him, but we recognize the barbarity of it and the fact that it turns back our civilization over a thousand years. We recognize that there is a principle in every republican government which must be supported if the government is to survive, and that is respect for law; that every time a man is lynched it infringes and breaks down and diminishes that respect for law without which no republican government can long endure.

I was surprised the other day to see this Mississippi doctrine showing itself in this House and to hear the leader of the minority express his disregard for law. He said in discussing the question of an appeal from the decision of the Chair:

> Now, I hope that we will not let a little technical matter of parliamentary law stand in between us and a great public purpose.

Mr. WILLIAMS of Mississippi. I did not hear what the gentleman said. I have just been informed that he made some reference to me in that connection.

Mr. GILLETT of Massachusetts. I read from your speech made the other day.

Mr. WILLIAMS of Mississippi. I did not hear you.

Mr. GILLETT of Massachusetts. I will read it again:

> Now, I hope that we will not let a little technical matter of parliamentary law stand in between us and a great public purpose.

Now, that is exactly the same spirit——

Mr. WILLIAMS of Mississippi. The gentleman, as I understood, was accusing me of somewhere indorsing lynching.

Mr. GILLETT of Massachusetts. Oh, no.

Mr. WILLIAMS of Mississippi. The only thing I was seeking to lynch was the point of order. [Laughter.]

Mr. GILLETT of Massachusetts. I think if the gentleman would be a little more courteous in injecting his remarks——

Mr. WILLIAMS of Mississippi. The gentleman has granted me his permission.

Mr. GILLETT of Massachusetts. I have not. I was only answering your question. You asked a question, and I answered it.

Mr. WILLIAMS of Mississippi. I certainly do not intend to be discourteous to the gentleman.

Mr. GILLETT of Massachusetts. Very well.

Mr. WILLIAMS of Mississippi. Oh, it was only parturiunt montes, nascetur ridiculus mus.

Mr. GILLETT of Massachusetts. The gentleman said that we will not let a little technical matter of law stand between us and a great public purpose. Is not that exactly what every mob that ever lynched a man would say? Do not they say, "We won't let a little matter of law stand between us and a great public purpose?" It is exactly the same spirit of disrespect for law that the gentleman brings in here, it seems to me, that every mob displays when they lynch a victim. They have a purpose which they think ought to be accomplished at once. There is nothing to prevent them but a law, and if they can violate that with safety they consider nothing further, and apparently the leader of the minority follows the same line of argument. Ulterior considerations and the danger of inculcating disregard of law are forgotten.

But when you go out among the public at large with that as a doctrine, when the people get in the habit of saying, like the gentleman, "Do not let a little matter of law stand in between us and a great public purpose," then you are undermining the principles upon which a republican government stands. The law must be the foundation. If we are going to have a republic, the people must know and feel that it is not safe at any time to violate it. Now, of course a great majority of the people are not going to be thoughtful and philosophical. They have not time. They do not reason much about the matter, and do not philosophize as to what the ultimate effect of lynching is; but what is going to dominate them is the opinion of the newspapers and public men and their preachers and teachers, of the men they get in the habit of following and trusting.

That is going to lead them; and if in this House, where are leaders of the people, men who are thoughtful, who know that lynching ought to be stopped, not because of sympathy for the

victim, not because they think in any particular case it does injustice, but because the law itself is in peril and must be sustained—and you all know it—if the Members of this House on that side would maintain that doctrine here and at home we would soon put a stop to this lynching. The lynching that has occurred at the South has stimulated lynching at the North. There are disorderly people North just as well as at the South, and unless public men, public newspapers, and public opinion shall discourage it until gradually there is instilled into the people a respect for law that in the end will prevent all lynching our republican Government can not stand without deterioration.

Of course there is another minor objection to lynching. The wrong person is sometimes lynched. I read in a paper yesterday that in South Carolina a man died and admitted that he had killed his wife some years ago, for which three negroes were lynched. Of course we do not know how often instances of that kind happen. The unfortunate part of it is thus far it is almost mainly directed against one class and one race of persons. I appreciate that I can not look at that question of the race as you gentlemen of the South do. I recognize what a terrible infliction it is to have an enormous mass of ignorance right in your midst, and I will confess I do not know——

Mr. FINLEY. Mr. Chairman, if the gentleman will allow me.

The CHAIRMAN. Does the gentleman from Massachusetts yield?

Mr. GILLETT of Massachusetts. Yes; I yield.

Mr. FINLEY. The gentleman mentioned a case a moment ago where he said three negroes had been lynched and that a white man afterwards confessed. Did I understand you to say that it was in South Carolina?

Mr. GILLETT of Massachusetts. That is my recollection.

Mr. FINLEY. Has the gentleman followed that up? And if he has followed it up, does the gentleman not know that that story has turned out to be a canard, pure and simple?

Mr. GILLETT of Massachusetts. That is possible. I have not followed it up. I simply saw it in a newspaper. If the gentleman has followed it up, I will take the gentleman's explanation; but of course we all understand that it does not prove anything as to the principle. It may happen a great many times, but at the same time——

Mr. FINLEY. It proves this: That very often charges are made against the South which have no foundation in fact.

Mr. GILLETT of Massachusetts. Oh, well, that may happen, of course. This happens to be from a South Carolina paper, but the gentleman knows perfectly well that such accidents and such mistakes are liable to happen, though I have not based my main criticism on that ground. I simply mentioned that as incidental. The astonishment I express is that you gentlemen who know the danger to our system of law do not come forward and protest against this custom, which is so rapidly increasing in the South.

Mr. CLAUDE KITCHIN. Mr. Chairman, may I interrupt the gentleman?

The CHAIRMAN. Does the gentleman from Massachusetts yield?

Mr. GILLETT of Massachusetts. Yes.

Mr. CLAUDE KITCHIN. Where should we protest, in this House?

Mr. GILLETT of Massachusetts. I think the better place would be in your homes.

Mr. CLAUDE KITCHIN. Have you ever heard anybody in this House protesting against the Springfield, Ohio, riot?

Mr. GILLETT of Massachusetts. I do not know that I have.

Mr. CLAUDE KITCHIN. Anybody in this House anywhere?

Mr. GILLETT of Massachusetts. I do not know that I have.

Mr. CLAUDE KITCHIN. There was a lynching in my own county last August. Do you know whether the papers or people in our State protested against it? How do you know that they do not protest against it?

Mr. GILLETT of Massachusetts. Well, I think I would have heard of it occasionally if they had.

Mr. CLAUDE KITCHIN. But you have not heard anybody protesting against the Springfield riot?

Mr. GILLETT of Massachusetts. Yes; I have heard a great many people protesting against it.

Mr. CLAUDE KITCHIN. Not in this House. It is not our duty to protest here in this House, is it?

Mr. GILLETT of Massachusetts. Not necessarily.

Mr. CLAUDE KITCHIN (continuing). Every time a lynching takes place?

Mr. GILLETT of Massachusetts. Certainly not.

Mr. CLAUDE KITCHIN. Any more than it was the duty of the Ohioans to protest against the Springfield riot, although I believe they have at home——

Mr. GILLETT of Massachusetts. But when a gentleman in this House gets up to defend this proposition, do you not think the time has come to say something in this House?

Mr. CLAUDE KITCHIN. Who did that?

Mr. GILLETT of Massachusetts. The gentleman from Mississippi defended it indirectly.

Mr. CLAUDE KITCHIN. Have you ever heard any Member in the House defend a lynching for any crime except rape?

Mr. GILLETT of Massachusetts. No. Does the gentleman defend lynching for that crime?

Mr. CLAUDE KITCHIN. At present I neither condemn nor defend it for that crime. I live in a county in which recently this crime was committed. I have seen with my eyes the lacerated dead victim and have heard the sobs of the mother and the screams of the children——

Mr. GILLETT of Massachusetts. Does the gentleman intend to go on and make a speech?

Mr. CLAUDE KITCHIN. If you lived in a community in which this most horrible of all crimes was committed, would you then and there denounce lynching?

Mr. GILLETT of Massachusetts. I do not believe I would defend lynching on any terms——

Mr. WILLIAMS of Mississippi. May I interrupt the gentleman? The gentleman said he has never heard of any condemnation of lynching in the South and by southern people. I understood you to make that statement?

Mr. GILLETT of Massachusetts. Oh, no; I did not say that.

Mr. WILLIAMS of Mississippi. I understood it to be that broad.

Mr. GILLETT of Massachusetts. Oh, no; I did not say that I never heard of it.

Mr. WILLIAMS of Mississippi. I want to call the gentleman's attention to the fact that last week at a meeting of the old Confederate veterans at a reunion at Grenada, Miss., they passed very much stronger resolutions against lynching than ever came from the State of Ohio anywhere in connection with the Springfield riots.

Mr. GILLETT of Massachusetts. Mr. Chairman, that illustrates the argument of that side of the House, because I happened to notice those resolutions, and they were not against lynching.

Mr. FINLEY rose.

Mr. GILLETT of Massachusetts (continuing). They were against burning.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from South Carolina?

Mr. GILLETT of Massachusetts. Not until I have answered the gentleman from Mississippi. I happened to notice the resolutions, and they were very strong. They were a little bombastic I thought; but I was delighted to see them; they expressed a most admirable spirit; but they did not denounce lynching—they denounced burning.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon; they denounced lynching. They denounced lynching for any crime except, perhaps, the crime of rape; and then they went on and denounced burning for any crime whatever. They denounced burning as cruel, barbarous, and brutal. They may not have clothed it in first-class New England language, don't you know, and it might have been a little bombastic, as the gentleman says; but they intended to say the right thing.

Mr. RICHARDSON of Alabama rose.

Mr. GILLETT of Massachusetts. I was very glad to see that they denounced even burning. That was something in advance.

Mr. FINLEY. Will the gentleman yield?

Mr. GILLETT of Massachusetts. I will yield to the gentleman from Alabama first.

Mr. RICHARDSON of Alabama. The gentleman from Mississippi [Mr. WILLIAMS] has quoted from the resolutions adopted at the Confederate reunion, and the gentleman from Massachusetts does not agree with him.

Mr. GILLETT of Massachusetts. I have no doubt that the gentleman from Mississippi has quoted them correctly.

Mr. RICHARDSON of Alabama. I have the resolutions here in my hand.

Mr. WILLIAMS of Mississippi. I wish the gentleman from Alabama would read them.

Mr. RICHARDSON of Alabama. I will read them if the gentleman from Massachusetts has no objection.

Mr. GILLETT of Massachusetts. Not at all.

Mr. RICHARDSON of Alabama. The resolutions are as follows:

EX-CONFEDERATES OPPOSED TO LYNCHING.

An antilynching crusade has been inaugurated by the W. R. Barksdale Camp, United Confederate Veterans, of Grenada, Miss. The following significant resolutions were unanimously adopted at a largely attended meeting of the camp:

First, that we are unalterably opposed to the lynching of a human being, save, perhaps, for the one unmentionable crime.

Second, that as Confederate veterans and law-abiding citizens of Mississippi and of the United States we are violently, vehemently, and eternally opposed to the practice of burning a human being for any crime whatsoever.

Third, that we appeal in thundering tones to all Confederate veterans,

their wives and daughters, and to that great and glorious organization, the Daughters of the Confederacy, one and all, to arise in their might and by precept and example, voice, and moral influence help put a stop to this diabolical, barbarous, unlawful, inhuman, and ungodly crime of burning human beings.

Fourth, that we heartily approve of and applaud the action of Governor Vardaman in his recent successful efforts to save a criminal from a mob bent on burning.

Now, Mr. Chairman, there can be but one thing added——

Mr. GILLETT of Massachusetts. Mr. Chairman, I do not care to have the gentleman add anything in my time. The resolutions have been read.

Mr. RICHARDSON of Alabama. Whenever the negroes——

Mr. GILLETT of Massachusetts. Mr. Chairman, I decline to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. FINLEY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. GILLETT of Massachusetts. Certainly.

Mr. FINLEY. Does the gentleman from Massachusetts [Mr. GILLETT] know that the people of South Carolina as far back as 1895 protested against lynchings in the strongest manner possible by placing in the State constitution a provision making a county in which a lynching should occur responsible in damages to the family of the deceased, and that since that time there have been very few lynchings in South Carolina—no more perhaps than there have been in Illinois and Indiana?

Mr. GILLETT of Massachusetts. Mr. Chairman, may I ask the gentleman if any collections have been made under that law?

Mr. FINLEY. Mr. Chairman, I know of no lynching in my section of the State since that time and of no suits that have been brought.

Mr. JOHNSON. I will state that there was one case brought in Orangeburg County, S. C.

Mr. GROSVENOR. Mr. Chairman, the legislature of Ohio passed a law authorizing a collection of $5,000 liquidated damages in favor of the family or legal representatives of anyone lynched in Ohio. A lynching took place in one of the counties, and the question was litigated to the supreme court of the State. The supreme court upheld the law and the money was paid. There has been but one lynching there.

Mr. GILLETT of Massachusetts. Now, Mr. Chairman, as to the resolutions from Mississippi, I am very glad that they have been passed, and I recognize that as an advance. I am very glad that the Confederate veterans expressed in such "thunderous" tones, as they remarked, their disapproval of most lynchings and come out so strongly against the outrage of burning. In this twentieth century it seems rather a reproach to our civilization that it should be necessary in any part of any country to denounce burning at the stake. At the same time I recognize it, if the gentleman so puts it forward, as an advance, and I recognize it gladly. I recognize also that to denounce lynchings, except, perhaps, for one crime, is praiseworthy. I wish that those people might go further and that thoughtful men would start an agitation, and it might begin right here, that no matter how atrocious the crime, when there are laws to punish it and laws that can be enforced, we ought to depend on those laws and never resort to mob violence. It seems to me that thoughtful men ought always to be willing to give their assent to that proposition, and when they get together and think about it and draft resolutions as they did in Mississippi, they ought not to make any exception about crime for which a man can be lynched. I am glad to hear that the State of South Carolina has passed that very commendable law.

Mr. FINLEY. It is embodied in the constitution.

Mr. GILLETT of Massachusetts. Well then, that the constitution has embodied in it that very proper provision.

Mr. MACON. Mr. Chairman, will the gentleman yield for a question?

Mr. GILLETT of Massachusetts. Why, certainly.

Mr. MACON. I want to ask the gentleman if I understand him to argue that if there is an infamous, atrocious crime, such as he has referred to in his speech, committed upon a nice, beautiful woman, he believes or feels she ought to be brought before a court of justice, to there detail that crime in all its horror?

Mr GILLETT of Massachusetts. Mr. Chairman, that is the old argument which is ordinarily made. In some of the States of the South I understand they have laws which allow the taking of testimony outside.

Mr. HUMPHREYS of Mississippi. There is no such law as that in Mississippi.

Mr. SPIGHT. Will the gentleman name one of those Southern States.

Mr. GILLETT of Massachusetts. I have seen it in the papers: I can not name it. But you could have the law, if you haven't got it.

Mr. SPIGHT. We could not have such a law without a constitutional amendment.

Mr. GILLETT of Massachusetts. Well, they have put in constitutional amendments very easily for other purposes—to disfranchise the blacks, for instance—and why can they not have such an amendment for this purpose? It certainly could be arranged. Nor should it be forgotten that a very small proportion of the lynchings in the South are for the crime of rape; but at any rate it seems to me the gentleman does not comprehend that the reason I am opposing it is not because of any sympathy I have for the criminal. No punishment is too severe for him. Burning at the stake, of course, is not any too good for him; but it is much better that the criminal should escape his punishment in this life than the law upon which the whole country rests should be gradually weakened.

Mr. SPIGHT. Mr. Chairman, does not the gentleman know, as a lawyer, that in every State constitution almost there is a provision that the defendant in a criminal proceeding shall have the right to be confronted with the witnesses at the trial?

Mr. GILLETT of Massachusetts. But that law can be as readily changed as the other laws of the constitution. You are constantly changing them.

Mr. SPIGHT. And that there can be no trial except by the woman coming into court and giving her testimony?

Mr. GILLETT of Massachusetts. Why, yes; if the law is fixed differently.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield for a question?

Mr. GILLETT of Massachusetts. Yes.

Mr. BARTLETT. I want to ask the gentleman, as a matter of information, whether there did not occur up in Massachusetts last year, or some time recently, a case where a mob tarred and feathered a man and a woman in one of the suburbs of Boston—I think in Marion?

Mr. GILLETT of Massachusetts. If the gentleman knows anything about that case he can give it—not in my time, however.

Mr. BARTLETT. Does the gentleman say that he does not know anything about that case——

Mr. GILLETT of Massachusetts. I do not.

Mr. BARTLETT. And the gentleman never read of it in the papers?

Mr. GILLETT of Massachusetts. I may have done so. I do not remember anything about it.

Mr. WILLIAMS of Mississippi. The gentleman from Massachusetts will allow me to say that I hold in my hand a few newspaper clippings that I cut out of different papers during the summer vacation. Three of them were cut out since I came here at this session. All of them are cases of the lynching of negroes north of Mason and Dixon's line. I want to ask the gentleman whether he will object to my inserting these in the RECORD?

Mr. GILLETT of Massachusetts. Certainly nobody takes the floor in his own right oftener than the gentleman from Mississippi [Mr. WILLIAMS]. I have no doubt he can secure in his own right the opportunity to publish those matters, if he wants to do so.

Mr. WILLIAMS of Mississippi. I do not want to take up the time of the House in reading them——

Mr. GILLETT of Massachusetts. You can not put them in my remarks. You will have abundant time, no doubt, to get them in your own. [Laughter.]

Mr. KENNEDY. I should like to ask one question: Will some gentleman undertake to explain why or how it is any apology for lawlessness in the South to cite certain instances of like lawlessness in the North?

Mr. GILLETT of Massachusetts. I think I said a little while ago that there is mob violence in the North as well as in the South; that there is a disorderly element in the North, always ready to break out, and I think it is vastly encouraged by these continual outbreakings in the South. The spread of this lawlessness affects both sections of the country.

Now, the natural feeling of antipathy to the negro is, I think, stronger and more instinctive in the North than in the South. I think there is in the North a stronger physical repugnance, because we are not brought up with the negroes; do not see them so frequently; do not have the same feeling of intimacy with them as those who have been brought up with them as children. For this reason, I suspect there is a stronger natural repugnance toward the negro in the North than there is in the South. At the same time, we do not recognize this preposterous talk of "social equality" or inequality, which, coming from the South, rather amuses me, as if there were in this country social classes; as if there were such a thing as social superiority and social inferiority, and as if a man is injuring himself by associating with one man, or not injuring himself by associating with another. It seems to me that this feeling is one of the unfortunate growths of this whole problem.

The argument constantly advanced is: "We can not admit the negro to social equality."

I confess I'm somewhat at a loss to know what they mean by social equality, and I don't believe they know themselves. I had supposed that in this Republican form of government all social grades and orders and precedence had been forever abolished, and that there could be no social claims or distinctions. That there will be different social circles everywhere is inevitable: that each man has the right to select his social friends and associate with whom he pleases, I supposed, was a natural and inalienable right here, and this will naturally lead to social sets and cliques, but they will all be founded on taste and congeniality, and will have no basis in equality or inequality. Indeed, the opposite argument denies this right of each man to choose his own social friends, and says he must claim them in the class others dictate. I suppose theoretically in this country everyone is equal socially. We know, of course, that everyone is not equally agreeable socially, or equally refined, or equally brilliant, or equally companionable.

The social qualities in value, the elements which entitle a man to distinction and popularity socially are, I think, first, refinement and cultivation of mind and body (senses), then a genial, kindly nature, then a power of brilliant or interesting conversation. That is, I think, a rare enough combination of qualities to entitle any man or woman who possesses them to social distinction. I can not see how any accident of birth, such as color of skin or hair or eyes, can affect at all this title to social distinction. Any such accident of birth may arouse individual prejudice or dislike and may give that individual just cause for avoiding his society, for everyone is entitled to claim his own associates and may justly allow prejudice or whim or folly to exclude persons from his social intimacy, but he has no right to set those standards for others or pretend that his prejudices make a just basis for a general law of social distinctions.

The true basis of social eminence every reasonable person ought, I think, to admit, is in the qualities defined, and while anyone has the perfect right to disregard them for himself and select his own companions according to his own whims, and associate with men as coarse and vulgar as he pleases, he has not the moral right to try to impose his unusual tastes on others as a general social law. That law in this democracy must be admitted by all to be merit; and while you or I may choose not to associate with persons of a particular race or religion or occupation, yet we have no right to impose our prejudices on others or to claim our social inclinations constitute a social code or law of caste. I think we all feel inclined to ridicule the social pretensions which we read of in the press of our great cities as if there were some imaginary four hundred who are entitled to social preeminence. That seems to be founded mainly on wealth, often vulgar and ostentatious, and of course has as little title to superiority as color or any other accident.

It is quite natural that those who can afford to live on something the same scale should associate most closely; that those should be invited to elaborate and expensive entertainments who give similar entertainments in return, and as it is the gorgeousness of a social affair which must attract the attention of the press, it is quite natural that those who spend most money in society should be most talked about and should form, as far as notoriety is concerned, the most prominent social circle; and so, doubtless, in our large cities there has developed a certain social exclusiveness, founded mainly on wealth, which perhaps considers itself and is treated by the press as so ially preeminent. But no thoughtful person will admit any social superiority to this assumed aristocracy. Every reasonable person knows that in every large city there are other social cliques with, to say the least, as much intelligence and refinement and attractiveness and morality and pursuit of high ideals as are found among their more showy and conspicuous neighbors, whose pretension to social supremity is mainly a sham and a folly, for it has not the true American basis of real superiority. All pretension to social superiority founded on anything except superior refinement and knowledge and courtesy is preposterous and un-American.

The most aristocratic of England's poets laureate says: "Kind hearts are more than coronets, and simple faith than Norman blood." And if we ridicule and censure an imaginary superiority founded on wealth, how much more ridiculous and censurable is a superiority founded on complexion. It sometimes leads to grotesque absurdities. I was traveling in the South not long ago when the men in the smoking compartment were discussing social conditions in a way so narrow and unintelligent that I occasionally suggested a few questions, and in a short time was engaged in a good-tempered argument, which resulted in their sage conclusion that I must be from Massachusetts and of course could not comprehend their point of view—a very easy and comfortable way for them to dispose of my troublesome questions. One of the most loud and extreme of the party, who stated that his occupation was what we in New England would call a "rumseller," and who was clean neither in his language nor his linen, asked me if I considered a negro my social equal. I responded that whether a man was equal to me socially depended on his qualifications and not his complexion. Whereupon he loudly exclaimed that he considered every white man his equal, but that he was superior to every negro.

I felt like admitting the first part of his statement, but the preposterousness of the last part impressed me, and yet I suppose it is the view which has been so carefully cultivated in the South that it has become general. Here was this rumseller, inferior to Booker Washington, for instance, in every quality you can think of—inferior in physique, in cleanliness, in intelligence, in knowledge, in cultivation, in morality—incapable of comprehending the aspirations which govern that negro's conduct, and yet, in the ignorant self-satisfaction of race pride, loudly asserting his superiority.

If one man is superior to another socially in this country, it is because he has greater refinement and courtesy, and for no other reason. It matters not whether he lives in a palace or a hovel, whether he has the skin of a Caucasian or a Hottentot or a Chinese, if he has developed those qualities which humanity the world over recognizes as making a gentleman he is entitled to a gentleman's treatment. You are not obliged to associate with him—every one can choose his own friends—but to pretend that you are socially his superior is to proclaim your ignorance or your insincerity.

You gentlemen from the South in this House are not ignorant. You are not ignorant of the facts. You know that in a country where there are no titles of nobility, where there is no legal aristocracy, equality can have but one standard—merit; and yet, knowing these things, you are afraid or unwilling to admit them. You have not the courage to state what you know. How, then, can you be surprised if there comes to us, who note this occasionally, the suspicion that this whole attitude upon the negro question is artificial and insincere, and is encouraged and cultivated and maintained as an easy way to continue political supremacy and solidity, and to preserve that useful asset—a solid South. Do not pretend to misunderstand me, and to pretend that I mean that contempt for the negro is artificial and insincere. That I do not assert. On the contrary I believe that it is genuine throughout the South—deep seated and fiery. But what I do mean is that you men of the South, who are intelligent and thoughtful, know that this contempt is justified, if at all, not by the color of the race, but by the ignorance and coarseness of the race, and you know that when individuals rise above that coarseness and ignorance and show knowledge of refinement they are entitled to the same recognition as other men.

You, who know that in this land of equality merit is the only true basis of distinction socially or otherwise, do not dare admit these fundamental truths, but you either observe a politic and timid silence or, worse yet, approve and encourage a prejudice which your judgment must condemn.

That is the complaint I make against you who ought to be leaders of thought in your section—that you do not dare to affirm and maintain what you must know to be right: that not one of you dares to rise above local prejudice and assert the universal truth that in this country every man should be judged upon his own merits and not upon the merits of his ancestors. Race prejudice is not new. It is one of the most common and bitter incidents of history; but until now there have always been men brave enough to defy it. The Jews have been persecuted from the time of Pharaoh, but there have always been men among the persecutors to rebuke and condemn it. But you have cultivated in the South such a consuming hatred that apparently no man dares express an enlightened opinion.

We have not been without race prejudices in the North. You all know how in the fifties the people became alarmed at the vast tide of ignorant foreigners that came sweeping over us; how they feared that our political institutions would be wrecked in this deep and muddy current, and how they appealed to race prejudice, and how that appeal took possession, as it always will, of the thoughtless, selfish minds, and how it swept the country with the appropriate title of "Know-nothings." But during that craze there were not wanting in the North men who dared defy popular passion; who dared appeal to the fundamental principles of American democracy; and though their voices were disregarded for the moment, the sober sense of the people gradually recognized their folly and disowned and deserted it.

But so arrogant and proscriptive is public opinion in the South that no man raises his voice against it. And can you wonder if, when we see this apparent unanimity of opinion, contrary to the dictate both of reason and humanity, and when we observe that it is the main basis of the political solidity of the South, the cement that holds firmly together the most incongruous materials; when we are so frequently assured in private conversation that but for this one issue they would be Republicans—can you wonder

that we sometimes suspect that the reason more of you gentlemen—leaders of the thought in your section, as I presume you are—do not try to mitigate the passion of race prejudice is not so much that you are timid and fearful as that you are selfish and politic; that you find here a useful and unassailable method as long as you hold together of keeping your political power intact, and so, instead of denouncing it as savage cruelty, encourage it as necessary, and so are free to talk free trade or free silver or any other heresy which will appeal to the Democracy of the North as Democratic doctrine, while you know that the South is safe by the unceasing pressure of race prejudice—so violent and brutal as to crush out all contradiction?

That race prejudice should exist surprises none. The occurrences of the past half century have been such as to inflame it violently. None could expect or ask that it be eradicated. It exists everywhere, but that it should be pushed to a greater extreme than exists anywhere else on the civilized globe, that it should extend to both political and social status, and that no man should rise up enlightened and courageous enough to disown its thraldom and admit its barbarity is both surprising and discouraging. And when you find that it is this prejudice which keeps all political power safely in one party—that it can always be invoked to do party service—you can but suspect that the reason intelligent men cater to it is not that they find it respectable, but that they find it useful; not that it keeps their districts orderly, but that it keeps them in office; not that they believe it salutary for their country or their State, but very salutary for their party.

Now, do not misunderstand me. I do not claim that you or I or anyone else is obliged to associate with anyone he does not like. Each of us can choose for himself his own associates. You can choose them by color or by any other quality; but we have no right to say to somebody else that they shall not exercise the same choice. We have no right to say that our friends are the only social caste, and that all those who associate with any different caste are degrading themselves or disgracing themselves. As the gentleman from Mississippi said the other day about that little incident that happened in the White House—and I was very sorry to hear him say it; I was very sorry to hear a man of his eminence say that it was a disgrace to have invited Booker Washington to lunch—I do not know anything about——

Mr. POU. Mr. Chairman, may I interrupt the gentleman?

Mr. GILLETT of Massachusetts. Certainly.

Mr. POU. I simply desire to remark that the gentleman's protest against lynching is probably well timed, for the Boston Advertiser of the 28th or 29th——

Mr. GILLETT of Massachusetts. Well, I just yielded to the gentleman for a question.

Mr. POU. Only one sentence. I find in that paper a statement that a mob of white men in your town ran a negro nearly 2 miles, trying to get at him because at a base ball game he had whipped a white man in a fight.

Mr. GILLETT of Massachusetts. Well, that is a very pertinent interruption! I was not discussing that question at all—left it some minutes ago. I think——

Mr. CLAUDE KITCHIN. May I interrupt the gentleman one minute?

Mr. GILLETT of Massachusetts. Yes.

Mr. CLAUDE KITCHIN. I believe the gentleman is perfectly honest and sincere in his expression of belief.

Mr. GILLETT of Massachusetts. I thank the gentleman.

Mr. CLAUDE KITCHIN. I believe that. Now, the gentleman said there ought not to be any social superiority. The gentleman makes a difference between social superiority and social equality, does he not?

Mr. GILLETT of Massachusetts. Well, I suppose one is a contradiction of the other.

Mr. CLAUDE KITCHIN. Now, how many negroes are there in your State?

Mr. GILLETT of Massachusetts. I do not know.

Mr. CLAUDE KITCHIN. About thirty or forty thousand, I believe.

Mr. GILLETT of Massachusetts. I do not know.

Mr. CLAUDE KITCHIN. Will you state whether you ever practiced social equality by inviting negroes to dine with you or to visit your family?

Mr. GILLETT of Massachusetts. Mr. Chairman, that is like the old question before the war—"Do you want your daughter to marry a nigger?"

Mr. CLAUDE KITCHIN. We wish to know whether you practice what you preach?

Mr. GILLETT of Massachusetts. I have never invited a negro to my table.

Mr. CLAUDE KITCHIN. Why have you not done so? I understood you to yield to me for a question.

Mr. GILLETT of Massachusetts. I did. Will you please keep quiet until I can answer it? [Laughter.]

Mr. Chairman, there are a great many more than 40,000 people in the State of Massachusetts that I have never invited to my home and table. I invite whom I please.

Mr. CLAUDE KITCHIN. You misapprehended my question if you think that is an answer.

Mr. GILLETT of Massachusetts. I have not got through with answering you.

Mr. CLAUDE KITCHIN. Why did you not invite some one of these 30,000 negroes?

Mr. GILLETT of Massachusetts. Because I did not please to.

Mr. CLAUDE KITCHIN. Why did you not please to do it?

Mr. GILLETT of Massachusetts. If you will please keep quiet, you will find out perhaps. [Renewed laughter.]

Mr. Chairman, I have never invited one. I invite to my table exactly whom I please. I select my social companions from those agreeable to me, and shall continue to do so, and I also exercise the same privilege in the selection of those whom I shall invite to my home. I do not claim that those whom I invite are of any better social standing than those whom others may choose to invite.

Mr. CLAUDE KITCHIN. Will the gentleman permit me to ask him a question there? That is a very long answer to a short question.

Mr. GILLETT of Massachusetts. I supposed I had the floor. [Laughter.]

Mr. CLAUDE KITCHIN. You yielded to me for a question.

Mr. GILLETT of Massachusetts. I invite those whom I please, and I think that every man has that right; and, further, any man who does not want to invite a man because of his color or slight acquaintance, or because of some peculiar temperament or any deformity, can decline to do so. That does not make them superior, nor does his declining to do so make them in any way inferior.

Mr. CLAUDE KITCHIN. That is a good answer.

Mr. GILLETT of Massachusetts. All right.

Mr. CLAUDE KITCHIN. I just want to ask you this question now.

Mr. GILLETT of Massachusetts. I will not yield now until I get through.

Mr. CLAUDE KITCHEN. It will be a very easy question.

Mr. GILLETT of Massachusetts. I want to draw the corollary from that. The corollary is this: I claim that I have the right to invite anybody I please, and I will say that every other man has the right to invite whom he pleases. But to say that because I invite some one whom it pleases me to invite, and others invite any other person whom they please, and I do not like, for me to say that it is a disgrace to him, is preposterous and absurd. A person can invite whom he pleases, and nobody can say simply because some one else has chosen to invite another person whom he dislikes, that that is a disgrace. That is the distinction I draw. That is the condition, I suppose, with all of us.

Mr. SLAYDEN. With the gentleman's permission, I would like to ask him two questions, simple questions. I do not want to make a statement. Does not the gentleman believe that any effort that the Caucasian race can put forward for the purpose of preserving race purity would be worthily done?

Mr. GILLETT of Massachusetts. Yes.

Mr. SLAYDEN. Then does not the gentleman from Massachusetts believe that race purity is endangered by social and scholastic intermingling?

Mr. GILLETT of Massachusetts. Oh, well; that is a scholastic question. I hardly feel at liberty to answer it. I suppose, as to race purity, Mr. Chairman, the very first trouble was when we brought into this country these negroes. Now we have got them here. Of course their presence does threaten race purity; but the question, to my mind, the way to solve it, is not by setting up superiority and inferiority, is not by claiming that a man disgraces himself when he invites a negro man to his table. That seems to me to be preposterous.

Mr. SLAYDEN. Will the gentleman permit me to make a statement?

Mr. GILLETT of Massachusetts. You will have plenty of time to make a statement later.

You are going back to the old, old, obsolete theory that it is blood that makes caste. It is not blood that makes caste. It does in Europe.

Mr. SLAYDEN. But blood does make caste in the United States.

Mr. GILLETT of Massachusetts. It does in some parts of the United States; but blood has no right to make caste. Why, we are all of us, I suppose, glad to have good blood and at the same time good blood does not amount to anything. I know I took some pride a while ago—it was foolish vanity, I suppose, but it rather pleased me—to run across in one of the early reports of Massachusetts the name of my great-grandfather as being a Federal judge who was deposed, put out by the Democratic party

when the Democratic party conquered Massachusetts, the last stronghold of Federalism. We are, I think, pleased when we run across an ancestor who was distinguished in any way, but we recognize, at least I do, that it is a foolish and weak vanity, and after all it does not amount to anything.

Lord Chesterfield used to say that it took three generations to make a gentleman. We know better than that. All of us who knew the late President of the United States knew, although he had no ancestry to boast of, that in his ideal union of dignity and courtesy, of self-respect and respect for others, he constantly manifested a perfection of manner that even Lord Chesterfield would have envied. We all recognize that it does not take any generations in America to make a gentleman. We have proved that too often, that any man, no matter what he springs from, may become a gentleman; that it is not an inherited right or caste right; that it simply depends upon the man's own cultivation and refinement and intelligence, and it seems to me Americans have got to stand upon that basis, and any section or any part of the United States that departs from it is laying for themselves a foundation of deterioration, and I am sorry that any gentleman as distinguished as the gentleman from Mississippi should get up and say it is a disgrace to the White House that a President invited a negro there. I do not know anything about the circumstances of it, but I assume, I suspect every impartial man will assume, it was a momentary impulse, just what any other man would have done had——

Mr. CLAUDE KITCHIN. I desire to say I am very glad to hear the gentleman from Massachusetts apologizing for——

Mr. GILLETT of Massachusetts. Indeed, I am not apologizing for the President. I may say for myself that if he had any reluctance to do it, if he did not wish to do it, if he did it because he thought the President of the United States ought to be high enough and enough above prejudice to treat one man as another no matter what the result was to him, I admire him for it. [Applause.] It was done in a big-hearted way, and done by a man who had birth and breeding and cultivation, so that nobody could dispute his being a gentleman; but I do not believe there was any such serious design in it. I have no doubt it was a mere accident, although I know nothing about it, and yet from that accident apparently have sprung great consequences.

The CHAIRMAN. The gentleman from Massachusetts has occupied one hour.

Mr. GILLETT of Massachusetts. I would like to have a few minutes more.

Mr. HEMENWAY. Mr. Chairman, I yield to the gentleman from Massachusetts time sufficient to conclude his remarks.

Mr. GILLETT of Massachusetts. I had no intention of occupying anything like this time and I am sure the House will recognize I have not used it all. Now, Mr. Page in his article remarks this about that incident: "The effect was so unexpected and so far-reaching that it astonished and perplexed the whole country." I think it did astonish us, but I think that Mr. Page, not being a politician and not seeing the purpose, did not recognize the real reason. I believe the reason the effect was so great was because about that time there was an election in the State of Maryland and that shrewd Democratic politicians there saw a chance to help their cause by exciting race prejudice, and so, by demagogic appeals, they created a feeling greater than anyone would have anticipated and which I have no doubt carried that State.

And yet in the State of Maryland they pretended that there was danger of negro domination when the negroes are in a small minority, and it was done for political purposes, and unfortunately succeeded.

Mr. GARDNER of Michigan. Will the gentleman from Massachusetts yield?

Mr. GILLETT of Massachusetts. Certainly.

Mr. GARDNER of Michigan. I want to interrupt the gentleman a moment to remark that in line with what he is now saying the president of the World's Fair Exposition at Chicago, an ex-minister to the court at Madrid, an honored ex-United States Senator, a man than whom no one has a higher standing in Michigan socially, invited Booker Washington to his home. He slept in his house; he sat at his table; and yet I never have heard it mentioned outside of the current item of news in the Detroit papers from that time to this. Why is it that no political capital has sought to be made out of it?

Mr. SLAYDEN. But this gentleman was not President of the United States.

Mr. GARDNER of Michigan. No; but he was worthy to be.

Mr. GILLETT of Massachusetts. Mr. Chairman, I think that is the reason that this incident was made so much of, simply that they saw in it an opportunity to make political capital, and gentlemen on the other side must excuse us if we occasionally have a suspicion that this preposterous claim of social superiority is not really genuine in thoughtful minds; that they know perfectly well that in this country race does not make superiority, but they seek by thus appealing to race prejudice to make their whole section solid politically, although they tell us conversationally that if it were not for that fact many of them would be Republicans. Now, that may be an ungrounded suspicion; I hope it is; but I think they must pardon us if we occasionally have this suspicion thrust upon us.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. GILLETT of Massachusetts. Yes.

Mr. BARTLETT. The gentleman never heard it suggested also that there was politics in it, in that the delegates to the Presidential convention might be easier secured in that way than in the old way. [Applause on the Democratic side.]

Mr. GILLETT of Massachusetts. I never did, and I do not believe any honest man ever thought so.

Mr. MACON. Will the gentleman yield?

Mr. GILLETT of Massachusetts. Certainly.

Mr. MACON. The gentleman from Michigan a moment ago asked the gentleman from Massachusetts why it was that so much talk had been made about the President inviting Booker Washington to his table when there was nothing said about the gentleman in Michigan inviting him there to his table. I want to ask the gentleman from Massachusetts this question: Does not the President of the United States represent every man, woman, and child in the United States as the Chief Executive?

Mr. GILLETT of Massachusetts. Yes.

Mr. MACON. Then, sir, wouldn't it be natural for one that is representing me—may I not have the right to complain if that Chief Executive misrepresents me in his executive capacity when he invites negroes to the White House, which belongs to all of us——

Mr. GILLETT of Massachusetts. Doesn't it belong to the negro?

Mr. MACON. Yes; but—the gentleman in Michigan did not represent any of us, nobody but himself. But the Chief Executive in the White House represents all of us, and on that ground I believe that every true southerner resents it in that way.

Mr. BARTLETT. I understood the gentleman from Massachusetts to say that he did not believe that any honest man made the statement which I have heard.

Mr. GILLETT of Massachusetts. I said that I did not believe that any honest man believes it.

Mr. BARTLETT. I saw it suggested in one of the papers of the South, and also in some responsible paper in the North; whether they believe it or not I can not state.

Mr. GILLETT of Massachusetts. I do not believe that any honest man believes it. I think it is utterly preposterous, and I think anybody who thought a minute would say it was the most impolitic thing for the President to do.

Mr. LACEY. Mr. Chairman, will the gentleman allow a suggestion of another instance to go along with these others?

Mr. GILLETT of Massachusetts. Yes; if the committee is not too tired.

Mr. LACEY. We have a street-car line running from Washington to Mount Vernon by way of Alexandria. Not very long ago the daughter of Gen. Robert E. Lee was summarily arrested in the city of Alexandria and taken from the car by the police because she happened to go to the Jim Crow end of the car.

Mr. OLMSTED. And insisted upon staying there.

Mr. GILLETT of Massachusetts. Mr. Chairman, I am sorry so much has been said about this little incident, which I think was a very casual occurrence and did not deserve the publicity. I think it obtained its publicity and notoriety for political purposes. It is not the first time in our history that such a thing has happened. We remember a Presidency was lost once to the Republican party because of that phrase "Rum, Romanism, and rebellion," which at the moment attracted no attention, but which was taken up for political purposes and exaggerated and made a party cry. I think exactly the same thing happened in this case. That was picked up and exaggerated and made a party issue, and in this case also was extremely successful. I think for any man to say that act was disgraceful argues a very un-American method of looking at our social conditions.

Mr. SLAYDEN. Mr. Chairman, does the gentleman yield?

Mr. GILLETT of Massachusetts. Yes.

Mr. SLAYDEN. How does the gentleman account for the fact that in the North, where the negroes are permitted to vote, as I understand him, without interruption at all, they are denied the privilege of membership in labor unions and are denied practically in many instances the opportunity to gain a living, when no such prejudice obtains against them in the South?

Mr. GILLETT of Massachusetts. I am not aware of the fact.

Mr. SLAYDEN. It is a fact, if the newspapers have been telling the truth repeatedly from year to year. I make that statement again on the authority of the distinguished gentleman from New York [Mr. COCKRAN].

Mr. GILLETT of Massachusetts. It may be true, but that simply corroborates what I have been saying all the time, that there is race prejudice North as well as South.

Mr. SLAYDEN. Is it artificial?

Mr. GILLETT of Massachusetts. No: it is natural everywhere. But it is not natural that thoughtful, reflecting men should stimulate it. You may feel it, but every thoughtful, reflecting man knows that it is prejudice and that it is something that ought to be put down, that it is not wise, and he does not try to set it up as a canon for everybody to bow down to, but tries to repress it. That is the trouble I find with the South. I do not blame you for race prejudice. I have no doubt that all of us, if we were there, would feel it.

But what I criticise is the constant attempt to increase it and cultivate it and to apply social ostracism to everybody who does not bow down to it, and therefore to make it constantly more bitter and overwhelming. That is what I object to.

Mr. SLAYDEN. Does not the same race prejudice exist on the Pacific coast against the Chinese?

Mr. GILLETT of Massachusetts. Certainly.

Mr. SLAYDEN. And would it not exist in the South, or in Massachusetts, or elsewhere if the Chinese—a race possibly as alien to ours as the negro race—were scattered over this country in any considerable numbers?

Mr. GILLETT of Massachusetts. Certainly, Mr. Chairman. I do not mean to say that race prejudice is not genuine. I think I have made myself clear enough on that point. I agree that this race prejudice is perfectly genuine and far-reaching. The only thing I criticise is that men will not recognize that it is an unfortunate fact, that it ought to be done away with—will not join me in regretting that thoughtful men are not doing what they can to suppress it, instead of constantly doing what they can to artificially educate it, instead of using every effort of social and political influence to stimulate and increase it. That is my objection—not against race prejudice, but against the attempt to increase and spread that prejudice.

Now, Mr. Chairman, I have said infinitely more than I had the slightest idea of saying. As I said at the beginning, I certainly do not wish, by any word or act of mine, to stimulate sectional feeling. I appreciate very thoroughly, I think, the condition which faces the South, the terrible experiences it has undergone, and it is encouraging to see that some of the newspapers there are themselves apparently trying to modify this feeling. There is apparently an attempt in some quarters to mitigate it. I think such an effort ought to be shown in this House. Here are the leaders of opinion from the South: here are the men who are thoughtful, who are statesmen, who want to look at these facts as they exist, and who, it seems to me, ought to use every effort not to inflame or extend this feeling, but to temper it. Instead of that, the only speeches we hear here from the South are to defend and inflame it.

Mr. BURGESS. I should like to ask the gentleman from Massachusetts a question. He makes quite a grave charge against the South. He says that we are "playing politics" on the negro question.

Mr. GILLETT of Massachusetts. I did not charge that. I said there was sometimes excited in my mind a suspicion that such was the case. I carefully avoided making any such charge.

Mr. BURGESS. By innuendo you did make it.

Mr. GILLETT of Massachusetts. No: I said that there was sometimes excited in my mind a suspicion of that kind. I carefully avoided charging it.

Mr. BURGESS. Now, let me ask the gentleman this question: Is not this a case of "the pot calling the kettle black?" Does not the gentleman think that the least said from his standpoint about "playing politics" on the negro question, the better? [Applause on the Democratic side.] Let us be fair.

Mr. GILLETT of Massachusetts. I will be fair to the gentleman. If he alludes to me when he talks of "playing politics," I will tell him that in my district there is no appreciable colored vote. The colored vote makes no difference to me; but I think it no more than fair when such statements are made as were made on the other side that some one on this side should intimate that all of us do not acquiesce in that statement, and it should not be allowed to go without some contradiction. [Applause on the Republican side.]

Mr BURGESS. I do not pretend to know anything about the political conditions in the gentleman's district, and I can not undertake to enter into that personal question, but when by innuendo he makes this a political question, and says that it is the purpose of the South, in the position taken on the negro question, to do it for political or partisan purposes, I ask the gentleman whether it is not true that his party look upon the negro as a political asset to be played in their interest?

Mr. SLAYDEN. And the negro has been enfranchised for that purpose.

Mr. GILLETT of Massachusetts. As to the question of the negro having been enfranchised for that purpose——

Mr. BURGESS. I did not say anything about that.

Mr. GILLETT of Massachusetts. But another gentlemen did.

Mr. BURGESS. In speaking about the present agitation of this question I desire to say to the gentleman and to the House that no man living can be more anxious than myself to see a cessation of the bitterness that always arises between the two sides of the House when we go into this question, and, therefore, the less said about it, especially by those who do not live in the midst of southern conditions, and do not know of what they speak, the better for the country.

Mr. GILLETT of Massachusetts. Mr. Chairman, I quite agree with a little that the gentleman said—that the less said on this question the better, perhaps. I will admit that I hesitated a long time, and I questioned whether it was wise to say anything; but I have intended to speak with so much moderation and temperateness, suppressing much that I felt, so that it should not be considered that I was trying to stir up sectionalism. Whether I have succeeded or not, I shall have to leave to the House. No man himself knows about that; but I did not intend to do it in a political way, certainly, and I say it could have no advantage to myself; but I did think that when speeches had been made on the other side, as they have this session, announcing doctrines which it seemed to me were obsolete, which ought to have been abandoned long ago, which were preposterous and intolerant, it seemed to me it was proper that at least a moderate and temperate statement should be made expressing what I deeply feel, that those remarks ought not to be made, and that they indicate, I am sorry to say, that the South, instead of cultivating forbearance, instead of cultivating moderation, instead of toleration growing there, as I certainly thought it would after the abrogation of all so-called "force laws," and after the entire neglect on this part of the House to exclude, as they had the right to, delegations on that side whom we thought were unfairly elected, I had hoped that, since for many years the South has been left practically to deal with the question as it pleased, moderation would grow up on that side.

All Federal restraint has been removed, there has been no criticism from this side, no matter how much has been felt, and yet apparently in the South the social, political, and industrial possibilities of the negro are being constantly narrowed. It seems to me that in this Congress there has been great harshness of statement from that side of the House, and I thought I would take the responsibility, having no personal interest in it, to state as temperately as I could what I sincerely believe to be the earnest feeling of the great part of the North on this subject.

Mr. REEDER. Mr. Chairman, I want to ask the gentleman a question, if he will permit.

The CHAIRMAN. Does the gentleman yield?

Mr. GILLETT of Massachusetts. Yes.

Mr. REEDER. I want to bring out the fact that with the number of statements that have been made from the other side in regard to our President, whom the Republicans regard as one of the greatest that has ever been in the Presidential chair—I want to bring out the moderation of the North in not speaking of this matter heretofore, by asking this question: I want to ask the gentleman if he thinks there is a village or a small city in any part of the North where ten of the most prominent and most respected citizens would not regard it as an honor to invite Booker T. Washington to their tables if he were in their city?

Mr. GILLETT of Massachusetts. Of course the gentleman's opinion on that is probably more valuable than mine.

Mr. REEDER. I want to say to you that in my section I believe there would not be one out of a hundred who would not regard it as an honor to invite Booker T. Washington to their table were he to come to our cities or our towns. Now, when we feel that way I want to say that we feel that the President did not go out of his way; and when these accusations are made by the other side, we have been exceedingly temperate not to take the matter up with a good deal of energy.

Mr. GILLETT of Massachusetts. Mr. Chairman, I think I will let the gentleman put that statement in as his own.

I am very sorry to have detained the House so much longer than I expected.

Mr. BENTON. Mr. Chairman, I desire to ask how much time the gentleman from Massachusetts consumed?

The CHAIRMAN. Eighty-one minutes.

Mr. BENTON. I yield so much of ten minutes as he may desire to my colleague [Mr. DE ARMOND].

Mr. DE ARMOND. The gentleman from Massachusetts [Mr. GILLETT] has given the House the benefit of his studies in sociology and ethnology, and yet there are some people who will continue to believe that social distinctions may be properly based upon race. The gentleman from Massachusetts believes that race and color afford no basis for social distinctions. This merely

illustrates what has been said very often and believed very generally—that there is no accounting for some tastes. [Laughter.]

The only thing, it seems to me, that is worth commenting on in connection with this matter and which leads up to the one point on which I wish to speak for a short time is that the gentleman from Massachusetts confesses that prejudice, based upon color, operates to deprive him of a portion of the social advantages which he might otherwise enjoy. [Laughter and applause on the Democratic side.]

The gentleman from Massachusetts, Mr. Chairman, in order to illustrate some portions of his address, finds something suggestive of the mob spirit and some danger abroad of mob law in the course of this side a short time since upon two or three different occasions in endeavoring to secure an investigation of the Post-Office Department. The gentleman likens the course taken by those of us upon this side who think there ought to be such an investigation to a mob that overrides the law in order to do what, according to the conception of the mob, ought to be done, but which, according to the mob, will not be done soon enough or not done at all by the law.

Let us see for a moment what was done over here, and see whether there is real, grave danger that there will be inculcated from what we did very much of the mobocratic doctrine, and whether much of mob performance will follow from it. It is a matter of general public notoriety that over in the Post-Office Department a good many things have been done which ought not to have been done and that a good many things have been left undone which should have been done. An investigation inside of the Post-Office Department, directed by the head of that Department—not directed promptly, but reluctantly, and when there seemed to be no other course—has disclosed a great many irregularities and uncovered a good many crimes, and there is every reason to suppose and the belief is general that the surface only was scratched; that where one crime or irregularity was brought up and publicly exposed a dozen and perhaps a score remain to be exposed, corrected, and punished.

Under this condition of things an effort was made upon this side of the House—more than one effort—in an orderly and regular way to have a committee appointed and the Post-Office Department investigated. The committee to which the resolutions looking to that result were referred decided not to report them—took adverse action upon them. The majority side of this House has made it very evident by its acts of omission and acts of commission that it has distinctly determined that there shall be no investigation of the Post-Office Department if it has the power, by the use of technical and partisan rules, to prevent it. Under these circumstances an effort was made, more than once—and effort will be made more than once again before this session closes—to compel an investigation by resort to the best means available. Now, these efforts are characterized as prompted by a mob spirit and likened to the application of mob law. Let us see about it.

The gentleman from Massachusetts says that the one thing to be inculcated and observed above all others is regard for the letter of the law. The gentleman seems to lose the distinction, which I think is apparent to those who may look into the matter, between a law and a rule of this House for the government of the Members of this House in the transaction of our business here. These rules are supposed to be made—are made in theory—to aid in the regular disposition of business in the House. On this side they are not supposed to be properly designed to prevent the House from doing what it ought to do and what a majority of its Members are in favor of doing. Among the other rules is one which prevents the adoption on an appropriation bill against objection of a provision for an investigation of the Post-Office Department.

We propose here to have that investigation, if we can get it, and if it can not be secured in the regular way—not because the rules forbid it, for they do not, but because a partisan majority forbids it—the effort of the minority will be, as it has been and ought to be, to set aside the rule for the time being, in order to accomplish what ought to be accomplished, what could be accomplished under the rules if the majority were disposed to use them fairly, and with regard for the public good rather than for partisan interests.

The proposition was and is, simply and plainly, inasmuch as the resolution for investigation was not permitted and will not be permitted by the majority to come before the House in accordance with the rules, that the House avail itself of its rightful power to declare for an investigation, even if it be necessary in order to do it to set aside temporarily any rule that may stand in the way.

Does the gentleman from Massachusetts forget, or did he not think, that the disregard of the rights of the people, disregard of the necessities of the occasion, disregard of the public welfare, in denying, for partisan power and for partisan purposes, an investigation of this Post-Office Department, might in itself be a suggestion of sympathy with mob rule, and might itself be a very fruitful intimation that gentlemen upon his side of the House have very little regard for law and right when partisan interest is in the balance upon the other side? [Applause on the Democratic side.] If we can not have an investigation according to the rule, what difference about the rule being shoved aside temporarily in order to have an investigation anyhow, for the good of the country and the good of the service?

Now, what would there be about this investigation if it were ordered? We have not the power to appoint the committee; we have not the power to dictate the appointment of a single man upon it; we have not the power to keep a single member off of it; we are not trying to make up the committee; we are not trying to hamper the Speaker in appointing the committee.

Our position is simply that enough has been disclosed in reference to transactions in the Post-Office Department to make it an imperative legislative duty, a high, patriotic, American duty, to investigate that Department by a committee from this House. That is our position about it. We have sought in regular channels to reach the end. The partisan majority here block proceedings in the regular way, and when we then attempt in the only other way open to us to accomplish a result so much to be desired, and one against which honesty and patriotism ought to interpose no objection, on which side is the mob spirit? Our only chance for a vote for and against investigation is found in trying to set aside, temporarily, the rule with reference to whether or not a particular proposition is technically in order at a particular time. That is all there is about it, and the gentleman from Massachusetts, with no amount of discussion about sociology and ethnology, and as to taste in social affairs, based upon a disregard of color, can obscure the fact that we are trying to get an investigation and you prevent it. [Applause on the Democratic side.]

Mr. BENTON. Mr. Chairman, I yield fifty minutes to my colleague [Mr. CLARK].

Mr. CLARK. Mr. Chairman, I have no disposition to mix up in this debate on the subject of lynching; but I will tell the gentleman from Massachusetts [Mr. GILLETT] when lynchings will cease. Whenever the black man or yellow man or white man or red man ceases to commit rape, then lynchings will cease. [Applause on the Democratic side.]

Mr. Chairman, by accident or design two of the ablest Republican debaters in the House sit side by side—the gentleman from Ohio, General GROSVENOR, and the gentleman from Iowa, Colonel HEPBURN. They are veteran Representatives, each having served in Congress almost a fifth of a century.

So they grew together,
Like to a double cherry, seeming parted,
But yet a union in partition;
Two lovely berries molded on one stem;
So with two seeming bodies, but one heart.

[Laughter.]

They are luminaries of the first magnitude in the Congressional galaxy—high priests in the temple of protection. Considering their high standing in their party and their great influence over Republican Members, each might without exaggeration or bad taste adopt the descriptio personæ which the centurion gives of himself in the eighth chapter of the gospel according to St. Matthew, which runs in this wise:

For I am a man under authority, having soldiers under me: and I say to this man, go, and he goeth; and to another, come, and he cometh; and to my servant, do this, and he doeth it.

[Laughter.]

Consequently they are heard here gladly, while in the country at large Republicans who have neither time nor opportunity for independent investigation accept their statements and conclusions without cavil and with pathetic credulity. This is not the language of flattery, but is only a fair exposition of the status of these two conspicuous statesmen. We are all proud of their skill in mental pugilism—none more so than myself—even though many of us bear scars as testimonials of their prowess. [Laughter.]

Lord Bacon took all knowledge for his province. Our two friends are not so ambitious. The gentleman from Ohio, General GROSVENOR, takes prophecy as his peculiar domain, occasionally dipping into history as Silas Wegg dropped into poetry, while the gentleman from Iowa, Colonel HEPBURN, usually confines himself to history, with now and then an excursion into the realm of the imagination. [Laughter.]

The truth or falsity of a prediction can not be ascertained till after the event; therefore the gentleman from Ohio is on less dangerous ground when essaying the rôle of Elijah and Isaiah than is the gentleman from Iowa when speaking in his capacity as the Tacitus, the Sismondi, the Gibbon, or the Macaulay of our country.

A celebrated dictum of Aaron Burr was this:

Whatever is boldly asserted and plausibly maintained is law.

Our two friends appear to think that—

Whatever is positively stated and forcibly reiterated is argument.

Occasionally these two statesmen fall afoul of each other; but their spats are merely lovers' quarrels. They soon kiss and make up again, continuing to fight in pairs.

On the 1st day of December, 1903, the gentleman from Iowa, Colonel HEPBURN, in a fine burst of eloquence, said:

A little while ago—ten years ago—we used to pride ourselves on the fact that we produced 11,000,000 tons of pig iron. It used to be said that the production of iron indicated the status of a nation in its civilization and that those nations that were capable of the greatest production stood highest in the plane of civilization. We boastfully used to say, "Look! 11,000,000 tons." Last year—

Continued the gentleman—

we produced 44,000,000 tons of pig iron, and this year (1903) it is estimated that the magnificent results in the production of iron will reach the stupendous sum of 48,000,000 tons, a result, I say, direct and clear of the protection that we have had the wisdom to give to our labor in that direction.

The CONGRESSIONAL RECORD discloses the fact that that gorgeous passage was received with "Loud applause on the Republican side." And no wonder, for it was wild enough to arouse the least emotional person to enthusiasm.

He says that we produced 44,000,000 tons of pig iron in 1902. His Republican friends who applauded him will be astounded to learn—perhaps he will, also—that in 1902 we produced only 17,821,307 tons of pig iron, instead of 44,000,000, and that he overstated the amount by 26,178,693 tons, thereby multiplying our output of pig iron by more than two and one-half times what it really was.

Jonah's gourd vine has been considered the ne plus ultra of fast growers ever since he was ordered to start on his journey to Nineveh. Hereafter when anyone desires to indicate the most rapid growth of any particular thing, he will compare it not with Jonah's gourd vine, but with Colonel HEPBURN's pig iron. [Laughter and applause.]

This is the day of watered stocks, and Colonel HEPBURN simply fell into the evil habit of the times and watered his pig-iron statement liberally—so liberally in fact as to qualify himself for membership in the defunct shipbuilding trust. [Laughter.]

Did he do it with intent to deceive? Of course not, for he is an honest man. He did it from lack of information—merely that and nothing more. Likewise those enthusiastic but benighted Republicans who furnished the "loud applause" did so for lack of information. It was a clear case of the blind leading the blind and all tumbling into the ditch together.

The figures as I give them are taken from the Statistical Abstract and from a well-considered editorial in the Scientific American.

The gentleman from Iowa owes it to his own reputation and to the country to rise in his place and frankly confess that he inadvertently overstated our output of pig iron in 1902 by 26,178,307 tons, otherwise hundreds of Republican editors and orators, who regard him as an oracle, will be quoting his inflated and erroneous figures as arguments during the impending campaign, thereby deceiving the unwary voter.

In that same glowing and amazing speech Colonel HEPBURN said:

I live in a county of 24,000 people, a farming community. There is not a protected industry in that county.

I thank him for that last sentence—"there is not a protected industry in that county." By that one declaration, unwittingly uttered, no doubt, the gentleman from Iowa answers completely all the Republican speeches, editorials, and essays as to how the high tariff helps the farmers.

His is one of the finest agricultural counties that a crow ever flew over—almost as rich as those composing my district. Not his county only, but his entire district, produces corn and other cereals in profusion and of highest quality. His is one of the greatest corn-producing districts in America, and therefore in the world. About Shenandoah, in his district, they raise what they claim to be the finest seed corn on the whole face of the earth and sell it as high as $2 per bushel.

Is corn raising an industry? Most assuredly, and a vast one. Is it protected? The gentleman practically says, "No." The Dingley bill, together with Republican spellbinders and editors, says, "Yes;" and the fallacious theory that corn raising and kindred industries are protected has held Iowa in the Republican column for years.

The Dingley bill levies a tariff tax on corn of 15 cents per bushel of 56 pounds, and on corn meal of 20 cents per bushel of 48 pounds. The rates on other farm products are about the same.

When the farmer complains about the extortionate tariff rates on articles which he must buy, he is told by Republican leaders that he has no ground to kick; because by the tariff on corn and corn meal he is protected.

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

Mr. CLARK. Yes; with pleasure.

Mr. GROSVENOR. If there were no tariff on corn or corn meal, where would the competitive product come from—what country produces corn?

Mr. CLARK. That was precisely what I intended to ask the first Republican that rose to say that the tariff on corn and corn meal is really intended to keep out foreign corn and corn meal.

There is no corn belt except in the United States. They can raise oats, wheat, barley and rye in Canada, and some little corn. Canadian corn consists principally of nubbins. They can not raise such corn as grows in Colonel HEPBURN's district or in Judge SMITH's district or in my district or in any other good corn district in the United States. Now I want to ask the gentleman from Ohio a question; and if he can not answer it, I will give anybody else leave to answer it, and that is that if there is no corn to be brought into the country in competition with our corn, what did you put the tariff tax in that bill for? [Laughter and applause.]

Mr. GROSVENOR. If the gentleman will allow me, I suppose it would be a very good measure to use in reciprocity with some other country.

Mr. CLARK. Reciprocity! Go to! [Laughter.] I want to give you the figures. I will tell you what it was put in there for. It was put in there as a bait to catch gudgeons. [Laughter.]

How much corn is imported into the United States? In 1902, the last year for which I have the figures, we produced 1,522,519,891 bushels; exported 28,028,688 bushels; imported only 17,238 bushels. Think of the American farmer fearing competition in corn raising with such a showing as that! In 1901, in which there was a bumper crop of corn, the figures show a much greater disparity between production of corn and imports thereof. That year we produced 2,105,102,516 bushels; exported 181,405,473 bushels; imported only 5,169 bushels. There is scarcely a quarter section in Colonel HEPBURN'S district or mine which will not produce that much corn in any fair crop year. Last year one of my constituents had 11 acres of corn which produced an average of 133 bushels and a fraction to the acre, and it wasn't an extra good season for corn. On 39 and a fraction acres he could have raised as much corn as we imported in 1901, and yet farmers are expected to whoop it up for the Republican candidates because they are protected from competition with foreign corn raisers.

After using the words which I have quoted, the gentleman from Iowa proceeded:

On the 1st day of last October there were $2,580,000 of deposits in the little banks of that county. Ninety-five per cent of those deposits belonged to the farmers, and they amounted to more than a hundred dollars for every man, woman, and child in the county.

All of which he attributed to the tariff, utterly ignoring the sunshine, the rich soil, the rain, the delightful climate, the favorable geographical location, and the labor of Democrats and Republicans alike in that great county. His is the "post hoc ergo propter hoc" argument by which any fallacy can be seemingly established.

The gentleman's memory was unusually bad on December 1, 1903, for he declared that for nearly seventy-two years, meaning from 1789 to 1861, both inclusive, "the country experimented with your methods," meaning thereby Democratic methods. If the departed spirits of the mighty dead take any cognizance of debates in this House, I wonder what Henry Clay, father of the "American system," so called—a palpable misnomer for a system old even in mediæval times—thought of that declaration by Colonel HEPBURN? What does anybody who has read even a handbook of American history think of it? Certainly it was a most reckless statement—very wide of the mark. Surely the Democrats ought not to be charged with what happened or failed to happen from 1789 to 1801—twelve years—for Washington belonged to no party, and old John Adams was a rank Federalist, a fierce hater of Democrats. It was under his Administration and for words written about him that that immortal Democrat, Mathew Lyon—the only man ever elected to the House of Representatives from three States, the maternal grandsire of Colonel HEPBURN—was clapped in jail under the sedition laws. Would to God that brave old Mathew's Democracy had descended along with his splendid talents to his distinguished grandson. [Applause.] When Colonel HEPBURN rebels against the Republican programme of unrighteousness, as he sometimes does, it is the unconquerable spirit of Mathew Lyon, the bosom friend of Thomas Jefferson and Andrew Jackson, stirring within his breast and refusing to be entirely exorcised.

Surely John Quincy Adams, William Henry Harrison, John Tyler, Zachary Taylor, and Millard Fillmore, with their Administrations, should not be charged to us. So that by that measurement the gentleman's seventy-two years dwindle to forty-eight.

No fair statement of the matter will take from Henry Clay and charge to Democrats what happened, good or bad, under his vari-

ous protective-tariff acts, beginning in 1824 and extending practically to the passage of the Walker Act in 1846.

The Walker Act, a Democratic measure, gave such satisfaction, the country so flourished under it, that in 1856 no party mentioned the tariff in its platform, and Mr. Blaine in his book accounts the period from 1846 to 1861 as the most prosperous long stretch of years in our annals.

In that same speech of the gentleman from Iowa [Mr. HEPBURN] there occurred the following dialogue with the gentleman from Mississippi [Mr. WILLIAMS]:

Mr. HEPBURN. Ah, compare prices. The gentleman from Mississippi is exercised because of the shelter that is given by the protective tariff to the steel trust. Why, steel is worth $24 a ton now. When you had your way about it, when the Democracy gave us our tariffs, when steel was introduced into this country under the Walker tariff, what did we pay for it? One hundred and sixty-five dollars per ton in New York for steel rails.

That was the price until encouragement to manufacture was given by the Republican party.

Mr. WILLIAMS of Mississippi. Can I ask the gentleman a question?

Mr. HEPBURN. Certainly.

Mr. WILLIAMS of Mississippi. Has not that same comparative reduction in the price of steel rails taken place in Great Britain and everywhere else in the world?

Mr. HEPBURN. Surely. [Applause on the Democratic side.] But it is the competition of the United States and the superior methods of the United States and the greater intelligence of the workmen of the United States, stimulated by Republican tariff, that has brought this reduction in price. [Loud applause on the Republican side.]

Once more the Republicans furnished the "loud applause," because they didn't know what they were doing.

The idea that Colonel HEPBURN really intended to convey, until Mr. WILLIAMS of Mississippi cross-examined him, was that the Walker tariff was responsible for steel selling at $165 per ton prior to the civil war and that the Dingley bill is responsible for its se l ing as low as $24 per ton now. Clearly the gentleman from Iowa was presuming on the ignorance of his hearers, and judging from the vociferous applause on the Republican side of the House, his presumption was well founded. It is perfectly apparent that if steel has gone down all over the world, gone down lower in Europe than America, as Colonel HEPBURN admitted when prodded by Mr. WILLIAMS of Mississippi, then it must be plain to even the dullest intellect that the lowering in price was not produced by American tariff laws, but by some cause operating generally throughout the world.

When catechised by Mr. WILLIAMS of Mississippi, Colonel HEPBURN tried to get out of the hole by asserting that the falling off in the price of steel was caused by "the competition of the United States, and the superior methods of the United States, and the greater intelligence of the workmen of the Unlted States, stimulated by a Republican tariff."

That bald assertion may satisfy Republican Members of Congress and cause them to applaud, but it will not deceive any intelligent man elsewhere, for everybody that knows anything of the subject knows that the principal element in the reduction of the price of steel throughout the world was the invention in 1864 of the Bessemer process of making steel, which the Scientific American editorially declares—

was and will ever be the greatest invention in the history of iron and steel.

The Scientific American continues:

By this service—

The use of the Bessemer converter—

it was made possible during an operation of an extremely simple and inexpensive character and in a few minutes' time to convert common cast iron into steel. Steel, from costing as high as 6 or 7 cents a pound for the common grades, began steadily to decrease in cost until in the closing year of the nineteenth century steel billets, in lots of a hundred thousand tons, came to be sold at the rate of "3 pounds of steel for 2 cents." The entrance of the Bessemer converter marked the close of the iron age, and from this time on steel became the standard material of construction in all but a few limited classes of work.

It was not long before the Bessemer process was introduced into this country, and this fact, coupled with the period of general commercial prosperity which followed upon the close of the civil war, stimulated the development of the iron and steel industry so greatly that by the year 1872 the total production of pig iron had increased to 2,548,713 tons.

Unfortunately, the gentleman from Iowa is entirely wrong in his statements. I wish it were true that an American had invented the process which has so greatly cheapened steel, for I would like to see my countrymen win all the honors of this world. I do not believe it is possible for the gentleman from Iowa, with all his facility of utterance and power of expression, to frame a more patriotic sentence than that; but the plain truth of history is that Henry Bessemer, who invented the Bessemer process, was an Englishman. He was knighted for his invention and is known in history as Sir Henry Bessemer. If in England men were ennobled for bestowing blessings upon people instead of killing them, then Henry Bessemer, instead of having a baronetcy for his reward, would have had a dukedom, for with the single exception of Lord Bacon, father of the inductive philosophy, he contributed more to the comfort of his countrymen and his kind than any other Englishman that ever lived.

Even Colonel HEPBURN, with his disposition to claim everything for the protective tariff, will surely not claim that it was responsible for Sir Henry Bessemer or for his process of making cheap steel.

That Americans have improved the Bessemer process is true, and have thereby still further cheapened steel—facts at which we all rejoice, whether Democrats or Republicans.

The speech of the gentleman from Iowa, from which I have been quoting, warmed the cockles of the heart of the gentleman from Ohio and caused his face to shine. So, when Colonel HEPBURN concluded, General GROSVENOR arose and began his remarks by saying:

Mr. Speaker, I do not intend, in the time allotted to me, or in so much as I may use, to mar the beauty and symmetry and irresistible logic of the speech of the gentleman from Iowa.

There hasn't been anything as rich as that since Rev. Dr. Chadband ceased from stretching out his arms and unctuously exclaiming, "God bless you, my children!" [Laughter.]

When I was a boy back in the hill country of Kentucky, I attended a horse race at a crossroads village. A man wanted to bet and kept bawling, "Who will hold the stakes?" "I will hold them," said a stranger. "But who the deuce will hold you?" inquired the would-be bettor. [Laughter.]

General GROSVENOR indorsed Colonel HEPBURN'S speech, but who indorsed the General? [Laughter.]

Before quitting this steel subject I wish merely to mention the preposterous theory of the very pleasant gentleman from Pennsylvania [Mr. OLMSTED] that the railroads pay for the steel rails which they use and that it is nobody else's business at what price they buy them. That sort of logic may be accepted in Pennsylvania, but it will not go anywhere else in the wide, wide world. Everybody knows that in the last analysis the passengers who travel on railroads and the shippers and consumers of the freight shipped over them pay for the rails, rolling stock, and everything else and for everybody used in conducting a railroad. And the pay is collected in advance—at least, usually. Uncle Sam contributes to the cost of steel rails, etc., for he ships his mail, military stores, and soldiers over the railroads in great abundance. Consequently he is interested in the cost of steel rails, as is every person that rides a mile on a railroad or ships a pound of freight.

Mr. OLMSTED. Will the gentleman from Missouri yield?

Mr. CLARK. Yes: certainly.

Mr. OLMSTED. The gentleman is aware, doubtless, that steel rai's are higher now than before the present tariff bill was passed.

Mr. CLARK. Well, I suppose they are.

Mr. OLMSTED. And wages are higher.

Mr. CLARK. Yes.

Mr. OLMSTED. And yet the railroad rates are lower.

Mr. CLARK. The volume of business is greater, and therefore the profits are greater. What have you got to say to that? [Laughter.]

Mr. OLMSTED. There is an increase in the price of rails, an increase of wages, but notwithstanding all that your farmer pays a lower rate of transportation by about 12½ per cent than he did before.

Mr. CLARK. Suppose he does? Your proposition is that the railroads pay for the steel rails. They don't do anything of the sort. Rates have come down because of the volume of business and competition. Your Uncle Samuel is interested in the price of steel rails. He ships his supplies for the Army, his munitions of war, and his soldiers over the railroad, and you can risk your head on the proposition that he pays the highest rate that the traffic will bear. Therefore as legislators we are interested in cutting down the cost of steel rails, as citizens who use the railroads we have an interest in cutting it down, and I give it as my opinion, whether it is anybody else's or not, that it is an outrage for American steel rails to be sold in Europe and Asia for a less price than they are sold to the American people, who are made to pay the difference. [Applause on the Democratic side.]

Mr. LACEY. Mr. Chairman, will the gentleman from Missouri yield?

Mr. CLARK. Certainly.

Mr. LACEY. The gentleman announced his objection to the Dingley law. Would he repeal that law, and if he would, does he wish to return to the Democratic Wilson bill?

Mr. CLARK. You can not inveigle me into any discussion about the Wilson bill now. I have not time for that at present. I will tell you in a few minutes what our position is on the tariff question; I will come to that; I have got it all prepared for you. [Laughter.]

Mr. GROSVENOR. I wish the gentleman from Missouri would explain why an ad valorem tariff which amounts to more than 20 cents a bushel was put on corn in that remarkable instance.

Mr. CLARK. I will explain that to you also. The men that got up the Wilson bill simply took that rate from the McKinley bill. Where the framers of the McKinley bill got it I don't know. [Laughter and applause.] I have not traced its pedigree

any further back. It is absolute idiocy, but they borrowed it from the Republican party.

Mr. DALZELL. They were the Democrats who borrowed it?

Mr. CLARK. Some were Democrats and some were sort of Democrats. [Laughter.] Here is what I say about that: That the tariff on corn is a humbug and fraud, I care not who puts it into a bill.

Mr. DALZELL. I would like to ask the gentleman if the rates of the Wilson bill were put on corn for the same purpose that the gentleman states the rates were put in the Dingley bill, a bait to catch gudgeons?

Mr. CLARK. No; they were put in there because it was in the McKinley bill.

Mr. DALZELL. Well, they didn't follow the McKinley bill very closely. [Laughter on the Republican side.]

Mr. CLARK. The trouble was that they followed it too closely. If they hadn't followed it so closely, we would have succeeded in the election of 1894 and have had the Government ever since.

Mr. GROSVENOR. Now, will the gentleman yield?

Mr. CLARK. Yes.

Mr. GROSVENOR. What assurance can the gentleman give to the country that if the Democratic party should be put into power again they will not follow the Dingley bill?

Mr. CLARK. Because JOHN S. WILLIAMS, CLAUDE SWANSON, SAMUEL B. COOPER, SAM ROBERTSON, BOURKE COCKRAN, and CHAMP CLARK constitute the minority on the Committee on Ways and Means, and we are a new set of Democrats.

Mr. McCLEARY of Minnesota. How does the gentleman know he will be appointed again?

Mr. CLARK. How do I know we will be appointed again? Of course we will be appointed. [Laughter and applause.]

Mr. DALZELL. But JOHN WILLIAMS will not be with you. He will be in the chair.

Mr. CLARK. Well, if he is in the chair, he will appoint the rest of us, especially me. [Laughter.] And if I happen to beat Mr. WILLIAMS for Speaker, I will appoint him. [Renewed laughter.] So we are going to have a Democratic Ways and Means Committee when we get into possession of this House.

Mr. OLMSTED. Mr. Chairman, I would like to ask the gentleman from Missouri whether he entertains the same views and stands in the same position to-day as regards the tariff that he did in 1897, when the Dingley bill was on its passage?

Mr. CLARK. Academically, yes. [Laughter on the Republican side.] Just exactly. Now, sit down until I answer you. [Laughter.] Academically, yes.

Mr. DALZELL. Will the gentleman allow me for a moment?

Mr. CLARK. Wait until I get through with the other Pennsylvanian. I heard the Hon. Thomas B. Reed state, on the floor of this House, that free trade is a beautiful theory; that it might do for England, but that we had not yet reached that state. Practically, as legislating for the country, with certain laws on the statute books and certain habits formed, I would not go to a free-trade basis, and before I get through, if I have the time, I will state the Democratic position exactly about cutting down the tariff rates.

Mr. DALZELL. Will the gentleman allow me now?

Mr. CLARK. Yes.

Mr. DALZELL. I want to know whether the gentleman on March 31, 1897, said on the floor of this House the following:

> I repeat, so that all men may hear, that I am a free trader, and proudly take my stand with Sir Robert Peel, Richard Cobden, John Bright, and Henry George. I may be an humble member of that illustrious company, but it is better to be a doorkeeper in the house of honest free traders than to dwell in the tents of wicked protectionists.

Mr. CLARK. Yes.

Mr. DALZELL. That is an accurate quotation?

Mr. CLARK. I think it is. It sounds like I would have put it. [Laughter.]

Mr. DALZELL. Does the gentleman still keep the same position?

Mr. CLARK. Theoretically, yes. [Laughter on the Republican side.]

I will tell you my position about it exactly. If a new continent should be discovered and I should be given charge of its government after it was populated, I would establish free trade.

Mr. LACEY. And not otherwise?

Mr. CLARK. Not otherwise? There is no sense in adding those words to it. I have stated the case. [Laughter.]

Mr. McCLEARY of Minnesota. Will not the gentleman be good enough to define "free trade" as he uses that expression now?

Mr. CLARK. Free interchange of the products of the world.

Mr. McCLEARY of Minnesota. Without a tariff on any import?

Mr. CLARK. In order to raise money to run the Government I would levy a revenue tariff. We are in a situation produced by the practice and theory of over a hundred years. The American people have fallen into the habit of raising a large part of the revenue by tariff taxes, and they seem to think it is easier to do it in that way than in any other. Therefore I would not go to the basis of free trade. I would cut down the exorbitant and outrageous exactions of the Dingley bill.

Mr. DALZELL. But, if the gentleman will allow me, we are in precisely the same condition to-day that we were when he made that declaration, so far as revenue is concerned.

Mr. CLARK. Oh, no; we are not.

Mr. DALZELL. Precisely

Mr. CLARK. I made that declaration in 1897, and the Treasury was empty. Now the Treasury is overflowing, and if they will pare down the appropriation bills in this House as they ought to be pared down we could cut off two hundred millions of revenue and never miss it.

Mr. OLMSTED rose.

Mr. CLARK. Oh, wait a moment until I get through with Brother DALZELL.

Mr. WATSON rose.

Mr. CLARK. Wait until I finish with the gentleman from Pittsburg. Because we are in the habit of raising revenue by tariff taxes under both Republican and Demo ratic administrations, and because the constitutional provision for levying a direct tax is unfair, inasmuch as it makes it in proportion to the number of people in a State instead of in proportion to the property thereof, and inasmuch as the Supreme Court of the United States knocked the income tax in the head, to tell you the truth about it, I do not see any other way to raise a sufficient amount of revenue to run the Government except by tariff taxes and the internal-revenue system. That is the whole of it.

Mr. DALZELL. Mr. Chairman, before the gentleman gets away from that, I want to understand him. The gentleman says that he was for free trade in 1897 because there was no money in the Treasury, and that he is now for a moderate tariff while the Treasury is overflowing.

Mr. CLARK. Yes.

Mr. DALZELL. That is what the gentleman said a few moments ago. I will ask him whether he stands by that proposition?

Mr. CLARK. Yes. If the gentleman will give the rest of my sentence, and the rest of it was that if the appropriation bills in this House were pared down the way they ought to be you could dispense with two or three hundred millions of this revenue we spend here every session.

I say this, that theoretically the doctrine of free trade is right, but practically under our laws and our customs and our habits and our Constitution we must have a tariff to help raise money enough to run the Government; but in levying a tariff we want reasonable rates, not excessive rates. For that reason I am in favor of doing exactly what the gentleman from Mississippi [Mr. WILLIAMS] says. I am going to include his remarks in my speech.

Mr. DALZELL. Did not the same considerations apply in 1897?

Mr. CLARK. Certainly. If I had been making an extended speech in 1897 and had undertaken to explain the whole situation, as I am doing now, I would have made identically the same declaration in 1897 that I am making here now.

Mr. OLMSTED. On March 31, 1897, according to the RECORD, you said, speaking of custom-houses:

> I would destroy every custom-house in America. If I had my way to-day, sir, I would tear them all down from turret to foundation stone.

Now, I would like the gentleman to state whether that was theoretical or academic, or whether the gentleman really meant it.

Mr. CLARK. It was both academic and theoretical. [Laughter.]

Mr. OLMSTED. And you also said that you were ready to abolish the whole diplomatic service of the United States.

Mr. CLARK. I think it would not be any loss to the public if the entire diplomatic establishment were abolished right now.

Mr. OLMSTED. Meaning custom-houses or diplomatic service?

Mr. CLARK. The diplomatic service, of course. I do not want to waste so much time on that point——

Mr. CHARLES B. LANDIS. In the same speech from which the gentleman from Pennsylvania has just read, the gentleman from Missouri said he would "rather be a doorkeeper in the house of the Lord than to dwell in the tents of the wicked." Was that meant to be considered as "academic?"

Mr. CLARK. That was taken from the Bible; the gentleman ought to read his Bible. [Laughter.]

Reverting to how the tariff on agricultural products affects farmers, I will quote certain pertinent remarks made in this Hall by an eminent Republican statesman—not a wild-eyed Democrat—the Hon. WILLIAM B. ALLISON, senior and perpetual Senator from Iowa. On March 24, 1870, he said:

> The agricultural interest, it will be seen, is much the largest interest in its aggregate product, as well as in the number of persons employed. I believe

that no one will claim that this large interest is directly protected. It is true that under existing laws there is a small duty upon wheat, barley, oats, and other agricultural products. But this does not afford any protection to the great wheat and grain producing sections of the country.

The gentleman from Ohio, Mr. Wilson, in discussing this question yesterday, stated truly that the cost of wheat in New England is about $1.70 per bushel, while in Illinois, Iowa, and Wisconsin, the price is about 65 cents per bushel. The Canada wheat is the only wheat which comes in competition with our own. Canada being nearer New England than the wheat-growing States more than makes up the duty in reduced transportation. What is true of wheat is equally true of other grains; therefore the farmer has no protection directly, and whatever benefit he derives is indirect and from the home market furnished for agricultural products. Unfortunately for the farmer the market price for his wheat is fixed by the price which the surplus will bring abroad or the price of wheat in London or Liverpool. At that market, where the surplus is sold and which fixes the value of the whole crop, he comes in competition with grain produced in Crimea, in Hungary, and in the region of the Baltic, from fields cultivated by what is known as "pauper labor."

But I am told that we must so legislate as to furnish a home market for all our agricultural products, and this can only be done by a high tariff. Anyone examining the subject will see that our agricultural products increase more rapidly than our population, so that if we do not export these products in the natural condition, we must do so by converting them into manufactured products when they are the cheapest, and the nation selling cheapest will control the market. This will exclude our highly taxed manufactured articles made from highly taxed materials from the markets of the world, although we have natural advantages possessed by no other nation. Hence our manufactured products are $10,000,000 less this last year than they were ten years ago. But our policy with reference to agriculture has a tendency to increase its products rapidly.

We give every man who will till the soil, whether native or naturalized, 160 acres of land. I do not condemn this policy. It is a policy which has developed the western portion of the country more than any other policy which could have been devised. But it is a policy the effect of which will be constantly to increase the agricultural products of the country, creating a surplus over and above the home consumption. That surplus must have a market somewhere, and that market will be found principally in Europe in its natural form or in the shape of flour, pork, beef, or some other concentrated product. This can only be avoided by such an adjustment of our industries as will make us large exporters of manufactured products, which is practically impossible under our heavy taxation, direct and indirect.

It is said by those who defend the present and proposed tariff that if we will wait long enough commodities will be cheapened. How long shall we be required to await this happy result when exactions under the tariff will be paid by the foreign producer? Certainly not until we can manufacture like articles cheaper than they can be made abroad. There are instances, doubtless, now where the tariff does not add to the cost of the articles to the consumer, depending on the character of the production, the particular place of production, and the relative cost of transportation to distant parts of the country; but this can not be true generally. A striking illustration of this untruth may be found in the cost of an article of large production and the raw materials of which are in great abundance, namely, iron, as set forth in a report made to the House by the committee appointed to take into consideration the cause of a decline in American commerce.

The testimony disclosed in that report shows that it is impossible for us to compete with the English in building ships. And why? Because the tariff by increasing the duty on iron has increased its cost. Now, if it has increased the cost of iron to the shipbuilder in this country, it has also increased its cost to every consumer in this country.

A few days ago the distinguished gentleman from Pennsylvania [Mr. DALZELL] delivered a carefully prepared speech in this House on reciprocity, which has been lauded by the "stand-pat" organs as the very best presentation of their case, and there can be no doubt that in that estimate of his argument they are correct, for he is one of the ablest men in public life. Personally he is a most delightful gentleman; intellectually he is the peer of any.

Mr. DALZELL. The gentleman will allow me to say that the gentleman from Mississippi [Mr. WILLIAMS] told me that that was one of the best speeches made in the House.

Mr. CLARK. Well, if the gentleman from Mississippi told you that he displayed very good taste. I will say that you can come as near making black appear white as any man on the face of the earth. I will give you that testimonial of Republican good character right now. [Laughter.]

During the course of his remarks the following colloquy took place between him and myself:

Mr. CLARK. I want to ask the gentleman three questions.

Mr. DALZELL. Does the gentleman expect me to answer all of them at once?

Mr. CLARK. No; you may answer them all at once or may answer them seriatim. Is not Hon. John A. Kasson, of Iowa, a Republican in good standing and an officer in a Republican Administration?

Mr. DALZELL. Well, he is known as a Republican. I do not know anything about his standing. [Laughter.]

Mr. CLARK. All Iowa Republicans are in good standing.

Mr DALZELL. I would not like to certify to that.

Mr. CLARK. In the second place, did not Mr. Kasson, as the appointee of President McKinley, negotiate quite a number of reciprocity treaties which have been pigeonholed with great unanimity by the Senate?

Mr. DALZELL. I have already said so.

Mr. CLARK. Now, my third question is this: If the gentleman's statement here to-day properly expounds the present Republican position on the subject of reciprocity, then does not the transaction touching the Kasson treaties show that the Republican party has changed its base on reciprocity in the last seven years?

Mr. DALZELL. Not at all. The Republican party has been consistent from the beginning; it never agreed to any reciprocity treaty that involved anything except noncompeting articles. [Applause on the Republican side.] And it is because it has been consistent to its principles that those treaties have never been ratified, and, in my judgment, they never will be ratified by Republicans.

Mr. CLARK. The real reason those treaties have never been ratified is because McKinley died, is it not?

Mr. DALZELL. Oh, not at all.

He was trying to prove that the present Republican stand-pat position is the one occupied by President McKinley and the earlier Republican statesmen, while I was endeavoring to force him to admit that the stand-patters have departed from their old-time position.

In order to prove that he was advocating McKinley reciprocity the gentleman from Pennsylvania [Mr. DALZELL] quoted one-half of a sentence, and one-half only, from Mr. McKinley's first inaugural address, and two short, disconnected sentences from his Buffalo speech, not choosing in either case to quote the context. Now, here is what President McKinley said, and all that he said, in his first inaugural, on reciprocity:

In the revision of the tariff special attention should be given to the reenactment and extension of the reciprocity principle of the law of 1890, under which so great a stimulus was given to our foreign trade in new and advantageous markets for our surplus agricultural and manufactured products.

The brief trial given this legislation amply justifies a further experiment and additional discretionary power in the making of commercial treaties, the end in view always to be the opening up of new markets for the products of other lands that we need and can not produce ourselves and which do not involve any loss of labor to our own people, but tend to increase their employment.

In that address Mr. McKinley declared for an enlargement of Blaine's reciprocity scheme. And what was that scheme? Blaine's reciprocity, as he forced it into the McKinley bill, was in the following words:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever and so often as the President shall be satisfied that the government of any country producing and exporting sugar, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States which, in view of the free introduction of such sugar, molasses, coffee, tea, and hides into the United States, he may deem to be reciprocally unequal and unreasonable, he shall have the power, and it shall be his duty, to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just, and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides the product of or exported from such designated country as follows, namely:

And then follows the schedule of articles and the tariff rates which the President was authorized to place upon them.

That was the reciprocity which President McKinley favored March 4, 1897. Time went on. From his coign of vantage he took a wider view of the world and his ideas broadened, so that four and a half years later, in his great speech at Buffalo—which was his farewell address to the American people—he indicated that our old modus vivendi was too narrow and must be expanded. The keynote of that speech is this philosophic sentence:

We must not repose in fancied security that we can forever sell everything and buy little or nothing.

I here quote the whole passage from that speech from which Brother DALZELL quoted only two disconnected sentences. It is as follows:

Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have. No other policy will get more. In these times of marvelous business energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial systems that we may be ready for any storm or strain.

By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus. We must not repose in fancied security that we can forever sell everything and buy little or nothing. If such a thing were possible it would not be best for us or for those with whom we deal. We should take from our customers such of their products as we can use without harm to our industries and labor. Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. What we produce beyond our domestic consumption must have a vent abroad.

The excess must be relieved through a foreign outlet, and we should sell everywhere we can and buy wherever the buying will enlarge our sales and productions and thereby make a greater demand for home labor.

The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

If, perchance, some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?

The fact that Mr. McKinley indorsed the Kasson reciprocity treaties furnishes proof positive that he was not in favor of reciprocity confined to noncompetitive articles, as the gentleman from Pennsylvania would have us believe.

What Republican will dare stand up in this House or elsewhere and assert that William McKinley was unsound on the subject of a protective tariff from a Republican standpoint? Yet, in transmitting to the Senate the reciprocity treaty which Mr. Kasson, his own appointee, negotiated with France, he used this language:

To the Senate:

I transmit herewith, with a view to receiving the advice and consent of the Senate to its ratification, a convention signed at Washington, on July 24, 1899, by the respective plenipotentiaries of the United States and France, under the authority conferred by section 4 of the act of Congress entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, December 6, 1899.

He might have killed that treaty by a pocket veto and withheld it from the Senate entirely. But he did nothing of the sort; he sent it to the Senate "with a view to receiving the advice and consent of the Senate to its ratification."

The Senate not having ratified this Franco-American treaty within the time limit, there was a new treaty negotiated extending the time, and Mr. McKinley sent the following message to the Senate:

In view of the pressure of important legislation before the Senate, it has been deemed expedient to extend for a period of twelve months the time prescribed for the ratification of the commercial convention between the United States and France, signed at Washington on July 24, 1899. To that end the respective plenipotentiaries of the two countries, on March 21, 1900, signed an additional and amendatory article, which I transmit herewith for the advice and consent of the Senate to its ratification.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, March 21, 1900.

What Republican Member of this House will stand up in this presence and say that Theodore Roosevelt is unsound on this protective-tariff question from a Republican standpoint? I would like to see the color of the hair and the cut of the eye of the Republican Member who will perform that caper at this particular juncture. By so doing the prospect for pie of any Republican Member would go where the woodbine twineth. It is true that Colonel Roosevelt is a civil-service reformer of high degree, but, also, like Collins's ram, he is a man of his own head. He will allow no Republican to question his party orthodoxy. He holds the whip hand. Republican statesmen, great and small, must dance to his piping. After he came into the Presidency, this Franco-American reciprocity treaty not having yet been ratified, he sent the following message to the Senate:

I transmit, for the advice and consent of the Senate to its ratification, a convention between the United States of America and the French Republic, signed at Washington on September 24, 1902, further extending the time within which may be exchanged the ratifications of the commercial convention between the two countries of July 24, 1899.

I also inclose a report from the Secretary of State submitting the convention for my consideration.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 3, 1902.*

Who will dare say that President Roosevelt was not honest in sending that treaty to the Senate for ratification? Now, remember that the gentleman from Pennsylvania [Mr. DALZELL] says:

Republican reciprocity is reciprocity in noncompeting articles and in nothing else. [Applause on the Republican side.]

This Republican reciprocity means, according to Mr. DALZELL, therefore, when stated in plain, unequivocal words, that we are to give favorable tariff rates only on those imports which we can not produce ourselves.

Some of you will be very much surprised to learn that scores and scores of articles produced in France and in Algeria, which we also produce in the United States, were to be admitted into the United States at much below the Dingley rates under the provisions of the Franco-American reciprocity treaty negotiated by Mr. Kasson and indorsed and recommended for ratification by Presidents McKinley and Roosevelt. Here is the Franco-American reciprocity treaty in full, containing a complete list of the articles to be introduced into the United States, with the scale of reductions from the Dingley rates:

CONVENTION BETWEEN THE UNITED STATES AND FRANCE.

The United States of America and the French Republic, animated by a desire to facilitate and increase the commercial intercourse between the two countries, have agreed to conclude a reciprocal convention for that purpose, and have appointed their respective plenipotentiaries therefor, namely:

The President of the United States of America, Hon. John A. Kasson, special commissioner plenipotentiary, etc.; and

The President of the French Republic, His Excellency Jules Cambon, ambassador extraordinary and plenipotentiary, commander of the Legion of Honor, etc., etc., who, after having communicated to each other their respective full powers in good and due form, have agreed upon the following articles:

ARTICLE I.

It is agreed on the part of France that all articles of merchandise being the product of the soil or industry of the United States of America exported to France or Algeria (whether shipped directly to a French or Algerian port or arriving by way of an intermediate port) shall be admitted into France and Algeria upon payment only of the minimum rates of duty imposed on the like articles of any other origin; and no port or other charges of any kind shall be imposed upon such merchandise prior to entering into consumption unless they are such as are equally applied to importations from all foreign countries; and no prohibition or restriction of the importation of any of the products of the United States shall be made except such as shall equally apply to the like products in the like condition arriving from any other country. The right to provide sanitary measures against the introduction of pests or of infectious or contagious diseases is reserved.

The following articles of merchandise are excepted from the provisions of this article respecting the minimum rates of duty, namely:

French tariff No.
1. Horses.
37. Butter.
89ter. Lucerne and clover seed.
164. Fodder.
205. Cast iron.
476. Skins and hides prepared.
478 to 482. Boots and shoes, and parts of same.
488. Belts and cords and other leather articles manufactured for machinery.
524. Dynamos.
525. Machine tools.
536. Dynamo conductors, and parts.
536bis. Arc lamps known as "regulators."
91. Sugar.
163. Chicory roots, green or dried.
34. Eggs.
36. Cheese.
38. Honey.
347. Porcelain.
462. Cardboard, rough in sheets.

ARTICLE II.

Reciprocally, it is agreed on the part of the United States that the articles of merchandise, the product of the soil or industry of France or Algeria designated and described in the following schedule (whether shipped directly to a United States port or arriving by way of an intermediate port) shall be admitted into the United States on payment only of the reduced duties as declared and set forth in said schedule; and no port or other charges of any kind shall be imposed upon such merchandise prior to its entering into consumption except such as are equally applied to importations from all foreign countries; and no prohibition or restriction of the importation of any of the products of France or Algeria shall be made except such as shall equally apply to the like products in the like condition arriving from any other country. The right to provide sanitary measures against the introduction of pests or of infectious or contagious diseases is reserved.

Schedule of articles the product of the soil or industry of France and Algeria on which reduction of duties is conceded by the United States, together with percentage of concession upon the present duties thereon.

Articles.	As described in United States tariff act numbers.	Rate of reduction.
		Per cent.
Silk goods	384 to 391, inclusive	5
Cotton goods:		
Hosiery and knit goods	317, 318, 319	20
Suspenders, passementerie	320	5
Cotton fabrics mixed with silk	311	5
Plush and velvet	315	----------
Ready-made clothing	314	5
Laces	339	5
Articles of flax and hemp:		
Woven fabrics	346	10
Laces, embroidery, trimmings	349	10
Linen goods, ready-made	338, 345	10
Leather and skins:		
Gloves, excepting those known as schmaschen.	440 to 445, inclusive	10
Articles of Paris (fancy goods):		
Imitation jewelry	193, 408	10
Jewelry	434	5
Buttons	414	5
Brushes	410	10
Dice, chessmen, etc	417	10
Toys and playthings	418	20
Fans	427	10
Articles of amber, bone, ivory, mother-of-pearl, shell, meerschaum.	448, 449, 450, 459	15
Buckles	412	10
Articles of food:		
Prepared or preserved vegetables, pease, etc., including mushrooms.	241	10
Fruits preserved in sugar or spirits	263	10
Chicory, roasted or ground	280	5
Macaroni, vermicelli, and all similar preparations.	229	10
Nuts	272	20
Prunes	264	10
Olive oil	40	15
Chemicals:		
Colors and varnishes	44 to 59, inclusive	10
Coal-tar dyes or colors	15	20
Glycerin	24	10
Glue	23	10
Potash	62 to 66, inclusive	10
Soda	73 to 80, inclusive	10
Medicinal preparations	67, 68	10
Perfumery prepared with or without alcohol	2, 70	10
Soaps, including perfumed soaps	72	10
Ultramarine blue	52	10
Earthen and glass ware:		
Bricks and tiles, varnished	87 S2, 4	10
Enameled or ornamented	88 S2, 3	10
Bottles	99	15
Glass decanters and other glass vessels	100	5
Window glass and other glass	101 to 105, inclusive	10
Spectacles and glasses for spectacles	108 to 110, inclusive	10
Opera glasses, lenses, etc	111	10
Metal work:		
Cutlery	153, 155	10
Watchmakers' articles, clocks	191	15
Nails, spikes, points, needles	160 to 165, inclusive	15
Metallic pens	186	10
Penholders	187	10
Other goods and wares composed wholly or in part of manufactured metal not specifically provided for in the act.	193	10
Galloon, braid, embroidery, and other articles made wholly or partly of tinsel-wire, bullions or metal threads.	179	5
Paper:		
Copying, filtering, blotting, and surface-coated paper, or paper covered with metal or its solutions, parchment, sensitized paper for photographic purposes.	397, 398	10
Letter paper, hand-made	401	10
Envelopes	399	10
Blank books	403	10
Albums	404	10
Articles of paper	407	10

Schedule of articles the product of the soil or industry of France and Algeria on which reduction of duties is conceded by the United States, etc.—Cont'd.

Articles.	As described in United States tariff act numbers.	Rate of reduction.
		Per cent.
Feathers, etc., dressed for ornament, etc., and artificial flowers.	425 S2	5
Wood and wooden furniture	208	10
Plants and seeds	251, 252, 254	20
Straw hats	409	10
Braids of straw or grass, etc., especially for making or ornamenting hats.	409	10
Cement	89	10
Furs not on the skin, for hats	426	20
Hats, including felt hats	370, 432	10
Musical instruments	453	15
Feathers, not dressed	425 S1	20
Mineral waters	301	20
Liqueurs	292	10

ARTICLE III.

It is further agreed that should the United States concede upon any articles of merchandise described in the preceding schedule being the product of the soil or industry of any other country a lower rate of duty than that herein designated for the like articles being the product of the soil or industry of France or Algeria, such lower rate shall be applied of right and without delay to the like articles being the product of France or Algeria.

It is also agreed that any reduction of the duties provided by the tariff act of the United States, approved July 24, 1897, upon sparkling wines, or upon the articles of woolen manufacture described in paragraphs Nos. 366 to 382, inclusive, of said tariff act, being the product of the soil and industry of any other European country, which may after the date hereof be conceded to such country by the United States shall be immediately extended to the same articles being the product of the soil or industry of France or of Algeria.

ARTICLE IV.

Should either of the high contracting parties during the term of this convention by any legislative action so change the relative conditions of trade as existing at the date of this convention, to wit, France by increasing the minimum rates of duty herein stipulated for products of the United States, or the United States by increasing the reduced rates set forth in the foregoing schedule, or increasing the existing rates upon other French products, or either party by imposing new restrictions or prohibitions upon importations from the other, in such case the option is reserved to the other high contracting party to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operation thereof.

ARTICLE V.

This convention shall be duly ratified by the respective Governments so soon as practicable and within eight months from the date hereof, and the ratifications shall be exchanged at Washington; and it shall go into effect ten days thereafter, and shall, subject to the provisions of Aricle IV, continue in force for the term of five years from the date of such exchange of ratifications, unless one of the high contracting parties shall in the meantime have given notice to the other of its wish to terminate the same, in which case the convention shall be terminated twelve months from the reception of such notice by the other party. If neither high contracting party shall have given such notice before the expiration of five years, the convention shall continue in force from year to year thereafter until twelve months after such notice shall be given.

In witness whereof we, the respective plenipotentiaries, have signed this convention in duplicate, and have affixed our respective seals.

Done at Washington, this 24th day of July, A. D. 1899.

JOHN A. KASSON. [SEAL.]
JULES CAMBON. [SEAL.]

I call the attention of the House to the vast advantage that would have accrued to us under that treaty, for practically all of our products would have been admitted into France and Algeria at the minimum French tariff rates now existing or hereafter to be established.

Now, I will put it to the gentleman—he need not answer it now, but can answer it some other time, or he can answer it now, if he wishes to. That treaty negotiated with France is a sample of them all. It contains tens and hundreds of articles to be introduced from other countries that we raise or produce. For instance, silk goods, food products, cotton goods, straw hats, cement, furs, feathers not dressed, mineral waters, and hundreds of articles.

It lets in practically all American products whatsoever at the minimum French tariff rate that now exists or may hereafter be established. Noncompetitive articles! Why, the treaty we negotiated with Great Britain for Bermuda provides that Bermuda onions and Bermuda potatoes shall come in here either free or at a much lower rate than the Dingley tariff rate. So with Austria-Hungary; so with the South American states. One of them lets asphalt in free, and yet there is enough asphalt in the State of Utah to last the world for a thousand years. Talk about noncompetitive articles! It's utter nonsense.

Mr. DALZELL. Well, but if the gentleman will allow me, he is simply begging the question. He is talking here about treaties that have never been ratified and that I said never would be ratified as long as the Republicans were in power.

Mr. CLARK. Oh, no; but I am talking about treaties that William McKinley indorsed, that were negotiated by one of his agents; that John Hay, Secretary of State, indorsed; that Theodore Roosevelt, President of the United States, indorsed; that John A. Kasson indorsed.

Mr. DALZELL. I hope the gentleman will put into the RECORD what Mr. McKinley said about those treaties and what Mr. Roosevelt said about those treaties. I do not care about Mr. Kasson.

Mr. CLARK. I will read them right now, if you will give me more time.

Mr. GROSVENOR. I want to ask the gentleman a question, and he can answer it in connection with this. What authority has the gentleman from Missouri to say that because Mr. McKinley sent to the Senate these treaties that he indorsed them; and what right has he to say that the Secretary of State indorsed these treaties?

Mr. CLARK. The gentleman from Ohio understands the English language—no one better. Here is what Mr. McKinley said n his message transmitting it to the Senate:

I transmit herewith, with a view to receiving the advice and consent of the Senate to its ratification——

Mr. DALZELL. Certainly.

Mr. CLARK. Do you think that the President would send a treaty to the Senate that he was opposed to?

Mr. DALZELL. Why, that is the language of the Chief Magistrate sending treaties to the Senate ever since the time of George Washington.

Mr. CLARK. Do you believe there ever was a President of the United States a big enough fool to have a treaty negotiated and send it to the Senate for the purpose of having it ratified that he was not in favor of himself?

Mr. DALZELL. I do not think it is conclusive when he sends it to the Senate that he is in favor of it.

Mr. CLARK. Why, there never was any such an idiot as that in the White House.

Mr. DALZELL. I have seen no evidence that Mr. McKinley favored the Kasson treaties. I have heard the statement made and have seen it in print but have never had any evidence that was conclusive to my mind that Mr. McKinley had indorsed the Kasson treaties; and I challenge the gentleman from Missouri to quote a single Republican statesman who ever expressed himself in favor of reciprocity in competitive products.

Mr. CLARK. I am going to read you this message of the President.

I transmit herewith, with a view to receiving the advice and consent of the Senate to its ratification, a convention signed at Washington, etc.—

Being the Franco-American treaty.

I will leave it to the gentleman himself, I will leave it to any fair-minded man on the Republican side of this House, who has any regard for his reputation for veracity, to say if that recommendation does not imply that William McKinley was in favor of ratifying the reciprocity treaties. I will tell you what Thomas Jefferson did when a minister negotiated a treaty he did not like; he simply killed it by a pocket veto, and I have no doubt others have been killed in the same way.

Mr. WILLIAMS of Mississippi. There never was any President who ever sent any treaty to the Senate that he was not in favor of.

Mr. CLARK. As the gentleman from Mississippi suggests, there never was any President who sent a treaty to the Senate that he was not in favor of. He would be an idiot if he did; and Mr. McKinley was not an idiot. Theodore Roosevelt is not an idiot. He knows something about more things than any other human being I ever clapped my eyes on. [Laughter.] Mr. Kasson's act was Mr. Secretary John Hay's act, and Col. John Hay's act was President McKinley's act, and at the same time it was the act of the Republican party. You gentlemen can kick and squirm as much as you please, but you have departed from the McKinley faith.

Nobody ever heard a single syllable of this "stand-pat" theory until just after the Ohio election in 1901. Then General GROSVENOR was interviewed as to the reason for the great Republican victory, and in his enthusiasm he declared that among other things it meant that there was no more chance of the Dingley rates being cut down or tinkered with than there was to amend the Ten Commandments. That is what he said.

Mr. GROSVENOR. How did it come out?

Mr. CLARK. I will tell you how it came out. I saw you sit in your place and vote that we reduce the Dingley Act. Did you not?

Mr. GROSVENOR. I voted for reciprocity with the island of Cuba.

Mr. CLARK. Well, when you did, you were voting to cut down the tariff rates.

Mr. GROSVENOR. Not at all. I voted to make trade with Cuba, which is what you are in favor of.

Mr. CLARK. Did you vote for free coal?

Mr. GROSVENOR. I did.

Mr. CLARK. Was not that cutting down the tariff rates?

Mr. GROSVENOR. Just as I would propose to take money out of my pocket and give it to a man who was suffering with the cold to buy coal.

Mr. CLARK. Why not vote for it now?

Mr. GROSVENOR. Because you have learned the futility of the legislation yourself.

Mr. CLARK. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. CLARK (to Mr. HEMENWAY). Can you give me fifteen minutes?

Mr. HEMENWAY. I can give you ten.

Mr. CLARK. I thank the gentleman from Indiana [Mr. HEMENWAY] very much for his kindness and his courtesy. So what I was saying and what I repeat is that you have departed from the faith. I do not care what your faith is. You are entitled to any position you choose to take; but you ought to have courage enough to come out of the brush and acknowledge that you have changed your position.

An inspection of the reciprocity treaties negotiated with Great Britain, with Austro-Hungary, with Ecuador, with the Argentine Republic, with Honduras, and with other countries will show that the reciprocity recommended by Presidents McKinley and Roosevelt was not confined to noncompetitive articles, but extended also to competitive arti les, and very freely, too. If Republican reciprocity on February 29, 1904, the day on which the gentleman from Pennsylvania made his speech, was what he declared it to be, then a vast change has come over the spirit of the Republican dream since those two Republican Presidents sent those treaties to the Senate.

There is no man now in public life who can state a proposition more luminously, more tersely, or more comprehensively than my friend the Hon. JOHN SHARP WILLIAMS, of Mississippi, floor leader of the minority in this House.

The gentleman from Pennsylvania [Mr. DALZELL] says there is a Democratic reciprocity and a Republican reciprocity, and I have quoted his definition of Republican reciprocity. In his speech on Cuban reciprocity, Mr. WILLIAMS of Mississippi defined the Democratic position on reciprocity in the following language, and I commend it to all men possessing a sense of justice. It is an authoritative statement upon which we are willing to stand in the pending campaign and hereafter. Here it is:

The Democratic party believes that when on any articles that go to Cuba or any other people on the surface of the earth you get an agreement to reduce the burdens to their consumers by reducing the duties in their markets, you have conferred a benefit upon their consumers and also on the American producer, because you enable the consumer in Cuba or elsewhere, in any country entering into these reciprocal relations, to get the product at a cheaper price. That enables them to buy more of our product. That enables those who have been buying it to buy more, and enables those who have hitherto not been able to buy any to buy some, and that increases the volume of the consumption of American products and benefits the American producer by enabling him to sell more goods at the old profit, and thus both parties to the trade are benefited.

There is not even the shadow of a doubt that the gentleman from Pennsylvania [Mr. DALZELL] properly sets forth the present Republican position as to reciprocity, but it is the reductio ad absurdum. It is reciprocity whittled down to the little end of nothing—the play of Hamlet minus the Prince of Denmark. Articles which we do not produce are so few in number and so inconsequential in value when compared with those we do produce that reciprocity in noncompetitive articles only is a practical abandonment of the whole theory of reciprocity; it is a hollow mockery, a delusion and a snare, a stupendous confidence game upon the people. They ask you for bread and you give them a stone.

The initials of the Republican party should be changed from G. O. P. to G. O. H.—Grand Old Humbug.

The truth is that nobody ever heard an intimation of this stand-pat policy until after the election in Ohio in November, 1901. A day or two after the election the gentleman from Ohio [Mr. GROSVENOR] was interviewed as to the meaning of the overwhelming victory in his State. In exuberance of spirit he said, inter alia:

It means that there is no more prospect of the Dingley tariff rates being tinkered with than there is of amending the Ten Commandments.

That is the germ of the stand-pat doctrine.

There is an old saying, "Honor to whom honor is due." It is only fitting and proper that he should be given full credit for this new doctrine which is destined in the providence of God to destroy the Republican party utterly. His dictum has been modified through the formulas of "Let well enough alone," "Keep on letting well enough alone," and finally "Stand pat." But the idea which he expressed so epigrammatically is the essence of the creed of the stand-patters. It is apropos to state in this connection, that the most eloquent stand-pat speech ever delivered was by the gentleman from Michigan [Mr. WM. ALDEN SMITH]. The greatest triumph of an orator is to force applause from his opponents. That he did in abundance. A man who can grow eloquent in favor of standing pat, could grow eloquent about a grindstone.

To once more quote my friend JOHN SHARP WILLIAMS: "Republicans advocate sham reciprocity; Democrats advocate genuine reciprocity," a fact which sooner or later will percolate through the public mind.

I have another important witness to show the Republican change of base—for the worse.

The Washington Post is one of the most brilliantly edited newspapers in America. It is independent in politics, generally leaning toward the Republicans. On many things I do not agree with it; it is a stanch advocate of a protective tariff. No man can call it a free-trade organ without doing for himself what Dogberry ordered his clerk to do for him—write him down an ass. Last fall, in a very able editorial discussing a speech made by Senator FORAKER in opening the Ohio campaign and larruping the Republicans for not keeping their pledges, the Post used this caustic language:

On various pressing questions as to which no specific promises were made in the platform of 1900 the Republican party is hopelessly divided. The most important of these is the tariff, and the division on that is radical. The gulf that yawns between the faction of which BABCOCK, DOLLIVER, and Cummins are leaders and the greater faction, led by ALDRICH, Hanna, and PAYNE, appears to be unbridgeable. In the absence of "any sincere programme of legislation" on this subject the party will in all probability continue to stand pat on a policy that repudiates Blaine, McKinley, and Dingley, and whose bitterest assailants are distinguished and lifelong Republicans.

A little later on the Post made the following remarks:

A question that ought to be of some moment to Republican leaders is whether or not they will put their party into the Presidential campaign as the perpetrator of a palpable and gigantic fraud in a matter of interest to all the people.

The Dingley tariff, as it was properly called in its infancy, but as it can not now be called with due respect to the memory of Nelson Dingley, contained in itself the promise of a very early reduction of sundry schedules. That measure included the Blaine reciprocity scheme, to which the Republican party was committed by every possible form of commitment. Mr. Dingley and his Republican associates on the Ways and Means Committee believed in reciprocity and imagined that all Republicans shared that belief. Not doubting that their bill would soon be revised by reciprocal agreements, they naturally and properly placed the rates at such a height that they would not be too low after the intended and expected cutti g down. This is history, despite its denial by gentlemen who should have been more careful, and, as we have said, the placing of those schedules at a height which left a margin for reciprocity trading was just what the occasion demanded—was an exercise of sound, practical business sense.

But the retention of those schedules at that height is a fraud. That ugly word is the name that fits it. It is a fraud on the great mass of the American people, perpetrated in the interest of a comparatively small number. It is a repudiation of Republican policy and pledges and the reverse of a compliment to the memory of Blaine and of Dingley. To use the reciprocity scheme in order to put the schedules at an unnecessary and unfair altitude, and then to repudiate reciprocity and keep them there is the dangerous game which the "stand patters" are playing, not in the interests of protection, but to pander to the greed of monopolistic combinations, and it is the avowed intent of the leaders to go into the Presidential campaign with their party's record thus decorated!

Even as late as March 25 the Washington Post contained the following editorial, which all concerned can read with a good deal of profit and instruction:

Yesterday's issue of the Post contained copious extracts from a speech delivered by Senator ALDRICH to his constituents at a meeting of the Young Men's Republican Club of Providence on Wednesday evening. That it was a strong speech need not be said, for the senior Senator from Rhode Island has always confined his discussions of public questions to that class of efforts. That it was a frank and full statement of the issues upon which it touched can not be said with due regard for truth. As chairman of the Senate Finance Committee, Mr. ALDRICH is high authority on tariff and finance. No man knows better than he that his own party is all at sea on the tariff and at sixes and sevens on finance. But the Senator ignores the factional strife on those questions. He says:

"In the tariff the difference is between those who believe in the policy of affording legislative protection to American industries and labor and those who, under one pretext or another, oppose this policy; between those who believe that modifications of protective duties should be made by friends of the system as fast as changing conditions warrant and those who, on the other hand, believe that the structure should be destroyed or mutilated at once by direct or indirect assaults."

That is not a fair statement of "the difference." That is not the way in which Senator DOLLIVER or Representative BABCOCK would have put it. That is not the feeling which, for several years past, has been manifested by millions of Republicans in New England and the West in their loud demands for tariff revision on protective lines—tariff revision by the friends of protection, who have long been in complete control of the legislative department. The real difference, as these Republican revisionists would state it, is between the protection views of Blaine, McKinley, and Dingley and the astounding new departure of the stand-patters: between those Republicans who have been and still are demanding the reduction of duties promised and prepared for by the Dingley Act and those who have so persistently enforced the policy of standing pat on tariff schedules framed with a view to their prompt reduction by reciprocal arrangements.

Within the last few years a thrilling slogan has been given to Republicans. "Stand pat!" which is suggestive of the war cry of the old-time chevaliers d'industrie, "Stand and deliver!" And, mirabile dictu! in their ranks has arisen a tariff reformer who is causing Republican big wigs to have insomnia from pestering their heads in the vain endeavor to invent ways and means to squelch him or to "circumwent" him, as Weller pere would have said. His theory of tariff reform has been heralded far and wide as "the Iowa idea." His habitat is Des Moines, his name is A. B. Cummins, and he is Republican governor of the Hawkeye State, serving his second term, having been reelected last year after his "idea" had been thoroughly exploited.

A comet with a tail of fire 10,000,000 miles long did not create greater consternation among the ignorant and superstitious idolators of antiquity than this mild tariff reformer has carried into the ranks of the "stand-patters."

Stand-pat organs have applied to him all sorts of opprobrious epithets, most common among which is that of "traitor."

Nevertheless in 1903 he was renominated for governor by ac-

clamation by the Republicans of Iowa and reelected by an overwhelming majority, and, unless all the signs of the times fail, he will head the Iowa delegation to the Chicago convention.

If he is as bad a man as the stand-patters represent him to be, why was he reelected governor of one of the strongest Republican States in the Union? Was it out of superabundant tenderness for an erring brother, or was it because the Cummins following in Iowa is too strong to be turned down with impunity? Why is this "traitor" to Republicanism to go to Chicago as the bellwether of the delegation? Is it because he represents not only "the Iowa idea" but the true Republican idea also, or is it because the Iowa stand-patters fear him and would placate him at least till after the November election?

What is "the Iowa idea" as expounded by Governor Cummins? It is this, as expressed in the Iowa Republican platform of 1901, adopted by the convention which nominated him the first time:

We favor * * * any modification of the tariff schedules that may be required to prevent them becoming a shelter for monopoly.

That is the head and front of his offending. That is what has created such a flutter among the faithful.

Behold, how great a matter a little fire kindleth.

By advocating "the Iowa idea" Governor Cummins has become the bête noir of the stand-patters, and they would excommunicate him from the Republican church without delay and without ceremony were they not afraid that, like Samson, he would pull down the temple upon their heads as well as upon his own.

Here are a few excerpts from Republican organs, out of thousands which might be cited, showing the intense hatred entertained for him by the stand-patters:

Republican politics in the Hawkeye State is undoubtedly warming up to the boiling—perchance the boiling-over—point. The Red Oak (Iowa) Express, a stand-patter of the stand-patters, recently delivered itself of these red-hot remarks:

Mr. Blythe's statement to the effect that in order to restore harmony to the Republican party in Iowa at the present time he withdraws from the contest for a place as one of the delegates to the national convention and nominates Mr. Cummins as a delegate at large shows a good spirit, but it is not good politics. There should be no compromise at this time.

Mr. Cummins has been compromised with before, and it is hoped most sincerely by the Express that he will be left at home when the honorable delegation starts for Chicago next June. When a man proves himself a traitor to those political principles that have gained him an office he should be hanged, politically speaking, the same as any other traitor. The Republican party can not afford to compromise with a man who expounds such doctrine; neither can it afford to allow such a man a position of political trust, such as a delegate to the national convention must assume.

The American Economist, the organ of the Protective Tariff League, says:

If Governor Cummins is wise he will act upon the suggestions of the Burlington Hawkeye and the Sioux City Journal and stay away from the Chicago convention. The Hawkeye expresses the opinion that in view of the widespread demand for party unity but one honorable course remains open to Governor Cummins, viz, "to accept in good faith the opportunity to close up the breach and let Iowa be represented at Chicago as a unit for Roosevelt and the platform on which he will be nominated."

The Journal's suggestion is that in view of the positive manner in which he was turned down at the Polk County convention the indorsement by that convention of his candidacy as one of the delegates at large comes in the nature of a sort of left-handed compliment, and that finding that his tariff and reciprocity ideas are not those of the element that is certain to control the State convention the governor may decide to remain at home. Cheerful acquiescence in the will of the majority would be both prudent and tactful. Should Cummins carry out his threat of fighting for the chance of exploiting his theories as the Iowa member of the committee on resolutions it might be deemed necessary to reject him wholly as a dissentient and a disturber. He has played that rôle too long already. A voluntary retirement from the stage of national politics would seem to be his cue.

When I was a boy the children used to sing a song, two lines of which were:

Beauty is but skin deep,
Ugly to the bone.

That is a perfect description of the Republican condition to-day. Republican harmony, which they spell with a big, big "H," is only on the surface, while Republican dissension pervades the G. O. P. through and through. They may be able, by hook and by crook, to get together for this election, but that there will be a sloughing off of the party which will amount to a split in the near future is indicated by abundant evidence.

That Colonel Roosevelt will be nominated appears to be a certainty, but hundreds of thousands of Republicans will support him under protest. The "stand-patters" will make the platform, but a large minority will receive it sullenly. In fact, the reading-out process of the tariff-reform Republicans has already begun, as is evidenced by this editorial from the Moravian Falls (N. C.) Yellow Jacket:

Of all the funny two-legged animals that chew tobacco and walk on the forked end, those tariff-reform Republicans take the lead. By demanding tariff reform they actually take the position that it is necessary to destroy a part of our prosperity to prevent the Democrats from destroying it all. Reader, do you belong to that class of monstrosities? If you do, the proper place for you to trot is right over into the Democratic camp. All you lack of being a "good Democrat" is a tag and a tin rooster in your hat.

Very much of that sort of rancorous jabber will land hundreds of thousands of the most intelligent and patriotic Republicans in the Democratic camp. Perhaps they will come to us this year.

Last year the Iowa stand-patters and the advocates of "the Iowa idea" loc ed horns in their State convention and put forth this astounding sentence, among others: "Duties that are too low should be increased, and duties that are too high should be reduced." In all the range of political literature is there anything more preposterous than that? Certainly Talleyrand must have had the Iowa platform makers in mind when he cynically said:

Language is intended to conceal ideas.

And the old Latin author must have been thinking of them when he declared: "Parturiunt montes, ridiculus mus est—the mountains are in travail, a ridiculous mouse is the result."

"Duties that are too high should be reduced." Yea, verily. But what rates do the stand-patters admit to be too high. "There's the rub." Name any schedule you please and they declare at once that that particular schedule must not be touched or the whole tariff system will go to what Mr. Mantalini would denominate "the demnition bow wows."

Mr. WILLIAMS has introduced several bills to reduce rates which are palpably too high. They are all sleeping the sleep of death in that great tomb of tariff-reform hopes, the room of the Committee on Ways and Means.

I have introduced bills to cut the tariff on farming implements, salt, and other necessaries of life to the bone. My bills sleep in the same grave with those of my brother from Mississippi. Others have introduced similar bills, and they have all shared the same fate.

"Duties that are too high should be reduced!" Oh, yes: but I violate no confidence in stating that so long as Republican stand-patters rule the Congressional roost the tariff rate on no schedule whatsoever will be reduced.

Another thing about it while I am distributing honors. The most eloquent stand-pat speech ever delivered in this House was delivered by my friend Hon. WILLIAM ALDEN SMITH of Michigan, when he was leading the kickers on that side to run over the Republican machine in this House. The man that can grow eloquent in favor of the stand-pat doctrine can grow eloquent about a grindstone. [Laughter.] There is this much to the credit of Hon. WILLIAM ALDEN SMITH: He carries his nerve with him, and when the most of you Republicans got cowardly and voted for the Cuban reciprocity treaty he stood by his guns. [Laughter and applause on the Democratic side.]

Mr. WATSON rose.

Mr. CLARK. Are you from Iowa? [Laughter.]

Mr. WATSON. No; I am a Daniel come to judgment. [Laughter.] I want to ask the gentleman if he would like to have inserted in the body of his speech the prophecy that he made on the floor of this House on the 31st of March, 1897?

Mr. CLARK. No; the gentleman can insert that in his own speech. He can not insert it in mine. I am perfectly willing that the gentleman should insert any of my speeches in the RECORD, but I want him to wait until I have finished this speech.

THEIR OX GORED.

The American Publishers' Association a few weeks ago convened in New York and adopted unanimously resolutions calling on the Republican Administration to enforce the antitrust law against the paper trust. They also declared in favor of removing the tariff duties on pulp and white paper. Perhaps a majority of that association—certainly a large percentage—are Republicans, and their action would appear anomalous did we not remember Mark Twain's philosophy to the effect that human nature is very strong and that we all have a great deal of it in us. The members of the Publishers' Association, whether Republicans or Democrats, constitute no exception to the rule. Very much depends on whose ox is gored, and the paper and wood-pulp trust gores the ox of the Publishers' Association; hence this high kick. Of course the paper and wood-pulp trust is no worse than the salt trust, the nail trust, the coal trust, the lumber trust, the beef trust, and the whole brood of trusts.

When consumers of the articles controlled by trusts in general have raised a howl, these same Republican editors who now split the welkin with their protest against the extortions of the paper trust have looked on with a sardonic grin upon their faces, and with about as much sympathy for the victims as the old woman had for the live eels squirming in her hot skillet. In three Congresses I have introduced bills to place wood pulp, white paper, and all the ingredients used in their composition on the free list—one of the propositions now urged by the Publishers' Association as a remedy for trusts. Did the Republican members thereof aid me any? Not that anybody heard of. Now the iron enters their souls and I am glad of it. In the Fifty-fifth Congress they would have had to

line up only eight Republican Members to have passed my bill, for every Democratic Member would have supported it most heartily, and no one in his senses doubts for one moment that the Republican members of that association could have lashed that many Republican Representatives, and more, into supporting my bill.

The other day, in the Committee on Ways and Means, I called up my bill to place wood pulp, white paper, and the ingredients thereof on the free list. Lo and behold! Every Democrat in the committee voted for the bill and every Republican voted against it. The Republicans being in the majority, it was defeated.

All the Republican members of the American Publishers' Association are hereby most cordially and urgently invited to train their guns on Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee, and his ten Republican brethren on that committee, and if they do not do so, they should forever hold their peace.

Commenting on the aforesaid resolutions of the American Publishers' Association, the New York Commercial remarks very pertinently:

It was to be expected that Democratic publishers would encourage such a movement, but it was hardly expected that men who are constantly preaching the benefits and advantages of protection would desert their colors merely because, for the moment, they might profit thereby. How much conviction will protection arguments in the journals published by these men be apt to carry hereafter?

On the 18th of this month the Republicans of Minnesota in convention assembled nominated a ticket and made a declaration of principles. In their platform they say:

We favor such modifications of tariff schedules as from time to time are required by changing conditions, and insist that such changes shall be made in line with the fundamental principle of protection.

That is a remarkable declaration—an effort to mix water and oil—an endeavor to ride two horses going in opposite directions—a palpable attempt to hold with the hare and run with the hounds. The first half is "the Iowa idea;" the last half is the stand-pat creed.

These Minnesota platform makers—artists in their line—

> Palter with us in a double sense;
> They keep the word of promise to our ear,
> And break it to our hope.

All Representatives are, of course, familiar with the Bible, and have read the twenty-seventh chapter of Genesis, in which is recorded that weird story describing the ingenious plan which Rebekah devised to enable her favorite son Jacob to secure from his father Isaac the blessing which was intended for his favorite son Esau. Isaac was old and his eyes were dim, so that he could not see, but his sense of feeling was still acute; and when Jacob presented himself to receive the blessing which did not belong to him, but to his hairy brother, Isaac, being somewhat suspicious, said unto Jacob:

Come near, I pray thee, that I may feel thee, my son, whether thou be my very son Esau or not.

And Jacob went near unto Isaac his father; and he felt him, and said: The voice is Jacob's voice, but the hands are the hands of Esau.

And he discerned him not, because his hands were hairy, as his brother Esau's hands; so he blessed him.

And he said, Art thou my very son Esau? And he said, I am.

Governor Cummins and Brother DALZELL, representing the extreme factions in the Republican party, will have to exercise all their senses of seeing, smelling, tasting, hearing, and touch to judge whether the Minnesota statesmen are Jacobs or Esaus, and will even then find themselves in gravest doubt. [Laughter and applause on the Democratic side.]

The Des Moines Register and Leader, the Republican organ of Iowa, edited by Hon. George E. Roberts, President Roosevelt's Director of the Mint, not long ago contained these vigorous, not to say savage, editorial sentences touching the "stand-patters:"

When President McKinley announced that it was "our plain duty" to grant the Porto Ricans free entrance into the American market, the Ways and Means Committee of the House of Representatives at once took up this hue and cry for narrowing the field for American labor. Was it wise, they asked, to dump the sugar and other products of Porto Rico on the American market when our own citizens were engaged in producing these things, and to deprive the American laborer of his job?

It was with great difficulty that Republicans in Congress brought themselves to yield to the weight and influence of President McKinley's judgment and to consent that at the end of two years Porto Rico should be granted a free market exchange. Now, what has been the result? Has the influx of Porto Rican products narrowed the field of American labor? Porto Rican exports have jumped from two millions to several times that amount—we do not have the exact figures at hand—and yet the United States, like the individual who hires ten laborers in the place of two, has broadened its own domestic field of operations, for it is selling to Porto Rico in exchange more in proportion than Porto Rico sells to it, so that to-day the cash balance of trade in our favor is greater than our total sales to Porto Rico were ten years ago.

The individual who spends an afternoon in painting his own fence in order to save a half dollar, and thereby misses a hundred-dollar deal, is the exact type of the public man who to-day in the United States advises against the broadest commercial reciprocity on the theory that everything that we import narrows the field of domestic production. Such a spigot-watching policy makes misers of men and backwoods settlements of nations. No individual ever gained wealth or influence by it, and no nation ever developed its real resources. There is a philosophy in the old Bible injunction that "there is a scattering that yet increaseth, and a withholding of more than is meet," that is much deeper than a great deal of our modern-day statesmanship is able to realize.

Whenever our stand-pat friends get into a hole they resurrect "the bogy man" of free trade and hold him in terrorem over the heads of the American people.

Nobody knows better than they do that there is no free-trade party in the United States, and they ought to quit asserting that there is. We can all be honest even if we can't be great.

By the unanimous vote of the Democratic Members of this House Hon. JOHN SHARP WILLIAMS of Mississippi was at the beginning of the extraordinary session of this Congress made the minority leader, and he has demonstrated over and over again that he is a leader who leads. To use his own language, he has been constituted "the mouthpiece of the minority" on this floor. He speaks, therefore, by authority, and he speaks so clearly that even the most stupid can understand him.

His black plume, like the white plume of Henry of Navarre, points the way to victory—not a temporary victory in this arena, but to ultimate victory in the country at large.

In the February number of Everybody's Magazine, in a thoroughly considered and felicitously expressed article, he defines the Democratic tariff position—a definition which he has frequently given in practically the same shape in his speeches in this body. He says:

As to the tariff, the Democratic party stands for the principle that protectionism is a system of taxation whereby many are robbed in order that a few may be hothoused by legislation into artificial prosperity. The method whereby "protection" does this is by deflecting capital and labor from naturally profitable pursuits into pursuits made by legislation profitable, pursuits which without legislation would have been less profitable or perhaps not profitable at all.

The ultimate goal of Democratic striving is "tariff for revenue only;" but in the striving toward this goal common sense, good judgment, and conservatism will prevail, and time will enter as a factor. Perhaps it might be said that an ideal Democratic "tariff for revenue only" would consist in levying import duties upon all or nearly all imports, dividing them, however, into three classes: First, necessaries of life and necessaries of industries; second, comforts, and third, luxuries.

In one of his speeches he added that the rate on each particular class should be uniform—lowest on the first class, higher on the second class, highest on the third class.

In his magazine article he continues as follows:

The general principle that protectionism is wrong, morally wrong—a prostitution of government to private ends—should never be forgotten; the goal ought not to be lost sight of. At the same time friends of tariff reform would not strike down in a revolutionary way—"overnight," as the Germans say—all the scaffolding which the false system has erected. * * *

In this country, owing to the decision of the Supreme Court in the income-tax case, founded on the provision of the Constitution of the United States about direct taxes, the goal can not be, as it was in Great Britain, free trade. "A tariff for revenue to carry on a government economically and effectively administered" becomes the American tariff reformer's goal. It must be kept in mind until it is reached, but it must be reached by the exercise of wisdom and good sense. The tariff reformer who would do things recklessly or too suddenly would run the risk of destroying the very end which he had in contemplation, by furnishing object lessons which would not help him but would hurt him, and in consequence of which he and those of his opinion might be hurled out of place and deprived of the power of doing anything.

But it may be urged by the captious that Mr. WILLIAMS is a Democratic witness. To satisfy them I quote a Republican witness.

It is really refreshing to find a Republican editorial in a newspaper of any considerable influence and standing which tells any truth whatsoever about the Democrats; hence it is with great pleasure that I quote these lines from the Washington Star, which is a Republican paper from away back:

Mr. Alfred Mosely, a distinguished English capitalist who visited the United States last year for the purpose of investigating our industrial methods, conditions, and line of thought, has since his return home been giving his countrymen, through the medium of the press, the result of some of his observations. Speaking on the subject of the tariff, he tells them in substance that there is no free-trade party in this country and that the discussion of revising our customs schedules goes no further than "whether perhaps they (the American people) are not taxing themselves unnecessarily in certain industries."

This statement is so true that it is surprising to find it contradicted by an American newspaper, the New York Journal of Commerce, which declares that the Democratic party in this country is quite out of sympathy with the protective policy; that they make their free-trade programme the corner stone of their policy and can find little else to rest it on.

The Englishman has the right of this matter. There is no free-trade party in the United States. No man whose name is mentioned in connection with the Democratic nomination for President this year stands for free trade or for anything approaching it.

Every Republican orator in the United States ought to be compelled to commit that editorial to memory and repeat it to every audience he addresses; but will it be done? Not on your life! [Laughter.] They will go on repeating their stale canards with a great deal of gusto as long as they can wag their tongues.

We go forth to battle with "tariff reduction and genuine reciprocity" inscribed upon our banner.

Our appeal is to the great body of the people. To them we pin our faith without hesitation and without fear. [Prolonged applause on Democratic side.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13352. An act transferring the county of Pierce, in the

State of Georgia, from the eastern to the southwestern division of the United States district court for the southern district of Georgia; and

H. R. 12904. An act providing for holding of courts of the eastern division of the northern Federal judicial district of Georgia at Athens, Ga.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 4672) to authorize the New York, New Haven and Hartford Railroad Company to construct, maintain, and operate a bridge across the Connecticut River.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 1618. An act granting an increase of pension to Thomas Herran;

S. 1572. An act granting an increase of pension to Isaac N. Hughey;

S. 1478. An act granting an increase of pension to Leroy R. Hawthorn;

S. 1310. An act granting a pension to Ella C. Tupper;

S. 716. An act granting an honorable discharge to Jacob Niebels;

S. 402. An act for the relief of James D. Vernay;

S. 329. An act granting an increase of pension to Bushnell B. Loomis;

S. 320. An act granting an increase of pension to Hiram W. White;

S. 208. An act granting an increase of pension to Alfred Kent;

S. 94. An act granting a pension to Alvin Rine;

S. 5028. An act granting an increase of pension to Charles W. Chargo;

S. 4919. An act granting an increase of pension to William C. Griffin;

S. 4899. An act granting an increase of pension to Laura M. Gilmore;

S. 4891. An act granting an increase of pension to Elizabeth G. Illsley;

S. 4846. An act granting an increase of pension to John Taylor;

S. 4842. An act granting an increase of pension to Siloam Williams;

S. 4817. An act granting a pension to Cornelia A. Thompson;

S. 4765. An act granting an increase of pension to Adrian Terry;

S. 4742. An act granting an increase of pension to Earl B. French;

S. 4648. An act granting an increase of pension to John T. Rader;

S. 4618. An act granting an increase of pension to William Varnes;

S. 4405. An act granting an increase of pension to Emma Thurston;

S. 4372. An act for the relief of H. Gibbes Morgan and other coowners of Cat Island, in the Gulf of Mexico;

S. 4343. An act for the relief of Talton T. Davis;

S. 4056. An act granting an increase of pension to George G. Wright, alias George Gravett;

S. 3938. An act for the relief of George H. White;

S. 3867. An act granting an increase of pension to Osmer S. Deming;

S. 3505. An act to amend the record of Maj. John Murphy;

S. 3030. An act granting an increase of pension to Charles O. Fargo;

S. 2950. An act to remove the charge of desertion from the military record of James B. Boyd;

S. 2711. An act granting an increase of pension to Fannie S. Moore;

S. 2423. An act granting an increase of pension to Benson C. Bellamy;

S. 2330. An act to correct the military record of Jacob McDowell;

S. 1989. An act granting an increase of pension to John McCabe; and

An act (S. 1654) for the relief of Theodore F. Northrop.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. HEMENWAY. I yield to the gentleman from Wisconsin [Mr. ADAMS].

Mr. ADAMS of Wisconsin. Mr. Chairman, in 1862 Congress enacted a law which was entitled "An act donating public lands to the several States and Territories which may provide agricultural colleges for the benefit of agriculture and the mechanic arts."

This act gave to each State and Territory 30,000 acres of the public domain for each Senator and Representative in Congress to which the States were entitled under the census of 1860. The law provided that each State claiming the benefits of the act should establish and maintain at least—

One college where the leading object shall be, without excluding other scientific and classical studies, including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

This law, wisely conceived in its purpose and in its details, laid the foundation of agricultural and industrial education in this country. It was a recognition of the modern idea of education, that men can be profitably educated by the State through a study of concrete things as well as by contemplation and study of abstract ideas. Under this act agricultural colleges were established in every State.

In 1883 Hon. C. C. Carpenter, of Iowa, introduced a bill providing for the establishment of State experiment stations which should be departments of the agricultural colleges. The measure did not become a law until introduced by W. H. Hatch in 1887, when it was pushed through Congress by that stalwart, aggressive, and intelligent friend of the agricultural interest.

The act of 1887 provided that each State which should establish an experiment station as a department of the agricultural college located therein should receive out of the proceeds of the sale of public lands by the Federal Government $15,000 each year. This act provided further:

That it shall be the duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals, the diseases to which they are severally subject, with the remedies of the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under a varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical compositions of manures, natural or artificial, with experiments designed to test their comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Territories.

The act required that the Secretary of Agriculture should furnish forms for the tabulation of results of investigations and generally to cooperate with the purposes and work of the stations. It also required that reports of the station work should be published at least once in three months, and that they should be mailed free of cost to newspapers and individuals engaged in farming.

Forty-eight States and Territories are each receiving $15,000 for experiment station purposes provided under the Hatch Act of 1887.

The bill now before Congress provides that the next annual appropriation to the stations shall be increased $5,000, and for a further increase of $2,000 each year for five years, until the total additional appropriation shall amount to $15,000 each year.

Secretary Wilson, in his report for 1903, calls specific attention to the work of the Iowa station, to the remarkable results obtained in corn-breeding experiments at the Illinois experiment station, and alludes to the investigations in the breeding of improved varieties of wheat at the Minnesota station, which station is attracting the attention of the entire wheat-growing world, and says:

"The amount of data published by the stations on many agricultural subjects is now very large, and the recent attempts which have been made to reduce this material to organized form in order that it may be utilized for purposes of agricultural education have shown that the stations are doing a great work in supplying the materials out of which a definite science of agriculture is being constructed and on which courses of instruction in agriculture of different grades can be successfully based.

"If our stations are to be continued on the broad basis on which they are at present organized, they must generally be supplied with larger funds for the general expenses of investigations, in order to conduct their work in a thorough and satisfactory manner. The States can and undoubtedly will supplement the national funds more fully as time goes on, but since the results obtained by the stations are in many cases of general value to the agriculture of the United States, it is worthy of consideration whether they should receive additional financial aid from the National Government. This supplemental aid should, if given, be granted under conditions which will insure its exclusive application to meet the expenses of agricultural investigations."

Dr. A. C. True, Director of Experiment Stations, Department of Agriculture, in his report for 1903, says:

These figures show conclusively that if our stations are to be continued on the broad basis on which they are at present organized, they must generally be supplied with much larger funds for the general expenses of investigations in order to conduct their work in a thorough and satisfactory manner.

The States can and undoubtedly will supplement the national fund more fully as time goes on; but since the results obtained by the stations are in many cases of general value to the agriculture of the United States, it seems proper that they should receive additional financial aid from the General Government, now that they have demonstrated their ability to stimulate and increase the agricultural production of the country. This supplemental aid should, of course, be granted under conditions which will insure its exclusive application to experimentation and which will stimulate the States to increase their contributions to the support of the stations.

The National Association of American Agricultural Colleges and Experiment Stations, which met at Atlanta, Ga., October 7 to 9, 1902, indicated its judgment in favor of increasing Government aid to the agricultural experiment stations by the adoption of the following resolution:

Whereas the sum provided by the Hatch Act of 1887 for the organization of agricultural experiment stations and the beginning of investigations in American agriculture has become insufficient for the questions now pressing for solution; and

Whereas the work of the stations during the fifteen years of their exist-

ence and the increased number of questions propounded for their solution are conclusive evidence of their public utility: Therefore, be it

Resolved, That the executive committee is hereby instructed, if in its judgment it should seem expedient, to urge upon Congress at the earliest practicable date that the appropriation to the several States under the Hatch Act be increased by the sum of $15,000 annually.

Only one-third of the increase asked for by that organization has been provided for in this bill. There is abundant reason for the appropriation of a larger amount. The appropriation has been placed at a modest figure for the purpose of securing its passage at this session, when as we all know, strong efforts are being made to keep appropriations within the narrowest possible limits.

The equipment of the various stations consists of experimental farms, buildings, machinery, laboratories, and live stock.

The experiment station farms range from 16 to 2,400 acres.

The following table, taken from advance slips of the report of Dr. A. C. True, of the Department of Agriculture, Director of Experiment Stations in that Department, gives the area of the agricultural-college grounds and experiment-station farms in the several States and Territories. The experimental farms embrace all but a comparatively small portion of the areas here scheduled. It should be observed in this connection that the lands and buildings of the experiment stations have been contributed by the States, and that it is a very conservative estimate to place the value of the experiment-station farms, exclusive of the cost of the buildings thereon, at $4,000,000.

Area of agricultural-college grounds and experiment-station farms.

State or Territory.	Number of acres in farm and grounds.
Alabama (Auburn)	325
Alabama (Normal)	182
Arizona	465
Arkansas (Fayetteville)	155
Arkansas (Pine Bluff)	20
California	411
Colorado	600
Connecticut	300
Delaware (Newark)	16
Delaware (Dover)	97
Florida (Lake City)	333
Florida (Tallahassee)	160
Georgia (Athens)	125
Georgia (College)	86
Idaho	130
Illinois	665
Indiana	189
Iowa	841
Kansas	323
Kentucky (Lexington)	258
Kentucky (Frankfort)	310
Louisiana (Baton Rouge)	583
Louisiana (New Orleans)	104
Maine	373
Maryland (College Park)	286
Maryland (Princess Anne)	120
Massachusetts (Amherst)	404
Massachusetts (Boston)	16
Michigan	684
Minnesota	300
Mississippi (Agricultural College)	2,000
Mississippi (Westside)	300
Missouri (Columbia)	694
Missouri (Jefferson City)	40
Montana	215
Nebraska	332
Nevada	85
New Hampshire	343
New Jersey	105
New Mexico	270
New York	498
North Carolina (West Raleigh)	593
North Carolina (Greensboro)	125
North Dakota	640
Ohio	345
Oklahoma (Stillwater)	360
Oklahoma (Langston)	160
Oregon	199
Pennsylvania	400
Rhode Island	17
South Carolina (Clemson College)	1,136
South Carolina (Orangeburg)	130
South Dakota	400
Tennessee	272
Texas (College Station)	2,416
Texas (Prairieview)	1,500
Utah	116
Vermont	120
Virginia (Blacksburg)	410
Virginia (Hampton)	798
Washington	250
West Virginia (Morgantown)	130
West Virginia (Institute)	68
Wisconsin	400
Wyoming	416
Total	25,305

In the management of the stations there are 54 directors, 19 assistant directors, 3 special agents in charge, 160 chemists, 54 agriculturists, 27 agronomists, 39 animal husbandmen, 7 poultrymen, 79 horticulturists, 39 farm foremen, 34 dairymen, 56 botanists, 4 plant pathologists, 50 entomologists, 6 zoologists, 31 veterinarians, 10 meteorologists, 6 biologists, 6 physicists, 4 geologists, 23 bacteriologists, 11 irrigation engineers, 16 men in charge of substations, 27 secretaries, 12 librarians, 34 clerks and stenographers, and 50 persons employed as superintendents of grounds, buildings, apiaries, herdsmen, etc.—a total of 757 persons engaged in investigation work.

Three hundred and seventy-five station officers do some teaching in the colleges with which the stations are connected.

In 1903 371 annual reports and bulletins were published, and over 600,000 were directly supplied with reports of results of experiment-station work.

The following table, contained in the report of the Director of Experiment Stations for 1903, gives the lines of work carried on in each of the experiment stations:

Station.	Principal lines of work.
Alabama (College)	Botany; soils; analyses of fertilizers and food materials; field and pot experiments; horticulture; plant breeding; diseases of plants; feeding experiments; diseases of animals; dairying.
Alabama (Canebrake)	Soil improvement; field experiments; horticulture; floriculture; diseases of plants; diseases of animals; dairying.
Alabama	Field experiments; horticulture; diseases of plants; animal industry; dairying.
Arizona	Chemistry; botany; field experiments; improvement of ranges; horticulture, including date-palm culture; feeding experiments; irrigation.
Arkansas	Chemistry of foods; field experiments; horticulture; plant breeding; diseases of plants; feeding experiments; diseases of animals.
California	Physics; chemistry and geographical distribution of soils; bacteriology; fertilizers, fertilizer control; field crops; horticulture; botany; meteorology; technology of wine and olive oil, including zymology; beet-sugar chemistry; chemistry of foods and feeding stuffs; animal husbandry; entomology; dairying; drainage and irrigation; reclamation of alkali lands; animal and plant pathology.
Colorado	Chemistry; field experiments; horticulture; plant breeding; entomology; irrigation.
Connecticut (State)	Chemistry; analysis and inspection of fertilizers, foods, and feeding stuffs; inspection of Babcock test apparatus and nurseries; diseases of plants; horticulture; forestry; field experiments; entomology.
Connecticut (Storrs)	Food and nutrition of man and animals; bacteriology of dairy products; field experiments; horticulture; poultry experiments; dairying.
Delaware	Chemistry; bacteriology; field experiments; horticulture; diseases of plants; feeding experiments; diseases of animals; entomology; dairying.
Florida	Chemistry; field experiments; horticulture; feeding experiments; veterinary science; entomology.
Georgia	Field experiments; horticulture; entomology; pig feeding; dairying.
Idaho	Chemistry; physics; botany; field experiments; horticulture; entomology; feeding experiments.
Illinois	Chemistry; bacteriology; field experiments; horticulture; forestry; plant breeding; diseases of plants; diseases of animals; feeding experiments; entomology; dairying.
Indiana	Chemistry; soils; pot and field experiments; horticulture; feeding experiments; diseases of plants and animals; irrigation; dairying.
Iowa	Chemistry; botany; field experiments; horticulture; diseases of plants; feeding experiments; animal husbandry; entomology; dairying.
Kansas	Soils; horticulture; plant breeding; field experiments; feeding and digestion experiments; diseases of animals; entomology; dairying; extermination of prairie dogs and gophers.
Kentucky	Chemistry; soils; analysis of fertilizers, foods, and feeding stuffs; inspection of orchards and nurseries; field experiments; horticulture; plant breeding; animal husbandry; feeding experiments; diseases of plants; entomology; dairying.
Louisiana (Sugar)	Chemistry; bacteriology; soils and soil physics; field experiments; horticulture; sugar making; drainage; irrigation.
Louisiana (State)	Geology; botany; bacteriology; soils; inspection of fertilizers and Paris green; field experiments; horticulture; animal husbandry; diseases of animals; entomology.
Louisiana (North)	Chemistry; soils; fertilizers; field experiments; horticulture; feeding experiments; stock raising; dairying.
Maine	Chemistry; botany; analysis and inspection of fertilizers, concentrated commercial feeding stuffs, and creamery glassware; horticulture; diseases of plants; seed tests; food and nutrition of man and animals; poultry raising; diseases of animals; entomology; dairying.
Maryland	Chemistry; soils; field experiments; horticulture; plant breeding; diseases of plants; feeding experiments; animal breeding; diseases of animals; entomology; dairying.
Massachusetts	Chemistry; meteorology; analysis and inspection of fertilizers and concentrated commercial feeding stuffs; inspection of creamery glassware and nurseries; field experiments; horticulture; electro-germination; diseases of plants; digestion and feeding experiments; diseases of animals; entomology; dairying.

Station.	Principal lines of work.
Michigan	Chemistry; bacteriology; soils; field experiments; horticulture; diseases of plants; feeding experiments; diseases of animals; entomology; stable hygiene.
Minnesota	Chemistry; soils; field experiments; horticulture; forestry; diseases of plants; food and nutrition of man; plant and animal breeding; feeding experiments; diseases of animals; entomology; dairying.
Mississippi	Soils; fertilizers; field experiments; horticulture; animal husbandry; diseases of animals; entomology; dairying.
Missouri (State)	Chemistry; field experiments; horticulture; diseases of plants; feeding experiments; animal and plant breeding; diseases of animals; entomology; dairying; irrigation.
Missouri (Fruit)	Horticulture; entomology; inspection of orchards and nurseries.
Montana	Chemistry; meteorology; botany; field experiments; horticulture; feeding experiments; poultry experiments; entomology; dairying; irrigation.
Nebraska	Chemistry; botany; meteorology; soils; field experiments; horticulture; diseases of plants; forestry; feeding and breeding experiments; diseases of animals; entomology; irrigation.
Nevada	Chemistry; botany; soils; field experiments; horticulture; forestry; animal diseases; entomology; irrigation.
New Hampshire	Chemistry; field experiments; horticulture; feeding experiments; entomology.
New Jersey (State)	Chemistry; biology; botany; analysis of fertilizers, foods, and commercial feeding stuffs; pot and field experiments; horticulture; diseases of plants; food and nutrition of man; diseases of animals; entomology; dairy husbandry; soil bacteriology; irrigation.
New Jersey (College)	
New Mexico	Chemistry; botany; field experiments; horticulture; soils; feeding experiments; entomology; irrigation.
New York (State)	Chemistry; bacteriology; meteorology; fertilizers; analysis and control of fertilizers; inspection of feeding stuffs, Paris green, and creamery glassware; field experiments; horticulture; diseases of plants; feeding experiments; poultry experiments; entomology; dairying; irrigation.
New York (Cornell)	Chemistry; soils; fertilizers; field experiments; horticulture; diseases of plants; feeding experiments; diseases of animals; poultry experiments; entomology; dairying.
North Carolina	Chemistry; soils; field experiments; horticulture; plant diseases; animal husbandry; diseases of animals; poultry experiments; dairying; tests of farm machinery.
North Dakota	Chemistry; botany; field experiments; plant breeding; horticulture; diseases of plants; food analysis; feeding experiments; diseases of animals; dairying; tests of farm machinery.
Ohio	Soils; field experiments; horticulture; plant breeding; diseases of plants; breeding and feeding experiments; diseases of animals; entomology.
Oklahoma	Chemistry; field experiments; horticulture; forestry; botany; diseases of plants; animal husbandry; diseases of animals; entomology.
Oregon	Chemistry; bacteriology; soils; field crops; horticulture; diseases of plants; feeding experiments; entomology; dairying.
Pennsylvania	Chemistry; meteorology; analysis of fertilizers, foods, and feeding stuffs; horticulture; field experiments; feeding experiments; dairying.
Rhode Island	Chemistry; meteorology; soils; analysis and inspection of fertilizers and feeding stuffs; field and pot experiments; horticulture; poultry experiments.
South Carolina	Chemistry, analysis and control of fertilizers; field experiments; horticulture; plant breeding; diseases of plants; feeding experiments; veterinary science; entomology; dairying.
South Dakota	Soils; field experiments; plant breeding; diseases of plants and animals; animal husbandry.
Tennessee	Chemistry; soils; fertilizers; field experiments; horticulture; seeds; weeds; diseases of plants; feeding experiments; entomology; dairying.
Texas	Chemistry; meteorology; soils; field experiments; horticulture; feeding experiments; diseases of animals; irrigation.
Utah	Chemistry of soils and feeding stuffs; alkali soil investigations; meteorology; field experiments; horticulture; diseases of plants; breeding and feeding experiments; dairying; poultry experiments; irrigation; arid farming.
Vermont	Chemistry; botany; analysis and control of fertilizers and feeding stuffs; inspection of creamery glassware; field experiments; horticulture; diseases of plants; feeding experiments; dairying.
Virginia	Field crops; horticulture; bacteriology; analysis of foods; feeding experiments; veterinary science; entomology; cider and vinegar making; ferments.
Washington	Chemistry; botany; bacteriology; soils; field experiments; horticulture; plant breeding; diseases of plants; feeding and breeding experiments; oyster culture; diseases of animals; entomology; dairying; irrigation.
West Virginia	Chemistry; analysis and control of fertilizers; soils; field experiments; horticulture; diseases of plants; inspection of orchards and nurseries; feeding experiments; poultry experiments; entomology; dairying.
Wisconsin	Chemistry; bacteriology, soils, field experiments; horticulture; feeding experiments; dairying, drainage and irrigation.
Wyoming	Chemistry; geology; botany; meteorology; waters; soils; range improvement; fertilizers; field experiments; food analysis; breeding and feeding experiments; poultry experiments; entomology; irrigation.

This table indicates strongly the intensely practical character of the experiment-station work. It is made a part of the RECORD for the information of the House and the country.

There is not an agricultural experiment station in the United States that because of its work and the results of that work could not properly be made a subject of extended statement upon the floor of this House. But if the subject were taken up in detail, as it could be, it would involve an address as long as a speech upon the Panama canal question in that most deliberate body, the United States Senate.

It is almost unfair to the other stations to select the work of any particular station for illustration. The prime purposes of the stations has been not only to make two blades of grass grow where one grew before, but to produce two bushels of wheat where one was produced before; two bushels of corn where one grew before; two pounds of butter where one was made before, and generally to increase by intelligent methods the production of the American farms.

The Illinois station has done some remarkable work in corn selection and breeding. It is reducing the size of the cob and increasing the proportion of corn to the cob. It has undertaken to accomplish what, until recent years, has been regarded as an impossible work—the changing of the proportion of the nutrient elements contained in a kernel of corn. The defect in corn as a food for man and beast has been its extraordinarily large proportion of carbonaceous or fat and heat forming matter and its small proportion of nitrogenous elements, or bone and muscle and blood forming elements. In other words, it is not a properly balanced ration in itself. The Illinois station has succeeded in introducing from 5 per cent to 7 per cent more portein into some varieties of corn which it has developed. It has not only eliminated a portion of the cob and increased the quantity of the corn, but it is improving the quality—the commercial and digestive value of that grain. Its work has been so striking and effective that it has brought about the organization of the Illinois Corn Growers' Association, which is enlisting the interest of the farmers of that great corn-growing State in active and intelligent cooperation with the experiment station work. The practical results of the work of the Illinois Experiment Station in its improvement of corn has already meant an increase of millions of dollars to the corn growers of Illinois and will result in the addition of millions of dollars to the revenues of all the great corn-growing States.

Mr. Luther Burbank, the great plant breeder, is quoted by Prof. C. F. Curtiss, of the Iowa Experiment Station, as saying that it is an easy matter to produce a variety of grain that will yield a single extra kernel to the ear or to the head, yet this trifling increase to the agricultural crops of the country would amount to 5,200,000 bushels of corn, 15,000,000 bushels of wheat, and 20,000,000 bushels of oats. The experiment stations are doing precisely this kind of work.

The Iowa Experiment Station has done valuable work with forage plants and grasses and in feeding experiments designed for the increased production of meat and milk, which has been worth more to the farmers of that State than the Federal appropriation to the Iowa station would amount to in one hundred years.

The Minnesota and North Dakota experiment stations, working together, began the breeding of wheat twelve years ago. Two new varieties of distinct value have been distributed. One of these varieties has proved to be peculiarly adapted to northern Minnesota and to North Dakota, where it yields 15 to 20 per cent more than the common varieties. Five hundred thousand acres of this variety will be sown this year, and the increased yield, at a conservative estimate, will give an additional value to the crop of $2 per acre, or $1,000,000. The hard wheat milling qualities have not been lost in the development of this variety, while the yield has been materially increased. The second variety which has been developed is known as "Minnesota No. 169." It yields from 18 to 20 per cent more in an average year than the wheat which it displaces. It is of superior quality for milling purposes. Other varieties than those named are being developed by the Minnesota and North Dakota experiment stations which will still further increase the wheat yield of those and other Northwestern States.

The Minnesota station has developed a variety of flax which is 40 per cent longer in the straw than the old variety and may result in making the growth of flax fiber profitable in this country. The yield of flaxseed has also been increased through the introduction of new varieties.

The Minnesota station has produced a new variety of corn adapted to northern latitudes, and because of this the northern zone of the corn belt has been pushed 50 miles farther north in the last ten years.

A new variety of hardy alfalfa has been discovered by this station which promises to be useful among the forage crops of the North.

The Minnesota station has also done work of the greatest value in feeding experiments with dairy cattle, in distributing knowledge among the farmers of that State of the principles of breed-

ing, in encouraging the intelligent production of butter and cheese, and generally has been a powerful force, aiding in the rapid and profitable development of the agricultural interests of the State.

The Connecticut Experiment Station has changed the character of Connecticut wrapper leaf tobacco, and the Storrs Station, in the State of Connecticut, has been for ten years working to obtain definite knowledge of the ways in which the body is nourished and of the values and uses of foods. It has made valuable dietary studies and added materially to knowledge of the laws of nutrition and of the physiological requirements of the body.

Exhaustive tests of food values have been made by the Pennsylvania Experiment Station under the capable direction of Dr. H. P. Armsby.

This station was one of the first, if not the first, American station which demonstrated the effectiveness of the tuberculin test in indicating tuberculosis in cattle, and thereby aiding in stamping out that disease.

The Southern States are doing a work of increasing value to the farmers of the South. In Georgia, in Texas, in Arkansas, in Alabama, and in other Southern States they are teaching the cotton farmers of the South the one thing that they need to appreciate and to know more than anything else, the ways of restoring the worn-out cotton lands of the South. Those stations are the breeding grounds of ideas which will enrich southern agriculture. They are teaching the southern farmers the value of rotation of crops, of manures, of the kinds of commercial fertilizers that he needs. They are endeavoring to interest him in dairying, because the directors of those stations know enough to know that the foot of the cow, like the hoof of the sheep, is golden; that the path of the cow leads always to richer fields and in the direction of golden harvests. They know that where the dairy business is there is the greatest wealth and the greatest comfort in farm life, and they know that this is true because the cow is a mother and not a robber; that she gives back to the soil as much as she takes from it.

President H. C. White, of the Georgia Agricultural College, declares, and the statement is undoubtedly true, that as good dairy products can be produced in southern Georgia as in any State in the Union. The "New South" that is being talked about so much and upon which so much eloquence has been lavished is becoming a new South not because of political agitation, but because factories are springing up; southern cities are noisy with the whirr of machinery; the factory is being planted by the farm. The southern farmer is more and more finding a home market, and is being taught, through the agency of the experiment stations, to become a thinking machine instead of a guessing machine.

The race question is a serious question for the South. We of the North realize it. But some of us believe with Booker Washington that the welfare of the negro is best served when he devotes himself to industrial rather than political activities. Whether right or wrong—a question which I shall not here discuss—southern prejudice against political domination by the colored race stands like a wall of adamant against the encroachments of the race upon political power. But every motive of self-interest upon the part of the intelligent and dominant element in southern political and business life should and undoubtedly does favor the building up of manufacturing and agricultural enterprises to such an extent that they should absorb, and absorb profitably, the attention and the energies of the men who can wield the hammers, run the machinery, plow the land, sow the seed, pick the cotton, hew the wood, and bring the water in the industrial life of the South. The agricultural possibilities of the South are magnificent. The experiment stations are broadening the field for profitable farm work. They will increase the demand for and the profits of labor. As a matter of politics and economics they should receive the support of every intelligent friend of southern agriculture.

For fifteen years the California experiment station, among other things, has been working upon the problems of irrigation and the reclamation of alkali lands. It has accomplished great results. Its work has resulted in the reclamation of millions of acres hitherto unused. It has also done a most valuable work in horticulture for the interests of that great fruit-growing State. It has brought into California sixty new varieties of figs, and has discovered through its investigations that the superior quality of the foreign figs is largely because of a minute insect which transfers from the pollen of a wild flower to the fig blossom a certain element which improves in a wonderful degree the quality of the fruit.

The Kansas experiment station brought Kaffir corn into that State. In 1902 500,000 acres of land were planted to that variety, increasing materially the total corn production of the State.

In my own State Dr. S. M. Babcock has worked out a simple test to determine the value of milk, and to-day that test is being used in every civilized land. The dairy industry of the United States annually produces $500,000,000 worth of products. It is far under the true estimate to say that the Babcock test is responsible for 1 per cent of that income, or $5,000,000 annually, nearly what the Department of Agriculture costs each year. Farmers all over the United States not only now sell their milk upon the basis of butter fat which it contains, but they buy their cows upon the basis of their butter yield, as indicated by the Babcock test. Dean W. A. Henry estimates that the annual value of the increase in dairy production caused by the introduction of the Babcock test is $800,000.

The Wisconsin Experiment Station turned its attention some years ago to the discovery of some remedy to prevent smut in oats, which was destroying a considerable portion of the Wisconsin oat crop. It discovered that the treatment of such oats with a weak solution of formaldehyde was destructive to the smut. Last year 25,000 Wisconsin farmers adopted this practice, and the oat crop for that year has been recently stated at 96,000,000 bushels. It is undoubtedly true that at least 10,000,000 bushels were saved through the experiment-station discovery, which means a saving to the farmers of Wisconsin, a single State in a single experiment, of $5,000,000.

The Wisconsin Experiment Station brought into that State Manshury barley, materially increasing the barley yield, and Mediterranean wheat, materially increasing the wheat yield of the State.

It has made exhaustive feeding experiments, proving absolutely the possibility of so feeding pigs that the best quality of bacon can be produced, the ideal streak of lean and streak of fat found in the Irish bacon.

And the work of that station in connection with the work of the Kansas station has made so general the intelligent feeding of hogs for the production of bacon that Sir Thomas Lipton buys immense quantities of American bacon, ships it into European markets, labels it "Irish bacon," and obtains the Irish bacon price for it because it is something equally good.

The Wisconsin station has ascertained through exhaustive experiments that cheese can be well cured at a low temperature. The effect of this new knowledge will be to eliminate cheese-curing rooms and processes from the cheese factories of the entire country and the shipment direct of new cheese to cold-storage warehouses. The saving of labor and of money and the improvement in the average quality of cheese which will result from this knowledge will benefit very materially the cheese-producing industry.

Every experiment station in the land is the enemy of a poor cow. Every experiment station in the land is the friend and defender and promoter and distributer of good cows. Every experiment station in the land is the enemy of waste upon the farm. Every experiment station in the land teaches the farmer to take care of his machinery; teaches him sound lessons in tillage; teaches him to maintain the fertility of his soil, which is the capital stock in the farmer's bank; teaches him to keep cash accounts; teaches him cleanliness in the dairy; teaches him proper housing of stock; teaches him how to build in the cheapest and most desirable way silos where the whole corn crop—ears, stalks, and all—can go in a succulent state and become practically canned green feed for winter use, furnishing a succulent feed for all the animals of the farm, housed under cover in comfortable weather, and fed during the long months of a northern winter without going out of doors.

The experiment stations have driven the frauds out of fertilizers and by their inspections of those costly necessities to many American farms have saved millions and millions of dollars to the American farmers.

The experiment stations have been object lessons to the agricultural colleges under whose shadows they are.

The agricultural colleges have given new dignity, new value, and new profit to farm life. The agricultural college deals with ideas; the experiment station deals with facts. The students in the agricultural colleges go from the atmosphere of theory in the class room to the practical life of the experiment-station farm and see demonstrated before their eyes, beyond question or dispute, the truth or falsity of the theories of agriculture.

The agricultural experiment stations are training men to know definite things about the farm, and carry their knowledge not only to the agricultural colleges, but through their correspondence, through the publication of bulletins, through personal contact with the farmers of their several States in institute meetings, carry it directly to the people themselves.

The farm institute has become an established factor in the agricultural life of the nation. Farmers' institutes are held in every State. They have been called the common schools of agriculture, which go close to the farmer's home and the farmer's life, and by the inspiration of contact with men who do things and who know things, teach him the practical lessons of his business, stir his ambition, his self-respect, equip his mind, and make him a

greater producing factor in the nation's activities. One million farmers last year attended the farmers' institutes in the United States. In every State, among farmers of every community, there is a keen, active, appreciation of the teaching work which is being done by men who go out of the experiment stations with an equipment of ascertained facts, to drive their theories and philosophy home to the minds of the farmers.

In the publications of the Department of Agriculture, in the publications of the various State experiment stations last year, 4,000,000 pieces of agricultural literature were scattered among the 9,000,000 farmers of the United States. This work is valuable and needs broadening. The Federal Government, which has expended money for these stations so wisely and so profitably, can afford, now that they have grown and established themselves in the confidence of the farmers of this country, to give them the additional aid which they need to extend still further their scientific and practical researches. The men who run these stations are not Government officers working at high salaries a limited number of hours each day and dawdling away the hours in a perfunctory discharge of routine duties. They are men working for modest salaries, inspired by that enthusiasm which fruitful work always inspires in any man who is a man, and who realize keenly how greatly the farmers of the nation are being benefited by their work. Their representatives come here to Congress asking for an increase, not of their salaries but of their labors and responsibilities.

This agricultural experiment station work is not confined to this country. The first agricultural experiment station supported by government aid was established at Moecken, Germany, and will this year celebrate its fiftieth anniversary.

Russia has 102 agricultural experiment stations and three experimental forests. The Russian Government is not particularly affected by popular clamor. These stations have not been established because of the demands of the agricultural class. They have been established by a despotic government because of their very great value in developing the material resources of the Russian Empire.

Germany has 80 stations. That country has always led in the matter of agricultural education. With a population only a little over half of that of this country, it has more than one-third more experiment stations. They are established there not in obedience to a public demand, but because the statesmen of Germany wish to develop to the last degree the agricultural resources of that Empire, increasing its taxable wealth and providing, so far as possible, upon German soil the food of the people and the sustenance of the great armies of the Empire.

France has 71 and a system of agriculture which is not surpassed in the civilized world; Austria has 41; the British Islands have 30; little Belgium has 15; far-off Australia has 34; Sweden has 26; Switzerland has 10; Spain, the most effete monarchy in Europe, as might be expected, has only 4.

I have heard only two arguments against this bill. One is that it is paternalistic, and the other is that the States are not doing what they should, and should provide all the funds necessary for the proper development of the experiment-station work.

This bill is paternalistic. There is no question about it. So is the appropriation of $250,000 to exterminate the boll weevil, which was threatening the cotton industry of the South. The ghost of paternalism affects a great many gentlemen who do not happen to be benefited by the particular appropriation which they charge with being paternalistic. The boll-weevil appropriation was made to destroy an insect which existed in a single State—the State of Texas—and to a small degree in one other State. It was absolutely justifiable. It was preeminently to the credit of the Representatives of the northern Congressional districts that, so far as I know, to a man they supported that appropriation.

The Federal Government can well afford to use its financial power to protect and foster and build up the great cotton industry of the South. Cotton is still very nearly king in this country. It is the queen of our exports. When the Federal Government protects that industry from insects or any other material danger it can plead guilty to the charge of paternalism and glory in its guilt. If this Government is not strong enough to take care of its own the Federal Constitution ought to be amended. Not only were the cotton farmers of the South interested in that appropriation, but the farmers of the East and the West and the North had a direct business interest in it. If through any cause the cotton industry of the South should be obliterated, the millions of acres and millions of capital and hundreds of thousands of men employed in that industry would be turned into other lines of farm production, and the northern and eastern and western farmers would be finding in the markets of this country and of every country more corn, more wheat, more beef, and more dairy products, and therefore diminished prices.

The farming industries of this country stand together, or should stand together. Every new agricultural industry that is built up helps every other. Every old one that is maintained helps every other which exists or can exist. This Government has been wisely committed to the policy of spreading agricultural knowledge among the farmers of the nation. As a gentleman well said before the Committee on Agriculture a week ago, there is a good paternalism and a bad paternalism. The paternalism which benefits special interests to the prejudice of the general welfare is one thing. The paternalism which benefits special interests to the advantage of all others is another and entirely different thing.

We have made splendid progress in fifty years in manufacturing. In recent years our exports of manufactures have startled every manufacturing nation. The products of mines and forests and shops and factories have reached a total which stirs the pride of every American who rejoices in the upbuilding of America's industries and the increase of her wealth. But agriculture is still the greatest interest of the nation. It employs more people and produces more dollars than any other interest.

In 1887, when the original Hatch Act was passed, establishing the experiment stations, the total agricultural production of the United States was less than $3,000,000,000. In 1903, sixteen years after the passage of that act, the total agricultural production of the United States, according to the recent report of the Senate Committee on Agriculture, exceeded $5,000,000,000. No single agency has contributed more to this marvelous increase than the definite, practical, and fruitful work of the experiment stations. If a small appropriation of $240,000 is paternalism, then make the most of it. If the actual record of the stations indicates anything, it means that there will come back to the agriculture and the business of the United States hundreds, if not thousands, of dollars for every dollar carried in this appropriation.

In reply to the objection that the States are not doing enough, that they should carry the entire burden of these stations, permit me to call the attention of the House to the fact that the larger and wealthier States are contributing most generously to the experiment-station work.

The money provided for in this bill can be profitably expended in every station, but is particularly needed in the Southern States and in some of the newer Western States.

The State of Illinois has appropriated for use in the experiment station of that State in special lines of work $85,000 for the present year.

It should not be forgotten that the agricultural experiment stations are closely allied to the agricultural colleges, and that the States supplement the Federal appropriations largely, both for the stations and the colleges.

I submit herewith a statement, too elaborate to be read here, showing the manner in which the funds provided by the General Government for the experiment stations were expended during the past year. This covers the amount paid in salaries, labor, publications, heat, light and water, chemical supplies, seeds, plants and sundry supplies, fertilizers, feeding stuffs, tools, implements, machinery, furniture and fixtures, scientific apparatus, live stock, traveling expenses, contingent expenses, buildings, repairs, etc.

I also submit a table showing some State appropriations made in the last three years for the support of experiment stations. I will not take the time to read these tables, but will incorporate them in the RECORD.

Expenditures of agricultural experiment stations from United States appropriation for year ended June 30, 1903.

Station.	Amount.	Salaries.	Labor.	Publications.	Postage and stationery.	Freight and express.	Heat, light, and water.	Chemical supplies.	Seeds, plants, and sundry supplies.	Fertilizers.
Alabama	$15,000	$8,828.91	$1,367.62	$799.69	$147.58	$266.12	$308.29	$408.78	$687.81	$342.07
Arizona	15,000	8,259.64	1,874.15	1,147.13	136.60	188.06	163.99	223.75		429.04
Arkansas	15,000	7,374.86	2,168.45	704.05	303.41	397.04	86.51	292.03	974.53	
California	15,000	6,007.12	5,158.21	227.25	430.49	124.68	268.61	213.79	680.00	
Colorado	15,000	10,992.81	62.57	1,953.76	157.37	9.15	6.00		86.06	
Connecticut:										
State	7,500									
Storrs	7,500	4,016.54	999.48	158.78	165.55	78.91	58.91	86.76	294.94	
Delaware	15,000	9,270.50	1,067.01	818.94	128.90	91.89	266.01	98.54	363.28	

Expenditures of agricultural experiment stations from United States appropriation for year ended June 30, 1903—Continued.

Station.	Amount.	Salaries.	Labor.	Publications.	Postage and stationery.	Freight and express.	Heat, light, and water.	Chemical supplies.	Seeds, plants, and sundry supplies.	Fertilizers.
Florida	$15,000	$7,655.36	$2,471.59	$608.61	$194.14	$212.77	$447.69	$104.69	$290.67	$346.39
Georgia	15,000	7,440.00	2,605.03	867.91	200.63	237.41	234.70	2.15	781.40	406.47
Idaho	15,000	7,878.15	3,085.27	836.56	21.80	91.93	871.76	139.81	181.61	9.58
Illinois	15,000	7,076.42	2,644.51	1,626.54	890.27	356.19	547.85	30.13	547.16	8.10
Indiana	15,000	7,253.48	3,419.81	757.13	103.45	90.92	220.52	3.59	535.31	----------
Iowa	15,000	7,875.94	2,412.70	1,504.07	536.17	289.71	230.72	246.90	908.67	----------
Kansas	15,000	8,190.58	3,388.54	430.50	113.80	263.01	9.10	28.82	453.16	----------
Kentucky	15,000	11,720.00	483.42	1,083.36	127.95	55.33	343.00	194.56	274.90	----------
Louisiana	15,000	7,120.51	3,196.33	1,423.50	383.01	265.39	226.90	86.54	311.85	152.49
Maine	15,000	7,939.45	1,808.42	22.75	278.74	149.12	954.60	177.96	542.14	142.80
Maryland	15,000	7,799.00	2,988.59	264.84	183.28	203.74	332.21	158.70	765.43	175.26
Massachusetts	15,000	6,829.37	3,216.52	860.08	300.32	130.65	355.77	----------	810.76	716.85
Michigan	15,000	6,964.06	2,971.97	186.29	307.64	312.82	----------	107.35	379.26	3.28
Minnesota	15,000	10,507.38	2,129.00	607.70	95.21	----------	48.53	----------	240.38	----------
Mississippi	15,000	7,480.53	1,457.05	1,519.07	160.64	258.14	102.73	.85	620.30	205.58
Missouri	15,000	6,174.58	2,920.45	1,045.75	309.33	490.58	248.84	66.17	797.47	20.10
Montana	15,000	8,818.50	2,218.85	1,368.87	250.21	356.25	284.67	217.60	499.15	49.80
Nebraska	15,000	8,774.69	1,200.00	1,229.87	506.60	83.16	----------	206.05	530.49	----------
Nevada	15,000	8,221.35	2 023.15	2,117.18	141.43	117.80	347.62	112.79	532.12	----------
New Hampshire	15,000	9,105.88	1,379.52	1,570.67	105.81	218.19	387.29	97.81	380.42	49.90
New Jersey	15,000	9,730.00	901.18	1,241.64	379.53	97.48	385.57	80.96	130.35	177.02
New Mexico	15,000	7,579.94	1,749.22	277.26	375.38	833.33	238.35	417.56	513.05	108.00
New York:										
State	1,500	120.00	----------	549.90	284.35	----------	125.00	41.95	47.50	144.50
Cornell	13,500	8,236.97	1,810.63	625.93	279.41	126.71	15.26	50.95	481.47	175.50
North Carolina	15,000	8,953.32	1,659.51	1,117.98	263.75	175.28	22.75	51.76	460.01	192.09
North Dakota	15,000	7,741.85	3,056.31	769.88	376.25	150.47	777.45	59.08	325.60	----------
Ohio	15,000	9,667.92	2,867.38	----------	41.41	----------	299.23	----------	948.73	381.92
Oklahoma	15,000	6,655.00	2,500.00	1,260.10	413.44	245.14	279.46	177.63	244.73	33.00
Oregon	15,000	10,599.25	2,006.06	93.32	117.37	172.99	----------	610.78	336.07	11.00
Pennsylvania	15,000	10,306.20	----------	174.13	538.36	----------	1,422.65	633.03	15.64	71.41
Rhode Island	15,000	7,794.97	2,334.53	----------	218.96	142.35	785.11	54.72	854.12	229.17
South Carolina	15,000	8,579.76	2,244.55	935.13	159.58	227.85	101.42	378.90	298.17	136.38
South Dakota	15,000	9,435.00	1,538.52	1,187.46	184.12	191.29	11.73	293.20	498.23	10.13
Tennessee	15,000	8,035.81	3,453.32	749.45	320.37	47.50	292.52	196.15	358.16	145.04
Texas	15,000	9,467.08	1,405.63	607.58	240.99	371.19	54.56	289.34	546.36	3.75
Utah	15,000	6,645.41	4,141.94	303.66	202.50	5.75	242.26	205.80	197.55	106.45
Vermont	15,000	6,682.23	2,775.78	709.13	465.19	66.95	442.74	287.27	341.10	75.61
Virginia	15,000	8,847.37	2,478.65	1,364.77	102.75	126.20	265.78	295.37	846.28	185.60
Washington	15,000	9,859.71	1,993.20	773.52	100.34	178.07	996.71	49.36	414.74	----------
West Virginia	15,000	11,341.36	----------	123.74	369.71	19.51	335.66	232.14	151.49	127.62
Wisconsin	15,000	8,357.97	1,874.88	279.92	116.25	429.12	228.77	136.93	1,729.31	1.50
Wyoming	15,000	6,085.60	3,120.03	1,494.52	507.44	224.40	708.94	223.42	546.86	5.15

Station.	Feeding stuffs.	Library.	Tools, implements, and machinery.	Furniture and fixtures.	Scientific apparatus.	Live stock.	Traveling expenses.	Contingent expenses.	Building and repairs.
Alabama	$317.57	$500.45	$72.89	$118.37	$398.38	$17.25	----------	$15.00	$473.22
Arizona	454.58	7.33	679.95	96.66	80.60	582.45	$344.18	----------	135.94
Arkansas	803.30	168.26	22.50	----------	27.50	785.00	485.44	106.00	300.79
California	161.62	28.28	252.99	51.00	377.84	2.00	949.55	----------	58.57
Colorado	----------	16.00	15.00	58.09	392.56	----------	1,191.63	59.00	----------
Connecticut:									
State	----------	----------	----------	----------	----------	----------	----------	----------	----------
Storrs	29.50	35.20	2.00	154.21	582.06	80.50	366.76	15.00	374.90
Delaware	52.21	458.07	45.89	86.12	831.10	21.75	542.85	107.11	749.83
Florida	885.59	46.63	194.90	----------	294.20	105.00	267.50	42.10	532.17
Georgia	993.74	52.90	273.69	----------	16.40	----------	100.83	36.74	750.00
Idaho	198.15	115.27	379.32	80.75	47.50	5.00	170.50	149.00	738.04
Illinois	94.28	103.38	347.05	90.02	109.86	2.50	225.65	131.41	128.67
Indiana	1,014.29	117.97	588.69	----------	428.85	11.00	77.66	6.62	349.71
Iowa	----------	14.60	75.00	30.00	38.00	----------	68.02	19.50	750.00
Kansas	262.94	79.75	49.53	243.40	640.68	82.60	200.67	25.75	507.17
Kentucky	----------	360.66	40.85	2.90	100.38	----------	34.90	114.65	63.14
Louisiana	708.78	287.71	578.93	----------	26.71	291.35	----------	----------	----------
Maine	1,372.06	276.93	227.20	391.39	110.71	222.11	279.87	15.00	188.75
Maryland	300.50	285.38	304.04	113.60	158.41	360.00	228.08	15.00	363.94
Massachusetts	587.17	56.18	196.13	35.03	87.90	----------	195.50	121.00	530.77
Michigan	499.93	359.37	84.89	83.66	874.24	1,571.55	390.05	8.48	495.16
Minnesota	1,129.55	----------	60.25	----------	----------	186.00	----------	----------	----------
Mississippi	1,117.01	149.31	236.21	253.73	----------	422.50	243.38	15.00	748.97
Missouri	1,297.93	186.15	185.40	329.05	314.63	74.00	365.92	15.00	148.65
Montana	----------	235.18	237.71	300.00	107.21	----------	----------	65.00	----------
Nebraska	674.69	4.77	425.78	53.75	560.06	58.00	36.55	15.00	610.54
Nevada	----------	15.60	21.47	266.21	62.25	----------	523.29	31.50	404.84
New Hampshire	----------	316.87	25.14	70.50	382.44	----------	558.72	15.00	134.84
New Jersey	----------	550.33	130.00	100.50	191.95	----------	273.58	171.00	449.91
New Mexico	706.87	6.90	685.22	114.17	79.64	512.00	768.11	85.00	----------
New York:									
State	14.00	----------	----------	----------	----------	105.00	----------	67.80	----------
Cornell	18.22	78.71	85.57	425.36	385.89	300.00	205.31	53.00	145.11
North Carolina	550.90	51.27	262.62	----------	112.94	151.48	187.68	86.02	700.64
North Dakota	486.60	3.72	100.96	50.12	375.72	440.00	132.50	66.75	86.13
Ohio	245.34	----------	365.69	22.20	----------	50.00	102.25	15.00	52.93
Oklahoma	628.80	5.90	324.23	304.59	323.53	517.68	321.77	15.00	750.00
Oregon	302.87	75.16	229.05	----------	37.50	62.40	232.58	21.00	12.80
Pennsylvania	1,270.96	294.11	6.90	----------	131.75	60.98	180.46	43.80	49.59
Rhode Island	570.92	274.78	306.43	628.40	342.23	----------	203.80	16.00	264.51
South Carolina	84.57	194.66	121.65	58.60	75.10	227.65	574.54	15.00	580.59
South Dakota	443.59	15.76	302.92	192.58	362.15	74.10	238.32	15.00	5.90
Tennessee	123.49	275.27	278.33	112.50	63.04	----------	238.45	59.05	256.55
Texas	433.11	200.72	84.30	115.45	386.03	75.00	194.40	222.12	232.40
Utah	625.38	93.17	395.73	42.73	----------	1,026.86	265.90	----------	438.88
Vermont	1,178.24	99.00	104.63	127.35	409.51	----------	478.83	116.44	750.00
Virginia	----------	----------	----------	----------	183.84	----------	40.50	35.00	267.89
Washington	18.40	----------	26.80	----------	----------	----------	400.15	----------	249.00
West Virginia	61.69	520.66	129.00	12.40	1,231.51	45.00	283.51	15.00	----------
Wisconsin	75.70	498.60	64.82	----------	332.95	102.00	502.60	106.48	171.20
Wyoming	209.37	2.15	218.80	338.27	76.60	192.03	233.37	13.05	750.00

Some State appropriations for the support of experiment stations.

	Buildings, repairs, equipment, and printing.	Special investigations.	Support of substations.
1900.			
Maine	$3,500		
Michigan	a 15,000		$2,500
Missouri			15,000
New York (Geneva)	11,500		
Ohio	11,850	$13,500	5,600
Texas	a 35,000		5,000
Washington	a 85,000		
1901.			
Connecticut (State)		5,000	
Florida		5,000	
Illinois		46,000	
Indiana	a 70,000		
Kansas	5,000		3,000
Michigan			5,000
Minnesota	a 60,500		11,200
Missouri	b 83,500		
Nebraska	35,000	2,500	
New Jersey		3,000	
New York (Geneva)	8,500		
North Dakota	18,000		
Oregon	3,000		5,000
Oklahoma	a 54,000		
South Dakota	a 10,000		
Texas	a 31,000		17,500
Utah	108,000		6,000
Washington		1,250	11,200
Ohio			4,200
1902.			
Arizona	2,300		
Colorado	a 40,000		
Florida	a 60,000		
Iowa	a 55,000		
Kansas			32,550
Maryland	5,000		
Mississippi	a 40,000		13,000
Montana		2,000	
New Hampshire	a 30,000		
New Jersey	1,500		
North Carolina		5,000	
Ohio	3,750	17,000	10,000
Oregon			5,000
Pennsylvania		2,000	
Rhode Island	2,900		
South Dakota			1,000
Virginia	2,500		
Washington		1,250	8,000
Wisconsin	a 150,000		
1903.			
Arizona	11,000		
California	5,000	3,000	5,000
Idaho	5,000		
Illinois		85,000	
Kentucky	24,000		
Missouri	c 62,600		
Montana	26,500		
Nebraska	a 100,000		15,000
New Mexico	a 25,000		
North Dakota			5,000
Oregon	a 40,000		
Pennsylvania	a 100,000		
South Carolina	a 40,000		
Tennessee	10,000	600	
Utah	11,650		12,500
Wisconsin	10,000	4,000	
Total	1,512,050	196,100	198,250

a College and station.
b College and station, including $3,500 for station printing.
c College and station, including $10,000 for station maintenance.

In 1903 the States contributed to the agricultural colleges in appropriations for current expenses, buildings, and other special purposes, $4,047,776.

Fifty-three thousand two hundred and fifty-two students have graduated from the colleges since the organization of the agricultural colleges. There are now 52,489 taking the various courses in the agricultural colleges.

In 1897 the appropriation to the Department of Agriculture was $3,182,902. The agricultural appropriation bill which recently passed the Senate carried in round numbers, $6,000,000. In seven years the appropriations for this Department have very nearly doubled.

The appropriations for the State experiment stations in seventeen years have not been increased a single dollar, while the States have greatly increased their financial aid.

In round numbers, France spends $9,000,000 annually for agricultural purposes; Austria, $9,000,000; Hungary, $9,400,000; Russia, $25,000,000, and the United States has expended an amount estimated at $11,000,000.

The expenditures of governments per acre of agricultural land are as follows: France, 9.8 cents; Austria, 13.2 cents; Hungary, 12.4 cents; Russia, 4 cents; the United States, 1.3 cents.

Government expenditures per capita of agricultural population are as follows: France, 52 cents; Austria, 69 cents, Hungary, 90 cents; the United States, 35 cents.

Agricultural experiment stations in different countries.

Country.	Area, square miles.	Number of stations.	Ratio of station to area.
Russia	8,660,325	102	1 to every 84,906 square miles.
Germany	208,830	80	1 to every 2,610 square miles.
France	207,054	71	1 to every 2,916 square miles.
Austria-Hungary	241,333	61	1 to every 3,956 square miles.
United States	3,602,125	60	1 to every 61,535 square miles.
Sweden	172,876	26	1 to every 6,645 square miles.
Italy	110,550	22	1 to every 5,025 square miles.
Belgium	11,373	15	1 to every 758 square miles.
Japan	147,655	15	1 to every 9,844 square miles.
Norway	124 130	12	1 to every 10,344 square miles.

I find that in 1903 Arizona appropriated $11,000: Connecticut, $24,000; Missouri, $62,000; Montana, $26,000; Nebraska, $100,000; Oregon, $40,000; Pennsylvania, $100,000, and South Carolina, $40,000.

I have a partial list of the appropriations made for buildings, repairs, equipment and furniture, special investigations, and the establishment of substations since 1900, which, in round numbers, foot up to $1,900,000.

This is a partial statement of the State aid given to these stations. A portion of the buildings provided for are used jointly by the agricultural colleges and the stations.

In 1902 the Federal appropriation amounted to $720,000, and the amounts received from the States directly and for permanent buildings and equipment, including what the stations received for fertilizer tests and for farm produce, amounted to $870,000, in round numbers.

The statement is not correct that the States are doing nothing for the stations. They have provided the land and the buildings, and many of them large annual appropriations.

This bill provides, first, that the increase of appropriations for these stations shall be $5,000 each; second, that an additional appropriation shall be made of $2,000 for each year for five years, until the total additional appropriation shall be $15,000 annually for each station.

The bill also provides that no portion of this money shall be used for the payment of salaries, the construction of buildings, or for the purchase or rental of lands. It is to extend the work of experimentation pure and simple. Nothing more and nothing less.

I have introduced this bill because I have seen the valuable results which have come from the experiment-station work in my own State, and have observed to some extent the fruitfulness of that work in other States.

When the bill was first introduced I addressed a letter to the director of each experiment station in the United States asking if the bill met his approval, and, if so, requesting him to state to me the reasons why his station needed the additional appropriation. Nearly all of these stations have responded.

I give the following quotations, indicating their work and needs, and would give the replies in detail if it would not require so much space in the RECORD:

UNIVERSITY OF MINNESOTA,
AGRICULTURAL EXPERIMENT STATION,
St. Anthony Park, Minn., March 16, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

MY DEAR SIR: Some reasons for the wisdom of this bill are offered herewith. The production of plants and animals in the country amounts to $4,000,000,000 annually. Experiments in breeding plants, in breeding and feeding animals, in dairying, in the general management of farms, in better cultivation of crops, and in combating the enemies of plants and animals prove that 20 per cent, or $800,000,000, can be added to the country's annual farm product at a cost of 1, or at the most a few, per cent of such increase. This has been done on millions of acres in the Northwestern States, where you and I are acquainted.

A comparatively small expenditure in Wisconsin and Minnesota in dairying has added many millions to the direct dairy profits in these States, and other millions through added soil fertility on dairy farms, making grain growing more profitable. Modest sums spent by the North Dakota and Minnesota experiment stations in breeding field crops have added millions of dollars of profit to the hundreds of thousands of acres now planted to the newly bred corn, wheat, and other crops, supplied to the farmers by the experiment stations. And the work of breeding plants and animals, commenced a dozen years ago, has only begun to give of its results already in hand to the farmers. This work has been reduced to a system comparable with organization of work in modern manufacturing. It has clearly proven to be a business in which $1 will produce a hundred dollars. Like the management of forests, it is a business for which public rather than private organization will secure the necessary long-continued efforts for the large final returns.

Plans for pushing animal improvement forward with the same effectiveness, and at the same relative expenditure, are also being formulated. America's strong soil, superior climate, unexcelled markets and bright people warrant the belief that we can breed the best pedigreed plants and animals in the world. Instead of buying seeds and pedigreed animals abroad,

we should lead in their improvement, and besides having the best with which to increase our own products, we should supply foreign markets with pedigreed seeds and plants.

Investigations have shown that our farms are not run under systematic plans, but that system can be introduced here as in other lines of business. These investigations alone, if extended to all of the States, would bring back a return many times greater than the whole sum this bill carries.

Experimenters are already saving vast sums to growers of plants and animals by devising methods of combating injurious insects and diseases.

In the aggregate the station workers are an able class of men, and, as they are connected with agricultural colleges, they have large numbers of young men in training, who could be employed to aid in enlarging the work now being done.

Many of the problems, as breeding plants, breeding animals, devising systems of crop rotations, developing cooperative organizations among breeders of plants and animals, cooperative dairying, etc., require long years of continuous effort. This bill would greatly assist in keeping strong men at their tasks till completed. There is a tendency for our best experimenters to be drafted into editorial chairs, into commercial enterprises, and into Government positions.

Our agricultural colleges and experiment stations are the last institutions the Government should stint, because here the national influence is placed near the people. By giving the station more means you will greatly assist them in their cooperation with the Department of Agriculture. Their work has grown to such an extent that most of them are unable to cooperate with the Department for a lack of money. Problems of a local State nature can best be wrought out by a strong State experiment and strong departmental bureaus in cooperation. National experts and local experts working together can do far more on most problems than national officers working alone or State officials working alone. Besides, there are many problems purely local in nature, which can best be worked out by the State stations, others of a general nature which the national department should undertake alone.

The experiment stations are the right arms of our agricultural colleges. Strengthen the station corps, and the faculty is strengthened in a way that enables agricultural education to emerge from the dominance of the older education directed almost wholly to building up city life. The Hatch bill of 1887 did more to bring our agricultural college faculties to a proper balance than anything that was ever done. General education has been too prone to look upon money appropriated for the education of our country people as so much more available funds for higher education in general and technical lines. The development of agricultural education has proven a difficult and slow process, but it is now succeeding grandly in most States.

The Secretary of Agriculture should be charged with the duty of requiring that this money should be used only in experimenters. But there is no harm in the strength of the experimenters being useful in promoting agricultural education throughout their States, that the results of their investigations might have avenues through agricultural colleges, agricultural high schools, and consolidated rural schools to all country people.

This bill is but another large step in supplying technical education to the farmers and country home makers of our country.

If I can assist, please command me.

Very respectfully, yours,

W. M. HAYS,
Agriculturist, Minnesota Agricultural Experiment Station.

ARKANSAS AGRICULTURAL EXPERIMENT STATION,
Fayetteville, Ark., February, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

MY DEAR SIR: This station needs an increase in its chemical force. The subjects directly relating to agriculture which it is the province of the science of chemistry to investigate are quite numerous and varied and require not only accurate scientific knowledge, but also many of them much time for reaching reliable results.

The department of horticulture, to which is attached pomology in a wide sense of that term, should be enlarged. The adaptation of large portions of this State to vegetable and fruit culture necessitate for their proper development a greater expenditure of funds than is now available.

A botanist, to give all his time to the study of plants, weeds, and fungous diseases, is needed.

Dairy husbandry, stock breeding, feeding, housing, etc., require much fuller development than can be given with our present means.

Rice culture, to which it is believed large sections of this State are well adapted, should be experimented upon.

Members of the station staff, so far as they can do so without seriously interfering with their duties at the station, should attend agricultural and horticultural meetings in the State, deliver lectures, and enlist a larger and more intelligent interest among farmers in scientific agriculture and in the work which the station is designed for and is endeavoring to do.

We have no emergency fund whatever for boll weevil, etc.

The amount appropriated when experiment stations were established is entirely inadequate for carrying on the work as it has developed.

Yours, truly,

W. G. VINCENHELLER, *Director.*

MAINE AGRICULTURAL EXPERIMENT STATION,
Orono, Me., January 25, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of January 18 and the copy of the bill to provide for an increased annual appropriation for agricultural experiment stations are duly received.

There are many reasons, in my judgment to warrant this increased endowment. In the first place, when the stations were established the number of men that were experienced in agricultural experimental work were few. The result was that young men recently graduated were employed at small salaries. The demand for this class of men, both in and outside of the experiment stations, has tended to increase salaries, so that our station, at least, finds itself embarrassed by too large a salary roll in proportion to its income.

On this account it is practically impossible to take up new lines of work or even prosecute the lines already established as vigorously as is desirable without abandoning important subjects of inquiry. For example, the fruit-growing industry of this State is very great; there have arisen many new problems along the lines of economic entomology and mycology; with the present income it is impracticable for the station to give these the needed attention.

Important as soil investigations are and as large appropriations as have been made for the Bureau of Soils of the United States Department of Agriculture, this station has no funds that can be used for such studies, and this in a State with great diversity of soil.

Economic forestry has been placed upon a scientific basis since the passage of the Hatch Act. There is hardly a farm in this State that has not its own private wood lot and there are many thousands of acres of forest. It is impossible to devote anything from existing funds to this important subject.

In the propagation and breeding of both animals and plants there is a large amount of work that should be done in this State. While we are doing something along these lines, more funds are needed in order to accomplish anything like what should be done.

For instance, in a large section of this State the growing of wheat is a new and important industry, and has led to the establishment of five-roller flour mills. Studies made by the station have shown that the wheat here grown is not as well adapted to bread making as it should and can be. Preliminary studies upon the breeding of wheat were undertaken, but for lack of funds had to be discontinued.

These are specimens of the needs for agricultural inquiry in Maine.

Possibly the following, which illustrates the confidence the people of the State have in the station and the eagerness with which they seek the results of experimental inquiry, may interest you. The State prints the station publications. The station mailing list had not undergone thorough revision for many years and had reached above 9,000 names.

Not wishing to impose upon State funds by publishing editions larger than needed, in July, 1902, we sent out a bulletin containing a notice that the name of the recipient had been taken from the mailing list, but would be replaced on request. With the exception of the official mailing list of the Office of Experiment Stations and the list of Maine newspapers, the entire station mailing list was canceled and destroyed.

Six months later there were about 8,000 names again on the station mailing list, and the number is now back to about the original number.

Yours, truly,

CHAS. D. WOODS, *Director.*

BERKELEY, CAL., *January 27, 1904.*

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: In response to your favor inclosing the bill, introduced by yourself, for the purpose of increasing the appropriation for the experiment stations, I would say that so far as this State is concerned, such increase is most urgently called for. California's area is so great, its climates and soils so varied, that this station has long been unable, even with the aid furnished both by the State directly and by the State university, to keep up with the constantly and rapidly increasing demand for investigations of all kinds bearing directly upon the infinitely varied problems which confront our farmers in the several widely diverse climatic regions of the State.

It is only through the aid received here and there from associations, private parties, and sometimes from counties and communities, that we have been enabled to even remotely satisfy some of the most pressing demands for the investigation of questions involving wide interests, both commercial and agricultural, and too frequently such assistance stops short when solutions are just in sight but not yet fully established. Withal, it has been almost impossible for this station to engage to any great extent in the investigation of general questions which concern the entire arid region and agricultural science at large. We are so beset with local demands that little time or money remains for the direct researches of wider scope, which are considered by many as the main object of the Hatch Act, and which are only indirectly touched by the elaboration of local questions that now mainly occupy the time of our working staff.

Yet with the increase of interest in progressive agriculture, brought about by the farmers' institutes, now provided for by the State, the farming population calls more and more for experimental investigation of practical problems, for the solution of which the knowledge we possess of the peculiarities of the several climatic and soil areas of the State qualifies us much better than can possibly be the case with explorers sent out by the Department of Agriculture, who, being usually impressed with the conditions existing in the Eastern States, must first familiarize themselves with those existing here.

It therefore seems to us that the most direct and effective way to benefit agriculture in the several States, and especially in the State of California, would be to strengthen first of all the State agricultural experiment stations by a material increase in the appropriation for their maintenance, such as is proposed in your bill, which I earnestly hope will receive favorable action by Congress.

Very respectfully and truly, yours,

E. W. HILGARD, *Director.*

HARRISBURG, PA., *January 27, 1904.*

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: The undersigned, constituting the executive committee of the Allied Agricultural Organizations of Pennsylvania, are gratified to learn that a movement is on foot under your leadership to increase the annual appropriation by Congress to the agricultural experiment stations.

These stations were founded nearly seventeen years ago. Since then they have thoroughly established themselves in the confidence of the agricultural community, and as a consequence steadily increasing demands are being made on them in all directions by the farmers of the several States for information, the value of which is by no means restricted by State lines. We feel, therefore, that it is a wise use of public funds to increase this appropriation and can assure you that in this respect we speak for the farmers of this State, who will most highly appreciate and actively support your efforts in their behalf.

Very respectfully, yours,

Nathan C. Schaeffer, Chairman Department of Public Instruction; N. B. Critchfield, Department of Agriculture; J. T. Rothrock, Department of Forestry; Hiram Young, State Agricultural Society; Jason Sexton, State Board of Agriculture; Gabriel Hiester, State Horticultural Association; M. N. Clark, State Grange; D. M. Onmake, State Alliance; S. F. Barber, Pennsylvania Dairy Union; W. C. Norton, State Breeders' Association; W. F. Wagner, Pennsylvania Jersey Cattle Club; Norris G. Temple, State Poultry Association; J. P. Sharpless, Guernsey Breeders' Association; J. Aldus Herr, Jersey Cattle Club of Lancaster County; H. V. White, the Pennsylvania State College.

ST. ANTHONY PARK, MINN., *February 2, 1904.*

Hon. H. C. ADAMS, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: I have looked over your bill very carefully and approve of it. I do not know of any legislation that could be had in Congress that would be of more value than the passage of your bill, and if there is any way I can cooperate with you in the matter that will be of assistance, do not hesitate to ask me.

Very cordially, yours,

W. M. LIGGETT,
Dean Department of Agriculture.

UNIVERSITY OF ILLINOIS,
COLLEGE OF AGRICULTURE
AND AGRICULTURAL EXPERIMENT STATION,
Urbana, Ill., January 26, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: I beg to acknowledge receipt of your favor of recent date, inclosing copy of H. R. 8678, and asking the reasons that in our State particularly can be urged in its behalf.

Replying I would say, although we are in this State fortunate enough to have a total of $100,000 a year for investigation work, yet most of it is to be expended along definite lines, leaving many subjects entirely untouched simply because no funds are available that are of such general application as to be used for anything but for special purposes. Such an increase as is contemplated in this bill would enable us to undertake many lines of work not yet touched, because of the fact I have just now stated.

In order that you may see exactly what is meant, permit me to present the following schedule of our appropriations for investigation work, showing the lines to which they are confined:

Soil investigation	$25,000
Corn investigation	10,000
Live-stock investigation	25,000
Horticultural investigation	10,000
Dairy investigation	15,000

It will be noted that aside from corn the crop side is practically not represented. The same is true of certain other lines that might be mentioned.

Very truly, yours,

E. DAVENPORT, *Director.*

GEORGIA EXPERIMENT STATION,
Experiment, Ga., January 21, 1904.

Hon. H. C. ADAMS, *Washington, D. C.*

MY DEAR SIR: I heartily approve of the bill to provide for an increase in the annual appropriation for the experiment stations, etc. I have previously seen a copy of it and carefully read it.

The reasons which lead me to approve this bill may be stated as follows: The Georgia Experiment Station, while nominally connected with the State College of Agriculture at Athens, is actually separated from the college by a distance of more than 100 miles. We are entirely dependent upon the original Hatch Act appropriation of $15,000. This appropriation is insufficient for the thorough equipment of the station for its work. We are able to have only five staff officers, when we could very usefully employ seven or eight if we had the money.

In addition, I may say that Georgia is one of the largest of the older States of the Union, and her agricultural conditions, owing to its geographical position, are varied, indeed. We ought to have two or three substations under the direction of the central station. We ought to have cooperative experiments conducted in different sections of the State. This we can not do with the limited appropriation now at our disposal.

We are not able to employ an expert entomologist or biologist, botanist or veterinarian, and several other professionals usually connected with experiment-station work. Even our chemist is only nominally so, as we are not able to pay a sufficient amount to justify the operation of a chemical laboratory at the station.

The salaries paid to the officers of the station are very moderate, the highest being only $2,000 (for the director), and no other salary is greater than $1,200 a year. This want of funds to properly compensate expert station workers has several times operated to our disadvantage in the loss of valuable men who were attracted to the Government work at Washington, or to some other richer stations North and East, by higher salaries.

An addition of $5,000 to our fund would mean very much indeed to us, while it would not amount to much at such stations as New York, Pennsylvania, Ohio, Wisconsin, South Carolina, Mississippi, etc., all of these stations having large appropriations from other sources than the Hatch fund. I wish to say that I very earnestly ask your approval of the bill when it comes to a vote.

I will add as an illustration that were this station enjoying a sufficient income from the Hatch Act or other sources, we would have long since established a substation in south Georgia for the development of sugar making, sugar-cane culture, and making of sirup.

Very truly, yours,

R. J. REDDING, *Director.*

EXPERIMENT STATION OF AGRICULTURAL AND
MECHANICAL COLLEGE OF ALABAMA,
Auburn, Ala., January 22, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: I have read with much satisfaction H. R. 8678, which you kindly sent me.

Answering your inquiry as to reasons why this bill should pass, especially as regards this State, I would say we have practically every reason that could be advocated by any experiment station. Its passage should be especially helpful in Alabama in enabling us to bring about such a diversification of the agriculture of this State as to prepare our farmers either to grow better varieties of cotton and by improved methods when the boll weevil reaches us, as it doubtless will, or else be prepared to make a living from a number of new crops or new farm industries now practically unknown to most of our farmers.

An improvement in the use of the $3,000,000 worth of commercial fertilizers annually used in Alabama would be effected if we had increased funds for local fertilizer experiments, and it would take only an insignificant improvement in this respect to repay many times the cost which would be incurred under your bill.

Yours, very truly,

J. F. DUGGAN, *Director.*

MISSISSIPPI EXPERIMENT STATION,
Agricultural College, Miss., January 29, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: I acknowledge receipt of your favor of January 18 inclosing a copy of House bill 8678, being a bill to provide for an increased annual appropriation for agricultural experiment stations. In reply I beg to say that should Congress see fit to increase the appropriations for experiment-station work that it would undoubtedly be of great value in this State. While we are enabled to do good with the present appropriation, still it is not sufficiently large to enable us to push the work as we would like to do and as would be best for the agricultural interests of the State. Necessarily we are compelled to pursue several lines of investigation, and the present appropriation gives rather limited means for any particular piece of work. With additional funds we could extend our present work with beef cattle so as to make it very much more efficient, as well as obtain important information with less delay. We could also extend our work on the soils of the State, which is desirable and for which the available funds at present are entirely inadequate for present demands.

I hardly know of anything that seemingly would be of more value to us than to be able to employ a good man to engage in plant breeding. Our funds are so limited that we are unable to engage in this work at all, and yet it is a very promising field for useful work in this State. What is said of plant breeding is also true of poultry. It is also a fact that an increased appropriation for this station would increase its efficiency and usefulness to a very much greater degree than would be indicated by the relative increase in the funds. I would like very much to see the bill be enacted into law, and I do not know of any way that more good could be done for the people of Mississippi.

Yours, very truly,

W. L. HUTCHINSON, *Director.*

TEXAS AGRICULTURAL EXPERIMENT STATIONS OF THE
AGRICULTURAL AND MECHANICAL COLLEGE,
College Station, Tex., January 29, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR MR. ADAMS: I have learned with pleasure, through your letter of the 18th instant, that you are introducing a bill to increase the Federal appropriation to the State experiment stations. As you ask me for reasons why this bill would be particularly beneficial to us in our State, I do not hesitate to write you fully in regard to it. In the first place, the $15,000 which we receive is not at all adequate to conduct the many experiments demanded of us because of the extent and variety of the resources of our State. The State is immense in size, with vast interests associated with farming, and there is great variety of conditions prevailing over such a large territory. For instance, there is a section of the State given almost wholly to rice culture; then the sugar lands which make up the sugar plantations; the cotton country, and then the horticultural portion of the State, devoted to fruit growing and truck gardening.

Still farther west and north we have the great cattle country, while in the southwest the sheep industry has assumed vast proportions. Being a new State, all these industries originate new problems. For instance, within the last five years the rice industry has assumed enormous development, and with its growth follow questions on the kinds of soil suited for it and the nature of the waters that may be used for irrigation. These features come within the department of our chemist. The growth of the crop and the new usage of the by-products are also immense fields for study. We can take any single crop in this State—rice, cotton, sugar—and as a matter of fact there should be an experiment station devoted wholly to the problems which arise from them.

There are also sections of our State that are going heavily into the growing of alfalfa, and we have to wrestle with problems connected with that crop. Such points are becoming cattle and sheep feeding centers, and from this fact other questions arise. How best to use our cotton-seed by-products, and our rice by-products, and the molasses from the sugar mills in conjunction with crops that are grown on the farm are questions that have yet to be determined. In cattle feeding, hog feeding, and sheep feeding we gain very little by the experience of the other and older stations, because they do not have the feeds which we grow here. The utilization of Texas feeds by Texas cattle from the range and sheep from the plains is worthy of a single experiment station. We are being gradually driven to the point, owing to the immensity of our State, of establishing stations in different portions of the State.

The State supports two now in a small degree, but the demand for these stations is such that more money is badly needed to establish them. One reason why Texas should be specially considered in the Federal appropriation is that she is the keystone to the South, and consequently questions that are solved here in nearly all matters of prime importance would apply generally to all the Southern States. Being a new country and a large one, with immense industrial activity, we are very badly in need of funds to do something of practical importance to the various features of agricultural work which are springing up in our State.

I wish to congratulate you on being the author of this bill, and if you think I could be of any assistance to you by going more into details and giving you hard facts, you only have to command me.

Yours, very truly,

JOHN A. CRAIG,
Dean and Director.

THE UNIVERSITY OF TENNESSEE,
Knoxville, January 21, 1904.

Hon. H. C. ADAMS, M. C., *Washington, D. C.*

DEAR SIR: Your favor of the 18th instant has just been received inclosing a copy of a bill providing for an increase in the Federal appropriation to the State experiment stations. I am very much pleased with the bill and hope it will be enacted into a law by the present Congress.

As reasons why the bill should be supported by the people of this State, permit me to suggest the following:

First, the station has never received but one appropriation from the State; its funds are practically limited to the original $15,000, which is totally inadequate to meet the demands now made upon it. For example, we are expected to employ competent experts along several lines of agricultural research and pay these men living salaries and conduct original investigations. When $8,000 or $10,000 of the station fund is used for salaries, there is certainly not much left for original research.

This station has no entomologist, no veterinarian, no zoologist, etc. We can not employ these men and develop these departments without additional funds. Work along these lines is of the utmost importance to the people of the State. For instance, we have the cattle-tick problem to contend with. Our trucking interests are very large, and we need an entomologist to study ways and means for the destruction of insect pests. The boll weevil seems to be headed this way, and will call for the attention of at least one competent expert. Poultry raising is a great interest in the State. Nothing has been done along this line by the station because of a lack of funds.

We have in this State a great variety of soils and a diversity of crops. An agricultural map of the State should be made, also a complete soil survey and cooperative experiments carried on in various points where special industries are of paramount interest. Examples of these are found in the cotton, tobacco, truck, and fruit growing regions. There is hardly a State in the Union where the agricultural problems presented for solution are more complex or numerous. Yet it is clearly recognized that the station has rendered the farmers of the State the best possible service under the circumstances.

The additions to the station funds as provided for in your bill would enable us to develop the lines of research suggested and to reach out and help the farmers in every section of the State and to make investigations worth thousands of dollars to our people, and, best of all, to carry out through cooperative experiments on various farms in each county the results of the investi-

gations which have and will be made to the main station. For instance, the station ha developed several fine varieties of cereals, and is now striving to get them in the hands of leading farmers. This could be done almost immediately if a larger appropriation were available. Under the circumstances it will require several years. In the meantime the farmers are losing the benefits of the station work.

These are but a few of the examples of the many ways in which the experiment station, with the additional appropriation contemplated, would reach out and stimulate an interest in the agricultural industries of Tennessee.

Very respectfully,

ANDREW M. SOULE.

NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS,
Durham, N. H., January 22, 1904.

Mr. H. C. ADAMS, *Washington, D. C.*

MY DEAR SIR: Allow me to thank you for your letter of January 18, inclosing a copy of House of Representatives bill No. 8678. I am much interested in this measure and hope that it will pass.

Since the establishment of the experiment stations in 1887, under the terms of the Hatch Act, great good has resulted to the agricultural interests of the several States through the experimental work conducted by the State stations. At the time of their establishment the $15,000 appropriated annually to each station was ample, considering the fact that the work at that time was not organized and that there were few men qualified to undertake the work of agricultural research in a scientific and practical way. During recent years there has been developed trained specialists in all lines of agricultural investigation, and to-day the State stations are much better prepared to do work on a high grade than they ever have been. The most pressing need of the State stations at this time is additional appropriations for strictly investigation work, as is provided for under the terms of your bill.

We all rejoice in the splendid appropriations which have been made by Congress to the United States Department of Agriculture and appreciate the work the Department is doing for the farmer. Their appropriations have been increased rapidly. I understand that during the current year the Department has at its disposal between four and five millions of dollars. In comparison with this large amount the State stations receive in the aggregate only $760,000 annually. It would seem that the State stations have been neglected to a considerable degree in this respect. It seems reasonable to suppose that a State station is better prepared to deal with the agricultural problems of the State than is a distant organization. The State station men are called to all parts of the State on various duties, and are familiar with the agricultural problems in the State and are interested in the solution of these problems.

Furthermore, the greater part of our experiment stations are connected with the State agricultural and mechanical colleges, and any expenditure of the Government money in experiment-station work, therefore, has a large educational value to the students who are in attendance at the college, and, besides, it gives employment to many of these students who are enabled to make a part of their college expenses by their work for the experiment station.

I think you will find that your bill will meet with popular approval among the farmers all over the country and with experiment-station workers. If I can be of service to you, please call upon me.

Yours, very truly,

W. D. GIBBS,
President of the College and Director of Experiment Station.

NEW JERSEY AGRICULTURAL EXPERIMENT STATIONS,
New Brunswick, N. J., January 20, 1904.

Hon. H. C. ADAMS, *Washington, D. C.*

MY DEAR MR. ADAMS: In our own State we could use to very great advantage any extra funds provided for in the bill, for while our State has been quite generous in the matter of State appropriations for experiment-station work, nevertheless we feel that the work of investigation should be increased mainly along the lines of soil investigation, both from the chemical and the bacteriological standpoint, and the lines of plant diseases and remedies, study of insects and their destruction, the introduction and development of crops for the dairy, etc.

In the matter of the study of soils, I may say that at our station I established a department of soil chemistry and bacteriology three years ago, and the investigations along this line are more promising than any that have been conducted, and the field is practically unlimited. We have accumulated very little definite knowledge along this line, and it seems most desirable that an increasing amount of funds should be at the disposal of the different stations for the investigation of this subject as it applies to the conditions in the individual States. Such investigations would, in some degree at least, counteract the effect of some investigations that have been reported, which, in the judgment of leading chemists, are not based upon scientific data. The subject of plant diseases and their remedies is a matter of the greatest importance. Thousands of dollars are lost annually in our State by diseases of potatoes, melons, tomatoes, and fruits, which could be prevented if proper study had been given of the causes and remedies for the same. The same is true in the matter of the insects. While we have been doing most excellent work in many States, still the funds are not sufficient to enable us to cover the subject as it might be if we secured the appropriation provided for in your bill.

I shall be glad at any time to give you further or more detailed data along this line, and to assist in any or every way in my power in the passage of your bill.

Thanking you for the opportunity afforded me for doing so, I remain,

Very truly, yours,

E. B. VOORHEES, *Director.*

AGRICULTURAL EXPERIMENT STATION OF THE RHODE ISLAND COLLEGE OF AGRICULTURE AND MECHANIC ARTS,
Kingston, R. I., January 25, 1904.

Hon. H. C. ADAMS, M. C.,
Washington, D. C.

DEAR SIR: Replying to yours of the 18th instant, concerning the bill introduced by you for the purpose of providing an increased appropriation for the agricultural experiment stations of the United States, I will say that it seems to me that no more opportune measure has been introduced in Congress for a long time.

So far as concerns the experiment station in this State, I believe that it is almost the universal opinion of the farmers of Rhode Island that it has been of tremendous benefit. Unfortunately, the amount of the appropriation at present is too small to permit of our covering the field in a satisfactory manner. We are working in three lines, namely, poultry experiments, horticultural experiments, and field experiments. I regret that the amount at disposal has not been sufficient to render it possible to do all the chemical work in connection with the field experiments which should be done. Furthermore, there are many important crops which are grown in the State which should be experimented with more fully than in the past, particularly for the purpose of finding out the best manures for use upon the soils of different sections of the State.

The number of experimental plats upon the experiment station grounds should be increased in order to answer the questions which our farmers are raising and for the purpose of determining the best system of manuring and other general procedure in the growing of our most important crops.

Regarding our poultry experiments, I will say that our chief line of work is in the study of problems relating to incubation and brooding and feeding young chicks, particularly in the winter months. This line of work will tax most of the means which we have at our disposal, though we are endeavoring to do a little work in connection with the "black-head" disease of turkeys. This disease has practically ruined the turkey industry of this State, and promises to work similar havoc in the near future in States which have been practically free from it in the past. It is our desire to undertake more extensive work in this line for the purpose of ascertaining, if possible, how this disease can be checked, controlled, or entirely eliminated. This work would be possible if the appropriation were increased, but under the present conditions only a limited amount of money is available.

Our great greenhouse and market-garden interests in this State are very important and require that more work should be done in the line of studying plant diseases and in conducting actual experiments. There should also be a study of the best manner of growing plants under glass. The various horticultural interests in the State have repeatedly attempted to assist us in this work by means of resolutions requesting the State to do more for these interests, but it has been impossible with the money at our disposal.

These are only a few of the possible lines of investigation, but I think I have named enough to show that the appropriation provided for in the bill which you have introduced can be used to the utmost advantage. I sincerely hope, for the good of the agricultural interests of the United States, that the measure will be passed.

Very respectfully, yours,

H. J. WHEELER.

OHIO AGRICULTURAL EXPERIMENT STATION,
DEPARTMENT OF PLANT PHYSIOLOGY AND PATHOLOGY,
Wooster, Ohio, January 27, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: I find that I have overlooked the request, which accompanied the copy of your bill increasing the appropriations for the experiment stations, that I should give the reasons which make such an increase necessary. These reasons are: (1) That as the work of agricultural research progresses, and the people become more acquainted with its possibilities, the demand for the help which it can give constantly increases. (2) That the character of the work is constantly becoming more complex and, therefore, more costly. The problems which were first attacked were the more simple ones, but as the solutions of these are attained we find that beyond them lie others of even greater importance, but whose solutions involves an indefinitely greater outlay in the apparatus required for exact research and in the men qualified to conduct such research.

With the growth of the work there has been a corresponding growth in the ability of our farmers to profit by it. Consequently the work which was sufficient and satisfactory fifteen years ago is now entirely out of date, and for it must be substituted work of a very much higher grade.

For these reasons the endowment for research which was abundant fifteen years ago is altogether inadequate at the present date.

We find the annual expenditures of the Ohio station have increased from $15,000 in 1888 to $45,000 in 1903, and we are to-day further from meeting the demands of our farmers than we were fifteen years ago. I do not mean by this we are spending the money less wisely to-day than before. On the contrary, I believe that, so far as this point is concerned, the station work meets greater approval now than ever before.

Yours, truly.

CHAS. E. THORNE.

THE SOUTH DAKOTA AGRICULTURAL COLLEGE,
EXPERIMENT STATION,
Brookings, S. Dak., January 22, 1904.

Hon. H. C. ADAMS, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: I have your letter of January 18, inclosing copy of House bill 8678, or a bill for the purpose of increasing the annual appropriation now received by the different stations. I am delighted to know that you have decided to attempt to secure an additional appropriation for this work. We are heartily in favor of such an increase in the appropriation here, as we are hampered on all sides for funds. We are endeavoring to carry on six different departments with the $15,000. This sum could be spent in one department. Live stock is our principal industry here. We have diseases in this State affecting this industry, such as sheep scab and cattle mange, and if we were provided with funds we could try to show the people how to prevent them.

Our conditions are very different from those of any other State. The results obtained in feeding experiments in other climates are not applicable here. Practically nothing has been done to show the farmer the feeding value of our different grains, because we have had nothing to do it with. Five thousand dollars could be used in that department alone. Reports have it that the total sale of all products for the year ending June 30, 1903, from this State were $136,000,000. The same report claims that $47,000,000 of this was for live stock alone. To show the people at home how these diseases could be eradicated would be a benefit to the cattle industry of the United States, as a large per cent of our cattle are shipped into the older corn belt, where they are fed and then shipped to market. These, I think, are sufficient reasons why we should have a little more money from Congress. Trusting you will be successful in your effort, I remain,

Very truly,

JAMES W. WILSON.

KANSAS STATE AGRICULTURAL COLLEGE,
Manhattan, Kans., January 27, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: Your circular letter asking for ways in which this State will be especially benefited by an increase in the Federal appropriation to the State experiment stations has been brought before our station council. I assume that you prefer that specific lines of investigation be named rather than general statements.

(1) An important line of experimentation that has been developed but little in this State, for lack of funds, is that of plant breeding and improvement. This would undoubtedly be entered upon in a much more extended way if we had greater resources.

(2) In this State the question of diminishing returns in the way of crops is beginning to compel attention, and experiments in reference to maintaining soil fertility or renewing that already impaired are becoming a pressing need.

(3) Closely connected with this is the question of crop rotation, or the relation of crops to each other.

(4) Investigations concerning animal diseases are very expensive in many cases, and have been almost impossible thus far because of lack of funds. The large stock interests of the western half of this State make such investigations extremely important.

(5) Tests of field, orchard, and garden crops in a much more extended way are very desirable.

(6) We have not yet had means to make any investigations of the soils of the State. The need for this has not been great thus far, but the condition of agriculture is now such as to make investigations on this subject very desirable.

Other lines can doubtless be suggested, but in connection with the above I wish especially to point out that in a State of this size the results obtained at a single point are not of general application throughout the State, and were funds available we would, in all probability, conduct investigations at many different points, depending upon the subject. This would probably not take the form of establishing substations, but of sending our men to the various places at which it seemed advisable to make tests. For instance, in the origination of better varieties or the improvement of those already existing the work must be done for many regions in the State independently The same is true of experiments in rotation, maintenance or restoration of soil fertility, etc. These experiments can not be conducted by farmers, but under our immediate supervision the assistance of representative farmers in various localities could doubtless be enlisted. It need scarcely be said that our entire force is heartily in favor of the bill which you have introduced.

Yours, truly,

J. T. WILLARD.

PURDUE UNIVERSITY AGRICULTURAL EXPERIMENT STATION,
Lafayette, Ind., January 28, 1904.

Hon. H. C. ADAMS,
Committee on Agriculture,
House of Representatives, Washington, D. C.

DEAR SIR: We are most heartily in sympathy with any movement in the direction of securing more funds for the stations. As you can see by referring to our annual report, which is just out of press, and a copy of which I am sending you under separate cover, the Indiana station is most desperately in need of more funds.

Very respectfully, yours,

ARTHUR GOSS, *Director.*

THE MONTANA AGRICULTURAL EXPERIMENT STATION,
Bozeman, Mont., February 9, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: I inclose herewith a statement of the needs for an increased appropriation for the experiment-station work in the State, prepared by a committee of the station staff. I might briefly list these points:

(1) The field of agriculture has broadened and the calls for help and the need for research very much increased the past ten to fifteen years, yet the funds of the stations have remained the same to a large extent. Much more funds are now needed and could be used to great advantage.

(2) In the arid West, particularly, we have practically to create a new agriculture, because of the new and special problems of the country.

(3) We have arrived at a time when new and original lines of work are calling for attention. Thorough scientific work calls for a narrow field for the worker and better appliances for that work. This calls for more workers and larger and better equipment for the work.

(4) Many Western States comprise areas three to ten times the areas of Eastern States, and thus as great a difference in soil and climate, and often greater. Special problems in special districts should be studied in those districts at temporary or permanent substations. Their management and supervision call for additional help.

(5) We in the West are very distant from the center of agricultural and scientific thought and study. We must either buy this literature or have means to visit the libraries where it is to be found did we wish to keep abreast of the times.

(6) The Agricultural Department, of Washington, D. C., shows fully the benefits of increased appropriation. Imagine the condition of their work had their funds remained stationary for the past ten years. The Department has drawn to itself some of the best of the station workers. It is reaching out into the field of the State stations and attacking problems which, because of their great familiarity with the conditions, the State station could handle better and more cheaply did funds permit. Increased funds to the stations would permit of cooperation which would be mutually beneficial to both State and Federal experiment work.

(7) Experiments are conducted to answer local problems, but in their application the results have generally an interstate, frequently a national, and sometimes an international application. Our mailing list contains nearly as many names from outside the State as within the State, and moreover they go to all parts of the world. Thus, while serving the State we are also serving the nation in building up the greatest of the country's industries—agriculture.

Wishing you success in the matter, I am, very truly,

F. B. LINFIELD, *Acting Director.*

AGRICULTURAL EXPERIMENT STATION
OF THE NORTH CAROLINA COLLEGE OF
AGRICULTURE AND MECHANIC ARTS,
Raleigh, February 18, 1904.

Hon. H. C. ADAMS,
House of Representatives, Washington, D. C.

DEAR SIR: Long absence from the office in farmers' institute has prevented an earlier acknowledgment of your letter of January 18, regarding your bill for increasing the support of the agricultural experiment stations.

I am very much interested in this measure, and in its support I feel that I can not say more than that the experiment station has been the most effective means in this State for the advancement of our agriculture, which has made important strides within recent years. At the beginning experimental work was new. The field had to be explored and lines of work developed. The original appropriation was sufficient for this. Now that the work is well organized, demands are made on the stations for investigation in the various lines of agriculture beyond the means of the stations, and it is highly important that additional aid should be given the stations at this time to enlarge and prosecute new lines of work and to extend and carry out investigations now in progress.

Our board of agriculture, which is the board of control of the station, recognized this need for additional funds for the station in the resolution which I inclose, and which was passed at its last meeting.

I assure you of my high appreciation of your efforts in behalf of the stations and agricultural progress.

Very truly, yours,

B. W. KILGORE, *Director.*

THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION,
New Haven, Conn., February 8, 1904.

Hon. H. C. ADAMS,
United States House of Representatives,
Washington, D. C.

DEAR SIR: Replying to your note with reference to the bill providing for an increase of Federal appropriation to the agricultural stations, I think the reasons which can be urged in its behalf in this State are the same as those which can be urged everywhere. No one who was familiar with agricultural conditions here thirty years ago, and has watched the change, can fail to see in this State a great gain in the intelligence of our farmers, in their willingness to accept and put to practical use the teachings of science which bear particularly on their work, and in the effectiveness of their farming in consequence. Our farmers are necessarily most conservative; hence they are slow to take up with propositions of change in agricultural practice. The agricultural station has, however, won their confidence to a very large degree. That was the sine qua non—the first step. The station is now in a position to accomplish more in the interest of the farmer than ever before, if it has the means. Fruit raising, dairying, and tobacco growing in Connecticut have been almost revolutionized, chiefly as a result of the work done by agricultural stations in all parts of the country.

The station is fully organized, and the additional funds, if given, will be wholly used for increasing and diffusing agricultural knowledge. Certainly they are needed. The farmer is the "forgotten man." Food production, the vital thing for the nation, is regarded as a thing which may be left to the dull-witted, and the producer is a "mossback." But farming has got to be made scientific, as well as "practical," and the farmer has got to be as well equipped for his business as the financier, if the food production of this country is to keep pace with the demand for it.

I would like to call your attention to the fact that this State is not "lying down" on the General Government in this matter. Twelve years before the Hatch Act was passed our general assembly established an agricultural station, the first in the country, and to-day, in addition to the $15,000 received from the Hatch fund, the State itself appropriates yearly more than $19,000 for the uses of the State station.

Very respectfully, yours,

E. H. JENKINS.

MARYLAND AGRICULTURAL EXPERIMENT STATION,
College Park, Prince George County, Md., February 4, 1904.

Hon. H. C. ADAMS, *Washington, D. C.*

DEAR SIR: I have yours, with copy of bill to provide for an increased appropriation for the agricultural experiment stations. I am very much interested in this measure, and I believe that the amount which this appropriation would provide could be used to very great advantage to the people in our State. I feel confident that this amount could be used in the development of our corn, wheat, hay, and pasture lands, which would bring annually to our farmers 1,000 times the expense involved. We also could use a very considerable amount profitably in investigations, which would be of benefit to our large fruit and truck interests.

Very truly, yours,

H. J. PATTERSON, *Director.*

I have received numerous indorsements for this measure, and petitions are now on file for its passage by corn growers' associations, State horticultural societies, from the organizations of numerous experiment stations, from the board of regents of agricultural colleges, from the leading agricultural journals of the United States, from many granges, farmers' institutes, agricultural organizations, and from intelligent farmers all over the country who appreciate thoroughly the great public benefits which have come to the American farmer through the definite work of the experiment stations.

Every great statesman from the time of Washington when he delivered his message to Congress in 1796, in which he declared in favor of the establishment of a national board of agriculture to encourage investigation and experimentation, down to William McKinley, who was preeminently the friend of agriculture, and to the distinguished gentleman who now occupies the White House, and who has given his vigorous indorsement in characteristic manner to the work of agricultural education, has declared in favor of national aid for the development of our agricultural interests.

I do not ask the passage of this bill merely because there are so many farmers and they are so great a political force. I do not admire an agricultural demagogue or a man who flatters the farmer, tells him that he bears nearly all the burdens of the world and embodies all the virtues of the world, and who through this kind of talk seeks to make his own political fortunes. The farmer is no necessarily better than any other man, but he is as good as any other man when he is just as honest and just as industrious and just as intelligent. The business of farming itself confers no special dignity upon any man. The farmer is crowned with the dignity of labor when he carries into his work integrity, ambition, and good sense. There is dignity and honor in labor everywhere when it is properly performed. The man who pounds stone upon the street and does it as well as he can is upon the same roll of honor with the president of a great railway corporation who runs his business as well and as honestly as he knows how.

While the farmers have no monopoly of the virtues, the farm is still the breeding place of that physical and moral fiber which is needed not only upon the farm but in the centers of our political and business life.

The great majority of the men who have made splendid the

business and political history of the United States were born in farm homes.

The interests of every class of men in this country, whether laboring men, professional men, business men, or capitalists, are closely connected with the agricultural interest. When agriculture languishes every interest feels a corresponding depression. When the farmers are doing well all business prospers. The nation can well afford to encourage by reasonable appropriations the development and distribution of sound agricultural knowledge which carries with it greater profits to the farmer's business. Not only this, but one of the problems which has been most seriously discussed among the farmers of this country—the thinking men who run farms—is, How shall we keep a reasonable proportion of the best boys on the farms? The attractions of the city have been too powerful. The professions have become overcrowded. The urban population has increased in far greater proportion than the farming population.

It has been the fashion for bright boys to leave the farm and go into the professions of medicine or law or into commercial pursuits. It would be a misfortune to have this movement entirely stopped. But it has carried thousands of boys who are well fitted for plowing the fields, the sowing of grain, the husking of corn, and the breeding of stock into law offices, where they have been as much out of place as a city-bred and trained lawyer would be milking cows. When farm life is made sufficiently attractive, the farm will hold a reasonable proportion of the talent that is born there. That life will be made attractive when the knowledge comes which makes it profitable and adds to its intellectual satisfactions.

This Government is not throwing a sop to the farmer when it provides for his education. It recognizes his value as a productive factor of the State. It is providing through knowledge for the enrichment of his mind, the increase in the value of his property, and though this method adding to the taxable value of the nation's property from which national revenues must come.

I am fortunate in being able to ask your approval of a bill which engenders no question of class, which stirs no religious feeling, which is not sectional in any sense, and upon which political parties can not divide. It means better work in southern agriculture. It means better utilization of the rocky soils of New England. It means a more rapid development of the garden of the Mississippi Valley. It means a more rapid improvement of the agriculture of the great Middle States. It means a more rapid reclamation and settlement of millions of acres of the arid lands of the West.

The annual revenues of this Government now amount to over $700,000,000. Over $200,000,000 go to the Army and Navy in a time of profound peace. We give $5,000,000 to the St. Louis exposition and lend that enterprise $4,500,000 more. We spend about $13,000,000 a year upon rivers and harbors for the benefit of the commerce and trade of the whole people.

We can well afford, even upon the eve of a Presidential election, when appropriations are carefully scrutinized, to expend the amount provided for in this bill for the development of our great agricultural interests.

We are yet a long way from knowing everything about farming in this country.

In fifty years England has doubled the average of her wheat production per acre, running it from 14 bushels per acre to 28 bushels per acre. A similar increase is possible in the United States. The experiment stations develop and popularize the knowledge which makes it possible.

It is claimed by many students of human affairs that the population of the world is outstripping the food production of the world. That danger is not serious, because it is entirely possible through the application to the farm of educated and trained intelligence to double the average production of the millions of acres now cultivated by the American farmer.

I trust that this House will give a unanimous vote that the agricultural experiment stations, which are the nurseries of profitable farming and the graveyards of farm fallacies and errors, shall be strengthened and their educational power materially increased.

Mr. HEMENWAY. I now yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, judging by the character of the speech delivered in the House by my amiable friend from New York [Mr. FITZGERALD] some days ago, there is a likelihood that there will be much stress laid upon the record of individual candidates for the Presidency. For my own part I do not consider the record of a single individual, though holding the exalted position of President of the United States, as of such vital importance as the record of the party itself and the trend of events necessarily incident to the history and purposes of the party itself.

The Republican party can not be otherwise than the friend of labor. It has fought for free labor during its entire existence. It freed the slave; it furnished employment for labor; it lifted up the laboring man, and its last splendid achievement was when it transplanted labor from starvation, as it found it in 1897, and made it possible that it should attain the flourishing position it now occupies. But, catering to the taste of people to examine personal records to ascertain the acts of individuals, I shall furnish here to-day the record of the gentleman who will be the Republican candidate for President. It will furnish good reading for the campaign into which we are so rapidly moving. It will give our Democratic friends food for thought, and it will inspire the toiling man of the country with the pleasant consciousness that the old Republican party, the party of Lincoln, of Grant, of McKinley, of Hanna, is offering for the Presidency a man, a worthy successor to them all and who stands invincible in his record of fealty to the best interests of the laboring man of the United States.

LABOR RECORD OF THEODORE ROOSEVELT.

The most vital problem with which this country, and for that matter the whole civilized world, has to deal—

Said President Roosevelt in his first message to Congress—

is the problem which has for one side the betterment of social conditions, moral and physical, in large cities and for another side the effort to deal with that tangle of far-reaching questions which we group together when we speak of "labor."

EPITOME OF THEODORE ROOSEVELT'S FAVORABLE ACTION ON LABOR LEGISLATION.

As member of assembly in New York he voted for bills—

Abolishing tenement-house cigar making in New York City.

Restricting child labor in factories and workshops.

Regulating the labor hours of minors and women in manufacturing establishments.

Safeguarding the lives and limbs of factory operatives.

Regulating wage rates of laborers employed by municipalities.

Making employees preferred creditors.

Providing for building mechanics' liens.

Prescribing the lien rights of working women.

Protecting mechanics and laborers engaged in sinking oil or gas wells.

Abolishing contract child labor in reformatory institutions.

Creating a commission to examine into the operation of the contract system of employing convicts.

Establishing the bureau of labor statistics.

To promote industrial peace.

For a 5-cent fare on the New York City elevated railroad.

Incorporating the New York City Free Circulating Library.

For free public baths in New York City.

As governor of New York he approved these measures:

Creating a tenement-house commission.

Regulating sweat-shop labor.

Empowering the factory inspector to enforce the scaffolding law.

Directing the factory inspector to enforce the act regulating labor hours on railroads.

Making the eight-hour and prevailing-rate-of-wages laws effective.

Amending the factory act—

(1) Protecting employees at work on buildings.

(2) Regulating the working time of female employees.

(3) Providing that stairways shall be properly lighted.

(4) Prohibiting the operation of dangerous machinery by children.

(5) Prohibiting women and minors working on polishing or buffing wheels.

(6) Providing for seats for waitresses in hotels and restaurants.

Shortening the working hours of drug clerks.

Increasing the salaries of New York City school-teachers.

Extending to other engineers the law licensing New York City engineers and making it a misdemeanor for violating the same.

Licensing stationary engineers in Buffalo.

Providing for the examination and registration of horseshoers in cities.

Registration of laborers for municipal employment.

Relating to air brakes on freight trains.

Providing means for the issuance of quarterly bulletins by the bureau of labor statistics.

In addition to the foregoing, while governor of New York he recommended legislation (which the legislature failed to pass) in regard to—

Employers' liability.

State control of employment offices.

State ownership of printing plant.

Devising means whereby free mechanics shall not be brought into competition with prison labor.

As President of the United States he has signed bills—

Renewing the Chinese-exclusion act and extending its provisions to the island territory of the United States.

Prohibiting the employment of Mongolian labor on irrigation works and providing that eight hours shall constitute a day's labor on such projects.

Abolishing slavery and involuntary servitude in the Philippine Islands, violation of the act being punishable by forfeiture of contracts and a fine of not less than $10,000.

Protecting the lives of employees in coal mines in Territories by regulating the amount of ventilation and providing that entries, etc., shall be kept well dampened with water to cause coal dust to settle.

Exempting from taxation in the District of Columbia household belongings to the value of $1,000, wearing apparel, libraries, schoolbooks, family portraits, and heirlooms.

Requiring proprietors of employment offices in the District of Columbia to pay a license tax of $10 per year.

Creating the Department of Commerce and Labor and making its head a Cabinet officer.

Improving the act relating to safety appliances on railways.

Increasing the restrictions upon the immigration of cheap foreign labor and prohibiting the landing of alien anarchists.

While the labor problem in a very broad sense is as old as the human race itself, its modern form is a creation of steam and machinery, which have replaced local production within the home for family needs with factory production for a general market. In the course of this evolution the ownership of the tools and other means of production passed from their actual users to those who understood the needs of the market and possessed the ability to assemble materials, organize the workers, and dispose of the product where it was wanted. Formerly each worker was both capitalist and laborer, and, therefore, himself controlled the conditions under which he worked. But when the worker lost the ownership of his tools he could no longer control the conditions of employment; and it is his struggle to regain such control and to gain a larger share of the joint product of capital and labor that constitutes the modern labor problem. This is the problem that President Roosevelt in his first message to Congress described as the most vital problem with which the country has to deal. Few statesmen of this or any other country have grasped that problem as firmly as has Mr. Roosevelt. His contributions to its solution may be found not only in his addresses and writings, but also in his actions as a public official.

Theodore Roosevelt ever will be remembered as an official whose interest in the weal of the plain people never diminished from the day that he commenced his public career as member of assembly of the State of New York up to the present time. The principles of justice that governed his course in advocating the enactment of labor and reform legislation when he took part in the legislative proceedings at Albany in 1882, 1883, and 1884 were unswervingly maintained while he was governor of New York in 1899 and 1900, and have been conscientiously adhered to during his incumbency as President of the United States. By comparing the first important event connected with his life work with one of more recent date it will be readily observed how unvarying have been his views on matters of moment affecting the general community.

The initial event referred to occurred more than twenty years ago, when, in the interest of the public health, as well as the wage-workers in the tobacco industry, he vigorously opposed the continuance of the sweating system in the manufacture of cigars in tenement houses. The courageous spirit that prompted his attitude in that affair was demonstrated again in 1902, when, owing to his timely intervention in the celebrated anthracite coal strike, peace was restored, a terrible calamity to the country was averted, and an adjustment of the dispute finally resulted through the decision of the commission appointed by him. Not a few problems have reached solution by reason of the wisdom displayed by Theodore Roosevelt and other advanced thinkers whose support he has had in his unremitting efforts to induce the State to pass laws looking to the melioration of social conditions, and by pursuing this evolutionary plan of creating wise and sound regulations to obviate glaring inequalities in the industrial system the State has checked a growing spirit of unrest.

Deeds speak for themselves, and the facts enumerated below respecting his position on questions involving the well-being of the great body of working people are matters of official record well worth close perusal and careful consideration by men of thought and action who have at heart the stability of our republican form of government.

AS MEMBER OF THE NEW YORK ASSEMBLY.

New York State has developed an extensive system of labor and reform legislation. The movement that eventually brought about the enactment of these laws commenced in the fore part of the eighties, and Theodore Roosevelt helped to lay its foundation, being among the few eminent publicists who cooperated in that early effort to place upon the statute books the numerous acts that have since proved to be of so much benefit to wage-workers.

In 1882 he entered public life as member of assembly, and he also served in that capacity in 1883 and 1884. A student of economics, he had familiarized himself with the various phases of the labor question, and he was firm in the belief that the abuses which at that time existed in many employments could be eradicated by suitable enactments. With this end in view, he cast his influence on the side of public-spirited citizens and trade-unionists who during that period undertook to solve some of the social problems through legislative measures calculated to correct prevalent evils. Sweat-shop labor was a subject that received considerable attention in those days, while the restriction of child labor, the regulation of working hours of minors and women, the protection of life and limb, prison labor under the contract system, the better security of mechanics and laborers employed in the building industry, and the promotion of industrial peace were topics that occasioned serious deliberation on the part of the men who interested themselves in the welfare of the masses.

It was not altogether popular then to espouse a cause designed to bring about radical changes in industrial conditions, and the spectacle of this young statesman, although born and reared amid surroundings of affluence and luxury, actively identifying himself with a movement in which the working people were vitally concerned won for him the commendation of not only all labor advocates and social reformers, but likewise of that large portion of the populace in whose behalf he so zealously labored. His strong personality and energetic attitude imparted to the effort a needed impetus, and the outcome surpassed the expectations of even the most sanguine of those who were associated in that undertaking to uplift their fellows. The excellent labor record of Assemblyman Roosevelt is quite fully presented in the succeeding paragraphs.

ABOLITION OF TENEMENT-HOUSE CIGAR FACTORIES.

The first important measure in which Assemblyman Roosevelt became interested was introduced in the legislature of 1882. Its purpose was to improve the public health in New York City by prohibiting the manufacture of cigars or the preparation of tobacco in any form in rooms or apartments of tenement houses. The bill was presented at the request of the cigar makers' unions in the State, and was also indorsed by the State Workingmen's Assembly. It was contended by the labor organizations, "first, that these tenement-house cigar factories are a public nuisance; second, that they are detrimental to the educational interests of the State; third, that they are demoralizing in their influence on the community; fourth, that they are an illegitimate interference with a legitimate trade."

In the assembly the bill was referred to the committee on cities, which gave a hearing on the subject, and as a result a subcommittee consisting of five assemblymen, Mr. Roosevelt being among the number, was selected to investigate the tenement-house cigar factories in New York City. Many of these house shops were found to be in a filthy and insanitary condition, and this inquiry so thoroughly convinced Theodore Roosevelt that the system was a menace to the public health that he became an enthusiastic supporter of the measure to abolish it. It, however, was held up by the cities committee, and, on a motion that that committee be discharged from further consideration of the bill, the same to be placed on general orders, he voted in the affirmative. While the motion was carried, the bill did not pass at the session of 1882, but early in 1883 it was again considered and passed by both houses. Assemblyman Roosevelt spoke and voted in its favor. In his remarks advocating the abolition of the tenement-house shop he declared:

I have visited these pest holes personally, and I can assure you if smokers could only see how these cigars are made we would not need any legislative action against this system at all.

The Cigar Makers' Official Journal, published by the Cigar Makers' International Union, in its issue for February, 1883, printed the following editorial comment under the caption "Condemned by the legislature:"

The representatives of the people, both in the assembly and in the senate, have decided by overwhelming majorities that tenement-house cigar factories are a public nuisance, dangerous to the sanitary, moral, educational, and economic welfare of the Commonwealth. So conclusive were the arguments and evidence brought forward by Assemblymen George Francis Roesch and Theodore Roosevelt that the opposition was completely routed and defeated. The working classes and cigar makers in particular owe a debt of gratitude to those assemblymen and senators who have successfully fought for a great sanitary reform. Their names will go down to posterity as the friends of labor, as the promoters of a great improvement in the sanitary condition of the working classes.

So deeply interested in the matter was Mr. Roosevelt that he invoked the governor to approve the measure. Referring to the argument before that official, the Cigar Makers' Official Journal for March, 1883, contained this statement:

Tuesday, March 8, was the day which the governor had assigned for hearing the arguments of the opponents as well as of the friends of the bill, which aims at the prohibition of the manufacture of cigars in tenement houses used for dwelling purposes. * * * Mr. Theodore Roosevelt, the representative of the brownstone district of New York, was the first speaker in favor of the bill. He said that his district was not influenced by any trades unions; * * * but this bill was an exception to the rule. During the last session of the legislature he was appointed on a committee to investigate the tenement-house cigar factories.

At the start he was opposed to the bill, but the investigation convinced him that it was a good one. The houses, with hardly a single exception, were

in a most filthy condition. Children were crawling on stripped tobacco. Old men and women were crowded together in small, ill-ventilated rooms. He appealed to the governor to sign the bill. The representatives of the labor organizations, after a short deliberation, concluded not to speak on the subject, inasmuch as the whole ground had been ably covered and it was unwise to detain the governor any longer.

The bill was signed, but certain parts of the act were declared unconstitutional, and in 1884 a measure intended to meet the objections of the courts was introduced in the legislature. This was also favored by Mr. Roosevelt.

ABOLITION OF CONTRACT CHILD LABOR IN REFORMATORY INSTITUTIONS.

An important reform measure, which had the sanction of organized workers, was introduced in the assembly of 1882. It made it unlawful for the trustees or managers of any house of refuge, reformatory, or other correctional institution to contract, hire, or let the services or labor of children incarcerated in such institutions. Assemblyman Roosevelt voted in favor of the bill, and it subsequently became a law.

REGULATING WAGE RATES OF LABORERS EMPLOYED BY MUNICIPALITIES.

A bill was introduced in 1882 in the assembly to regulate the rate of wages in all cities of the State of over 150,000 inhabitants for laborers employed by or under municipal authorities. Mr. Roosevelt had always believed that the State and municipalities should be model employers by paying prevailing wage rates. He therefore favored this measure. A motion to recommit it to the committee on cities with instructions to strike out the enacting clause, thus killing it, met with his opposition, his vote being enrolled with those of thirty-three other assemblymen against the motion, which, nevertheless, was carried, fifty-six members voting in the affirmative.

SAFEGUARDING LIFE AND LIMB IN FACTORIES.

In 1882 there was a dearth of legislation relating to sanitation, safeguards against fire, and the guarding of machinery, hoistways, and elevators in manufacturing establishments. In that year the life-and-limb bill made its appearance in the legislature, being entitled "An act for the protection of working people and employees in the workshops and factories in the cities of this State." Mr. Roosevelt promptly joined the forces that sought the adoption of this salutary bill, which was also presented in 1883, when it again received his vote, and while cogent reasons for its enactment into law were advanced it did not then reach the statute books: but the thorough discussion of its meritorious features made a marked impression upon public opinion, arousing a sentiment that ultimately compelled the lawmaking powers to pass an act containing requirements that amply protected the lives and limbs of factory operatives.

FREE PUBLIC BATHS IN NEW YORK CITY.

Bills were introduced in the legislature in 1882 and 1883 for the construction and maintenance of free public baths in New York City. These conveniences were desired by the laboring people of that city, and consequently on each occasion Mr. Roosevelt's vote was recorded in favor of their erection.

ESTABLISHING THE BUREAU OF LABOR STATISTICS.

There was in 1883 a widespread agitation among workingmen for the establishment of a bureau of labor statistics in New York, and in that year a measure to create that department was presented in the legislature. Mr. Roosevelt was an ardent supporter of the bill. In due season it passed both houses and was signed by the governor. This law provided for the appointment of a commissioner, who was empowered to collect, assort, systematize, and present in annual reports to the legislature statistical details relating to all departments of labor, especially in relation to the commercial, industrial, and social condition of working people.

LIEN RIGHTS OF WORKING WOMEN.

For the further protection of female employees in New York City a bill was introduced at the 1883 session of the assembly. It provided for the enforcement of judgments obtained in any court by working women for work, labor, or services done, and Mr. Roosevelt's vote was registered in its favor.

5-CENT FARE ON THE NEW YORK CITY ELEVATED RAILROAD.

The people of New York City in 1883 took active steps to have the fare on the elevated railroad reduced from 10 cents to 5 cents. Commission trains were run at certain hours in the morning and evening, it was declared, "for the accommodation of the public and the laboring classes," upon which the fare was 5 cents, while during other portions of the day 10 cents was charged.

But the public wanted the lower rate to predominate at all hours, so a bill providing for the desirable reduction was drafted and introduced in the legislature. It passed the assembly and senate, Mr. Roosevelt voting with the majority in the former house. The governor, however, vetoed the measure, claiming that it was a violation of contract that was protected by the United States Constitution, which prohibited the passage of a law by any State impairing the obligation of contracts; and the executive also held that the State "must keep within the limits of law and good faith." Apparently moved by the popular demonstration for the proposed change in the fare, the elevated railroad management shortly afterwards voluntarily decreased it to 5 cents.

TO PROMOTE INDUSTRIAL PEACE.

A resolution that proved to be a prelude to the creation, a few years later, of the State board of mediation and arbitration was offered in the assembly of 1883. As it was the entering wedge to a plan to promote industrial peace, Mr. Roosevelt voted for its adoption. It directed the judiciary committee—

To examine and report upon the possible enactment of a practical and beneficial law, to be in the joint interests of capital and labor, and employees and employers, whereby the latter shall be required to give reasonable and timely notice of dismissals from service, except for moral or personal consequences, and of the reduction of wages, and the former a like timely and reasonable notice of any advance in wages and time for leaving work, the object and purpose of this inquiry being to prevent summary strikes from work without proper notice, and summary dismissal from work without a like notice, and to secure, if possible, such conferences and compromises as will establish friendly, just, and equitable relations to the advantage of both classes of citizens and to the people at large.

PROTECTION OF MECHANICS AND LABORERS ENGAGED IN SINKING OIL OR GAS WELLS.

During the legislative session of 1883 a bill was introduced in the assembly for the protection of mechanics and laborers. It was a lien measure to secure the wages of workmen employed in or about the sinking, drilling, or completing of any oil well, or any well sunk or drilled for oil or gas, or in the erection of any tank or other receptacle for oil, gas, or water. Mr. Roosevelt voted for its passage.

BUILDING MECHANICS' LIENS.

When the organized workers in the constructive industry succeeded in having submitted to the legislature of 1884 a mechanics' lien bill, the purpose of which was to prevent the loss of wages of men engaged in the construction or repair o buildings, they discovered a sincere adherent of their cause in Assemblyman Roosevelt. While they did not then succeed in carrying their project through, they were greatly encouraged by the support they received, and this inspired them to make another attempt in a subsequent year to secure legislation for the better security of mechanics and laborers who perform labor for building and other improvements on lands in New York State. Finally they attained their object.

INCORPORATING THE NEW YORK CITY FREE CIRCULATING LIBRARY.

With a view to giving the working people of New York City an opportunity to fully enjoy the advantages of such an institution, Mr. Roosevelt, in the assembly of 1883, voted to incorporate the New York Free Circulating Library.

FOR THE RESTRICTION OF CHILD LABOR.

In 1883 and 1884 the subject of child labor evoked considerable discussion in New York State. The Society for the Prevention of Cruelty to Children had made futile attempts to induce legislative action to restrict it.

Humane physicians expressed the opinion that the strength for perfect physical development of children of tender years employed in factories was diverted from its legitimate ends, thereby producing in adult life, if these children were fortunate enough to be spared to maturity, an impairment of the physical and mental organization; that confinement in poorly ventilated workrooms in constrained positions was unhealthful, tended to make the system more susceptible to attacks of diseases, and lessened the chances to rally from ordinary disorders incident to childhood: that the fatigue of labor was directly injurious by preventing free bodily exercise in the fresh air, and indirectly affected the sanitary condition of the child by substituting unnatural labor for natural exercise, and that these conditions caused the whole moral tone to suffer.

Educators were convinced that children thus employed were deprived of an opportunity to acquire an elementary education, that the standard of intelligence among them was astonishingly low, and that the pernicious system was fatal to the mental growth of the rising generation. The bureau of labor statistics investigated the question and found that a large percentage of the children in the State "were compelled either by their parents or the force of circumstances to spend a large portion of their young lives in factories, mills, or tenements, where but slight, if any, attention seems to be paid to those safeguards which are conducive to good health. If the present system of child labor is to be permitted to continue, it should be the first duty of the State to provide precautionary and effective means to secure the enforcement of proper sanitary regulations in factories, mills, or tenements where children are employed or domiciled."

Organized labor strenuously protested against the continuance of child labor, and resolved to invoke the legislature to pass a law that would abolish it. The State Workingmen's Assembly, in annual session at Albany in 1884, adopted a bill which provided that—

No child under 14 years of age shall be employed in any factory or workshop where goods are manufactured from the raw material, that no child

between the ages of 14 and 16 shall be so employed unless such child shall have attended within twelve months immediately preceding such employment some public day or night school or some well-recognized private school, such attendance to be for five days or evenings every week during a period of at least twenty consecutive weeks.

This measure also contained a section—

REGULATING THE LABOR HOURS OF MINORS AND FEMALES.

It provided that—

No minor or no female of whatever age shall be employed in any factory, workshop, or mill for a longer period than ten hours a day, and in no case shall the hours of labor exceed sixty in a week.

Provision was made for the appointment of a factory inspector to enforce the law, each violation being a misdemeanor punishable by fine or imprisonment in jail. This was introduced in the legislature of 1884, and Assemblyman Roosevelt ably supported it through its various stages. In 1883 he voted for a bill constructed on similar lines. Neither measure, however, was then incorporated in the State's code of laws, but the agitation thus begun in favor of this remedial legislation resulted in its passage in 1886.

MAKING EMPLOYEES PREFERRED CREDITORS.

Assemblyman Roosevelt voted for that beneficial act, passed in 1884, which made working people preferred creditors in case of insolvency of their employers. This law stipulated that in all assignments the wages or salaries actually owing to the employees of assignors at the time of the execution of the assignment shall be preferred before any other debt. In the event of the assets being insufficient to pay in full all the claims preferred they shall be applied to payment at the same pro rata to the amount of each such claim.

COMMISSION TO EXAMINE INTO THE OPERATION OF THE CONTRACT SYSTEM OF EMPLOYING CONVICTS.

Mr. Roosevelt voted for the bill, which became law in February, 1884, empowering the governor to appoint five persons to constitute a commission to examine into and report upon the practical operation of the contract system for the employment of convicts in State prisons, penitentiaries, and reformatories, as then required by law, and particularly as to the effect of such employment upon the community at large, upon prison management, and upon the discipline of prisoners, the commissioners to report their conclusions, with such recommendations as they deemed proper as to the best method of employing convict labor, to the legislature not later than March 1 of that year.

The commission was chosen on February 11, and as it had but sixteen days to inquire into the subject and report thereon was unable to accomplish the object for which it was created. An effort was made to continue its existence, and a bill was presented to amend the act so as to provide that the terms of the commissioners should continue until their report was made, at the earliest practical date consistent with the performance of their duties. Mr. Roosevelt voted for this proposition, but the measure was vetoed on the ground that it did not contemplate a report at that session of the legislature.

AS GOVERNOR OF NEW YORK.

While governor of New York, in 1899 and 1900, Theodore Roosevelt pursued the same consistent course in regard to the enactment of suitable labor legislation that he so persistently followed during his three years' career as member of assembly. Not only did he recommend the passage of new laws in the interest of the mass of the people, but he urged the necessity of amending existent labor statutes so as to make them more efficacious, and suggested the adoption of improved methods in order to insure their proper enforcement.

The development in extent and variety of industries has necessitated legislation in the interest of labor—

He wrote in his annual message to the legislature of 1899.

This legislation is not necessarily against the interest of capital; on the contrary, if wisely devised, it is for the benefit of both laborers and employers. We have very wisely passed many laws for the benefit of labor, in themselves good and for the time being sufficient, but experience has shown that the full benefit of these laws is not obtained, through the lack of proper means of enforcing them and the failure to make any one department responsible for their enforcement. In order that the desire of the people, definitely expressed in this wholesome legislation, shall be made effective, I recommend that the enforcement of the entire body of legislation relating to labor be placed under the board of factory inspectors. This would simplify the whole question of labor legislation and place the responsibility for its enforcement where it properly belongs and would also give the maximum efficiency of service with the minimum cost to the State. With a slight increase in the general force of factory inspectors this work can be done for the whole State and the object of the legislation be satisfactorily secured to the people.

ADDITIONAL FACTORY INSPECTORS RECOMMENDED AND PROVIDED.

Governor Roosevelt thereupon recommended "that the legislature provide for additional factory inspectors so as to bring the total number up to fifty." This suggestion was favorably considered by the legislature, and the number of deputy factory inspectors was increased from thirty-six to fifty.

EMPOWERING THE FACTORY INSPECTOR TO ENFORCE THE PROVISIONS OF THE SCAFFOLDING LAW.

In the same message Governor Roosevelt said:

Another important statute of this character relates to providing secure scaffolding in the erection of new buildings. The law on this subject is all that could be desired, but its enforcement is left to the city police, and as a matter of fact practically no provision is made for carrying it into effect. In New York City, where this law is most needed, police officers are unacquainted with the character and requirements of the law. Most of them, indeed, are not aware that the enforcement of this law is any part of their duty.

This recommendation resulted in the passage of an amendment to section 19 of the labor law, relating to the inspection of scaffolding, or slings, hangers, blocks, pulleys, stays, braces, ladders, irons, or ropes of any swinging or stationary scaffolding used in the construction, alteration, repairing, painting, cleaning, or pointing of buildings within the limits of a city, transferring the power of enforcing its provisions from the municipal police authorities to the factory inspector.

DIRECTING THE FACTORY INSPECTOR TO ENFORCE THE ACT REGULATING HOURS OF LABOR ON RAILROADS.

The message of Governor Roosevelt in 1899 also contained the following suggestion:

The law regulating the hours of labor on surface railroads is also an excellent provision against the tendency to work the men an almost unlimited number of hours. The enforcement of this law is left to the railroad commissioners. As they have no active force to use for such a purpose the law fails by default, except when individual citizens undertake the prosecutions. The employee himself will rarely or never complain for fear of being discharged.

In accordance with this recommendation authority to enforce the sections of the act relative to the hours of labor on steam, street, surface, and elevated railroads was conferred upon the factory inspector.

AN EIGHT-HOUR DAY AT PREVAILING RATES OF WAGES.

The law requiring an eight-hour day and a prevailing rate of wages for State employees—

Said Governor Roosevelt in his 1899 message to the legislature—

is not intrusted to any authority for enforcement. If this law is to remain on the statute books it should be enforced, and therefore the legislature should make it the particular business of somebody to enforce it.

Conformably with the wishes of the executive, the factory-inspection department was vested with the power to enforce this act, which was further amended so as to provide that—

Each contract to which the State or a municipal corporation is a party which may involve the employment of laborers, workmen, or mechanics shall contain a stipulation that no laborer, workman, or mechanic in the employ of the contractor, subcontractor, or other person doing or contracting to do the whole or a part of the work contemplated by the contractor, shall be permitted or required to work more than eight hours in any one calendar day, except in cases of extraordinary emergency caused by fire, flood, or danger to life or property.

Each contract for such public work hereafter made shall contain a provision that the same shall be void and of no effect unless the person or corporation making or performing the same shall comply with the provisions of this section, and no such person or corporation shall be entitled to receive any sum, nor shall any officer, agent or employee of the State or a municipal corporation pay the same or authorize its payment from the funds under his charge or control to any such person or corporation for work done upon any contract which in its form or manner of performance violates the provision of this section.

UNECONOMIC, UNWHOLESOME, AND UNAMERICAN SWEAT-SHOP SYSTEM.

Governor Roosevelt's opinion concerning the evils of sweat-shop labor, that he formed while member of assembly as a result of his searching inquiry into the unhealthful tenement-house system of manufacturing cigars, did not undergo a change during the seventeen years that intervened between 1882, when the investigation was made, and 1899. In truth his views on the subject in the latter year, when he urged the legislature to adopt radical measures to suppress the harmful system, were even more pronounced than those to which he gave utterance while serving as an assemblyman. These were his ideas in 1899, as expressed in his annual message:

Another very important phase of this subject is the sweat-shop system, which is practically the conversion of the poorest class of living apartments into unwholesome pest-creating and crime-breeding workshops. Laws have been enacted by the legislature to suppress this vile phase of industrial life in our large cities by prohibiting the use of dwellings for the purposes of manufacture. Although the law is quite explicit and the intention of the legislature obvious, great difficulty has been experienced in its effective enforcement. It is everywhere agreed that this tenement-house or sweat-shop system is degrading to the unfortunate individuals engaged in it and to the social and moral life of the community in which it exists. How to enforce the law on this subject has perplexed the statesmen of other countries and States as well as our own.

The most effective and uninquisitive means yet devised for accomplishing this end is that recently adopted by Massachusetts, viz, providing that buildings used for manufacturing purposes must have a permit or license, such license or permit to be granted only on conditions that the appointment of the building fulfill the requirements of the law for manufacturing purposes. These permits or licenses ought to be granted by the board of factory inspectors, who should be held responsible for the proper inspection of the buildings and the enforcement of the law.

There are several reasons why this simple method would be effective. It would at once classify buildings used for manufacturing purposes, as a building so used without a permit would be violating the law. It would prevent much friction, because all requirements of the law would have to be fulfilled before the building was used. This would be a great advantage in

the erection of new buildings, as proper conveniences, including accessible fire escapes, guarded elevators, and other appointments would be required and easily furnished when new buildings were being erected or when old ones were being changed for manufacturing purposes.

Nor does this involve any radical innovation. It is simply applying the recognized principle upon which boards of health now everywhere act in requiring that the plans for erecting new buildings or alterations of old ones must be submitted to the building and health department and a certificate of approval granted before the building can be erected, alterations made, or the premises occupied. Legitimate manufacturers will not object to this, because they are desirous of furnishing safe and wholesome appointments for their employees. Only those who desire to evade the law and disregard the common demands of sanitation, domestic decency, and wholesome industrial methods will object, and it is these the law desires to reach.

I submit this to the serious consideration of the legislature, and suggest that an amendment to the law embodying this idea be adopted, to the end that the uneconomic, unwholesome, and un-American sweat-shop system shall disappear from our industrial life.

Though the governor's ideas were not embodied in their entirety in the law that ensued, it contained the essential features recommended by him. Its provisions made it unlawful to manufacture, alter, repair, or finish articles of clothing, feathers, artificial flowers, cigarettes, cigars, or umbrellas in a room or apartment in any tenement or dwelling house, or in a building situated in the rear of a tenement or dwelling house, without a license from the factory-inspection department.

Before any such license is granted—

The act provided—

an inspection of the room, apartment, or building sought to be licensed must be made by the factory inspector. If the factory inspector ascertain that such room, apartment, or building is in a clean and proper sanitary condition * * * he shall grant a license permitting the use of such room, apartment, or building for the purpose of manufacturing, altering, repairing, or finishing such articles.

Each license shall state the maximum number of persons who may be employed in the room or rooms to which such license relates. The number of persons to be so employed shall be determined by the number of cubic feet of air space contained in each room or apartment mentioned in such license, allowing not less than 250 cubic feet for each person employed between the hours of 6 o'clock in the morning and 6 o'clock in the evening, and * * * not less than 400 cubic feet for each person employed therein between the hours of 6 o'clock in the evening and 6 o'clock in the morning. Such license must be framed and posted in a conspicuous place in each room or apartment to which it relates. It may be revoked by the factory inspector if the health of the community or of the employees requires it or if it appears that the rooms or apartments * * * are not in a healthy and proper sanitary condition.

Every room or apartment in which any of the articles named * * * are manufactured, altered, repaired, or finished shall be kept in a clean and sanitary condition and shall be subject to inspection and examination by the factory inspector for the purpose of ascertaining whether said garments or articles, or any part or parts thereof, are clean and free from vermin and every matter of an infectious or contagious nature. No person shall hire, employ, or contract with * * * any person not holding a license therefor to manufacture, alter, repair, or finish any of the articles named. * * *

Persons contracting for the manufacturing, altering, repairing, or finishing of any of the articles mentioned, * * * or giving out material for which they or any part of are to be manufactured, altered, repaired, or finished, shall keep a register of the names and addresses plainly written in English of the persons to whom such articles or materials are given. * * * Such register shall be subject to inspection by the factory inspector and a copy thereof furnished on his demand.

Articles prepared contrary to the provisions of this act "shall not be sold or exposed for sale by any person. The factory inspector shall conspicuously affix to any such article found to be unlawfully manufactured, altered, repaired, or finished a label containing the words 'tenement made.' * * * The factory inspector shall notify the person owning or alleging to own such article that he has so labeled it. No person except the factory inspector shall remove or deface any tag or label so affixed. If the factory inspector finds evidence of disease present in a workshop or in a room or apartment in a tenement or dwelling house, or in any room or apartment of a building in the rear of a tenement or dwelling house in which any of the articles named * * * are manufactured, altered, repaired, or finished, or in process thereof, he shall affix to such articles the label prescribed * * * and immediately report to the local board of health, who shall disinfect such article if necessary, and thereupon remove such label. If the factory inspector finds that infectious or contagious diseases exist in "tenement workshops," or that goods used therein are unfit for use he shall report to the local board of health, and such board shall issue such orders as the public health may require. Such board may condemn and destroy all such infected article or articles manufactured or in the process of manufacture under unclean or unhealthful conditions." Owners, lessees, or agents of tenements "shall not permit the use thereof for the manufacture, repair, alteration, or finishing of any of the articles mentioned in this article contrary to its provisions. If a room or apartment * * * be so unlawfully used, the factory inspector shall serve a notice thereof upon such owner, lessee, or agent. Unless such owner, lessee, or agent shall cause such unlawful manufacture to be discontinued within thirty days after the service of such notice, or within fifteen days thereafter institutes and faithfully prosecutes proceedings for the dispossession of the occupant * * * who unlawfully manufactures, repairs, alters, or finishes such articles * * * he shall be deemed guilty of a violation of this article."

The law has worked admirably. From the time that it went into effect—September 1, 1899—according to the records of the New York bureau of factory inspection, up to September 30, 1903, the date of the issuance of the last annual report of that bureau, the efficiency of the act in interfering with sweat shops was fully illustrated by the fact that altogether 10,439 licenses were refused to applicants because of the insanitary condition of their living rooms or of other parts of the buildings, while 3,814 licenses were revoked for similar reasons. These latter house shops doubtless would now be in operation were it not for this law and the strict manner of its execution. In the time above mentioned there were 1,901 instances where goods were tagged in tenement workrooms wherein the law had been violated, and a large number of prosecutions and convictions have resulted from its enforcement. At the close of last September there were in New York State 30,890 licensed work places, which have undergone at least one critical inspection each year.

AMENDMENTS TO THE FACTORY ACT.

The following amendments to the factory act were approved by Governor Roosevelt in 1899:

Protecting employees at work on buildings.—When hoisting apparatus is used within a building in course of construction, contractors or owners shall cause the shafts or openings in each floor to be inclosed by a barrier at least 8 feet in height; and if a building be five stories or more in height, no lumber nor timber shall be hoisted on the outside of such building.

Regulating working time of females.—No female shall be employed in a factory before 6 a. m. and after 9 p. m., nor be required to work more than sixty hours per week.

Stairways to be properly lighted.—Stairways leading to workrooms shall be properly lighted, such lights to be independent of the motive power of a factory.

Prohibiting the operation of dangerous machinery by children.—Children under 16 years of age shall not be permitted to operate or assist in operating dangerous machines of any kind.

Women and male minors not permitted to work on polishing or buffing wheels.—No male child under 18 years of age nor any female shall be employed in operating polishing or buffing wheels.

Boiler inspection.—Directing the factory inspector to inspect boilers in factories in localities where no local laws prevail on the subject.

MECHANICS' LIENS.

During the legislative session of 1899 Governor Roosevelt affixed his signature to two measures amending the lien law. One of these amendatory acts provided that a lien for labor done shall continue for three months, unless an order be made by a court of record to continue it for a period not exceeding six months, upon the application of a lienor, and said court may grant a new order continuing the lien in each succeeding six months if in its discretion it shall be deemed just and equitable. This amendment was "declared to be a remedial statute, and is to be construed liberally to secure the beneficial interests and purposes thereof."

The other amendment included the mining of cement stone and the quarrying or cutting of limestone in the provision relating to liens for labor performed in quarrying, dressing, and cutting stone.

QUARTERLY LABOR BULLETINS.

To enable the bureau of labor statistics to properly disseminate the results of its investigations, Governor Roosevelt in 1899 approved a measure which provided the means for the compiling and publishing of quarterly bulletins by that bureau.

OTHER LABOR LEGISLATION APPROVED IN 1899.

Other labor legislation approved by Governor Roosevelt in 1899 was as follows:

Registration of laborers for municipal employment.—This was an amendment to the civil-service law, and stipulated that vacancies in the labor class in cities, which embrace unskilled laborers and such skilled laborers as are not included in the competitive or noncompetitive class, shall be filled by appointment from lists of applicants registered by municipal commissions, preference in employment from such lists to be given according to date of application.

Licensing of stationary engineers in Buffalo.—Prohibiting any person not duly licensed under such regulations as the Buffalo common council may prescribe from running any steam stationary engine. A marine engineer holding a United States license, on presenting the same to an examiner appointed for the purpose, shall be given a written examination, and if found qualified shall be granted a stationary engineer's license, but such marine engineer must be a resident of that city for three years before making such application, and is required to be a citizen of the United States.

Examination and registration of horseshoers.—Amending the law so as to apply its provisions to all cities of the State instead of to those of the first and second classes, as formerly. This article provides for a board of examiners, consisting of a veterinarian, two master horseshoers, and two journeymen horseshoers, who shall hold sessions in the several cities for the purpose of examining applicants desiring to practice as master or journeymen horseshoers. A person is not qualified to take such examination unless he has served an apprenticeship at horseshoing for at least three years. If he is shown to be qualified, the board shall issue to him a certificate stating his name and residence, the date of examination, when and where his apprenticeship was served, and that he is qualified to practice his trade.

TENEMENT-HOUSE REFORM.

Tenement-house conditions in the congested districts of New York City had become so dreadful that Governor Roosevelt felt impelled in 1900 to appeal to the legislature to take action toward remedying the evil effects of the system and in the interest of the dwellers in the dark and poorly ventilated rooms of these

houses, in which the health of the occupants was also menaced by foul cellars, airshafts, and courts, arising from the accumulation of filth. He dwelt as follows upon the subject in his annual message:

I urge that the legislature give particular attention to the need of reform in the laws governing the tenement houses. The tenement-house commission of 1894 declared that, in its opinion, the tenement-house laws needed to be revised as often as once in five years, and I am confident that the improvements in building materials and construction of tenements and the advance in sanitary legislation all demand further modification of existing laws. Probably the best course to follow would be to appoint a commission to present a revised code of tenement-house laws.

As a consequence of the foregoing recommendation a bill to create a tenement-house commission was introduced, and so necessary was immediate legislative interference deemed by the governor that he sent to the legislature the following emergency message recommending the passage of the measure:

There is before you a measure for the establishment of a tenement-house commission to look into the whole subject of the proper construction of tenement houses in the congested districts of our great cities of the first class. I earnestly hope that this bill may be enacted into law. It is probable that there is not and has not been before your body a measure of more real importance to the welfare of those who are least able to protect themselves and whom we should especially guard from the effects of their own helplessness and from the rapacity of those who would prey upon them.

There was held this year in New York a tenement-house exhibition, showing by maps and models the dreadful conditions which we are now striving to remedy, and the shape that the remedy shall take. One of the most striking features at this exhibit was the series of charts which showed the way in which disease, crime, and pauperism increased almost in geometrical proportion as the conditions of tenement-house life became worse—that is, as to overcrowding are added the evils of want of air, of light, of cleanliness, of comfort; in short, of all the decencies of life. These decencies are of course indispensable if good citizenship is to be made possible. The tenement house, in its worse shape, is a festering sore in the civilization of our great cities. We can not be excused if we fail to cut out this ulcer, and our failure will be terribly avenged, for by its presence it inevitably poisons the whole body, politic and social. At present in New York the conditions are in some respects worse, not better, than they were a few years ago, because now the authorities permit the erection of huge buildings, which, though less disreputable in appearance than the old tenement houses, are, because of their immense mass and inferior light and air shafts, worse from a hygienic standpoint.

Two classes of people are interested in perpetrating the present infamous conditions, viz, the class that owns the tenement houses and the class that builds them. The best owners and the best builders do not desire to perpetuate these conditions, but it is imperative to protect them from the competition of their less conscientious rivals.

Against this concrete and mercenary hostility to the needed reform we can marshal only the general sentiment for decent and cleanly living and for fair play to all our citizens. Too often the sufferer himself is dumb either because he can not express himself or because he does not know what remedy to advocate. In his interest, and in the interest of all our people, above all in the interest ot the State, whose standard of citizenship in the future is partly dependent upon the housing of children in the tenement-house districts of the present, we should see to the improvement of the conditions which now make the congested districts of our great cities a blot on our civilization. Great good was accomplished by the tenement-house commission appointed under a similar bill a few years ago. This good is now in part being nullified, and a new commission is urgently needed.

The bill passed, and Governor Roosevelt appointed representative citizens on the commission, which included sociologists, philanthropists, architects, builders, real estate owners and agents, a prominent labor leader in the building trades, and men who had been connected with the New York City health, building, and fire departments. The commission's report, which was submitted in 1901, accompanied by a bill proposing important changes in the methods of tenement-house construction, was a valuable document covering all sides of the housing problem. It reported that the worst feature of the New York tenement house was lack of air and light, which was directly responsible for the undue prevalence of tuberculosis, medical experts having testified that the number of deaths from that disease reached 8,000 annually and that one-third of these lives might be saved by providing a type of tenement house with sufficient light and ventilation. Another constant source of danger was the narrow air shaft, which acted as a flue in the spread of tenement-house fires and contagious diseases; and as most of the bedroom windows opened upon these air shafts, it was impossible to preserve privacy in a family which occupied rooms opposite those of another family.

Professional vice was found to exist in many tenements, being largely due to the irresponsibility of landlords. The findings of the commission impressed practical legislators, who succeeded in having the major part of their recommendations enacted into law. This act provides for the establishment of a tenement-house department in New York City, to which shall be submitted all plans for tenement houses, and whose approval must be obtained before such buildings can be occupied after completion, and also requires the appointment of a large corps of inspectors so that existing dwellings may be kept under surveillance.

The law diminishes the proportion of ground to be built over, and by thus increasing the unoccupied space on lots enlarges the amount of light and air that reaches dwellers, abolishes narrow air shafts, requires open courts, provides that rooms must open either upon an inner or outer court or upon the street or a yard (this also applying to public hallways); that in existing dwellings wooden panels in doors must be replaced with glass, or a suitable window shall be placed at the end of the hall leading to the outer air; that lights shall be kept burning all night upon the first and second floors of public hallways, and from sunset to 10 p.m. upon other floors; that there shall be a separate water-closet for each family; that courts, cellars, halls, and stairways shall be maintained free of rubbish and filth; prescribes how fire escapes shall be constructed and where they shall be located; stipulates that every disorderly woman residing in a tenement is to be treated as a vagrant and upon conviction committed to jail for a period of not more than six months, and any tenement house that shelters such disorderly person is liable to a penalty of $1,000, which becomes a lien upon the house and lot.

Besides structural changes in numerous old buildings, making them more suitable for human habitation, hundreds of new style tenements have been constructed under the act, and from their occupants' view point these new houses have proved entirely satisfactory, insuring for the first time to many tenants a sufficiency of air and light as well as sanitary conveniences. When it is considered that in a single year the tenement-house department made 269,691 inspections and recorded 138,270 violations of the statute, it is quite evident that the act has accomplished all that its promoters claimed for it, for these systematic inspections have produced decided improvements in housing conditions, resulting in the betterment of sanitary arrangements, thereby lessening the amount of sickness, and causing a decrease in the city's death rate. Another important outcome of the rigid enforcement of the tenement-house law has been the suppression of professional vice in these dwelling places.

SHORTENING THE WORKING HOURS OF DRUG CLERKS.

Steadfast in his purpose to give some relief to overworked drug clerks, Governor Roosevelt in 1900 called the attention of the legislature to the matter in the words following:

Owing to defects in the drug clerks' bill presented last year I was unable to sign it. I am, however, in hearty sympathy with the objects sought in the bill. I trust that a satisfactory bill may be presented this year and shall be glad to give such a bill my approval.

Upon this recommendation the senate and assembly passed "an act for the regulation of the working hours of pharmacists and drug clerks in cities of 1,000,000 or more inhabitants," and it received the governor's approval.

Under its provisions pharmacists or drug clerks shall not be required nor permitted to work more than seventy hours per week; that—

Nothing in this section shall prohibit them working six hours overtime during any week, for the purpose of making a shorter succeeding week: *Provided, however*, That the aggregate number of hours in any such two weeks shall not exceed one hundred and thirty-six hours. The working hours per day shall be consecutive, allowing one hour for each meal. The hours shall be so arranged that an employee shall be entitled to and shall receive at least one full day off in two consecutive weeks. No proprietor of any drug store shall require or permit any clerk to sleep in any room or apartment in or connected with such store which does not comply with the sanitary regulations of the local board of health.

Failure to comply with the provisions of the act is deemed a misdemeanor.

SEATS FOR WAITRESSES IN HOTELS AND RESTAURANTS.

Approval was given by Governor Roosevelt in 1900 to a measure which required every person employing waitresses in a hotel or restaurant to "provide and maintain suitable seats for the use of such female employees, and permit the use thereof by such employees to such an extent as may be reasonable for the preservation of their health." To the factory inspector was delegated the power to enforce the provisions of this act.

AIR BRAKES ON FREIGHT TRAINS.

An amendatory act, signed by Governor Roosevelt in 1900, made it unlawful on and after January 1, 1901—

For any railroad or other company to haul or permit to be hauled or used on its line or lines within this State any freight train that has not a sufficient number of cars in it so equipped with continuous power or air brakes that the engineer or the locomotive drawing such train can control its speed without requiring brakemen to use the common hand brake for that purpose. * * * Any railroad or other company hauling or permitting to be hauled on its line or lines any freight train in violation of the provisions of this act shall be liable to a penalty of $100 for each and every violation, to be recovered in an action to be brought by the attorney-general in the name of the people, * * * and it shall be the duty of the board of railroad commissioners of the State to notify the attorney-general of all such violations coming to its notice.

EXTENDING TO OTHER ENGINEERS THE PROVISIONS OF THE LAW LICENSING NEW YORK CITY STATIONARY ENGINEERS—A MISDEMEANOR FOR VIOLATING THE ACT.

In 1890 Governor Roosevelt gave his consent to two amendments to the act relative to the inspection of steam boilers and licenses of stationary engineers in New York City. The first of these, which was chapter 461, provided that "any person who has served as a marine or locomotive engineer or fireman to a locomotive engineer for a period of five years, and shall have been a resident of the State of New York for a period of two years," shall be eligible for examination for a license to act as a stationary engineer.

Chapter 709 was the other amendment, which made it a misdemeanor for "any person or persons violating any provision of this section or of any of its subdivisions."

INCREASING THE SALARIES OF NEW YORK CITY PUBLIC SCHOOL TEACHERS.

So deep was the interest manifested by the New York City public school teachers in the bill to regulate and increase their salaries that on March 14, 1900, Governor Roosevelt sent to the legislature a message certifying to the necessity of the immediate passage of the measure. It met with the approval of both houses and was signed by the governor, who filed with the act a memorandum pointing out that—

Its general purpose is admirable, and the best educators—the men most interested in seeing the public schools of the greater New York put upon a thoroughly efficient basis— * * * most earnestly favor the measure.

The law gave the department of education power to adopt by-laws to establish a uniform schedule of salaries for the teaching staff throughout all the boroughs and prescribed an equal annual increment of salary. It provided that a kindergartner or female teacher of a girls' class other than those teaching grades of the last two years in elementary schools shall, after sixteen years of service, receive not less than $1,240 per annum, and that a female teacher of a girls' class of the grades of the last two years shall, after fifteen years of service, receive not less than $1,320 per annum; that a female teacher of a girls' graduating class, female first assistant, or female vice-principal shall, after ten years of service, receive not less than $1,440 per annum; that a female teacher of a boys' or mixed class shall receive not less than $60 per annum more than a female teacher of a girls' class of corresponding grade and of years of service, and that a female teacher in elementary schools shall receive not less than $600 per annum, nor shall her annual increment be less than $40; that a male teacher of a class of the grades of the last two years shall, after twelve years' service, receive not less than $2,160 per annum; that a male teacher of a graduating class, male first assistant, or male vice-principal shall, after ten years' service, receive not less than $2,400 per year; that a male teacher shall receive not less than $900 a year, nor shall his annual increment be less than $105.

AMENDMENTS TO THE LIEN LAW.

Two amendments to the lien law were approved by Governor Roosevelt in 1900. The first related to building loan contracts, and provided that the same—

either with or without the sale of land, and any modification thereof must be in writing and duly acknowledged, and within ten days after its execution be filed in the office of the clerk of the county in which any part of the land is situated, and the same shall not be filed in the register's office of any county.

The second amendment was in regard "to the sale of property retaken by the vender under a contract of conditional sale." This sentence was added to section 116:

Unless such articles are sold within thirty days after the expiration of such period, the vender or his successor in interest may recover of the vender the amount paid on such articles by such vendee or his successor in interest under the contract for the conditional sale thereof.

MUNICIPAL OWNERSHIP OF RAPID-TRANSIT RAILWAYS.

There is now before your body a measure looking toward the securing of rapid transit for the city of New York. I deem it of very great importance that a scheme providing for rapid transit in the city should be passed at the earliest practicable moment. But it is even more important that this scheme should be one which will work for the ultimate benefit of the city. It does not seem to me wise that a franchise of this nature should be given in perpetuity. It would, of course, be best to have it owned by the municipality, although I would point out to the advocates of municipal ownership that it is doubly incumbent upon them to take the most efficient means of rebuking municipal corruption, and of insisting upon a high standard of continuous fidelity to duty among municipal employees. Only if the government of the municipality is honest will it be possible ever to justify fully the workings of municipal ownership.

These sentiments were expressed by Governor Roosevelt in a special message to the legislature, and in 1900 that body passed an amendatory measure, which received the governor's signature, extending the system of municipal construction of rapid-transit railways to any city of over 1,000,000 inhabitants formed by the consolidation of one or more cities and other territory. This amended act also made it lawful for the board of rapid transit railroad commissioners to locate the route of a railroad by tunnel under any river or waters, thus making possible the present extension of the rapid-transit system from the borough of Manhattan, New York City, under the East River to and through a large part of the borough of Brooklyn. The project will, when completed, afford considerable relief to people in the latter borough who live long distances from the centers of commerce and industry, carrying them to and from their homes, far removed from the densely crowded portions of the city, in comfort and in much less time than under the existing inadequate method of conveyance, besides encouraging many who now reside in the congested districts to seek dwelling places in less densely settled sections near the Brooklyn terminal of the new railway.

THE PRESIDENT AND THE WORKINGMAN—PERSONAL EFFORT THE FIRST REQUISITE OF SUCCESS.

The most extended discussion of the condition and interests of workingmen that Mr. Roosevelt has offered since he became President is contained in his address at the New York State Fair on Labor Day, 1903, which is printed elsewhere in this pamphlet. To appreciate his attitude one must read the entire address as well as the following quotations from other addresses and public papers.

Personal effort and the homely, old-fashioned virtues are the first requisites of order and progress in every community. Thus in an address at Kansas City, Mo., May 1, 1903, the President said:

No device that the wit of man can produce, no form of law, no form of association or organization among ourselves, can supply the lack of fundamental virtues, the presence of which has meant a great nation, the absence of which has meant the downfall of any nation since the world began. No smartness, no mere cleverness unaccompanied by the sense of moral responsibility, no governmental scheme, will ever supply the place of adherence to certain fundamental precepts put forth in the Bible and embodied consciously or unconsciously in the code of morals of every great and successful nation from antiquity to modern times. Always in any government, among any people, there are certain forces for evil which take many shapes, but which are rooted in the same base and evil characteristics of the human soul, in the evil of arrogance, in the evil of jealousy, of envy, of hatred, and to some people the appeal is made to yield to one set of evil forces, to some it is made to yield to another set, and the result is equally bad in such case.

The vice of arrogance, the vice of hate, and brutal indifference on the part of those with wealth to those who have none is a shameful and dreadful vice. It is not one whit worse than the vice of rancorous envy, of hatred, and jealousy on the part of those who are not well off for those who are better off. The man who by either practice or precept seeks to give to any man or to withhold from any man any advantage in war, or socially, or in the working of society, or in business because of his wealth or because of his poverty is false to the traditions of this Republic. We do not have to face the tremendous problems with which you of the years from '61 to '65 were brought face to face, but we have problems of our own.

THE PRESIDENT AND TRADES-UNIONISM

While intelligence and character still count as essential elements of success in individuals, there remains room for associated action in large enterprises where the individual is swallowed up in the multitude and personal contact of employer and employee is no longer possible. One of 5,000 wage-workers employed in a factory could never hope to induce the employers to reduce his hours of work from fourteen or sixteen to ten a day, but if all of the 5,000 workmen unite in such a request they may accomplish their object and affect a change so momentous in the lives of workingmen. The fact is that in large-scale production the workman is at a hopeless disadvantage in making an individual bargain with the employer. His only salvation lies in joining his fellow-workmen and making a collective bargain with the employer regarding wages and the conditions under which they shall work. In forming a union and choosing their officers and representatives the workmen are simply following the example of capitalists, who form a corporation and delegate their powers to directors or trustees.

THE NECESSITY OF TRADES UNIONS.

This fact is fully recognized by President Roosevelt in common with the political economists and other leaders of thought at the present time. Thus in his address at Sioux Falls, S. Dak., April 6, 1903, he declared that "much can be done by organization, combination—union among the wage-workers," and went on to explain the change that has come about in modern industry, as follows:

The wage-workers in our cities, like the capitalists in our cities, face totally changed conditions. The development of machinery and the extraordinary change in business conditions have rendered the employment of capital and of persons in large aggregations not merely profitable but often necessary for success, and have specialized the labor of the wage-worker at the same time that they have brought great aggregations of wage-workers together. More and more in our great industrial centers men have come to realize that they can not live as independently of one another as in the old days was the case everywhere and as is now the case in the country districts. Of course, fundamentally, each man will yet find that the chief factor in determining his success or failure in life is the sum of his own individual qualities. He can not afford to lose his individual limitation—his individual will and power, but he can best use that power if for certain objects he unites with his fellows.

Similarly, in his first message to Congress, in 1901, the President declared that "very great good has been and will be accomplished by associations of wage-workers when managed with forethought, and when they combine insistence upon their own rights with law-abiding respect for the rights of others. The display of these qualities in such bodies is a duty to the nation no less than to the associations themselves."

In his second message to Congress, in the year 1902, President Roosevelt elaborated this thought as follows:

This is an era of federation and combination. Exactly as business men find they must often work through corporations, and as it is a constant tendency of these corporations to grow larger, so it is often necessary for laboring men to work in federations, and these have become important factors of modern industrial life. Both kinds of federation, capitalistic and labor, can do much good, and as a necessary corollary they can both do evil.

Opposition to each kind of organization should take the form of opposition to whatever is bad in the conduct of any given corporation or union, not of attacks upon corporations as such nor upon unions as such, for some of the most far-reaching beneficent work for our people has been accomplished through both corporations and unions. Each must refrain from arbitrary or tyrannous interference with the rights of others. Organized capital and organized labor alike should remember that in the long run the interest of each must be brought into harmony with the interest of the general public, and the conduct of each must conform to the fundamental rules of obedience to the law of individual freedom and of justice and fair dealing toward all. Each should remember that in addition to power it must strive after the realization of healthy, lofty, and generous ideals. Every employer, every wage-worker, must be guaranteed his liberty and his right to do as he likes with his property or his labor so long as he does not infringe upon the rights of others.

It is of the highest importance that employer and employee alike should endeavor to appreciate each the view point of the other and the sure disaster that will come upon both in the long run if either grows to take as habitual an attitude of sour hostility and distrust toward the other. Few people deserve better of the country than those representatives both of capital and labor, and there are many such who work continually to bring about a good understanding of this kind, based upon wisdom and upon broad and kindly sympathy between employers and employed. Above all, we need to remember that any kind of class animosity in the political world is, if possible, even more wicked, even more destructive to national welfare, than sectional, race, or religious animosity. We can get good government only on condition that we keep true to the principles upon which this nation was founded, and judge each man, not as a part of a class, but upon his individual merits. All that we have a right to ask of any man, rich or poor, whatever his creed, his occupation, his birthplace, or his residence, is that he shall act well and honorably by his neighbor and by his country. We are neither for the rich man as such nor for the poor man as such; we are for the upright man, rich or poor. So far as the constitutional powers of the National Government touch these matters of general and vital moment to the nation, they should be exercised in conformity with the principles above set forth.

Developing the same thought, President Roosevelt, in his address at Kansas City, Mo., May 1, 1903, said:

In our complex relations of employer and employee, of one class with another class, of one section with another section, we can work out a really successful result only if those brought together make an honest effort each to understand his neighbor's viewpoint, and then an honest effort while working for his own interest to avoid working to the detriment of his neighbor. That is so obvious a truth that it is trite, but we need to act on it just the same. We need to act upon it, above all, in our industrial relations one with another. You are not going to make any new commandments at this stage which will supply the place of the old ones; the truths that were true at the foot of Mount Sinai are true now; the truths that were true when the Golden Rule was promulgated are true now.

Each man must work for himself. If he does not, there is no use of anyone working for him. Each man must work for himself, and each man must endeavor to do his best to get ahead for his own sake, for his wife and children, for those dependent upon him; but each man must work for himself with the full recognition of his duty to his neighbor or in the end he will bring disaster not merely to his neighbor, but to himself also. A wrong done is just as much a wrong if it is done by the little man against the big man as by the big man against the little man. It is just as much wrong if done by the capitalist to the laborer as by the laborer to the capitalist, and the man is no real friend of his country, no real friend of any set of people in the country, if he appeals to those people only from the standpoint of asking them to see that they get their full share and omits to ask them to remember to do full justice to others also. In the long run the wage-worker and capitalist will go down in common ruin if each does not honestly try to get on with and do justice to the other.

ELECTED TO HONORARY MEMBERSHIP BY THE BROTHERHOOD OF LOCOMOTIVE FIREMEN.

In September, 1902, the Brotherhood of Locomotive Firemen, assembled in annual convention at Chattanooga, Tenn., conferred upon President Roosevelt the degree of grand honorary membership, as indicated in the following report of the proceedings:

John F. McNorrell, of Columbus, Ohio, one of the grand officers, and a Democratic member of the legislature, moved that the degree of grand honorary membership be conferred upon President Roosevelt. The motion was referred to the committee on constitution and by-laws, whose recommendation was unanimous that the motion be adopted. The report of the committee was adopted by a unanimous rising vote amid great cheers.

The President thanked the convention for the compliment paid him, and Grand Master Sargent then gave him a pass which admits him to all meetings of the Brotherhood.

The President, in addressing the convention, declared that "organization is one of the laws of our social and economic development at this time. I believe emphatically in organized labor."

UNION LABOR IN GOVERNMENT WORK.

In his first message to Congress, in 1901, President Roosevelt recommended that "provision be made to render the enforcement of the eight-hour law easy and certain," and also that the Government should provide in its contracts that all work for it should be done under "fair" conditions.

By this expression it is understood that the President meant that no contract should be given or no contractor employed by the Government who would not agree to pay the union scale of wages; in other words, no contractor should, in any way, be allowed to obtain a contract from the Government by lessening the price paid the employees for their labor to a point less than the "fair" or union scale of wages or by working more than the usual number of hours per day which had been fixed for the trade.

While thus favoring the union standard of wages and hours in Government work the President recognizes the illegality of any discrimination for or against members of a union. Thus in the case of William A. Miller, who complained that he was removed from his position of assistant foreman in the Government Printing Office, in violation of the civil-service law, because he had been expelled from Local Union No. 4, of the International Brotherhood of Bookbinders, the President ordered Miller's reinstatement and explained the rule governing public employment in the following communication to Secretary Cortelyou, in whose charge the President placed the investigation:

OYSTER BAY, N. Y., *July 13, 1903.*

MY DEAR SECRETARY CORTELYOU: In accordance with the letter of the Civil-Service Commission of July 6, the Public Printer will reinstate Mr. W. A. Miller in his position. Meanwhile I will withhold my final decision of the whole case until I have received the report of the investigation on Miller's second communication, which you notify me has been begun to-day, July 13.

On the face of the papers presented, Miller would appear to have been removed in violation of law. There is no objection to the employees of the Government Printing Office constituting themselves into a union if they so desire, but no rules or resolutions of that union can be permitted to override the laws of the United States, which it is my sworn duty to enforce.

Please communicate a copy of this letter to the Public Printer for his information and that of his subordinates.

Very truly, yours, THEODORE ROOSEVELT.

Hon. GEORGE B. CORTELYOU,
Secretary of Commerce and Labor.

OYSTER BAY, N. Y., *July 14, 1903.*

MY DEAR MR. CORTELYOU: In connection with my letter of yesterday, I call attention to this judgment and award by the Anthracite Coal Strike Commission to its report to me of March 18 last:

"It is adjudged and awarded that no person shall be refused employment or in any way discriminated against on account of membership or nonmembership to any labor organization, and that there shall be no discrimination against or interference with any employee who is not a member of any labor organization by members of such organization."

I heartily approve of this award and judgment by the Commission appointed by me, which itself included a member of a labor union. This Commission was dealing with labor organizations working for private employers. It is, of course, mere elementary decency to require that all the Government Departments shall be handled in accordance with the principle thus clearly and fearlessly enunciated.

Please furnish a copy of this letter both to Mr. Palmer and to the Civil Service Commission for their guidance.

Sincerely, yours, THEODORE ROOSEVELT.

Hon. GEORGE B. CORTELYOU,
Secretary of Commerce and Labor.

Mr. Palmer, the Public Printer, on Wednesday, July 16, notified Mr. Miller that he had been reinstated and might report for duty any day.

On September 29, 1903, the President gave a hearing to members of the executive council of the American Federation of Labor on the subject of pending labor legislation, at which he announced his final decision in the Miller case and at the same time explained his preference for the "union shop" in private employment. The president of the American Federation of Labor in an address, issued on the succeeding day, to organized labor of America thus described President Roosevelt's attitude:

Replying to statements on the subject, President Roosevelt set forth that in his decision he had nothing in mind but a strict compliance with Federal, including civil service, law and that he recognized a difference between employment by the Government, circumscribed by those laws, and any other form of employment, and that his decision in the Miller case should not be understood to have any other effect or influence than affecting direct employment by the Government in accordance therewith. He furthermore made plain that in any form of employment excepting that so circumscribed he believed the full employment of union men was preferable either to non-union or open shops.

Following is the official account of the hearing:

SEPTEMBER 29, 1903.

Pursuant to the request of Samuel Gompers, president of the American Federation of Labor, the President granted an interview this evening to the following members of the executive council of that body: Mr. Samuel Gompers, Mr. James Duncan, Mr. John Mitchell, Mr. James O'Connell, and Mr. Frank Morrison, at which various subjects of legislation in the interests of labor, as well as Executive action, were discussed. Concerning the case of William A. Miller, the President made the following statement:

"I thank you and your committee for your courtesy, and I appreciate the opportunity to meet with you. It will always be a pleasure to see you or any representatives of your organizations or of your federation as a whole.

"As regards the Miller case, I have little to add to what I have already said. In dealing with it I ask you to remember that I am dealing purely with the relation of the Government to its employees. I must govern my action by the laws of the land, which I am sworn to administer and which differentiate any case in which the Government of the United States is a party from all other cases whatsoever. These laws are enacted for the benefit of the whole people, and can not and must not be construed as permitting discrimination against some of the people. I am President of all the people of the United States, without regard to creed, color, birthplace, occupation, or social condition. My aim is to do equal and exact justice as among them all. In the employment and dismissal of men in the Government service I can no more recognize the fact that a man does or does not belong to a union, as being for or against him, than I can recognize the fact that he is a Protestant or a Catholic, a Jew or a Gentile, as being for or against him.

"In the communications sent me by various labor organizations protesting against the retention of Miller in the Government Printing Office the grounds alleged are twofold: First, that he is a nonunion man; second, that he is not personally fit. The question of his personal fitness is one to be settled in the routine of administrative detail, and can not be allowed to conflict with or to complicate the larger question of governmental discrimination for or against him or any other man because he is or is not a member of a union. This is the only question now before me for decision, and as to this my decision is final."

In the foregoing statement of policy President Roosevelt merely reiterated his well-known conviction that the law must be administered with absolutely no discrimination. Thus, in his address at Butte, Mont., May 27, 1903, he declared that—

The law is no respecter of persons. The law is to be administered neither for the rich man nor for the poor man as such. It is to be administered for every man, rich or poor, if he is an honest and law-abiding citizen, and it is to be invoked against any man, rich or poor, who violates it, without regard to which end of the social scale he may stand, without regard to whether his offense takes the form of greed and cunning or the form of physical violence. In either case, if he violates the law, the law is to be invoked against him, and in so invoking it I have the right to challenge the support of all good citizens and to demand the acquiescence of every good man. I hope I shall have it; but, once for all, I wish it understood that even if I did not have it, I would enforce the law anyhow.

CUNNING AS WELL AS FORCE MUST BE SHACKLED.

In his recognition of unsocial and illegal action through cunning, President Roosevelt differs from those critics of workingmen who see crime in every act of intimidation or physical violence that occurs in the course of a strike or lockout, but fail to recognize the lawlessness of the men who obtain special privileges from legislatures and municipal councils or evade the pay-

ment of their just taxes. Thus, in an address at the Buffalo Independent Club, May 5, 1899, Governor Roosevelt declared that—

The rich man who gets a privilege through the legislature by bribery and corruption for any corporation is committing an offense against the community which it is possible may some day have to be condoned in blood and destruction, not by him, not by his sons, but by you and your sons.

And while the lawlessness of greed and cunning may lead to anarchy as surely as lawless physical violence, "it is far more difficult to deal with, but the effort to deal with it must be steadily made," as the President said in his Sioux Falls address, April 6, 1903.

But while fearlessly pointing out the lawless acts committed by a few rich men and by a few poor men, President Roosevelt does not join in the lamentations of those who despair of government by the people. On the contrary, he deprecates the fostering of hostility between classes. Speaking at Kansas City, Mo., May 1, 1903, of the wonderful industrial growth of the country under the leadership of able business men, he said:

Let us think carefully before by any act of folly on our part we destroy what has thus so marvelously been built up. It is easy enough to pull down. It is not so easy to rebuild or replace, and let us take serious thought from the history of the republics of old and avoid the rocks on which they foundered, and the chief rock, the chief danger in the path of the older republics, of the republics of antiquity and the republics of the middle ages, the chief danger came from the growth and encouragement of anything in the nature of fostered hostility. It will be an evil day for us when we let ourselves be persuaded to try to make this a government especially designed to help any one class save as that class includes its proportion of honest, thrifty, hard-working, decent-behaving citizens.

And it will be only a less evil day when any considerable portion of our people fail to remember that the object of this Government is to do justice, not to favor the rich man as such nor to discriminate against him as such; not to favor the poor man as such nor to discriminate against him as such, but to favor every man, rich or poor, if he is honest and behaves himself toward the State and his neighbors.

And, further, at Butte, Mont., May 27, 1903, he said:

This is not and never shall be a Government of a plutocracy; it is not and never shall be a Government by a mob. It is, as it has been and as it will be, a Government in which every honest man, every decent man, be he employer or employed, wage-worker, mechanic, banker, farmer, lawyer, be he who he may, if he acts squarely and fairly, if he does his duty by his neighbor and the State, receives the full protection of the law and is given the amplest chance to exercise the ability there is within him, alone or in combination with his fellows, as he desires.

THE POLICY OF STATE INTERVENTION.

While wage-workers have greatly improved their condition by uniting in fraternal organizations like trade unions, experience shows that such cooperation is not adequate to remove all the faults inherent in modern industrial relations. To stop child labor and regulate the work of women in the factories, for example, has always been regarded as the duty of the entire community and not the peculiar function of trade unions. The fact is that the very existence of trade unions depends upon the prevalence of a relatively high standard of life, which can only be secured by the action of the people through their constituted representatives.

Thus there is no cooperation among the garment makers of the sweat shops until government regulation and inspection have aided them in rising out of the degradation of their former homes in foreign countries and the slums of our cities. State intervention is therefore called for on the principle of equalizing opportunities. It does not abolish competition, which still remains the fundamental condition of social progress, but it raises competition to a higher level. Employer may still freely compete with employer in providing attractive commodities and in reducing their cost by inventing or introducing improved machinery and methods of production, but no employer may undersell his rival by using cheap child labor or otherwise exploiting the weakness or ignorance of the poor. The law thus favors the humane employer by protecting him from the competition of the inhumane employer. In President Roosevelt's own words:

PRINCIPLES OF STATE INTERFERENCE.

It is not possible empirically to declare when the interference of the State should be deemed legitimate and illegitimate. The line of demarcation between unhealthy overinterference and unhealthy lack of regulation is not always well defined and shifts with the change in our industrial needs. Most certainly we should never invoke the interference of the State or nation unless it is absolutely necessary, but it is equally true that where confident of its necessity we should not on academic grounds refuse it. Wise factory laws, laws to forbid the employment of child labor and to safeguard the employees against the effects of culpable negligence by the employer, are necessary not merely in the interest of the wage-worker, but in the interest of the honest and humane employer, who should not be penalized for his honesty and humanity by being exposed to unchecked competition with an unscrupulous rival.

In considering any proposed legislation in favor of wage-workers or others, the criterion should be the welfare of the entire community rather than the benefit of any class, as the President said in his Labor Day address at Syracuse:

Legislation to be permanently good for any class must also be good for the nation as a whole, and legislation which does injustice to any class is certain to work harm to the nation.

And, further, at Butte, Mont., in May, 1903:

The most unsafe adviser to follow is the man who would advise us to do wrong in order that we may benefit by it. That man is never a safe man to follow, but is always the most dangerous of guides. The man who seeks to persuade any of us that our advantage comes in wronging or oppressing another can be depended upon, if opportunity comes, to do wrong to us in his own interest just as he has endeavored to make us in our supposed interest do wrong to others.

THE AMERICAN STANDARD OF LIVING.

Under the American form of government the bulk of the legislation for the protection of wage-workers must be the work of the individual Commonwealths, and when he was governor of New York State Mr. Roosevelt, as has been already indicated, took an active part in promoting such legislation. But the Federal Government can accomplish a great deal for the maintenance of the relatively high standard of comfort that prevails in the United States by excluding the products of cheap foreign labor and also shutting out workmen from lower civilizations who are incapable of rising to the American standard of living. Such competition may be prevented by wise tariff and immigration laws, and on these questions the President expressed himself strongly in his first message to the Fifty-seventh Congress, under the date of December 3, 1901, in the following language:

With the sole exception of the farming interest no one matter is of such vital moment to our whole people as the welfare of the wage-workers. If the farmer and the wage-worker are well off it is absolutely certain that all others will be well off too. It is therefore a matter for hearty congratulation that wages on the whole are higher to-day in the United States than ever before in our history, and far higher than in any other country. The standard of living is also higher than ever before. Every effort of legislator and administrator should be to secure the permanency of this condition of things and its improvement wherever possible. Not only must our labor be protected by the tariff, but it should also be protected as far as possible from the presence in this country of any laborers brought over by contract or of those who, coming freely, yet represent a standard of living so depressed that they can undersell our men in the labor market and drag them to a lower level. I regard it as necessary, with this end in view, to reenact immediately the law excluding Chinese laborers, and to strengthen it wherever necessary in order to make its enforcement entirely effective.

Our present immigration laws are unsatisfactory. We need every honest and efficient immigrant fitted to become an American citizen, every immigrant who comes here to stay, who brings here a strong body, a stout heart, a good head, and a resolute purpose to do his duty well in every way and to bring up his children as law-abiding and God-fearing members of the community. But there should be a comprehensive law enacted, with the object of working a threefold improvement over our present system. First, we should aim to exclude absolutely not only all persons who are known to be believers in anarchistic principles or members of anarchistic societies, but also all persons who are of a low moral tendency or of unsavory reputation. This means that we should require a more thorough system of inspection abroad and a more rigid system of examination at our immigration ports, the former being especially necessary.

The second object of a proper immigration law ought to be to secure by a careful and not merely perfunctory educational test some intelligent capacity to appreciate American institutions and act sanely as American citizens. This would not keep out all anarchists, for many of them belong to the intelligent criminal class. But it would do what is also in point—that is, tend to decrease the sum of ignorance, so potent in producing the envy, suspicion, malignant passion, and hatred of order, out of which anarchistic sentiment inevitably springs. Finally, all persons should be excluded who are below a certain standard of economic fitness to enter our industrial field as competitors with American labor. There should be proper proof of personal capacity to earn an American living, and enough money to insure a decent start under American conditions. This would stop the influx of cheap labor and the resulting competition which gives rise to so much of bitterness in American industrial life, and it would dry up the springs of the pestilential social conditions in our great cities, where anarchistic organizations have their greatest possibility of growth.

Both the educational and economic tests in a wise immigration law should be designed to protect and elevate the general body politic and social. A very close supervision should be exercised over the steamship companies which mainly bring over the immigrants, and they should be held to a strict accountability for any infraction of the law.

CHINESE-EXCLUSION LAW RENEWED AND EXTENDED TO THE ISLAND TERRITORY.

Acting upon these recommendations, Congress renewed the Chinese-exclusion law and extended it to the island territory, where the system of contract labor had previously existed. This act prohibits the immigration of Chinese laborers from such island territory to the mainland of the United States, and from one portion of said island territory to another portion, but permits their transit from one island to another island of the same group.

A MORE STRINGENT IMMIGRATION LAW.

Congress also enacted, and President Roosevelt approved, a more stringent immigration law, the important amendments being as follows:

(1) Levying a duty of $2 (an increase of $1) for each and every passenger not a citizen of the United States or of the Dominion of Canada, the Republic of Cuba, or of the Republic of Mexico who shall come by vessel from any foreign country to any port within tne United States, or by any railway or any other mode of transportation from foreign contiguous territory to the United States.

(2) Excluding from admission epileptics, and persons who have been insane within five years previous, and persons who have had two or more attacks of insanity at any time previously; anarchists or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all government or of all forms of law or the assassination of public officials.

(3) Providing that skilled labor may be imported if labor of like kind unemployed can not be found in this country.

(4) Any person who shall bring into or land in the United States, or who shall attempt, by himself or through another, to bring into or land here any alien not duly admitted by an immi-

grant inspector, or not lawfully entitled to enter, shall be liable to punishment by a fine not exceeding $1,000 for each alien so landed or attempted to be landed or by imprisonment for a term not less than three months nor more than two years, or by both such fine and imprisonment.

(5) Each manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer of a vessel or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each alien.

(6) Any alien who shall come into the United States in violation of law, or who shall be found a public charge therein, from causes existing prior to landing, shall be deported to the country whence he came at any time within two years after arrival at the expense, including one-half of the cost of inland transportation to the port of deportation, of the person bringing such alien into the United States, or, if that can not be done, then at the expense of the immigrant fund. In case the Secretary of Commerce and Labor shall be satisfied that an alien shall be found in the United States in violation of law, he shall cause such alien, within the period of three years after landing, to be taken into custody and returned to the country whence he came, at the expense, including one-half of the cost of inland transportation to the port of deportation, of the person bringing such alien to this country, or, if that can not be so done, at the expense of the immigrant fund, and neglect or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came, shall be punished by the imposition of penalties prescribed by law.

(7) The Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and those two countries.

The President has caused the provisions of the act to be so carefully and vigorously enforced by improved methods of administration under Commissioner-General of Immigration Frank P. Sargent, the former grand master of the Brotherhood of Locomotive Firemen, that many hundreds of diseased and unfit foreigners seeking entrance to the United States have been deported to their former places of residence.

PUBLIC EMPLOYMENT.

The Government is itself a large employer of labor, and by the force of its example exerts a great influence upon other employers. President Roosevelt in his message to Congress has recommended legislation to establish the eight-hour day and "fair" wages on all public work, whether done by the Government itself or by contractors for the Government. Thus his first message to Congress in 1901 contained the following recommendations:

The National Government should demand the highest quality of service from its employees, and in return it should be a good employer. If possible, legislation should be passed in connection with the interstate commerce law which will render effective the efforts of different States to do away with the competition of convict contract labor in the open labor market. So far as practicable under the conditions of Government work provision should be made to render the enforcement of the eight-hour law easy and certain. In all industries carried on directly or indirectly for the United States Government women and children should be protected from excessive hours of labor, from night work, and from work under unsanitary conditions.

The Government should provide in its contracts that all work should be done under "fair" conditions, and, in addition to setting a high standard, should uphold it by proper inspection, extending, if necessary, to the subcontractors. The Government should forbid all night work for women and children, as well as excessive overtime. For the District of Columbia a good factory law should be passed, and as a powerful indirect aid to such laws, provision should be made to turn the inhabited alleys, the existence of which is a reproach to our capital city, into minor streets, where the inhabitants can live under conditions favorable to health and morals.

PROHIBITING THE EMPLOYMENT OF MONGOLIANS ON IRRIGATION WORKS AND APPLYING THE EIGHT-HOUR LAW TO SUCH PROJECTS.

On June 17, 1902, President Roosevelt approved a measure authorizing the Secretary of the Interior to cause to be let contracts for the construction, where practicable, of irrigation works. The act provides that eight hours shall be a day's labor on such projects and prohibits the employment of Mongolians thereon.

ABOLISHING SLAVERY IN THE PHILIPPINE ISLANDS.

President Roosevelt, on July 1, 1902, approved a bill which provided that "neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist" in the Philippine Islands.

The government of the islands is empowered to "grant franchises, privileges, and concessions, including the authority to exercise the right of eminent domain for the construction and operation of works of public utility and service." It is "unlawful for any corporation organized under this act, or for any person, company, or corporation receiving any grant, franchise, or concession from the government of said islands to use, employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude; and any person, company, or corporation so violating the provisions of this act shall forfeit all charters, grants, franchises, and concessions for doing business in said islands, and in addition shall be deemed guilty of an offense and shall be punished by a fine of not less than $10,000."

MINE REGULATIONS IN TERRITORIES.

Through an amendatory act of Congress, signed by President Roosevelt on July 1, 1902, mine regulations in Territories have been greatly improved. These changes have bettered the sanitary condition of mines, thus insuring the preservation of the health of miners and other employees, besides affording additional protection to life and limb. The amended law requires that—

The owners or managers of every coal mine shall provide an adequate amount of ventilation of not less than 83 5 cubic feet of pure air per second, or 5,000 cubic feet per minute, for every fifty men at work in said mine, and in like proportion for a greater number, which air shall, by proper appliances or machinery, be forced through such mine to the face of each and every working place, so as to dilute and render harmless and expel therefrom the noxious or poisonous gases. Whenever it is practicable to do so, the entries, rooms, and all openings being operated in coal mines shall be kept well dampened with water to cause the coal dust to settle, and that when water is not obtainable at reasonable cost for this purpose, accumulations of dust shall be taken out of the mine and shall not be deposited in way places in the mine where it would be again distributed in the atmosphere by the ventilating currents.

It is also provided that—

Owners, lessees, operators of, or any other person having the control or management of any coal shaft, drift, slope, or pit in the Indian Territory, employing twenty or more miners to work in the same, shall employ shot firers to fire the shots therein. Said shots shall not be fired to exceed one per day; at 12 o'clock noon in cases where the miners work but half a day, and at 5 o'clock in the evening when the mine is working three-quarters or full time, and they shall not be fired until after all miners and other employees working in said shafts, drifts, slopes, or pits shall be out of same. The violation of this act shall constitute a misdemeanor, and any person convicted of such violation shall pay a fine of not exceeding $500.

DEPARTMENT OF COMMERCE AND LABOR.

President Roosevelt gave his approval on February 14, 1903, to the Congressional bill creating the Department of Commerce and Labor and providing for the appointment by the President, with the advice and consent of the Senate, of a Secretary of Commerce and Labor, a Cabinet officer. The province and duty of the Department is to foster, promote, and develop the labor interests, the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities of the United States; and to this end it is vested with jurisdiction and control of several existing departments, bureaus, offices, and branches of the public service, specified in the statute.

A MODEL LABOR CODE FOR THE DISTRICT OF COLUMBIA.

While there are not many wage-workers in the District of Columbia to call for legal protection, President Roosevelt realizes that if Congress should enact a good labor code for the District it would be a model for the States and Territories, and, accordingly, in his second message to Congress he renewed his recommendations in favor of such legislation in the following language:

The District of Columbia is the only part of our territory in which the National Government exercises local or municipal functions, and where in consequence the Government has a free hand in reference to certain types of social and economic legislation which must be essentially local or municipal in character. The Government should see to it, for instance, that the hygienic and sanitary legislation affecting Washington is of a high character.

The evils of slum dwellings, whether in the shape of crowded and congested tenement-house districts or of the back-alley type, should never be permitted to grow up in Washington. The city should be a model in every respect for all the cities of the country. The charitable and correctional systems of the District should receive consideration at the hands of Congress to the end that they may embody the results of the most advanced thought in these fields. Moreover, while Washington is not a great industrial city, there is some industrialism here, and our labor legislation, while it would not be important in itself, might be made a model for the rest of the nation. We should pass, for instance, a wise employers' liability act for the District of Columbia, and we need such an act in our navy-yards. Railroad companies in the District ought to be required by law to block their frogs.

LICENSING EMPLOYMENT OFFICES IN THE DISTRICT OF COLUMBIA.

When he was governor of New York, Mr. Roosevelt called the attention of the legislature to the fact that "abuses have occurred in connection with the employment offices in the larger cities, which are now allowed to violate the law with impunity, the power of punishment lying with the local authorities." He therefore recommended the enactment of legislation requiring the keeper of any employment office to procure a license on the payment of a substantial fee, thus restricting the business to responsible parties and keeping it under the control of the State administration. As President, to insure Government supervision of employment agencies in the District of Columbia, he, on July 1, 1902, approved a measure which provides that "proprietors or owners of intelligence offices, information bureaus, registries, or employment offices, by whatsoever named called, shall pay a license tax of $10 per annum."

EXEMPTING FROM TAXATION IN THE DISTRICT OF COLUMBIA HOUSEHOLD EFFECTS TO THE VALUE OF $1,000, WEARING APPAREL, LIBRARIES, BOOKS, ETC.

According to a bill to which President Roosevelt affixed his signature on July 1, 1902, the following personal property is exempt from taxation in the District of Columbia: Household and other

belongings, not held for sale, to the value of $1,000, owned by the occupant of any dwelling house or other place of abode in which such household and other belongings may be located; also, libraries, schoolbooks, wearing apparel, articles of personal adornment, all family portraits, and heirlooms.

EMPLOYERS' LIABILITY LAW.

President Roosevelt has always expressed himself in favor of employers' liability laws under which workingmen suffering injury through the negligence of the employer or his agents might recover compensation for his injuries. While governor of New York he recommended the enactment of such a law, and in the preceding paragraph he recommended similar legislation for the protection of workmen employed in the Government navy-yards, as well as for the District of Columbia, and in fact wherever the jurisdiction of the United States is supreme. Many accidents would never occur if the employer had to compensate employees injured without fault of their own, as is required in most European countries.

SAFETY-APPLIANCE LAWS.

Another way in which workingmen may be protected from accidents is by requiring the employer to safeguard machinery. Federal legislation along this line has been restricted to transportation companies engaged in interstate commerce.

On March 2, 1893, the safety-appliance law, or the "car-coupler bill," as it is sometimes called, was passed by Congress. The main purpose of this legislation was protection for the lives and limbs of railway employees, and it has proved vastly beneficial to this class of wage-workers. The reports of the Interstate Commerce Commission show that in 1893, the year in which the law was passed, the casualties to railway employees, due to coupling and uncoupling cars, numbered 11,710 (433 deaths and 11,277 injuries), while in 1902, the first full year of the law's operation, the casualties numbered but 2,256 (143 deaths and 2,113 injuries), a decrease of more than 9,000 in the annual number of casualties of this character, notwithstanding that in 1902 there were over 20,000 more men at risk than there were in 1893.

The adoption of these appliances has also been of much benefit to the railroads, independently of their effect in adding to the safety of life and limb. Had it not been for the general adoption of automatic couplers and air brakes on freight trains it would have been impossible for the railroads during recent years to have met the wonderfully increased demands of traffic, as they have been met by the use of vastly heavier and more powerful locomotives, more capacious cars, and longer and infinitely heavier trains—trains that certainly could not have been safely handled with the appliances in general use when the law was enacted.

However, as has been the case with almost all laws of this character, experience disclosed certain defects in the law and showed that it was impossible to obtain the full benefit contemplated by the framers of the law without the enactment of certain amendments which were proposed. The President took a most active interest in this matter, calling attention to it in his message to Congress under date of December 2, 1902, as follows:

The safety-appliance law for the better protection of the lives and limbs of railway employees, which was passed in 1893, went into full effect on August 1, 1901. It has resulted in averting thousands of casualties. Experience shows, however, the necessity of additional legislation to perfect this law. A bill to provide for this passed the Senate at the last session. It is to be hoped that some such measure may now be enacted into law.

The President rendered invaluable assistance in furthering the passage of the amended law, which finally passed both Houses of Congress and received the President's approval on March 2, 1903.

The necessity for this legislation had become imperative owing to a decision of the circuit court of appeals for the eighth circuit, which held:

(1) That the law did not require that locomotives or their tenders should be equipped with automatic couplers.

(2) That a car, having completed an interstate journey and laying over at a local point for the purpose of renewing or starting upon another interstate journey, was not in use in interstate traffic while so laying over, and in any event an empty car could not be considered as being used in interstate traffic.

(3) That if cars were equipped with automatic couplers which would couple automatically with other couplers of the same kind or type, the law had been complied with, that it was not necessary that cars should be equipped with couplers that would couple automatically with another make of coupler which might be adopted by another road.

The decision defeated the main purpose of the law—the establishment of uniformity and interchangeability of couplers all over the country.

The amended law removes all ambiguity concerning the points covered by the decision of the circuit court of appeals and cures the defects which Judge Sanborn deduced from the wording of the original law, besides adding other important provisions calculated to increase the safety of employees.

The original act applied to cars and trains used in moving interstate traffic, while the amended act applies to any common carrier engaged in interstate commerce by railroad in the Territories and the District of Columbia, its language being as follows:

And shall apply in all cases, whether or not the couplers brought together are of the same kind, make, or type, and the provisions and requirements hereof and of said acts relating to train brakes, automatic couplers, grab irons, and the height of drawbars, shall be held to apply to all trains, locomotives, tenders, cars, and similar vehicles used on any railroad engaged in interstate commerce, and in the Territories and the District of Columbia, and to all other locomotives, cars, and similar vehicles used in connection therewith, excepting those trains, cars, and locomotives exempted by the provisions of section 6 of said act of March 2, 1893, as amended by the act of April 1, 1896, or which are used upon street railways.

It will thus be seen that under the amended law it is not necessary that a particular car or train be used in interstate commerce to bring it under the provisions of the law, but merely that the road itself be engaged in handling interstate traffic. Locomotives, tenders, snowplows, caboose cars, and all similar vehicles are also brought under the operation of the law. The law also requires that all trains on roads engaged in interstate commerce shall have at least 50 per cent of the cars in each train equipped with power or train brakes, and such brakes shall be used and operated by the engineer of the locomotive hauling such train, and the Interstate Commerce Commission may increase this minimum percentage on any road from time to time, after full hearing, as the circumstances and conditions of traffic may seem to require, the object being to do away with the necessity for men to traverse the tops of rapidly moving trains in all sorts of weather for the purpose of controlling their speed by means of the hand brakes.

THE PRESIDENT AND THE COAL STRIKE OF 1902.

The President has frequently emphasized the need of more sympathy between employers and employees and deprecated the cultivation of class feeling with its resulting antagonisms.

Very much of our effort in reference to labor matters—

He said at Sioux Falls in April, 1903—

should be by every device and expedient to try to secure a constantly better understanding between employer and employee. Everything possible should be done to increase the sympathy and fellow-feeling between them, and every chance taken to allow each to look at all questions, especially at questions in dispute, somewhat through the other's eyes.

If met with a sincere desire to act fairly by one another, and if there is, furthermore, power by each to appreciate the other's standpoint, the chance for trouble is minimized. I suppose every thinking man rejoices when by mediation or arbitration it proves possible to settle troubles in time to avert the suffering and bitterness caused by strikes. Moreover, a conciliation committee can do best work when the trouble is in its beginning, or at least has not come to a head. When the break has actually occurred, damage has been done, and each side feels sore and angry, and it is difficult to get them together, difficult to make either forget its own wrongs and remember the rights of the other. If possible, the effort of conciliation or mediation or arbitration should be made in the earlier stages, and should be marked by the wish on the part of both sides to try to come to a common agreement, which each shall think in the interest of the other as well as of itself.

When we deal with such a subject we are fortunate in having before us an admirable object lesson in the work that has just been closed by the Anthracite Coal Strike Commission. This was the commission which was appointed last fall, at the time when the coal strike in the anthracite regions threatened our nation with a disaster second to none which has befallen us since the days of the civil war. Their report was made just before the Senate adjourned at the special session, and no Government document of recent years marks a more important piece of work better done, and there is none which teaches sounder social morality to our people. The commission consisted of seven as good men as were to be found in the country, representing the bench, the church, the Army, the professions, the employers, and the employed. They acted as a unit and the report which they unanimously signed is a masterpiece of sound common sense and of sound doctrine on the very questions with which our people should most deeply concern themselves. The immediate effect of this commission's appointment and action was of vast and incalculable benefit to the nation, but the ultimate effect will be even better if capitalists, wage-worker, and lawmaker alike will take to heart and act upon the lessons set forth in the report they have made.

The appointment of this commission, which resulted in the termination of the great coal strike of 1902, is perhaps President Roosevelt's most widely known and generally appreciated contribution toward the improvement of industrial relations. When the efforts of all other peacemakers had come to naught and the coal famine remained unbroken at the near approach of winter, Mr. Roosevelt, as a representative American citizen, pleaded with the operators and miners to terminate their dispute and resume the mining of coal. Public opinion supported his action so strongly that both sides to the dispute agreed to resume work and leave to a commission to be appointed by the President the determination of the conditions of employment concerning which they had been unable to agree. The President's commission not only adjusted the dispute in the coal regions, but in so doing formulated principles of very general application to the organization of industry at the present time. The immediate effect of the commission's appointment was, as the President has himself stated, "of vast and incalculable benefit to the nation, but the ultimate effect will be even better if capitalist, wage-worker, and lawmaker alike will take to heart and act upon the lessons set forth in the report" of the commission. The coal industry is typical of all the great industries of to-day that are organized on the principle of large-scale production, and its treatment of the labor problem is therefore highly illuminative.

ORIGIN OF THE STRIKE.

Under the influence of a vast stream of immigration of Poles, Hungarians, and Slavs into the coal regions during the last two or three decades wages had steadily declined. The American miners saw their own standard of living threatened by the lower standards brought from central Europe unless they could induce these newcomers to unite with them in an effort to put an end to the incessant underbidding for employment. In 1897 they brought their organization, the United Mine Workers, to such a state of perfection that it dominated the labor situation in the bituminous regions and met the employers' associations on an equality in the annual settlement of the terms of employment. In 1899 the organization spread to the anthracite regions and the next year was able to secure a 10 per cent advance in wages, after a comparatively short strike that was supported as heartily by the miners outside the union as by the minority at that time in the union.

As a consequence of this triumph a vast majority of the miners joined the organization, which thereupon sought to represent the miners in making terms with the employers' agents at annual conferences such as were held with the bituminous operators. The denial of this request by the officers of the mining corporations nearly brought on another strike in 1901, and when early in 1902 a similar request, accompanied with a demand for an advance in wages, etc., was once more denied, industrial peace could no longer be preserved. The operators even refused the union's offer to submit its demands to the arbitration of the National Civic Federation or other arbitrators, and a week later a delegate convention of the anthracite mine workers voted to continue the strike ordered on May 12. In obedience to this decision, says the commission, "nearly the entire body of mine workers, which numbers about 147,000, abandoned their employment and remained idle until the strike was called off by another convention," that is, until October 23, 1902.

ACTION OF THE PRESIDENT.

With the progress of summer and the failure of all mediatory efforts to adjust the differences between the miners and the operators the scarcity of fuel made itself felt. Many factories that were dependent upon anthracite had to shut down, throwing large numbers of working people out of employment, and the famine prices at which coal was sold almost prohibited its use for domestic purposes by the poorer families. As cold weather approached the President felt himself virtually compelled to act in order to avert unexampled distress throughout all eastern communities that depended upon anthracite coal for domestic heating purposes. On October 1 he telegraphed an invitation to the presidents of the five coal railroad companies, a prominent individual operator, and the president of the miners' organization to confer with him "in regard to the failure of the coal supply, which had become a matter of vital concern to the whole nation." To these seven persons, who met the President at the White House on October 3, Mr. Roosevelt said:

I wish to call your attention to the fact that there are three parties affected by the situation in the anthracite trade—the operators, the miners, and the general public. I speak for neither the operators nor the miners, but for the general public. The questions at issue which led to the situation affect immediately the parties concerned—the operators and the miners—but the situation itself vitally affects the public. As long as there seemed to be a reasonable hope that these matters could be adjusted between the parties, it did not seem proper to me to intervene in any way. I disclaim any right or duty to intervene in this way upon legal grounds or upon any official relation that I bear to the situation, but the urgency and the terrible nature of the catastrophe impending over a large portion of our people in the shape of a winter fuel famine impel me, after much anxious thought, to believe that my duty requires me to use whatever influence I personally can to bring to an end a situation which has become literally intolerable. I wish to emphasize the character of the situation and to say that its gravity is such that I am constrained urgently to insist that each one of you realize the heavy burden of responsibility upon him.

We are upon the threshold of winter, with an already existing coal famine, the future terrors of which we can hardly yet appreciate. The evil possibilities are so far-reaching, so appalling, that it seems to me that you are not only justified in sinking, but required to sink for the time being, any tenacity as to your respective claims in the matter at issue between you. In my judgment the situation imperatively requires that you meet upon the common plane of the necessities of the public. With all the earnestness there is in me, I ask that there be an immediate resumption of operations in the coal mines in some such way as will without a day's unnecessary delay meet the crying needs of the people.

I do not invite a discussion of your respective claims and positions. I appeal to your patriotism, to the spirit that sinks personal considerations and makes individual sacrifices for the general good.

At the conclusion of the President's remarks Mr. Mitchell replied as follows:

Mr. President, I am much impressed with what you say. I am impressed with the gravity of the situation. We feel that we are not responsible for this terrible state of affairs. We are willing to meet the gentlemen representing the coal operators to try to adjust our differences among ourselves. If we can not adjust them that way, Mr. President, we are willing that you shall name a tribunal who shall determine the issues that have resulted in this strike; and if the gentlemen representing the operators will accept the award or decision of such a tribunal, the miners will willingly accept it, even if it is against their claims.

The PRESIDENT. Before considering what ought to be done I think it only just to both of you—both sides—and desirable from my standpoint, that you should have time to consider what I have stated as to the reasons for my getting you together, and I shall trespass so far upon your good nature as to ask that this interview cease now and that you come back at 3 o'clock. I should like you to think over what I have stated, not to decide now, but give it careful thought and return at 3 o'clock.

The conference then adjourned until 3 o'clock.

The President then put an end to the interview and asked both parties to think over what he had stated and return in the afternoon. Upon reassembling the operators made long statements of their side of the case; but in reply to the President's inquiry whether they would accept Mr. Mitchell's proposition they answered "No." In response to a further question from the President they stated that they would have no dealings whatever with Mr. Mitchell looking toward a settlement of the question at issue and that they had no other proposition to make, save what was contained in the statement of Mr. Baer, which, in effect, was that if any man chose to resume work and had a difficulty with his employer, both should leave the settlement of the question to the judge of the court of common pleas of the district in which the mine was located.

In view of the growing public demand for the resumption of coal mining, however, the operators reconsidered their refusal to arbitrate their dispute with the miners, and a few days later proposed that it be settled by a commission of five, to be appointed by the President, and to be composed of an officer of the Army or Navy, an expert mining engineer, a United States circuit court judge from Pennsylvania, a sociologist, and a man who had been in the coal business. As the last-mentioned member would come from the ranks of the employers, the miners naturally demanded a modification of the operators' proposition, which should allow them a representative on the Commission.

When the Commission was appointed on October 16 it therefore consisted of six members, and by the subsequent addition of the United States Commissioner of Labor its final composition was as follows: Brig. Gen. John M. Wilson; Edward M. Parker, of the United States Geological Survey; Judge George Gray, of the United States circuit court of the eastern district of Pennsylvania; Bishop John L. Spalding, of the Catholic Church; Thomas H. Watkins, a retired coal operator; Edgar E. Clark, chief of the Order of Railway Conductors, and Hon. Carroll D. Wright. On October 21 a convention of the miners voted to submit all the questions at issue to this Commission and to resume work on October 23. The presidents of the anthracite-coal roads agreed to abide by the decision of the Commission, and in the course of its proceedings the leading independent operators and the nonunion miners also became parties to the arbitration agreement, so that the board's awards, when announced on March 18, 1903, covered virtually the entire anthracite mining industry.

All through their investigations and deliberations the conviction has grown upon the commissioners that if they could evoke and confirm a more genuine spirit of good will, a more conciliatory disposition in the operators and their employees in their relations toward one another, they would do a better and a more lasting work than any which mere rulings, however wise or just, may accomplish. Fairness, forbearance, and good will are the prerequisites of peace and harmonious cooperation in all the social and economic relations of men. The interests of employer and employees are reciprocal. The success of industrial processes is the result of their cooperation, and their attitude toward one another, therefore, should be that of friends, not that of foes; and since those who depend for a livelihood on the labor of their hands bear the heavier burdens and have less opportunity to upbuild their higher being, the men of position and education, for whom they labor, should lead them not more in virtue of their greater ability and capital than in virtue of their greater loving-kindness.

Where production is controlled despotically by capital there may be a seeming prosperity, but the qualities which give sacredness and worth to life are enfeebled or destroyed. In the absence of a trustful and conciliatory disposition the strife between capital and labor can not be composed by laws and contrivances. The causes from which it springs are as deep as man's nature, and nothing that is powerless to illumine the mind and touch the heart can reach the fountain head of the evil. So long as employers and employees continue to look on one another as opponents and antagonists so long shall their relations be unsatisfactory and strained, requiring but a slight thing to provoke the open warfare which is called a strike.

It is in this spirit the commission has made its investigation and submits its report and award, and it is in this spirit the award must be received by all the parties to the submission if it is to have the effect desired by them and by all good citizens.

THE INCREASE OF WAGES.

The four demands of the miners were for an increase of 20 per cent in the piece rates paid to contract miners, the rates to be based on weight of the coal instead of the carload, a reduction of 20 per cent (from ten to eight hours a day) in the hours of labor of workmen employed by the day, and the recognition of the union by the establishment of a joint trade agreement between the representatives of employers and employed. The commission compromised on the matter of wages by awarding an increase of 10 per cent, with additional increases under a sliding-scale system when the market price of coal rose above the existing level; a reduction in hours from ten to nine; the establishment of a joint board of conciliation, representing employers and employed, to decide disputed questions during the life of the award (to March 31, 1906). The advance in wage rates took effect November 1, 1902.

The commission found great difficulty in ascertaining the actual earnings of miners, owing to their irregular employment. It estimated the average annual income of the most highly paid class of employees—the contract miners or skilled hewers of coal—to

be about $560. This was in 1901, "a year of unusual activity in the anthracite field," as the commission states. The average number of days throughout the region on which the collieries started was about 260, and the miners worked about 236 days, which is much more ample employment than they had in other years. Even so their daily earnings (for 313 week days in the year) average only $1.80, which is not a large wage when compared with other skilled trades; and when the fearful hazards of their employment, exceeding even those of railroad men, are considered, such earnings seem quite modest. The miners also had little difficulty in proving that the 10 per cent increase won in 1900 had not improved their condition, since the cost of living had correspondingly increased since 1900.

Several merchants testified that the price of necessaries of life in the anthracite region had increased more than 20 per cent between 1900 and 1902, while the official statistics of the United States Department of Labor revealed an increase of 10 per cent in the price of food consumed by the average workingman's family. In view of all the circumstances, the commission awarded a 10 per cent increase in piece rates, to take effect November 1, 1902. Such rates are to be the minimum, and are to be increased with every increase in the price of coal above $4.50 a ton at tide water, at the rate of 1 per cent for each 5 cents per ton. While the base price is seldom likely to be exceeded, the sliding scale will give to the miners something like two-fifths of the advantage of an increase should the operators attempt to gouge the public, and is thus a protection to consumers as well as miners.

The increase in rates granted to contract miners will be shared by them with the laborers whom they hire to load their coal, paying therefor about 35 per cent of their gross receipts.

The laborers' earnings were estimated to be slightly more than 60 per cent of those of the real miners, or $350, in 1901. The commission also decided that the laborers should be paid directly by the company, instead of by the miners, the amount of their earnings as reported by the miners.

The miners and their laborers constitute about two-fifths of the mine workers, the remaining 60 per cent being men and boys employed chiefly in and about the breakers by the week, day, or hour, and commonly designated as "company men." In their case also the commission found that rates of wages were of little significance owing to irregular employment; thus, in 1901, the average number of days on which the breakers started was 258, but the average number of hours per start was only 7.6.

As the men are paid for a ten-hour day, they averaged only 196 full days in the year. The significance of the 10 per cent reduction in hours now appears, it being equivalent to an advance of 11⅛ per cent in wages. Thus the "company man" who received $1.50 per day really worked for 15 cents an hour on the old basis of the ten-hour day. On the new basis of the nine-hour day the wage of $1.50 a day means 16⅔ cents an hour, and yearly earnings will increase proportionately. The justice of this 11⅛ per cent increase will be appreciated when it is stated that the average earnings of adult men were under $400[a] in 1901, a year of exceptionally ample employment. Thus, in 1901 the average number of ten-hour days of employment was 196, as compared with 149 in 1897 and 148 in 1898.

The commission found it impracticable to establish a system whereby miners should be paid by the ton rather than by the car, but provided that the operators should permit miners to employ check weighmen to watch the weighing and docking of coal in their interest.

RECOGNITION OF THE UNION.

Notwithstanding the importance of the wage question, the really fundamental point at issue was the recognition of the right of collective bargaining—that is, the right of the workingmen to combine, and choose representatives to make an annual bargain or contract with the company officials (the representatives of the stockholders or employers) concerning the conditions of employment, as is the practice in the bituminous trade, on the great railway systems, and in large-scale manufacturing. While denying in terms the miners' demand for "the incorporation in an agreement between the United Mine Workers and the anthracite coal companies of the wages which shall be paid and the conditions of employment which shall obtain, together with satisfactory methods for the adjustment of grievances," the commission in effect sustained the miners by upholding the principle of collective bargaining and by establishing a joint board of arbitration, on which the representatives of the employees must inevitably be officers of the union.

The fundamental doctrine of trade unionism is supported by the commission in the following words:

> In the days when the employer had but few employees, personal acquaintance and direct contact of the employer and the employee resulted in mutual knowledge of the surrounding conditions and the desires of each. The development of the employers into large corporations has rendered such personal contact and acquaintance between the responsible employer and the individual employee no longer possible in the old sense. The tendency toward peace and good-fellowship which grows out of personal acquaintance or direct contact should not, however, be lost through this evolution to greater combinations. There seems to be no medium through which to preserve it so natural and efficient as that of an organization of employees governed by rules which represent the will of a properly constituted majority of its members and officered by members selected for that purpose, and in whom authority to administer the rules and affairs of the union and its members is vested.
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> The men employed in a certain line of work or branch of industry have similar feelings, aspirations, and convictions, the natural outgrowth of their common work and common trend or application of mind. The union, representing their community of interests, is the logical result of their community of thought. It encourages calm and intelligent consideration of matters of common interest. In the absence of a union the extremist gets a ready hearing for incendiary appeals to prejudice or passion when a grievance, real or fancied, of a general nature presents itself for consideration.
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> The claim of the worker that he has the same right to join with his fellows in forming an organization through which to be represented that the stockholder of the corporation has to join others in forming the corporation and to be represented by the directors and other officers seems to be thoroughly well founded not only in ethics, but under economic considerations. Some employers say to their employees: "We do not object to your joining the union, but we will not recognize your union nor deal with it as representing you." If the union is to be rendered impotent and its usefulness is to be nullified by refusing to permit it to perform the functions for which it is created and for which alone it exists, permission to join it may well be considered as a privilege of doubtful value.
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> Trades unionism is rapidly becoming a matter of business, and that employer who fails to give the same careful attention to the question of his relation to his labor or his employees which he gives to the other factors which enter into the conduct of his business makes a mistake which sooner or later he will be obliged to correct. In this as in other things it is much better to start right than to make mistakes in starting, which necessitate returning to correct them. *Experience shows that the more full the recognition given to a trades union the more businesslike and responsible it becomes. Through dealing with business men in business matters its more intelligent, conservative, and responsible members come to the front and gain general control and direction of its affairs. If the energy of the employer is directed to discouragement and repression of the union, he need not be surprised if the more radically inclined members are the ones most frequently heard.*
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> The commission agrees that a plan under which all questions of difference between the employer and his employees shall first be considered in conference between the employer or his official representative and a committee chosen by his employees from their own ranks is most likely to produce satisfactory results and harmonious relations, and at such conference the employees should have the right to call to their assistance such representatives or agents as they may choose, and to have them recognized as such.

But the commission also points out the obligations of union men, thus:

> In order to be entitled to such recognition the labor organization or union must give the same recognition to the rights of the employer and of others which it demands for itself and for its members. The worker has the right to quit or to strike in conjunction with his fellows, when by so doing he does not violate a contract made by or for him. He has neither right nor license to destroy or to damage the property of the employer; neither has he any right or license to intimidate or to use violence against the man who chooses to exercise his right to work, nor to interfere with those who do not feel that the union offers the best method for adjusting grievances.
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> The union must not undertake to assume or to interfere with the management of the business of the employer. It should strive to make membership in it so valuable as to attract all who are eligible; but in its efforts to build itself up it must not lose sight of the fact that those who may think differently have certain rights guaranteed them by our free government. However irritating it may be to see a man enjoy benefits to the securing of which he refuses to contribute, either morally or physically or financially, the fact that he has a right to dispose of his personal services as he chooses can not be ignored. The nonunion man assumes the whole responsibility which results from his being such, but his right and privilege of being a nonunion man are sanctioned in law and morals.

The commission declares that—

> The rights and privileges of nonunion men are as sacred to them as the rights and privileges of unionists. The contention that a majority of the employees in an industry, by voluntarily associating themselves in a union, acquire authority over those who do not so associate themselves is untenable. Those who voluntarily associate themselves believe that in their efforts to improve conditions they are working as much in the interest of the unorganized as in their own, and out of this grows the contention that when a nonunion man works during a strike he violates the rights and privileges of those associated in efforts to better the general condition and in aspirations to a higher standard of living.
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> The nonunion man, who does not believe that the union can accomplish these things, insists with equal sincerity that the union destroys his efforts to secure a better standard of living, and interferes with his aspirations for improvement. The fallacy of such argument lies in the use of the analogy of State government, under which the minority acquiesces in the rule of the majority, but government is the result of organic law, within the scope of which no other government can assume authority to control the minority. In all acts of government the minority takes part, and when it is defeated the government becomes the agency of all, not simply of the majority.
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> It should be remembered that the trade union is a voluntary social organization, and, like any other organization, is subordinate to the laws of the land and can not make rules or regulations in controvention thereof. Yet it at times seeks to set itself up as a separate and distinct governing agency and to control those who have refused to join its ranks and to consent to its government, and to deny to them the personal liberties which are guaranteed to every citizen by the Constitution and laws of the land. The analogy, therefore, is unsound and does not apply.
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> Abraham Lincoln said: "No man is good enough to govern another man without that other's consent." This is as true in trade unions as elsewhere, and not until those who fail to recognize this truth abandon the rattitude toward nonunion men and follow the suggestion made above—that is, to make their work and their membership so valuable and attractive that all who are eligible to membership will come under their rule—will they secure that firm and constant sympathy of the public which their general purposes seem to demand.

The commission stated its belief that with certain changes in its constitution the mine-workers' organization would merit recognition by the employers. At present the boys in the union constitute about 20 per cent of the membership, and the presence of

[a] The only average presented by the commission is one for 35,851 men and boys, namely, $377.76, but the detailed statistics seem to justify the foregoing estimate.

this immature element might readily lead to trouble by carrying a vote for a strike when the more conservative and experienced members might be opposed to it. The commission also believes that instead of a majority vote there should be required at least a two-thirds vote of all the delegates in a convention in order to begin a strike. Finally, the commission expresses a hope that—

When under the award the parties have faithfully obeyed its terms and thus learned to deal with each other, a trade agreement between operators and an anthracite mine workers' organization may commend itself to both sides. *We believe this, especially when it is considered that in other directions and in other industries such agreements have been made and adhered to for terms of years, completely avoiding strikes and labor controversies generally.* Of course here and there in the bituminous regions these agreements may not have worked with perfect satisfaction to both parties, and in some districts they have been abandoned after a brief trial. But, on the whole, the experience under them in this country and in England testifies to their great usefulness in preserving peace and harmony.

Meanwhile, during the life of the award, disputes arising between employers and employees are to be adjusted by a permanent joint committee or board of conciliation composed of three representatives of the operators and the same number of representatives of the miners. When this committee is unable to decide any question submitted, such question is to be referred to an umpire appointed by a judge of the United States circuit court. As the miners' representatives in each of the three districts are to be selected by the union whenever its membership comprises a majority of the mine workers in that district, the award is tantamount to the recognition of the union during the three years of its life.

THE RIGHT TO STRIKE AND THE RIGHT TO WORK.

Having thus vindicated the principles of unionism, the commission ruled that no operator should discriminate against union men in the matter of employment. It likewise ruled that union men should not discriminate against or interfere with nonunionists, pointing out that such discrimination on the part of either employer or employed constitutes a serious menace to the discipline of the miner, which, on account of the hazardous nature of the work, should be as nearly perfect as possible.

The right to strike the commission firmly upholds, but this does not include the right to persecute men who choose to work.

A strike set on foot with the view to the accomplishment of its purpose by intimidation or violence exercised against those who choose to remain at work violates the law from the beginning. Where, however, the strike itself is separable from the illegal violence and intimidation which in many cases accompany it, the legal liability for such violence and intimidation rests alone upon the individuals who commit the act, and those who aid, encourage, and abet them. Though no illegality of purpose is imputable to those inaugurating a strike, its existence, if it involve large numbers of men in a single community, tends of itself to produce disorder and lawlessness.

As has been said, the idle and vicious, who are in no way connected with the purpose or object of the strike, often unite with the less orderly of the strikers themselves in creating the deplorable scenes of violence and terror which have all too often characterized the otherwise laudable efforts of organized labor to improve its conditions. Surely this tendency to disorder and violation of law imposes upon the organization which begins and conducts a movement of such importance a grave responsibility. It has, by its voluntary act, created dangers, and should therefore be vigilant in averting them. It has, by the concerted action of many, aroused passions which, uncontrolled, threaten the public peace. It therefore owes society the duty of exerting its power to check and confine these passions within the bounds of reason and law. Such organizations should be the powerful coadjutors of government in maintaining the peace and upholding the law. Only so can they deserve and attain the respect due to good citizenship, and only so can they accomplish the beneficent ends which for the most part they are created to attain.

A labor or other organization whose purpose can only be accomplished by the violation of law and order of society has no right to exist.

The right to remain at work where others have ceased to work, or to engage anew in work which others have abandoned, is part of the personal liberty of a citizen that can never be surrendered, and every infringement thereof merits, and should receive, the stern denouncement of the law. All government implies restraint, and it is not less, but more, necessary in self-governed communities than in others to compel restraint of the passions of men which make for disorder and lawlessness. Our language is the language of a free people, and fails to furnish any form of speech by which the right of a citizen to work when he pleases, for whom he pleases, and on what terms he pleases can be successfully denied. The common sense of our people as well as the common law forbids that this right should be assailed with impunity. It is vain to say that the man who remains at work while others cease to work or takes the place of one who has abandoned his work helps to defeat the aspirations of men who seek to obtain better recompense for their labor and better conditions of life. Approval of the object of a strike or persuasion that its purpose is high and noble can not sanction an attempt to destroy the right of others to a different opinion in this respect, or to interfere with their conduct in choosing to work upon what terms and at what time and for whom it may please them so to do.

The commission censured both operators and miners for the disorder, violence, and lawlessness that accompanied the strike and culminated in three murders. It deprecated the employment by the mining companies of coal and iron policemen as militating against the very purpose for which they are employed—that of preserving peace and protecting property—while as a body they were men of good character, the commission found that there was a sufficient number of bad characters to discredit the efforts of the whole body. On the other hand, the strikers had permitted intimidation, riot, and bloodshed; men who chose to be employed or who remained at work were assailed and threatened, and they and their families terrorized and intimidated. While "the leaders of the union, and notably its president, condemned all violence and exhorted their followers to sobriety and moderation * * * the subordinate local organizations and their leaders were not so amenable to such counsels as to prevent the regrettable occurrences. It is in the power of a minority of the less responsible men and boys, together with the idle and vicious, unless properly restrained, to destroy the peace and order of any community, and absence of protection and of active resistance on the part of the better element means encouragement and license to this class."

BOYCOTTING AND BLACKLISTING.

The commission also condemned the practice of blacklisting and certain kinds of boycotting. It distinguished between a "primary" and a "secondary" boycott. The former "consists merely in the voluntary abstention of one or many persons from social or business relations with one whom they dislike. This might amount to a conspiracy at law if the ingredient of malicious purpose and concerted action to accomplish it were present," although the law on this point is uncertain. But when there is "a concerted purpose of a number of persons not only to abstain themselves from such intercourse, but to render the life of the victim miserable by persuading and intimidating others so to refrain, such purpose is a malicious one, and the concerted attempt to accomplish it is a conspiracy at common law, and merits and should receive the punishment due to such a crime."

Examples of such secondary boycotts are not wanting in the record of the case before the commission. A young schoolmistress of intelligence, character, and attainments was so boycotted and her dismissal from employment compelled for no other reason than that a brother, not living in her immediate family, chose to work contrary to the wishes and will of the striking miners. In several instances tradesmen were threatened with a boycott; that is, that all connected with the strikers would withhold from them their custom, and persuade others to do so, if they continued to furnish the necessaries of life to the families of certain workmen who had come under the ban of the displeasure of the striking organizations.

This was carrying the boycott to an extent which was condemned by Mr. Mitchell, president of the United Mine Workers of America, in his testimony before the commission, and which certainly deserves the reprobation of all thoughtful and law-abiding citizens:

Closely allied to the boycott is the blacklist, by which employers of labor sometimes prevent the employment by others of men whom they have discharged. In other words, it is a combination among employers not to employ workmen discharged by any of the members of said combination. This system is as reprehensible and as cruel as the boycott, and should be frowned down by all humane men. Wherever it is practiced to the extent of being founded upon an agreement or concerted action, it, too, comes within the definition of the crime of conspiracy, and as such should be punished. There is also a civil remedy open to one who suffers from having been blacklisted, in an action against those who are a party to it, to recover damages compensatory of the injury received.

COMPULSORY INVESTIGATION.

The commission discussed various plans of adjusting great industrial disputes and pronounced against compulsory arbitration. It does not—

believe that in the United States such a system would meet with general approval or with success. Apart from the apparent lack of constitutional power to enact laws providing for compulsory arbitration, our industries are too vast and too complicated for the practical application of such a system.

We do believe, however, that the State and Federal Governments should provide the machinery for what may be called the compulsory investigation of controversies when they arise. The States can do this, whatever the nature of the controversy. The Federal Government can resort to some such measure when difficulties arise by reason of which the transportation of the United States mails, the operations, civil or military, of the Government of the United States, or the free and regular movement of commerce among the several States and with foreign nations are interrupted or directly affected or are threatened with being interrupted or affected.

The commission trusts that when the time during which its awards are to remain in force shall have elapsed, the relations of operator and employee will have so far improved as to make impossible such a condition as existed throughout the country in consequence of the strike in the anthracite region. Nevertheless the public has the right, when controversies like that of last year cause it serious loss and suffering, to know all the facts, and so be able to fix the responsibility. In order to do this power must be given the authorized representatives of the people to act for them by conducting a thorough investigation into all the matters involved in the controversy. This, of course, applies only to those cases where great public interests are at stake. It should not apply to petty difficulties or local strikes.

The chief benefit to be derived from the suggestion herein made lies in placing the real facts and the responsibility for such condition authoritatively before the people, that public opinion may crystallize and make its power felt. Could such a commission as that suggested have been brought to existence in June last, we believe that the coal famine might have been averted; certainly the suffering and deprivation might have been greatly mitigated.

THE PRESIDENT AND PROPERTY RIGHTS.

President Roosevelt's successful intervention in the coal strike met with the almost unanimous approval of the people, irrespective of their political affiliations. It was not until the commission's award had been made, and thought of the great disturbance nearly banished from the minds of the people, that criticism of his conduct, arising out of the resentment of the coal mine presidents and the desire to make political capital, began to appear, based on the allegation that his interference amounted to a modification of property rights. But the criticism was hushed almost as soon as it appeared by the declaration of Judge Gray, a member of the political party opposed to the President, that "the

President's action, so far from interfering with or infringing upon property rights, tended to conserve them." Judge Gray's statement, which appeared in a New York City newspaper September 1, 1903, was as follows:

I have no hesitation in saying that the President of the United States was confronted in October, 1902, by the existence of a crisis more grave and threatening than any that had occurred since the civil war. I mean that the cessation of mining in the anthracite coal country, brought about by the dispute between the miners and those who controlled the greatest natural monopoly in this country and perhaps in the world, had brought upon more than one-half of the American people a condition of deprivation of one of the necessaries of life, and the probable continuance of the dispute threatened not only the comfort and health, but the safety and good order of the nation. He was without legal or constitutional power to interfere, but his position as President of the United States gave him an influence, a leadership, as first citizen of the Republic, that enabled him to appeal to the patriotism and good sense of the parties to the controversy and to place upon them the moral coercion of public opinion to agree to an arbitrament of the strike then existing and threatening consequences so direful to the whole country. He acted promptly and courageously, and in so doing averted the dangers to which I have alluded.

So far from interfering or infringing upon property rights, the President's action tended to conserve them. The peculiar situation as regards the anthracite coal interest was that they controlled a natural monopoly of a product necessary to the comfort and to the very life of a large portion of the people. A prolonged deprivation of the enjoyment of this necessary of life would have tended to precipitate an attack upon these property rights of which you speak, for, after all, it is vain to deny that this property, so peculiar in its conditions, and which is properly spoken of as "a natural monopoly," is affected with a public interest.

I do not think that any President ever acted more wisely, courageously, or promptly in a national crisis. Mr. Roosevelt deserves unstinted praise for what he did.

EXTRACTS FROM THEODORE ROOSEVELT'S PUBLIC PAPERS AND ADDRESSES.

Under this caption are included extracts from the messages of Theodore Roosevelt while governor of New York and as President of the United States, besides excerpts from his most important addresses on the rostrum. These public papers and speeches cover a wide range of industrial subjects, and are replete with valuable suggestions as well as progressive ideas, extending through the gamut of economic thought. They stamp him as a man of broad views, one whose honesty, temerity, and activity in human affairs for the good of all make him worthy of the confidence and support of every right-thinking citizen.

IMPOSSIBLE TO OVERESTIMATE THE AMOUNT OF GOOD ACCOMPLISHED THROUGH ORGANIZED LABOR.

It must always be a peculiar privilege for any thoughtful public man to address a body of men predominantly composed of wage-workers, for the foundation of our whole social structure rests upon the material and moral well-being, the intelligence, the foresight, the sanity, the sense of duty, and the wholesome patriotism of the wage-worker. This is doubly the case now, for in addition to each man's individual action you have learned the great lesson of acting in combination. It would be impossible to overestimate the far-reaching influences of and, on the whole, the amount of good done through your associations. * * * In our cities, or where men congregate in masses, it is often necessary to work in combination—that is, through associations—and here it is that we can see the great good conferred by labor organizations, by trade unions. (Speech on September 3, 1900, at the Chicago Labor Day picnic.)

NECESSITY FOR LABOR UNIONS.

The most vital problem with which this country, and for that matter the whole civilized world, has to deal is the problem which has for one side the betterment of social conditions, moral and physical, in large cities, and for a other side the effort to deal with that tangle of far-reaching questions which we group together when we speak of "labor." The chief factor in the success of each man—wage-worker, farmer, and capitalist alike—must ever be the sum total of his own individual qualities and abilities. Second only to this comes the power of acting in combination or association with others. Very great good has been and will be accomplished by associations or unions of wage-workers, when managed with forethought and when they combine insistence upon their own rights with law-abiding respect for the rights of others. The display of these qualities in such bodies is a duty to the nation no less than to the associations themselves. Finally, there must also be, in many cases, action by the Government in order to safeguard the rights and interests of all. Under our Constitution there is much more scope for such action by the State and the municipality than by the nation. But on points such as those touched on above the National Government can act. (Message to the Fifty-seventh Congress, in 1901.)

MUCH CAN BE DONE BY TRADE UNIONS AND SIMILAR ORGANIZATIONS.

Before us loom industrial problems, vast in their importance and their complexity. The last half century has been one of extraordinary social and industrial development. The changes have been far-reaching, some of them for good and some of them for evil. It is not given to the wisest of us to see into the future with absolute clearness. No man can be certain that he has found the entire solution of this infinitely great and intricate problem, and yet each man of us, if he would do his duty, must strive manfully, so far as in him lies, to help bring about that solution.

It is not as yet possible to say what shall be the exact limit of influence allowed the State or what limit shall be set to that right of individual initiative so dear to the hearts of the American people. All we can say is that the need has been shown on the one hand for action by the people in their collective capacity through the State in many matters; that in other matters much can be done by associations of different groups of individuals, as in trade unions and similar organizations, and that in other matters it remains now as true as ever that final success will be for the man who trusts in the struggle only to his cool head, his brave heart, and his strong right arm. These are spheres in which a comparatively free field must be given to individual initiative. (Chicago Labor Day speech, September 3, 1900.)

VITAL IMPORTANCE OF ASSOCIATION.

The more a healthy American sees of one's fellow-Americans the greater grows his conviction that our chief troubles come from mutual misunderstanding—from failure to appreciate one another's point of view. In other words, the great need is fellow-feeling—sympathy, brotherhood—and all this mutually comes by association. It is therefore of vital importance that there should be such association. (At Chicago Labor Day picnic, Sept. 3, 1900.)

MEN SHOULD STRIVE FOR THEIR BETTERMENT AND STAND FOR THEIR RIGHTS.

Many qualities are needed in order that we can contribute our mite toward the upward movement of the world—the quality of self-abnegation, and yet combined with it the quality which will refuse to submit to injustice. I want to preach the two qualities going hand in hand. I do not want a man to fail to try to strive for his own betterment; I do not want him to be quick to yield to injustice, but I want him to stand for his rights. (Address before the Railroad Branch of the Young Men's Christian Association at Topeka, Kans., May 1, 1903.)

ELEVATION OF LABOR.

Bills have come to me this winter that were not what I wanted them to be, but I felt that they were steps in the right direction and I approved them. I found out, and you must find out, that if you are going to accomplish things you must yield something of your own wishes to the wishes of others, else you will get nowhere. Take the labor law for instance. That had much that was crude in it and many things that were good. I believe we should, as fast as we can, elevate labor. Don't applaud what is a self-evident fact, gentlemen. Everybody believes that we should help our fellow-men, and I have tried to find out since I have been in public life how our fellow-countrymen could best be helped. I have found that there is a kind of help which is no help at all and some which offers a temporary benefit. But, because the labor law contained some bad features along with its good ones, should I have vetoed it? That bill in its basis is all right. (Address to the City Club, New York City, May 9, 1899.)

RAILROAD MEN MAKE GOOD SOLDIERS AND CITIZENS.

All kinds of honorable work entitle those following them to honor. For the last few weeks and for the next few every minute and every hour my safety depends upon how the railroad men do their work. Naturally, I take a peculiar interest in them. But we must take the same interest in all men who do their work well. If a man does his duty he is a good citizen and we should be proud of him. Just let me say one word especially to the railroad men. I recollect the last time I ever met General Sherman he told me that if he had to raise an army composed purely of one class he would take railroad men, because they developed four or five qualities that counted more than anything else—qualities of taking risks, of irregular hours (so that to be up at night does not strike them with horror), of accepting responsibility, and yet of obeying orders and obeying them at once, not wondering whether to turn the switch then or later, but turning it then, and in consequence the men have had that training which will make good soldiers, and when you make a really good soldier you will make a good citizen. We can not all be railroad men, but we can all be good citizens and show the same type of quality. (Address at Truckee, Cal., May 19, 1903.)

RAILROAD EMPLOYEES POSSESS CHARACTER AND QUALITIES OF COURAGE AND HARDIHOOD.

In our present advanced civilization we have to pay certain penalties for what we have obtained. Among the penalties is the fact that in very many occupations there is so little demand upon nerve, hardihood, and endurance that there is a tendency to unhealthy softening of fiber and relaxation of fiber, and such being the case I think it is a fortunate thing for our people as a whole that there should be certain occupations, prominent among them railroading, in which the man has to show the very qualities of courage, of hardihood, of willingness to face danger, the cultivation of the power of instantaneous decision under difficulties, and the other qualities which go to make up the virile side of a man's character. * * *

I greet this audience, this great body of delegates, with peculiar pleasure, because they are men who embody, and embody by the very fact of their presence here, the essential sets of qualities of which I have been speaking. They embody the capacity for self-help with the desire mutually to help one the other. You have got several qualities I like. You have got sound bodies. Your profession is not one that can be carried on, at least in some of its branches, very favorably without the sound body. You have got sound minds, and that is better than sound bodies, and, finally, the fact that you are here, the fact that you have done what you have done, shows that you have that which counts for more than body, for more than mind—character. Character—that is what tells in the long run, character—which is compounded of many different qualities; in the first place perseverance, resolution, refusal to be daunted. (Address before the railroad branch of the Young Men's Christian Association at Topeka, Kans., May 1, 1903.)

PROTECTION TO THE AMERICAN WORKINGMAN IN HIS STANDARD OF WAGES AND LIVING.

The one consideration which never must be omitted in a tariff change is the imperative need of preserving the American standard of living for the American workingman. The tariff rate must never fall below that which will protect the American workingman by allowing for the difference between the general labor cost here and abroad, so as to at least equalize the conditions arising from the difference in the standard of labor here and abroad, a difference which it should be our aim to foster, in so far as it represents the needs of better educated, better paid, better fed, and better clothed workingmen of a higher type than any to be found in a foreign country.

At all hazards, and no matter what else is sought for or accomplished by changes of the tariff, the American workingman must be protected in his standard of wages—that is, in his standard of living—and must be secured the fullest opportunity of employment. Our laws should in no event afford advantage to foreign industries over American industries. They should in no event do less than equalize the difference in conditions at home and abroad. The general tariff policy to which, without regard to changes in detail, I believe this country to be irrevocably committed is fundamentally based upon ample recognition of the difference in labor cost here and abroad; in other words, the recognition of the need for full development of the intelligence, the comfort, the high standard of civilized living, and the inventive genius of the American workingman as compared to the workingman of any other country in the world. (Address at Logansport, Ind., September 23, 1902.)

INCREASED PROSPERITY OF THE WORKINGMAN AND THE FARMER.

In speaking on Labor Day at the annual fair of the New York State Agricultural Association it is natural to keep especially in mind the two bodies who compose the majority of our people and upon whose welfare depends the welfare of the entire State. If circumstances are such that thrift, energy, industry, and forethought enable the farmer—the tiller of the soil—on the one hand and the wage-worker on the other to keep themselves, their wives, and their children in reasonable comfort, then the State is well off, and we can be assured that the other classes in the community will likewise prosper. On the other hand, if there is in the long run a lack in prosperity among the two classes named, then all other prosperity is sure to be more seeming than real.

It has been our profound good fortune as a nation that hitherto, disregarding exceptional periods of depression and the normal and inevitable fluctuations, there has been on the whole from the beginning of our Government to the present day a progressive betterment alike in the condition of the tiller of the soil and in the condition of the man who by his manual skill and labor

supports himself and his family and endeavors to bring up his children so they may be at least as well off as and if possible better off than he himself has been. There are, of course, exceptions; but as a whole the standard of living among the farmers of our country has risen from generation to generation, and the wealth represented on the farms has steadily increased, while the wages of labor have likewise risen, both as regards the actual money paid and as regards the purchasing power which that money represents.

Side by side with this increase in the prosperity of the wage-worker and the tiller of the soil has gone on a great increase in the prosperity among the business men and among certain classes of professional men, and the prosperity of these men has been partly the cause and partly the consequence of the prosperity of farmer and wage-worker. It can not be too often repeated that in this country, in the long run, we all of us tend to go up or go down together. If the average of well-being is high, it means that the average wage-worker, the average farmer, and the average business man are all alike well off. If the average shrinks, there is not one of these classes which will not feel the shrinkage.

Of course there are always some men who are not affected by good times, just as there are some men who are not affected by bad times; but speaking broadly, it is true that if prosperity comes all of us tend to share more or less therein, and that if adversity comes each of us, to a greater or less extent, feels the tension. Unfortunately, in this world the innocent frequently find themselves obliged to pay some of the penalty for the misdeeds of the guilty, and so, if hard times come, whether they be due to our own fault or to our misfortune, whether they be due to some burst of speculative frenzy that has caused a portion of the business world to lose its head—a loss which no legislation can possibly supply—or whether they be due to any lack of wisdom in a portion of the world of labor, in each case the trouble, once started, is felt more or less in every walk of life. (Labor Day speech at Syracuse, N. Y., September 7, 1903.)

CARRY AMERICAN GOODS IN AMERICAN-BUILT SHIPS.

Shipping lines, if established to the principal countries with which we have dealings, would be of political as well as commercial benefit. From every standpoint it is unwise for the United States to continue to rely upon the ships of competing nations for the distribution of our goods. It should be made advantageous to carry American goods in American-built ships. (Message to Congress, December 3, 1901.)

AMERICAN WAGE-WORKERS TAKE KEEN PRIDE IN THEIR WORK AND WISH TO TURN OUT A PERFECT JOB.

American wage-workers work with their heads as well as their hands. Moreover, they take a keen pride in what they are doing, so that, independent of the reward, they wish to turn out a perfect job. This is the great secret of our success in competition with the labor of foreign countries. (Message to Congress, December 3, 1901.)

MAKING THE EIGHT-HOUR LAW OPERATIVE.

This bill carries out the recommendation made in my message to the legislature that the eight-hour law should be so amended as to make it effective. It will work on the whole an undoubted improvement. * * * The need of the passage of this law is evident. There is at present and has long been on the statute books an eight-hour law, but it is so easy of evasion that it has been largely inoperative. It is always detrimental to the best interests of the State to have a law on the statute books which pretends to do something and does not do it, and this of course is especially the case where it is highly important that the nominal end sought to be attained really should be attained. The general tendency toward an eight-hour working day has undoubtedly been healthful. * * * The permission to work overtime for additional compensation has resulted in such widespread evasion and nullification of the purposes of the law, especially among contractors, that it is wise to take it away in most cases. (Memorandum filed May 12, 1899, with approved assembly bill regulating labor hours on public work in New York State.)

WISE LABOR LEGISLATION IS OF MORE REAL BENEFIT TO THE COMMUNITY THAN ANY OTHER KIND OF LAW.

On no subject is it more important to have wise and sound legislation than where the interests of labor are concerned. When such legislation is good it probably accomplishes more real benefit to the community than can be accomplished by any other kind of law, but crude and hasty labor legislation either wholly fails to accomplish anything—being so drawn as to be ineffective—or else works harm instead of good to the very people supposed to be benefited. (Message to New York assembly, April 3, 1899.)

LEGISLATION TO SHIELD THE INTERESTS OF WAGE-WORKERS.

It is not only highly desirable, but necessary, that there should be legislation which shall carefully shield the interests of wage-workers and which shall discriminate in favor of the honest and humane employer by removing the disadvantage under which he stands when compared with unscrupulous competitors who have no conscience and will do right only under fear of punishment. (Address on "National Duties" at Minnesota State Fair, Minneapolis, September 2, 1901.)

AS MUCH THE STATE'S DUTY TO PROTECT THE WEAKER WAGE-WORKERS FROM OPPRESSION AS TO PROTECT HELPLESS INVESTORS FROM FRAUD.

During the past year very valuable labor measures have been enacted into laws, and they are well enforced. * * * Additional legislation will undoubtedly from time to time become necessary, but many vitally needed laws have already been put upon the statute books. As experience shows their defects these will be remedied. A stringent eight-hour labor law has been enacted. This is working well as a whole. In nothing do we need to exercise cooler judgment than in labor legislation. Such legislation is absolutely necessary, alike from the humanitarian and the industrial standpoints, and it is as much our duty to protect the weaker wage-workers from oppression as to protect helpless investors from fraud. (Annual message to the New York legislature January 3, 1900.)

LABOR LAWS HAVE WORKED WELL.

How far we shall go in regulating the hours of labor or the liabilities of employers is a matter of expediency, and each case must be determined on its own merits, exactly as it is a matter of expediency to determine what so-called "public utilities" the community shall itself own and what ones it shall leave to private or corporate ownership, securing to itself merely the right to regulate. Sometimes one course is expedient, sometimes the other. In my own State during the last half dozen years we have made a number of notable strides in labor legislation, and with a very few exceptions the laws have worked well. (Chicago Labor Day address, September 3, 1900.)

EFFECTIVE LEGISLATION AGAINST SWEAT SHOPS.

The Costello bill does not go as far as I should like to see it go, but it does not take an enormous stride in advance, representing the first really effective bit of legislation against the sweat shops which has been enacted in this State. It is in line with and to a large extent carries out one of the suggestions in my message to the legislature upon which I dwelt with particular emphasis. (Message to the New York assembly, April 3, 1899.)

The factory-inspection department of New York deals chiefly, of course, with conditions in great cities. One very important phase of its work during the last two years has been the enforcement of the antisweat-shop law, which is primarily designed to do away with the tenement-house factory. The conditions of life in some of the congested tenement-house districts, notably in New York City, had become such as to demand action by the State. As with other reforms, in order to make it stable and permanent it had to be gradual. It proceeded by evolution, not revolution. But progress has been steady, and wherever needed it has been radical. Much remains to be done, but the condition of the dwellers in the congested districts has been markedly improved, to the great benefit not only of themselves but of the whole community. (Address at Chicago Labor Day picnic, September 3, 1900.)

EMPLOYERS' LIABILITY.

The liability of employers to their employees is now recognized in the laws of most of the great industrial communities of the world. While employers ought not to be burdened to such an extent as to endanger ordinary business transactions, yet the State should, so far as possible, protect those employees engaged in dangerous occupations, and should see that every reasonable provision is taken to guard their rights. (Annual message to the New York legislature, January 3, 1900.)

CHEAPNESS SECURED UNDER THE PADRONE SYSTEM IS OBTAINED AT THE SACRIFICE OF GOOD CITIZENSHIP.

It is even more important to reach contractors who do the State work than to reach the public servants of the State proper. Cheapness secured by the employment of gangs of men under the padrone system is cheapness for which the State pays altogether too dearly, for it is obtained at the cost of the sacrifice of good citizenship. It is therefore just that the ordinary employee of the State and of contractors who do State work should work for but eight hours and should receive a rate of wages not less than that paid for other labor of the same kind where the structure is to be put up, this not interfering with the purchase of a finished product. (Memorandum filed May 12, 1899, with approved assembly bill regulating hours of labor on public work in New York State.)

THE STATE'S LABOR DEPARTMENTS SHOULD RECEIVE PROMPT AND CORDIAL COOPERATION IN EVERY ATTEMPT TO FULFILL THEIR RESPECTIVE DUTIES.

The bureau of labor statistics, the board of mediation and arbitration, and the factory inspectors' department must be brought to the highest standard of efficiency and usefulness. The work of these departments—to report the actual conditions of labor, to seek to establish harmonious relations between labor and capital, and to enforce such labor legislation as have met with the approval of the people of the State—is of supreme importance. The efficiency of their service concerns not only those immediately affected, but also the entire public, and they should receive our prompt and cordial cooperation in every attempt to fulfill their respective duties. (Annual message to the New York legislature, January 2, 1899.)

LABOR STATISTICS OF VITAL CONCERN TO ALL LEADING LABOR INTERESTS.

The bureau of labor statistics in collecting the material for its reports has received valuable aid from manufacturers and officers of labor organizations. The reports of the department must be practical, strictly accurate in all statements of fact, and based on investigations conducted in accordance with modern scientific methods. (Message to the New York Legislature, January 2, 1899.)

The experiment of publishing a quarterly bulletin by the bureau of labor statistics has worked excellently, and the bulletin should be continued and improved. (Message to the New York legislature, January 3, 1900.)

The bureau of labor statistics (of New York) has done more than merely gather the statistics, for by keeping in close touch with all the leading labor interests it has kept them informed on countless matters that were really of vital concern to them. Incidentally one pleasing feature of the work of this bureau has been the steady upward tendency shown during the last four years, both in amount of wages received and in the quantity and steadiness of employment. (Chicago Labor Day speech, September 3, 1900.)

STATE CONTROL OF EMPLOYMENT OFFICES.

Abuses have occurred in connection with the employment offices in the larger cities, which are now allowed to violate the law with impunity, the power of punishment lying with the local authorities. It would be well to require the keeper of any employment office to procure a license from the State, as in Minnesota and other States. This license should be granted on the payment of a substantial fee, and the business would thus be restricted to responsible parties and kept under the control of the State administration. (Annual message to the New York legislature, January 3, 1900.)

STATE OWNERSHIP OF PRINTING PLANT.

It may well be considered by you whether by the passage of an act establishing a State printing bureau, equipped with every modern device, the cost to the State of its printing might not be reduced. This item has become a large one in the State expenditure, and a trial of State ownership, if found to be economical, I would advise. (Message to the New York legislature, January 3, 1900.)

THE STATE SHOULD BE AN EXEMPLARY EMPLOYER.

It is wise for the State to set a good example as an employer of labor, both as to the number of hours of labor exacted and as to paying a just and reasonable wage. (Memorandum filed on May 12, 1899, with approved bill regulating working hours on public work in New York State.)

In New York * * * we determined that as an employer of labor the State should set a good example to other employers. We do not permit the people's money to be squandered or to tolerate any work that is not the best. But we think that while rigidly insisting upon good work we should see that there is fair play in return. Accordingly we have adopted an eight-hour law for the State employees and for all contractors who do State work, and we have also adopted a law requiring that the fair market rate of wages shall be given. I am glad to say that both measures have so far, on the whole, worked well. * * * The practical experiment of working men for eight hours has been advantageous to the State. Poor work is always dear, whether poorly paid or not, and good work is always well worth having, and as a mere question of expediency, aside, even, from the question of humanity, we find that we can obtain the best work by paying fair wages and permitting the work to go only for a reasonable time. (Address at the Chicago Labor Day picnic, September 3, 1900.)

FREE MECHANICS MUST NOT BE BROUGHT INTO COMPETITION WITH PRISON LABOR.

A recent decision of the court of appeals has decided unconstitutional the law which provides that there shall be a mark on prison-made goods indicating that they are such. This matter should receive the attention of the legislature in order that some means may be devised whereby the free mechanic shall not be brought into competition with prison labor. (Annual message to the New York legislature, January 2, 1899.)

IN LABOR DISPUTES MEDIATION IS PREFERABLE TO ARBITRATION.

In various trades the relations between labor and capital have frequently been adjusted to the advantage of both by conferences between intelligent

employers and reasonable workingmen. Such mutual understanding is in the highest degree desirable. It promotes industrial peace and general prosperity. Where disturbance exists, and before it has gone too far, the board of mediation and arbitration should seek to secure a fair settlement of the difficulties and a reestablishment of harmonious relations. It should also constantly endeavor to promote the extension of intelligent methods of settlement of labor disputes, so that, through the recognition by each party of the just rights of the other, strikes and lockouts may yield to wiser and more peaceful measures. (Message to the New York legislature, January 2, 1899.)

The work of mediation—that is, of settling the dispute before it has reached an acute stage—is even more important and successful than that of arbitration proper, after the strike is once on. This being so, it would be well to enact legislation which would compel parties to labor disputes to notify the board [of mediation and arbitration] of impending trouble or of strikes and lockouts. (Message to New York legislature, January 3, 1900.)

Where possible, it is always better to mediate before the strike begins than to try to arbitrate when the fight is on and both sides have grown stubborn and bitter. (Labor Day speech on September 3, 1900, at Chicago.)

ANTHRACITE COAL STRIKE COMMISSION ANXIOUS TO SEE RIGHT AND JUSTICE PREVAIL.

Our complex industrial civilization has not only been productive of much benefit, but has also brought us face to face with many puzzling problems—problems that are puzzling partly because there are men that are wicked, partly because there are good men who are foolish or shortsighted. There are many such to-day—the problems of labor and capital, the problems which we group together rather vaguely when we speak of the problems of the trusts, the problems affecting the farmers on the one hand, the railroads on the other. It would not be possible in any one place to deal with the particular shapes which these problems take at that time and in that place. And yet there are certain general rules which can be laid down for dealing with all of them, and those rules are the immutable rules of justice, of sanity, of courage, of common sense.

Six months ago it fell to my lot to appoint a commission to investigate into and conclude about matters connected with the great and menacing strike in the anthracite coal fields of Pennsylvania. On that Commission I appointed representatives of the church, of the bench, of the Army, representative of the capitalists of the region, and a representative of organized labor. They published a report, which was not only of the utmost moment because of dealing with the great and vital problem with which they were appointed to deal, but also in its conclusion initiating certain general rules in so clear and masterful a fashion that I wish most earnestly it could receive the broadest circulation as a tract wherever there exists or threatens to exist trouble in any way akin to that with which those commissioners dealt. All of them unanimously signed that report—all of them, as American citizens, anxious to see right and justice prevail. (Address at Omaha, Nebr., April 27, 1903.)

A GET-TOGETHER POLICY WILL TEND TO SOLVE INDUSTRIAL AND OTHER PROBLEMS.

Capital and wage-worker alike should honestly endeavor each to look at any matter from the other's standpoint, with a freedom on the one hand from the contemptible arrogance which looks upon the man of less means, and on the other from the no less contemptible envy, jealousy, and rancor which hates another because he is better off. Each quality is the complement of the other, the supplement of the other, and in point of baseness there is not the weight of a finger to choose between them. Look at the report signed by the Anthracite Coal Strike Commission, look at it in the spirit in which they wrote it, and if you can only make yourselves, make the community, approach the problems of the day in the spirit that those men, your fellows, showed in approaching the great problem of yesterday, any problem or problems will be solved. (Address at Omaha, Nebr., April 27, 1903.)

I have a great deal of faith in the average American citizen. I think he is a pretty good fellow, and I think he can generally get on with the other average American citizen if he will only know it. If he does not know it, but makes him a monster in his mind, then he will not get on with him. But if he will take the trouble to know him and realize that he is a being just like himself, with the same instincts, not all of them good, the same desire to overcome those that are not good, the same purposes, the same tendencies and shortcomings, the same desires for good, the same need of striving against evil; if he will realize all that, and if you can get the two together, with an honest desire each to try not only to help himself, but to help the other, most all our problems will be solved. (Speech at Topeka, Kans., May 1, 1903.)

TO HAVE THE SAME INTERESTS, NEEDS, AND ASPIRATIONS EVERY AMERICAN SHOULD UNDERSTAND AND WORK WITH HIS FELLOW-CITIZENS.

The first time I ever labored alongside of and got thrown into intimate companionship with men who were mighty men of their hand was in the cattle country of the Northwest. I soon grew to have an immense liking and respect for my associates, and as I knew them, and did not know similar workers in other parts of the country, it seemed to me then the ranch owner was a great deal better than any eastern business man, and that the cow puncher stood on a corresponding altitude compared to any of his brethren in the East.

Well, after a little while I got thrown into close relations with the farmers, and it did not take long before I had moved them up alongside of my beloved cowmen, and made up my mind that they really formed the backbone of the land. Then, because of certain circumstances, I was thrown into intimate contact with railroad men, and I gradually came to the conclusion that these railroad men were about the finest citizens there were anywhere around. Then, in the course of some official work, I was thrown into close contact with a number of the carpenters, blacksmiths, and men in the building trades—that is, skilled mechanics of a high order—and it was not long before I had them on the same pedestal with the others.

By that time it began to dawn on me that the difference was not in the men, but in my own point of view, and that if any man is thrown into close contact with any large body of our fellow-citizens it is apt to be the man's own fault if he does not grow to feel for them a very hearty regard and, moreover, grow to understand that on the great questions that lie at the root of human well-being he and they feel alike.

Our prime need as a nation is that every American should understand and work with his fellow-citizens, getting into touch with them, so that by actual contact he may learn that fundamentally he and they have the same interests, needs, and aspirations. (Labor Day address at Chicago, September 3, 1900.)

THE MASS OF AMERICANS DO NOT WANT CHARITY, BUT DESIRE TO HOLD THEIR OWN IN THE WORLD.

It ought not to be necessary for me to warn you against mere sentimentality, against the philanthropy and charity which are not merely insufficient, but harmful. It is eminently desirable that we should none of us be hard-hearted, but it is no less desirable that we should not be soft-headed. I really do not know which quality is most productive of evil to mankind in the long run, hardness of heart or softness of head. Naked charity is not what we permanently want. There are, of course, certain classes, such as young children, widows with large families, or crippled or very aged people, or even strong men temporarily crushed by stunning misfortune, on whose behalf we may have to make a frank and direct appeal to charity, and who can be the recipients of it without any loss of self-respect. But taking us as a whole, taking the mass of Americans, we do not want charity, we do not want sentimentality, we merely want to learn how to act both individually and together in such fashion as to enable us to hold our own in the world, to do good to others according to the measure of our opportunities, and to receive good from others in ways which will not entail on our part any loss of self-respect. (Address before the Young Men's Christian Association, Carnegie Hall, New York City, December 30, 1900.)

NO ROOM FOR THE WILLFULLY IDLE.

Throughout our history the success of the home-maker has been but another name for the upbuilding of the nation. The men who with ax in the forests and pick in the mountains and plow on the prairies pushed to completion the dominion of our people over the American wilderness have given the definite shape to our nation. They have shown the qualities of daring, endurance, and far-sightedness, of eager desire for victory and stubborn refusal to accept defeat, which go to make up the essential manliness of the American character. Above all, they have recognized in practical form the fundamental law of success in American life, the law of worthy work, the law of high, resolute endeavor. We have but little room among our people for the timid, the irresolute, and the idle; and it is no less true that there is scant room in the world at large for the nation with mighty thews that dares not to be great.

Sometimes we hear those who do not work spoken of with envy. Surely the willfully idle need arouse in the breast of a healthy man no emotion stronger than that of contempt, at the outside no emotion stronger than angry contempt. The feeling of envy would have in it an admission of inferiority on our part, to which the men who know not the sterner joys of life are not entitled. Poverty is a bitter thing, but it is not as bitter as the existence of restless vacuity and physical, moral, and intellectual flabbiness, to which those doom themselves who elect to spend all their years in that vainest of all vain pursuits—the pursuit of mere pleasure as a sufficient end in itself. The work may be done in a thousand different ways, with the brain or with the hands, in the study, the field, or the workshop. If it is honest work, honestly done and well worth doing, that is all we have a right to ask. (Address at Minneapolis, September 2, 1901.)

A POUND OF CONSTRUCTION IS WORTH A TON OF DESTRUCTION.

It ought to be no less unnecessary to say that any man who tries to solve the great problems that confront us by an appeal to anger and passion, to ignorance and folly, to malice and envy, is not, and never can be, aught but an enemy of the very people he professes to befriend. In the words of Lowell, it is far safer to adopt "all men up" than "some men down" for a motto. Speaking broadly, we can not, in the long run, benefit one man by the downfall of another. Our energies can, as a rule, be employed to more better advantage in uplifting some than in pulling down others. Of course there must sometimes be pulling down, too. We have no business to blink at evils, and where it is necessary that the knife should be used, let it be used unsparingly, but let it be used intelligently. When there is need of a drastic remedy, apply it, but do not apply it in the mere spirit of hate. Normally, a pound of construction is worth a ton of destruction. (Address to the Young Men's Christian Association, in New York City, December 30, 1900.)

SPURN THE LEADERSHIP OF THOSE WHO SEEK TO EXCITE CLASS ANTAGONISM.

People show themselves just as unfit for liberty whether they submit to anarchy or to tyranny, and class government, whether it be the government of a plutocracy or the government of a mob, is equally incompatible with the principles established in the days of Washington and perpetuated in the days of Lincoln. * * *

The reason why our future is assured lies in the fact that our people are genuinely skilled in and fitted for self-government, and therefore will spurn the leadership of those who seek to excite this ferocious and foolish class antagonism. The average American knows not only that he himself intends to do about what is right, but that his average fellow-countryman has the same intention and the same power to make his intention effective. He knows, whether he be business man, professional man, farmer, mechanic, employer, or wage-worker, that the welfare of each of these men is bound up with the welfare of all the others, that each neighbor to the other is actuated by the same hopes and fears, has fundamentally the same ideals, and that all alike have much the same virtues and the same faults.

Our average fellow-citizen is a sane and healthy man who believes in decency and has a wholesome mind. He therefore feels an equal scorn alike for the man of wealth guilty of the mean and base spirit of arrogance toward those who are less well off, and for the man of small means who in his turn either feels or seeks to excite in others the feeling of mean and base envy for those who are better off. The two feelings, envy and arrogance, are but opposite sides of the same shield, but different developments of the same spirit. Fundamentally, the unscrupulous rich man who seeks to exploit and oppress those who are less well off is in spirit not opposed to, but identical with, the unscrupulous poor man who desires to plunder and oppress those who are better off. The courtier and the demagogue are but developments of the same type under different conditions, each manifesting the same servile spirit, the same desire to rise by pandering to base passions, though one panders to power in the shape of a single man and the other to power in the shape of a multitude. So likewise the man who wishes to rise by wronging others must by right be contrasted, not with the man who likewise wishes to do wrong, though to a different set of people, but with the man who wishes to do justice to all people and to wrong none.

The line of cleavage between good and bad citizenship lies not between the man of wealth who acts squarely by his fellows and the man who seeks each day's wage by that day's work, wronging no one and doing his duty to his neighbor; nor yet does this line of cleavage divide the unscrupulous wealthy man who exploits others in his own interests from the demagogue or from the sullen and envious being who wishes to attack all men of property, whether they do well or ill. On the contrary, the line of cleavage between good citizenship and bad citizenship separates the rich man who does well from the rich man who does ill, the poor man of good conduct from the poor man of bad conduct. This line of cleavage lies at right angles to any such arbitrary line of division as that separating one class from another, one locality from another, or men with a certain degree of property from those of a less degree of property.

The good citizen is the man who, whatever his wealth or his poverty, strives manfully to do his duty to himself, to his family, to his neighbor, to the State; who is incapable of the baseness which manifests itself either in arrogance or in envy, but who while demanding justice for himself is no less scrupulous to do justice to others. It is because the average American citizen, rich or poor, is of just this type that we have cause for our profound faith in the future of the Republic.

Ours is a government of liberty, by, through, and under the law. Lawlessness and connivance at lawbreaking, whether the lawbreaking take the form of a crime of greed and cunning or of a crime of violence, are destructive not only of order, but of the true liberties which can only come through order. If alive to their true interests, rich and poor alike will set their faces like flint against the spirit which seeks personal advantage by

overriding the laws, without regard to whether this spirit shows itself in the form of bodily violence by one set of men or in the form of vulpine cunning by another set of men. (Speech at New York State Fair, at Syracuse, on Labor Day, September 7, 1903.)

ONE LAW ONLY, ALIKE FOR THE RICH AND THE POOR.

Let the watchwords of all our people be the old familiar watchwords of honesty, decency, fair dealing, and common sense. The qualities denoted by these words are essential to all of us, as we deal with the complex industrial problems of to-day, the problems affecting not merely the accumulation but even more, the wise distribution of wealth. We ask no man's permission when we require him to obey the law, neither the permission of the poor man nor yet of the rich man. Least of all can the man of great wealth afford to break the law, even for his own financial advantage, for the law is his prop and support, and it is both foolish and profoundly unpatriotic for him to fail in giving hearty support to those who show that there is in very fact one law and one law only, alike for the rich and the poor, for the great and the small.

Men sincerely interested in the due protection of property and men sincerely interested in seeing that the just rights of labor are guaranteed, should alike remember not only that in the long run neither the capitalist nor the wage-worker can be helped in healthy fashion save by helping the other, but also that to require either side to obey the law and do its full duty toward the community is emphatically to that side's real interest.

There is no worse enemy of the wage-worker than the man who condones mob violence in any shape, or who preaches class hatred, and surely the slightest acquaintance with our industrial history should teach even the most shortsighted that the times of most suffering for our people as a whole, the times when business is stagnant and capital suffers from shrinkage and gets no return from its investments are exactly the times of hardship and want and grim disaster among the poor. If all the existing instrumentalities of wealth could be abolished, the first and severest suffering would come among those of us who are least well off at present. The wage-worker is well off only when the rest of the country is well off, and he can best contribute to his general well-being by showing sanity and a firm purpose to do justice to others.

In his turn the capitalist, who is really a conservative, the man who has forethought as well as patriotism, should heartily welcome every effort, legislative or otherwise, which has for its object to secure fair dealing by capital, corporate or individual, toward the public and toward the employee. Such laws as the franchise-tax law in this State, which the court of appeals recently unanimously decided constitutional—such a law as that passed by Congress last year for the purpose of establishing a Department of Commerce and Labor, under which there should be a bureau to oversee and secure publicity from the great corporations which do an interstate business—such a law as that passed at the same time for the regulation of the great highways of commerce, so as to keep these roads clear on fair terms to all producers in getting their goods to market—these laws are in the interest not merely of the people as a whole, but of the propertied classes. For in no way is the stability of property better assured than by making it patent to our people that property bears its proper share of the burdens of the State, that property is handled not only in the interest of the owner, but in the interest of the whole community.

In other words, legislation to be permanently good for any class must also be good for the nation as a whole, and legislation which does injustice to any class is certain to work harm to the nation. (Labor Day address at New York State Fair, in Syracuse, September 7, 1903.)

CORPORATIONS ARE BENEFITED WHEN REQUIRED TO OBEY THE LAW.

Every man who has made wealth or used it in developing great legitimate business enterprises has been of benefit and not harm to the country at large. This city has grown by leaps and bounds only when the railroads came to it, when the railroads came to the State, and if the State were now cut off from its connection by rail and by steamship with the rest of the world its position would, of course, diminish incalculably. Great good has come from the development of our railroad system, great good has been done by the individuals and corporations that have made that development possible, and in return good has been done to them, and not harm, when they are required to obey the law. (Address at Spokane, Wash., May 27, 1903.)

OPENS ARMORIES FOR THE RECEPTION OF HOMELESS PEOPLE IN NEW YORK CITY DURING THE BLIZZARD OF 1899.

Before I make my formal speech I ask your permission to say one thing. Since coming to New York this afternoon there has been very vividly brought home to me, what perhaps all of you have realized the last two or three days, the terrible distress this unprecedented weather is causing, and, although I can not say I had exactly warrant in law for what I have done, yet I trust that the senator will see that the legislature supports me. I have directed the commander of the State guard, Major-General Roe, to throw open five of the armories, those of the Eighth, Ninth, Twelfth, Sixty-ninth, and Seventy-first Regiments, which were in the parts of the city where we thought the greatest distress could with most celerity be relieved, to throw open those five armories for the reception of destitute and houseless people. And the general has notified the police headquarters to instruct all the precinct commanders that the armories were open, so that in case there is not elsewhere accommodation for those without homes in this bitter weather they can find shelter there. (Response to the toast "The State of New York," at the Lincoln Club dinner, in New York City, February 13, 1899.)

[Address of President Roosevelt at the State fair, Syracuse, N. Y., September 7, 1903 (Labor Day).]

In speaking on Labor Day at the annual fair of the New York State Agricultural Association, it is natural to keep especially in mind the two bodies who compose the majority of our people and upon whose welfare depends the welfare of the entire State. If circumstances are such that thrift, energy, industry, and forethought enable the farmer, the tiller of the soil, on the one hand, and the wage-worker, on the other, to keep themselves, their wives, and their children in reasonable comfort, then the State is well off, and we can be assured that the other classes in the community will likewise prosper. On the other hand, if there is in the long run a lack of prosperity among the two classes named, then all other prosperity is sure to be more seeming than real.

INCREASE OF WEALTH AND COMFORT IN THE UNITED STATES.

It has been our profound good fortune as a nation that hitherto, disregarding exceptional periods of depression and the normal and inevitable fluctuations, there has been on the whole from the beginning of our Government to the present day a progressive betterment, alike in the condition of the tiller of the soil and in the condition of the man who, by his manual skill and labor, supports himself and his family, and endeavors to bring up his children so that they may be at least as well off as, and if possible better off than, he himself has been. There are, of course, exceptions, but as a whole the standard of living among the farmers of our country has risen from generation to generation, and the wealth represented on the farms has steadily increased, while the wages of labor have likewise risen, both as regards the actual money paid and as regards the purchasing power which that money represents.

Side by side with this increase in the prosperity of the wage-worker and the tiller of the soil has gone on a great increase in the prosperity among the business men and among certain classes of professional men, and the prosperity of these men has been partly the cause and partly the consequence of the prosperity of farmer and wage-worker. It can not be too often repeated that in this country in the long run we all of us tend to go up or go down together.

If the average of well-being is high, it means that the average wage-worker, the average farmer, and the average business man are all alike well off. If the average shrinks, there is not one of these classes which will not feel the shrinkage. Of course there are always some men who are not affected by good times, just as there are some men who are not affected by bad times.

But speaking broadly, it is true that if prosperity comes all of us tend to share more or less therein, and that if adversity comes, each of us, to a greater or less extent, feels the tension. Unfortunately, in this world the innocent frequently find themselves obliged to pay some of the penalty for the misdeeds of the guilty, and so if hard times come, whether they be due to our own fault or to our misfortune, whether they be due to some burst of speculative frenzy that has caused a portion of the business world to lose its head—a loss which no legislation can possibly supply—or whether they be due to any lack of wisdom in a portion of the world of labor, in each case the trouble once started is felt more or less in every walk of life.

THE GOOD OF ONE IS THE GOOD OF ALL.

It is all-essential to the continuance of our healthy national life that we should recognize this community of interest among our people. The welfare of each of us is dependent fundamentally upon the welfare of all of us, and therefore in public life that man is the best representative of each of us who seeks to do good to each by doing good to all; in other words, whose endeavor it is, not to represent any special class and promote merely that class's selfish interests, but to represent all true and honest men of all sections and all classes and to work for their interests by working for our common country.

We can keep our Government on a sane and healthy basis, we can make and keep our social system what it should be, only on condition of judging each man, not as a member of a class, but on his worth as a man. It is an infamous thing in our American life, and fundamentally treacherous to our institutions, to apply to any man any test save that of his personal worth, or to draw between two sets of men any distinction save the distinction of conduct, the distinction that marks off those who do well and wisely from those who do ill and foolishly. There are good citizens and bad citizens in every class as in every locality, and the attitude of decent people toward great public and social questions should be determined, not by the accidental questions of employment or locality, but by those deep-set principles which represent the innermost souls of men.

The failure in public and in private life thus to treat each man on his own merits, the recognition of this Government as being either for the poor as such or for the rich as such, would prove fatal to our Republic, as such failure and such recognition have always proved fatal in the past to other republics. A healthy republican government must rest upon individuals, not upon classes or sections. As soon as it becomes government by a class or by a section it departs from the old American ideal.

DANGER OF CLASS GOVERNMENT.

It is, of course, the merest truism to say that free institutions are of avail only to people who possess the high and peculiar characteristics needed to take advantage of such institutions. The century that has just closed has witnessed many and lamentable instances in which people have seized a government free in form, or have had it bestowed upon them, and yet have permitted it under the forms of liberty to become some species of despotism or anarchy, because they did not have in them the power to make this seeming liberty one of deed instead of one merely of word.

Under such circumstances the seeming liberty may be supplanted by a tyranny or despotism in the first place, or it may reach the road of despotism by the path of license and anarchy. It matters but little which road is taken. In either case the same goal is reached. People show themselves just as unfit for liberty whether they submit to anarchy or to tyranny; and class government, whether it be the government of a plutocracy or the government of a mob, is equally incompatible with the principles established in the days of Washington and perpetuated in the days of Lincoln.

Many qualities are needed by a people which would preserve the power of self-government in fact as well as in name. Among these qualities are forethought, shrewdness, self-restraint, the courage which refuses to abandon one's own rights, and the disinterested and kindly good sense which enables one to do justice to the rights of others. Lack of strength and lack of courage unfit men for self-government on the one hand, and on the other brutal arrogance, envy, in short, any manifestation of the spirit of selfish disregard, whether of one's own duties or of the rights of others, are equally fatal.

In the history of mankind many republics have risen, have flourished for a less or greater time, and then have fallen because their citizens lost the power of governing themselves and thereby of governing their state: and in no way has this loss of power been so often and so clearly shown as in the tendency to turn the government into a government primarily for the benefit of one class instead of a government for the benefit of the people as a whole.

Again and again in the republics of ancient Greece, in those of mediæval Italy and mediæval Flanders, this tendency was shown, and wherever the tendency became a habit it invariably and inevitably proved fatal to the state. In the final result it mattered not one whit whether the movement was in favor of one class or of another. The outcome was equally fatal, whether the country fell into the hands of a wealthy oligarchy which exploited the poor or whether it fell under the domination of a turbulent mob which plundered the rich.

In both cases there resulted violent alternations between tyranny and disorder, and a final complete loss of liberty to all citizens—destruction in the end overtaking the class which had for the moment been victorious, as well as that which had momentarily been defeated. The death knell of the Republic had rung as soon as the active power became lodged in the hands of those who sought, not to do justice to all citizens, rich and poor alike, but to stand for one special class and for its interests as opposed to the interests of others.

AMERICAN IDEALS OF JUSTICE.

The reason why our future is assured lies in the fact that our people are genuinely skilled in and fitted for self-government, and therefore will spurn the leadership of those who seek to excite this ferocious and foolish class antagonism. The average American knows not only that he himself intends to do about what is right, but that his average fellow-countryman has the same intention and the same power to make his intention effective. He knows, whether he be business man, professional man, farmer, mechanic, employer, or wage-worker, that the welfare of each of these men is bound up with the welfare of all the others: that each is neighbor to the other, is actuated by the same hopes and fears, has fundamentally the same ideals, and that all alike have much the same virtues and the same faults.

Our average fellow-citizen is a sane and healthy man, who believes in decency and has a wholesome mind. He therefore feels an equal scorn alike for the man of wealth guilty of the mean and base spirit of arrogance toward those who are less well off and for the man of small means who in his turn

either feels or seeks to excite in others the feeling of mean and base envy for those who are better off. The two feelings—envy and arrogance—are but opposite sides of the same shield, but different developments of the same spirit. Fundamentally, the unscrupulous rich man who seeks to exploit and oppress those who are less well off is in spirit not opposed to but identical with the unscrupulous poor man who desires to plunder and oppress those who are better off.

The courtier and the demagogue are but developments of the same type under different conditions, each manifesting the same servile spirit, the same desire to rise by pandering to base passions, though one panders to power in the shape of a single man and the other to power in the shape of a multitude. So likewise the man who wishes to rise by wronging others must by right be contrasted, not with the man who likewise wishes to do wrong, though to a different set of people, but with the man who wishes to do justice to all people and to wrong none.

GOOD AND BAD CITIZENS.

The line of cleavage between good and bad citizenship lies, not between the man of wealth who acts squarely by his fellows and the man who seeks each day's wage by that day's work, wronging no one and doing his duty by his neighbor; nor yet does this line of cleavage divide the unscrupulous wealthy man, who exploits others in his own interest, from the demagogue, or from the sullen and envious being who wishes to attack all men of property, whether they do well or ill. On the contrary, the line of cleavage between good citizenship and bad citizenship separates the rich man who does well from the rich man who does ill, the poor man of good conduct from the poor man of bad conduct. This line of cleavage lies at right angles to any such arbitrary line of division as that separating one class from another, one locality from another, or men with a certain degree of property from those of a less degree of property.

The good citizen is the man who, whatever his wealth or his poverty, strives manfully to do his duty to himself, to his family, to his neighbor, to the State; who is incapable of the baseness which manifests itself either in arrogance or in envy, but who while demanding justice for himself is no less scrupulous to do justice to others. It is because the average American citizen, rich or poor, is of just this type that we have cause for our profound faith in the future of the Republic.

Ours is a government of liberty by, through, and under the law. Lawlessness and connivance at lawbreaking—whether the lawbreaking take the form of a crime of greed and cunning or of a crime of violence—are destructive not only of order, but of the true liberties which can only come through order. If alive to their true interests, rich and poor alike will set their faces like flint against the spirit which seeks personal advantage by overriding the laws, without regard to whether this spirit shows itself in the form of bodily violence by one set of men or in the form of vulpine cunning by another set of men.

Let the watchwords of all our people be the old familiar watchwords of honesty, decency, fair dealing, and common sense. The qualities denoted by these words are essential to all of us as we deal with the complex industrial problems of to-day, the problems affecting not merely the accumulation but even more the wise distribution of wealth. We ask no man's permission when we require him to obey the law, neither the permission of the poor man nor yet of the rich man. Least of all can the man of great wealth afford to break the law, even for his own financial advantage, for the law is his prop and support, and it is both foolish and profoundly unpatriotic for him to fail in giving hearty support to those who show that there is in very fact one law, and one law only alike for the rich and the poor, for the great and the small.

MUTUAL INTERESTS OF CAPITAL AND LABOR.

Men sincerely interested in the due protection of property, and men sincerely interested in seeing that the just rights of labor are guaranteed, should alike remember not only that in the long run neither the capitalist nor the wage-worker can be helped in healthy fashion save by helping the other; but also that to require either side to obey the law and do its full duty toward the community is emphatically to that side's real interest.

There is no worse enemy of the wage-worker than the man who condones mob violence in any shape or who preaches class hatred; and surely the slightest acquaintance with our industrial history should teach even the most short-sighted that the times of most suffering for our people as a whole, the times when business is stagnant, and capital suffers from shrinkage and gets no return from its investments, are exactly the times of hardship, and want, and grim disaster among the poor. If all the existing instrumentalities of wealth could be abolished, the first and severest suffering would come among those of us who are least well off at present. The wage-worker is well off only when the rest of the country is well off; and he can best contribute to this general well-being by showing sanity and a firm purpose to do justice to others.

In his turn the capitalist who is really a conservative, the man who has forethought as well as patriotism, should heartily welcome every effort, legislative or otherwise, which has for its object to secure fair dealing by capital, corporate or individual, toward the public and toward the employee. Such laws as the franchise-tax law in this State, which the court of appeals recently unanimously decided constitutional—such a law as that passed in Congress last year for the purpose of establishing a Department of Commerce and Labor, under which there should be a bureau to oversee and secure publicity from the great corporations which do an interstate business—such a law as that passed at the same time for the regulation of the great highways of commerce so as to keep these roads clear on fair terms to all producers in getting their goods to market—these laws are in the interest not merely of the people as a whole, but of the propertied classes. For in no way is the stability of property better assured than by making it patent to our people that property bears its proper share of the burdens of the state; that property is handled not only in the interest of the owner, but in the interest of the whole community.

WELFARE OF ALL THE CRITERION OF CLASS LEGISLATION.

In other words, legislation to be permanently good for any class must also be good for the nation as a whole, and legislation which does injustice to any class is certain to work harm to the nation. Take our currency system for example. This nation is on a gold basis. The Treasury of the public is in excellent condition. Never before has the per capita of circulation been as large as it is this day; and this circulation, moreover, is of money every dollar of which is at par with gold. Now, our having this sound currency system is of benefit to banks, of course, but it is of infinitely more benefit to the people as a whole, because of the healthy effect on business conditions.

In the same way, whatever is advisable in the way of remedial or corrective currency legislation—and nothing revolutionary is advisable under present conditions—must be undertaken only from the standpoint of the business community as a whole; that is, of the American body politic as a whole. Whatever is done, we can not afford to take any step backward or to cast any doubt upon the certain redemption in standard coin of every circulating note.

Among ourselves we differ in many qualities, of body, head, and heart; we are unequally developed, mentally as well as physically. But each of us has the right to ask that he shall be protected from wrongdoing as he does his work and carries his burden through life. No man needs sympathy because he has to work, because he has a burden to carry. Far and away the best prize that life offers is the chance to work hard at work worth doing, and this is a prize open to every man, for there can be no work better worth doing than that done to keep in health and comfort and with reasonable advantages those immediately dependent upon the husband, the father, or the son.

NO ROOM FOR THE IDLER.

There is no room in our healthy American life for the mere idler, for the man or the woman whose object it is throughout life to shirk the duties which life ought to bring. Life can mean nothing worth meaning unless its prime aim is the doing of duty, the achievement of results worth achieving. A recent writer has finely said: "After all, the saddest thing that can happen to a man is to carry no burdens. To be bent under too great a load is bad; to be crushed by it is lamentable; but even in that there are possibilities that are glorious. But to carry no load at all—there is nothing in that. No one seems to arrive at any goal really worth reaching in this world who does not come to it heavy laden."

Surely from our own experience each one of us knows that this is true. From the greatest to the smallest, happiness and usefulness are largely found in the same soul, and the joy of life is won in its deepest and truest sense only by those who have not shirked life's burdens. The men whom we most delight to honor in all this land are those who, in the iron years from 1861 to 1865, bore on their shoulders the burden of saving the Union. They did not choose the easy task. They did not shirk the difficult duty. Deliberately and of their own free will they strove for an ideal, upward and onward across the stony slopes of greatness. They did the hardest work that was then to be done; they bore the heaviest burden that any generation of Americans ever had to bear; and because they did this they have won such proud joy as it has fallen to the lot of no other men to win, and have written there names forevermore on the golden honor roll of the nation.

As it is with the soldier, so it is with the civilian. To win success in the business world, to become a first-class mechanic, a successful farmer, an able lawyer or doctor, means that the man has devoted his best energy and power through long years to the achievement of his ends. So it is in the life of the family, upon which in the last analysis the whole welfare of the nation rests. The man or woman who as bread winner and home maker, or as wife and mother, has done all that he or she can do, patiently and uncomplainingly, is to be honored and is to be envied by all those who have never had the good fortune to feel the need and duty of doing such work.

The woman who has borne, and who has reared as they should be reared, a family of children has in the most emphatic manner deserved well of the Republic. Her burden has been heavy, and she has been able to bear it worthily only by the possession of resolution, of good sense, of conscience, and of usefulness. But if she has borne it well, then to her shall come the supreme blessing, for in the words of the oldest and greatest of books, "Her children shall rise up and call her blessed;" and among the benefactors of the land her place must be with those who have done the best and the hardest work, whether as lawgivers or as soldiers, whether in public or in private life.

THE SECRET OF AMERICAN SUCCESS.

This is not a soft and easy creed to preach. It is a creed willingly learned only by men and women who, together with the softer virtues, possess also the stronger; who can do, and dare, and die at need, but who, while life lasts, will never flinch from their allotted task. You farmers and wage-workers and business men of this great State, of this mighty and wonderful nation, are gathered together to-day, proud of your State and still prouder of your nation, because your forefathers and predecessors have lived up to just this creed.

You have received from their hands a great inheritance, and you will leave an even greater inheritance to your children and your children's children, provided only that you practice alike in your private and your public lives the strong virtues that have given us as a people greatness in the past. It is not enough to be well-meaning and kindly, but weak; neither is it enough to be strong, unless morality and decency go hand in hand with strength.

We must possess the qualities which make us do our duty in our homes and among our neighbors, and in addition we must possess the qualities which are indispensable to the make-up of every great and masterful nation—the qualities of courage and hardihood, of individual initiative and yet of power to combine for a common end, and above all, the resolute determination to permit no man and no set of men to sunder us one from the other by lines of caste or creed or section. We must act upon the motto of all for each and each for all. There must be ever present in our minds the fundamental truth that in a republic such as ours the only safety is to stand neither for nor against any man because he is rich or because he is poor, because he is engaged in one occupation or another, because he works with his brains or because he works with his hands.

We must treat each man on his worth and merits as a man. We must see that each is given a square deal, because he is entitled to no more and should receive no less. Finally we must keep ever in mind that a republic such as ours can exist only in virtue of the orderly liberty which comes through the equal domination of law over all men alike, and through its administration in such resolute and fearless fashion as shall teach all that no man is above it and no man below it.

Mr. Chairman, the subject of the record of the forthcoming candidates, whoever they may be, on the two great tickets of the country for President touching the labor question will be very important and will attract great attention during the campaign. I therefore have no hesitation in placing in the RECORD as a part of my speech and with my entire approval the record of our candidate for the Presidency upon this most important topic. There is no question in my mind but that above all others Theodore Roosevelt will loom up as the special friend of labor and the laboring man. He may not have fulminated from the bench the platitudes that have been placed in the RECORD coming from one of the candidates, but he has done things, and the man who does something these times is the most important of them all. I point with great pleasure to the record of Theodore Roosevelt in this behalf. I challenge criticism. I challenge disapproval. I call for approval by the American people. I also point to the record of the Republican party upon other questions.

Slavery.—The great revolution which exalted labor and freed the country from the curse of slavery was accomplished by the Republican party, against the fiercest opposition possible by the combined forces of the Democrats and their allies. Still true to its original ideals of freedom, the Republican party, after a lapse of forty years since the emancipation proclamation of Lincoln, abolished slavery in the Philippine Islands. (Act passed by a Republican Senate and Republican House and signed by President Roosevelt July 1, 1902.)

Involuntary servitude of foreigners.—In 1874 the Forty-third Congress, which was Republican in both Houses, prohibited under heavy penalties the holding to involuntary services of any person forcibly kidnaped in any other country.

Peonage.—The act abolishing this kind of forced labor was passed by the Thirty-ninth Congress, when both Houses were Republican by a large majority, March 2, 1867.

The cooly trade.—The legislation prohibiting the cooly trade is the work of the Republicans. The original law was passed by the Thirty-seventh Congress and approved February 19, 1862, amended February 9, 1869, by the Fortieth Congress, and further amended March 3, 1875, to provide for its enforcement, as recommended by President Grant in his message of December 7, 1874. When Hawaii became a Territory of the United States a Republican Congress abolished the existing system of cooly contract labor. (Act passed by the Fifty-sixth Congress and signed by President McKinley April 30, 1900.)

IMMIGRATION.

The Republican party has favored the American standard of living, not only by abolishing compulsory labor, but also by excluding the products of the cheapest foreign labor through protective tariffs and by restricting the immigration of unassimilable elements from other races. The act of 1875 closed our doors to the paupers and criminals of Europe, and the exclusion act of 1882 stopped the immigration of the Chinese. Upon the annexation of Hawaii in 1898 the immigration of Chinese thereto was prohibited by a Republican Congress, as was the migration of those already in Hawaii from the islands to continental United States. In President Roosevelt's Administration the Chinese-exclusion laws have been extended to the entire island territory of the United States. (Act passed by the Fifty-seventh Congress and approved April 29, 1902.)

The importation of foreign laborers under contract was first prohibited in 1885, but, owing to defective provisions for enforcing the law, continued almost unchecked until the amendments made in President Harrison's Administration. (Acts of the Fifty-first Congress, which was Republican in both branches, and of the Fifty-second Congress, signed March 3, 1891, and March 3, 1893, respectively.)

The Republican party has increased the restrictions upon the immigration of cheap foreign labor in the new law of 1903. (Act passed by the Fifty-seventh Congress, both Houses being controlled by the Republicans, and signed by President Roosevelt March 3, 1903.)

CONVICT LABOR.

The law abolishing the contract system of labor for United States convicts passed the House March 9, 1886, and the Senate February 28, 1887. All the votes against the bill were Democratic.

The law providing for the construction of new United States prisons and the employment of convicts therein exclusively in the manufacture of such supplies for the Government as can be made without the use of machinery was passed by the Fifty-first Congress, which was Republican in both branches, and signed by President Harrison. (Chapter 529 of the acts of 1890–91.)

The importation of goods made by convicts in foreign countries was prohibited in the Fifty-third Congress, but it remained for a Republican Congress to direct the Secretary of the Treasury to make regulations for the law's enforcement. (Act passed by the Fifty-fifth Congress and signed by President McKinley July 24, 1897.)

SAFETY OF WORKMEN.

Protection of seamen.—This was accomplished by the Forty-second Congress, when both Houses were Republican, and the Forty-third Congress, also Republican.

Inspection of steam vessels.—Accomplished by the Fortieth Congress, which was controlled by the Republicans.

Inspection of coal mines in the Territories.—Provided for by the Fifty-first Congress, both Houses being under the control of the Republicans; approved by President Harrison.

Safety appliances on railways.—The original act providing for automatic couplers and power brakes on locomotives and cars used in interstate traffic was passed by the Fifty-second Congress, and signed by President Harrison March 2, 1893. Owing to decisions of the courts, new legislation became necessary, and the Fifty-seventh Congress (Republican) passed a greatly improved law, which was signed by President Roosevelt March 2, 1903.

Accidents to be reported.—The Fifty-sixth Congress (Republican) passed a law requiring common carriers to make monthly reports of accidents to the Interstate Commerce Commission. (Approved by President McKinley March 3, 1901.)

THE EIGHT-HOUR LAW.

The first eight-hour law in this country was enacted by the Fortieth Congress and approved by President Grant in 1868. It applied to all artisans and laborers employed by the Government.

In the Fiftieth Congress (1888) the eight-hour day was established for letter carriers. The bill passed the Senate, which was Republican, without division.

In President Harrison's Administration the eight-hour law was extended to include persons employed by contractors on public works. (Chap. 352 of the acts of 1892.)

DEPARTMENT OF LABOR.

The act creating the United States Bureau of Labor was passed by the Forty-eighth Congress (1884) and signed by President Arthur. In the Fiftieth Congress (1888) the Bureau was removed from the Department of the Interior and made an independent Department of Labor, all the votes cast against the bill being Democratic. In 1903 a Republican Congress established the Department of Commerce and Labor and made its head a Cabinet officer.

BOARDS OF ARBITRATION.

Act passed at the Fifty-fifth Congress (Republican) and signed by President McKinley June 1, 1898.

INCORPORATION OF NATIONAL TRADE UNIONS.

Provided for by act of Congress in 1886, without division in either House.

LABOR LEGISLATION IN REPUBLICAN AND DEMOCRATIC STATES.

There is no better way of judging the merits of a political party than by the laws which are passed by the legislators who are elected to office from its ranks. With regard to legislation for the protection of the workers, much remains to be done before they receive their full measure of protection and justice; but, as can be shown by the statistics of the different States, nearly all protective labor legislation in the United States was first enacted by Republican States and then adopted by way of imitation by the Democratic States. At the present time the proportion of Republican States having protective labor legislation is much greater than that of Democratic States. This is plainly shown in the tables.

Labor bureaus.—There are few agencies which have done more toward giving a clear insight into the problems of labor and capital, that have brought employer and employee nearer together, that have furnished the laboring people with facts for arguments in favor of protective legislation, than bureaus of labor and labor statistics. The table shows that at present there are 33 State labor bureaus in the United States. Of these, 23 are in Republican States and 10 are in Democratic States. Reducing these figures to a proportionate basis, we find that 23 out of 28 Republican States, or 82 per cent, have labor bureaus; 10 out of 17 Democratic States, or 59 per cent, have labor bureaus.

Factory-inspection service.—It is well known to all working people that protective labor laws are practically a dead letter in any State unless there is a factory-inspection service organized for the purpose of searching out and bringing to justice persons who violate such laws. It is easy enough to enact protective legislation, but it is another thing to enforce it. If a State, therefore, enacts such laws and fails to organize a service for their enforcement, it is betraying those whom it pretends to favor. Let us again observe the tables: We find that twenty-one out of twenty-eight Republican States, or 75 per cent, have established factory-inspection services. We also find that three out of seventeen Democratic States, or 18 per cent, have factory-inspection services. In examining the other subjects of labor legislation which follow we must not lose sight of the fact that only three of the Democratic States have factory-inspection services organized for the purpose of carrying out the provisions of the labor laws which will be under consideration.

Inspection of mines.—Public inspection of mines is required on the same grounds as inspection of factories. The tables show that fifteen of the twenty-eight Republican States and nine of the seventeen Democratic States have established this service.

Child labor in factories.—Ever since the introduction of the factory system, over a century ago, the greatest sufferers from the greed of inconsiderate and cruel employers have been the helpless children, who often at a tender age are placed in factories and are ruined physically, morally, and mentally by their work, their surroundings, and their loss of opportunity for education. It is a principle recognized in all civilized countries that children under 12 years of age should not be employed in factories, and in nearly all European countries laws have been passed placing a limit of 12 or 14 years upon such child labor. In our country thirty-one out of the forty-five States prohibit the employment of children under 12 years of age from working in factories. Of these thirty-one States twenty-one are Republican and ten are Democratic. In other words, 68 per cent of all the Republican States and only 32 per cent of the Democratic States have laws prohibiting children under 12 years of age from working in factories.

Child labor in mines.—Twenty-four States prohibit the employment of children under 12 years of age in mines. Of these, sixteen are Republican and eight are Democratic States.

Woman labor.—Next to children, the greatest victims of abuse

by greedy employers when unrestrained by law are women. Investigations have shown that their condition is sometimes pitiful where employers are given free scope in their employment. Their protection in the interest of humanity and morals has also been the subject of legislation in nearly all civilized countries. In the United States, twenty-seven States have legislated upon this subject. Of these twenty-seven States, twenty-two are Republican and five are Democratic! Reducing these figures to a proportionate basis, we find that 82 per cent of the Republican States and only 19 per cent of the Democratic States have laws regulating woman labor.

Seats for females in shops.—Legislation on this subject needs no comment. Any man who has a daughter or sister employed in a shop or store, and every physician, knows what a hardship it is to a woman to be compelled to stand all day at a bench or behind a counter. Fortunately, in thirty-one States legislation has been enacted requiring employers to provide seats for females. Of these thirty-one States, twenty-three are Republican and eight are Democratic.

Sweat-shop legislation.—There is no greater menace to the health of the working people, and nothing which tends more to lower and degrade human beings, than to crowd them together in small, filthy workshops, where they are often compelled to work, eat, and sleep without regard to health or morals, and where the hours of labor are often so long that the victims, who are usually foreigners unacquainted with our language, are shut out from all opportunities for education or betterment of any kind. The scenes observed in these shops by official investigators have been revolting beyond description. Long ago efforts were made to regulate these so-called "sweat shops," and twelve States have enacted laws looking to this end. Of these twelve States, eleven are Republican and one is Democratic. Nothing more need be said on this point.

Truck system.—This legislation prohibits employers from paying their employees in scrip or orders on their company stores and which are not redeemable in cash. At present twenty-three States have such laws in force, of which fourteen are Republican and nine are Democratic, or 61 per cent of all the Republican and 39 per cent of all the Democratic States.

Mediation and arbitration.—State boards of mediation and arbitration have been established in fifteen States to aid in the adjustment of industrial disputes. Of the fifteen boards eleven are in Republican States and only four in Democratic States.

Free employment bureaus.—One of the great needs of wage-workers who are engaged for only a week or day at a time is some agency that will assist them in obtaining a situation when they are out of work. Private agencies have so frequently exploited their poverty by extorting registration fees for situations that are never procured, that churches and charitable societies now support free employment agencies in many leading cities. A few years ago State and municipal governments also entered the field and now there are public employment bureaus (free) in fourteen States, of which twelve are Republican and only two Democratic.

Employers' liability laws.—Since the introduction of steam and machinery workingmen are exposed to such great risks of death and injury that enlightened States have enacted legislation which requires employers to furnish safe work places and appliances, and make them responsible, in damages, for any injury that may befall an employee through their negligence. Twenty-seven States now have employers' liability laws, most of them relating to railways. Of the twenty-seven States fifteen were Republican and twelve Democratic in the last national election.

Eight-hour law.—For many years labor organizations have been endeavoring to secure legislation prohibiting labor on Government works or public contracts for over eight hours per day. They have succeeded thus far in securing such legislation in twenty-three of the forty-five States of the Union. Of these twenty-three States, sixteen are Republican and seven are Democratic. In other words, of the twenty-eight Republican States, 60 per cent have enacted the eight-hour law, and of the seventeen Democratic States only seven, or 41 per cent, have yielded to the demands of the labor organizations in this regard.

Labor legislation in Republican and Democratic States.

IN REPUBLICAN STATES.

States having laws in force January, 1904.	Bureau of labor.	Inspection of factories.	State boards of arbitration.	Free employment bureau.	Inspection of mines.	Employer's liability laws.	Eight-hour laws.	Child-labor age limit in—		Women's work regulated.	Seats for women.	Truck system prohibited.	Sweating system regulated.
								Factories.	Mines.				
California	Yes	Yes	Yes	No	No	Yes	Yes	12 years	----------	Yes	Yes	Yes	No.
Connecticut	Yes	Yes	Yes	Yes	No	Yes	Yes	14 years	----------	Yes	Yes	No	Yes.
Delaware	No	Yes	No	No	No	No	Yes	----------	----------	Yes	Yes	No	No.
Illinois	Yes	Yes	Yes	Yes	Yes	No	Yes	14 years	14 years	No	Yes	(b)	Yes.
Indiana	Yes	Yes	Yes	No	Yes	Yes	Yes	14 years	14 years	Yes	Yes	Yes	Yes.
Iowa	Yes	Yes	No	No	Yes	Yes	No	----------	12 years	No	Yes	Yes	No.
Kansas	Yes	Yes	No	Yes	Yes	Yes	Yes	----------	12 years	No	Yes	Yes	No.
Maine	Yes	Yes	No	No	Yes	No	No	12 years	----------	Yes	No	No	No.
Maryland	Yes	No	Yes	Yes	Yes	Yes	Yes[a]	[a]14 years	12 years	Yes	Yes	(b)	(b)
Massachusetts	Yes	Yes	Yes	No	No	Yes	No	14 years	----------	Yes	Yes	No	Yes.
Michigan	Yes	Yes	Yes	No	Yes	No	No	14 years	----------	Yes	Yes	Yes	Yes.
Minnesota	Yes	Yes	Yes	Yes	No	Yes	Yes	14 years	14 years	Yes	Yes	No	No.
Nebraska	Yes	Yes	No	Yes	No	No	Yes	10 years	----------	Yes	Yes	No	No.
New Hampshire	Yes	No	No	No	No	No	No	12 years	----------	Yes	Yes	No	No.
New Jersey	Yes	Yes	Yes	No	Yes	No	No	14 years	14 years	Yes	Yes	Yes	Yes.
New York	Yes	Yes	Yes	Yes	Yes	Yes	Yes	14 years	----------	Yes	Yes	Yes	Yes.
North Dakota	Yes	No	No	No	No	Yes	No	12 years	12 years	Yes	No	No	No.
Ohio	Yes	Yes	Yes	Yes	Yes	Yes	Yes	14 years	15 years	Yes	Yes	(b)	Yes.
Oregon	Yes	Yes	No	No	No	Yes	No	14 years	14 years	Yes	No	No	No.
Pennsylvania	Yes	Yes	No	No	Yes	No	Yes	13 years	16 years	Yes	Yes	(b)	Yes.
Rhode Island	Yes	Yes	No	No	No	Yes	No	12 years	----------	Yes	Yes	No	No.
South Dakota	No	No	No	No	Yes	No	No	----------	14 years	Yes	No	No	No.
Utah	Yes	No	Yes	No	Yes	Yes	Yes	----------	14 years	Yes	Yes	No	No.
Vermont	No	No	No	No	No	No	No	10 years	----------	Yes	No	Yes	No.
Washington	Yes	Yes	No	Yes	Yes	No	Yes	14 years	14 years	Yes	Yes	Yes	No.
West Virginia	Yes	Yes	No	Yes	Yes	No	Yes	12 years	12 years	Yes	Yes	Yes	No.
Wisconsin	Yes	Yes	Yes	Yes	No	Yes	Yes	14 years	14 years	Yes	Yes	Yes	Yes.
Wyoming	No	No	No	No	Yes	No	Yes	----------	14 years	Yes	Yes	Yes	No.
Total (28 States)	23	21	11	12	15	15	16	21	16	22	23	14	11

IN DEMOCRATIC STATES.

Alabama	No	No	No	No	Yes	Yes	No	12 years	12 years	No	Yes	No	No.
Arkansas	No	No	No	No	Yes	Yes	Yes	12 years	14 years	No	No	Yes	No.
Colorado	Yes	No	Yes	No	Yes	Yes	Yes	14 years	14 years	Yes	Yes	Yes	No.
Florida	No	No	No	No	No	Yes	No	----------	----------	No	Yes	No	No.
Georgia	No	No	No	No	No	Yes	No	----------	----------	No	Yes	Yes	No.
Idaho	Yes	No	Yes	No	Yes	No	Yes	----------	14 years	No	No	No	No.
Kentucky	Yes	Yes	No	No	Yes	No	No	14 years	14 years	No	No	Yes	No.
Louisiana	Yes	Yes	Yes	No	No	No	No	12 to 14 years.	----------	Yes	Yes	Yes	No.
Mississippi	No	No	No	No	No	Yes	No	----------	----------	No	No	No	No.
Missouri	Yes	Yes	Yes	Yes	Yes	Yes	Yes	14 years	12 years	No	Yes	Yes	Yes.
Montana	Yes	Yes	Yes	Yes	Yes	Yes	Yes	14 years	14 years	No	No	Yes	No.
Nevada	No	No	No	No	No	No	Yes	----------	----------	No	No	No	No.
North Carolina	Yes	No	No	No	Yes	Yes	No	12 years	12 years	No	No	Yes	No.
South Carolina	No	No	No	No	No	Yes	No	11 years[c]	11 years	No	Yes	Yes	No.
Tennessee	Yes	Yes	No	No	Yes	No	Yes	14 years	14 years	No	No	Yes	No.
Texas	No	No	No	No	No	Yes	No	12 years	16 years	No	No	Yes	No.
Virginia	Yes	No	No	No	No	Yes	No	12 years	12 years	Yes	Yes	Yes	No.
Total (17 States)	10	3	4	2	9	12	7	12	8	5	8	9	1

[a] City of Baltimore. [b] Held to be unconstitutional. [c] After May 1, 1904; 12 years, May 1, 1905.

WAGES IN THE UNITED STATES AND EUROPE.

Owing to the vastly superior resources of the United States and the wise legislation which has protected American industries and thereby maintained the American standard of living, wages in the United States are, on the average, about twice as high as in Europe. The following table shows the average daily wage in certain cities of Europe and America, according to statistics gathered by the United States Bureau of Labor:

Year.	Great Britain (27 quotations).	Paris, France (21 quotations).
1870	$1.30	$1.06
1876	1.40	1.12
1886	1.39	1.26
1896	1.49	1.33
1902	1.45	1.34

Year.	Liege, Belgium (11 quotations).	United States (255 quotations).
1870	$0.695	$2.20
1876	.63	2.18
1886	.63	2.47
1896	.66	2.46
1902	.65	2.50

The latest comparative statistics of wages are contained in an official report made by the statistical office of the board of trade, and published by order of Parliament in August, 1903. The data relate to years between 1895 and 1902 (mainly to years between 1898 and 1901) and pertain to fifteen skilled occupations in the chief city and other cities in the United States, Great Britain, France, and Germany, and the totals are as follows (corrected to a standard year):

Country.	Average weekly rates for 15 skilled trades in—	
	Chief cities and towns.	Other cities and towns.
	s.	s. d.
United States	75=$18.00	69 4=$16.65
Great Britain and Ireland	42= 10.00	36 0= 8.65
France	36= 8.65	22 10= 5.50
Germany	24= 5.75	22 6= 5.40

It therefore appears that the average wage for the fifteen trades is nearly twice as high in New York as in London and more than twice as high as in Paris and three times as high as in Berlin. In the smaller cities the superiority of the United States is equally marked, as may be seen in the following comparison:

	Germany.	France.	Great Britain.	United States.
Capital cities	100	151	175	315
Other cities and towns	100	100	159	307

The fact that wages in the United States range three times as high as in Germany in the skilled trades is accompanied by similar evidence for unskilled labor. Thus the German Government reports on workingmen's insurance against sickness and accident (a compulsory system conducted by the Government) showed that on January 1, 1902, the average daily wage of adult male laborers in the thirty-three large cities was only 67 cents, in fifty-eight small cities (places with a population of from 10,000 to 20,000 each) 52 cents, while in the agricultural districts it was 49 cents in the west and 33 cents in the east.

The figures for the fifteen skilled trades included in the official English report are given below with the American equivalents:

Average weekly rates of wages current in some recent years, adjusted where necessary to make figures relate to the same standard year.

[Reduced to United States currency.]

Occupation.	In leading cities.				In other cities.			
	New York.	London.	Paris.	Berlin.	United States.	Great Britain.	France.	Germany.
Building trades:								
Carpenters	$19.82	$10.50	$9.80	$6.00	$17.60	$9.15	$5.65	$5.20
Masons	28.80	10.50	8.20	----	20.35	9.37	5.19	6.61
Painters	20.94	8.75	8.30	----	17.58	8.39	5.19	----
Plasterers	25.78	12.80	----	----	21.00	9.39	5.23	6.61
Plumbers	22.38	10.34	8.64	----	23.70	9.15	5.19	----
Metal trades:								
Blacksmiths	15.00	9.12	9.50	5.02	18.00	8.61	5.78	5.11
Brass molders	18.00	8.64	----	6.36	15.90	8.61	----	4.79
Machinists (fitters)	15.00	9.12	8.64	5.38	12.68	8.37	5.19	4.81
Machinists (turners)	16.94	9.12	5.68	5.74	12.68	8.37	5.78	4.81
Pattern makers	18.00	10.08	10.52	5.02	16.50	8.85	5.43	5.05
Woodworking:								
Cabinetmakers	16.80	10.25	6.81	5.38	13.96	8.49	5.78	5.41
Coopers	17.38	10.08	7.60	5.54	12.62	8.61	4.71	5.44
Upholsterers	18.00	10.76	10.36	6.78	13.26	8.61	6.18	6.71
Printing:								
Compositors	19.00	9.12	8.06	6.36	13.50	7.71	5.78	5.51
Lithographers	25.00	9.60	9.84	6.46	20.46	8.13	7.02	5.67

The English report notes that a comparison of family earnings is less unfavorable to Europe owing to the fact that more women and children become wage-earners there than in America. On the basis of the investigation of the United States Department of Labor in 1891, covering the textile, iron and steel, coal, and glass industries, the Blue Book arrives at the following relative figures:

Comparison of family incomes.

	Germany.	France.	Great Britain.	United States.
British income taken as 100	69	83	100	123
German income taken as 100	100	120	145	178

The average family income was 23 per cent larger than that in Great Britain, 48 per cent larger than that in France, and 78 per cent larger than that in Germany. But since 1891 wages have risen more rapidly than in France or England.

In the following series of tables wages in Europe and the United States are compared for each of the great branches of industry—agriculture, manufacturing, and transportation.

AGRICULTURE.

The following table shows that the wages of farm laborers in the Northern States of this country are fully 50 per cent higher than in England. The low rates in the South bring down the average for the entire country considerably, thus:

Year.	England.			United States.						
	Average cash wages.		Average monthly earnings.	Average monthly wages, without board, in—						
	Per week.	Per month.		United States.	Eastern States.	Middle States.	Southern States.	Western States.	Mountain States.	Pacific States.
	s. d.									
1875	13 6½	$14.08	$17.33	$19.87	$29.00	$27.00	$15.28	$23.34	----	$49.98
1879	13 3¼	13.80	17.05	16.42	21.36	20.24	12.65	19.81	----	40.11
1885	13	13.52	16.77	17.97	25.30	23.19	14.27	22.27	$30.24	37.78
1890	13 ¼	13.56	16.81	18.33	26.64	23.62	14.77	22.01	31.94	34.87
1895	13 2¼	13.76	17.01	17.69	29.00	23.80	12.71	21.82	30.04	31.68
1898	13 8¼	14.26	17.51	19.38	27.87	23.15	13.49	22.44	33.95	33.64
1899	13 11	14.47	17.72	20.23	28.76	23.91	13.80	23.75	35.15	35.69

Sources.—The Ninth Annual Abstract of Labor Statistics (p. 66), published by the British labor department; Wages of Farm Labor in the United States, published by the United States Department of Agriculture.

The monthly earnings of English agricultural laborers is stated only for the year 1898; for the other years it has been computed by making the same allowance as in 1898. Wages in the United States are in currency, which in 1875 was at a discount ($114.90 in currency=$100 gold).

BUILDING TRADES, UNITED STATES, ENGLAND, AND FRANCE.

Wages and hours in principal building trades of New York (Manhattan Borough), London, and Paris.

Occupation.	Rate of wages per hour in—			Weekly hours of labor in—		
	New York, 1903.	London, 1903.	Paris, 1900.	New York, 1903.	London, 1903.	Paris, 1901.
	Cents.	*Cents.*	*Cents.*			
Bricklayers	65	21	19	44	50	54
Carpenters	56¼	21	18	44	50	60
Painters	50	18	16	44	50	54
Plasterers	62½	22	20	44	50	60
Plumbers	53⅛	22	15	44	47	60
Stone masons	50	21	16	44	50	54
Masons' and plasterers' laborers	40¼	14	10	44	50	60

London rates from the Ninth Annual Abstract of Labor Statistics, published by the British labor department; New York rates furnished by the New York State department of labor; Paris rates from Bordereaux de Salaires en 1900 et 1901, published by the French bureau of labor.

In some of the trades the rate here given is a standard recognized by associations of employers and workmen; in others it is only the prevalent rate.

MANUFACTURING.

Owing to fluctuations in employment and the varying proportion of women and child workers, the calculation of the average annual earnings of factory employees is always difficult. The following figures are mere estimates, but are derived from the most trustworthy sources and may be accepted as a reasonably close approximation to the actual relative compensation of factory operatives in the leading manufacturing countries.

Average yearly income of men, women, and children employed in manufacturing industries.

Country.	Inquiry.	Date.	Amount of employment in year.	Average annual earnings.
United States	Census	1900	Full time	$438
Great Britain and Ireland.	Wage census	1885-86	do	230
France	do	1893	290 days	210
Germany	Insurance statistics.	1901		201
Austria	do	1896	300 days	150

The method by which the American average wage is computed assumes that every employee worked steadily throughout the year, and is therefore slightly higher than it should be for comparative purposes, but in any event the average would remain near $400, which is notably higher than that in any European country. The fact that the proportion of women and children employed in American factories (about 23 per cent) is smaller than the proportion abroad also tends to exalt the American average, as it properly should. In the English wage statistics about 40 per cent of the employees were women and children and in the French about 26 per cent.

The relative earnings of men, women, and children in American and British factories are shown separately below:

Country.		Men.	Women.	Lads and boys.	Girls.
Great Britain and Ireland	Weekly	$5.95	$3.10	$2.20	$1.54
	52 weeks	309.40	161.20	114.40	80.00
United States, 52 weeks		490.90	273.03	152.22	

Rates of wages in New York and London in certain trades at end of 1902.

[Sources: London, Ninth Annual Abstract of Labor Statistics; New York, Twentieth Annual Report of New York Bureau of Labor Statistics.]

	New York.	London.
Iron and steel trades:		
Boiler makers	a$2.80 / b$3.00 to 4.00	b$1.12 to $1.92
Blacksmiths	3.50 to 4.50	1.56
Iron molders	2.75 to 4.00	1.60
Machinists	2.75 to 4.00	1.56
Pattern makers	3.50	1.72
Shipwrights	3.50	1.68
Metals:		
Brass molders	2.75 to 3.00	1.44
Brass finishers	2.50 to 2.75	1.44
Printing:		
Compositors—		
Book and job	3.16⅔	1.56
Weekly papers	3.16⅔	1.56
Daily papers—		
Day	4.00	
Night	4.50	
Furniture:		
Cabinetmakers	3.78	1.68
Upholsterers	2.50 to 3.50	1.62 to 2.16

a Inside. b Outside.

Great Britain and Ireland—Weekly rates of wages, October, 1886.

[From general report on the wages of manual labor classes in the United Kingdom, Parliamentary Blue Book C—6, 889, 1893, p. 476.]

Weekly rates.	Numbers.				Percentages.			
	Men.	Women.	Lads and boys.	Girls.	Men.	Women.	Lads and boys.	Girls.
Half-timers			9,581	13,238			11.9	27.2
Under 10s. ($2.43)	498	39,235	39,861	30,500	0.1	26	49.7	62.5
10s. to 15s. ($2.43 to $3.65)	8,456	75,646	26,059	4,321	2.4	50	32.5	8.9
15s. to 20s. ($3.65 to $4.87)	76,392	27,969	4,655	698	21.5	18.5	5.8	1.4
20s. to 25s. ($4.87 to $6.08)	119,402	8,215	97	15	33.6	5.4	.1	
25s. to 30s. ($6.08 to $7.30)	86,137	198			24.2	.1		
30s. to 35s. ($7.30 to $8.52)	41,121				11.6			
35s. to 40s. ($8.52 to $9.73)	15,120				4.2			
Above 40s. ($9.73)	8,712				2.4			
Total	355,838	151,263	80,253	48,772	100	100	100	100
Average	24s. 9d. / $5.95	12s. 11d / $3.10	9s. 2d. / $2.20	6s. 5d. / $1.54				

Average annual earnings of men, women, and children employed in factories in 1885.

Yearly earnings.	Number.	Proportion.
Of and above—		*Per cent.*
£70 ($340.66)	62,841	7.8
£60 to £70 ($292 to $340.66)	67,320	8.2
£50 to £60 ($243.33 to $292)	268,295	32.8
£40 to £50 ($194.66 to $243.33)	67,818	8.2
Under £40 ($194.66)	349,832	43
Total	816,106	100

Average, £47 equals $228.73.

FRANCE.

Wages, hours, etc., in Paris and suburbs in 1893.

[From Salaires et Durée du Travail dans l'Industrie Française, Vol. IV.]

Industry.	Average daily—		Average number of working days in the year.	Percentage of women and children in total working force.
	Hours of labor.	Wages.		
Food products	11	$0.96	300	28
Chemical products	10½	.91	321	20
Paper and rubber products	10½	.86	295	33
Printing and publishing	10	.98	298	38
Hides and leather	10½	.92	292	40
Textiles	10½	.73	292	54
Clothing, millinery, etc	10½	.88	280	56
Wood manufactures	10	1.24	298	4
Furniture	10	1.20	295	16
Iron and steel	10½	1.16	290	5
Foundry and machine-shop products	10½	1.23	277	5
Metal products, copper, etc	10½	1.07	286	24
Gold, silver, etc	10	1.05	289	38
Stone working	10	1.66	293	15
Excavation and construction	9½	1.22	253	1
Glass, brick, pottery	10½	.82	297	31
Transportation, etc	9½	1.03		22
All industries	10½	1.02	290	26
Outside of Paris	10½	.68	290	26

BELGIUM.

Daily wage rates of adult workers employed in manufacturing and mechanical industries (including transportation) according to the industrial census of 1896.

Daily rates.	Men (over 16 years).	Women (over 16 years).
Less than 20 cents		6,609
20 cents, but under 30 cents	20,883	22,420
30 cents, but under 40 cents	28,638	21,349
40 cents, but under 50 cents	62,195	13,429
50 cents, but under 60 cents	87,011	5,362
60 cents, but under 70 cents	100,367	2,233
70 cents, but under 80 cents	65,781	652
80 cents, but under 90 cents	50,874	241
90 cents, but under $1.00	21,134	80
$1.00, but under $1.10	13,832	43
$1.10, but under $1.20	5,776	10
$1.20, but under $1.30	3,668	9
$1.30, but under $1.40	1,653	3
$1.40 or more	4,357	9
Total	467,511	74,661

GERMANY.

Average yearly earnings of workers employed in industrial establishments, according to the returns of employers to the government bureau for the insurance of workingmen.

Year.	Marks.	Dollars.
1886	642	153
1891	651	155
1896	686	163
1897	706	168
1898	733	174
1899	751	179
1900	778	185
1901	804	191

RAILWAY LABOR.

The average yearly earnings of all railway employees in the United States, according to the Interstate Commerce Commission, have ranged between $565 and $570 in the last six or eight years. Reports from twenty-seven companies, employing more than 90 per cent of all the railway men in Great Britain and Ireland, showed that in the first week of December, 1902, the average earnings were $6, which would make the average yearly income not more than $312. On the state railways of Prussia the average annual wages of the employees in the budget of 1898–99 were $335, exclusive of shopmen and trackmen, whose earnings, being considerably smaller, would, if included, bring down this average. In France more than 80 per cent of the railway employees receive less than $1 per day, the average in fact being about 75 cents, which would make the annual earnings lie between $230 and $270, according to the number of working days.

In Prussia the locomotive engineers begin at $286 a year and may attain $523. In the United States engineers average $3.78 a day and $1,200 a year. Firemen—Prussia, from $238 to $357 a year; United States, $2.16 a day and $667 a year. Conductors—Prussia, from $190 to $286 a year; United States, $3.17 a day and $1,004 a year. In Prussia the railway employees are entitled to pensions and other Government privileges, but of course allowances therefor would not add more than 5 or 10 per cent to their earnings.

UNITED STATES.

[From Statistics of Railways of the United States, published by the Interstate Commerce Commission.]

Year ended June 30—	Number of employees on June 30.	Amount of salaries and wages (to 99 per cent of all employees).	Average yearly earnings.[a]
1895	785,034	$445,508,261	
1896	828,620	468,824,531	$561.80
1897	823,476	465,601,581	564.33
1898	874,553	495,055,618	583.10
1899	928,924	522,967,896	579.95
1900	1,017,653	577,264,841	593.16
1901	1,071,169	610,713,701	584.75
1902	1,189,315	676,028,592	598.25

[a] The Interstate Commerce Commission does not publish average yearly earnings, and these figures have been calculated by dividing total wages and salaries by the mean number of employees at the beginning and at the end of each year.

RAILROAD TRANSPORTATION.[a]

[From the bulletin of the New York department of labor for December, 1903.]

Average daily compensation of specified classes of employees, 1892 to 1902.

Classes of employees.	1892.	1893.	1894.	1895.	1896.	1897.
General officers	$7.83	$8.10	$9.71	$9.01	$9.19	$9.54
Other officers			5.75	5.85	5.96	5.12
General office clerks	2.23	2.25	2.34	2.19	2.21	2.18
Station agents	1.82	1.83	1.75	1.74	1.73	1.73
Other station men	1.68	1.65	1.63	1.62	1.62	1.62
Enginemen	3.68	3.68	3.61	3.65	3.65	3.65
Firemen	2.08	2.06	2.03	2.05	2.06	2.05
Conductors	3.08	3.10	3.04	3.04	3.05	3.07
Other trainmen	1.90	1.92	1.89	1.90	1.90	1.90
Machinists	2.29	2.31	2.21	2.22	2.26	2.23
Carpenters	2.08	2.10	2.02	2.03	2.03	2.01
Other shopmen	1.72	1.73	1.69	1.70	1.69	1.71
Section foremen	1.76	1.75	1.71	1.70	1.70	1.70
Other trackmen	1.22	1.22	1.18	1.17	1.17	1.16
Switchmen, flagmen, watchmen	1.80	1.82	1.75	1.75	1.74	1.72
Telegraph operators and dispatchers	1.92	1.96	1.93	1.98	1.93	1.90
Employees—account floating equipment	2.03	1.96	1.97	1.91	1.94	1.86
All other employees and laborers	1.68	1.70	1.65	1.65	1.65	1.64

Classes of employees.	1898.	1899.	1900.	1901.	1902.	Number of employees, 1902.
General officers	$9.73	$10.03	$10.45	$10.97	$11.17	4,816
Other officers	5.21	5.18	5.22	5.56	5.60	5,039
General office clerks	2.25	2.20	2.19	4.19	2.18	37,570
Station agents	1.73	1.74	1.75	1.77	1.80	33,473
Other station men	1.61	1.60	1.60	1.59	1.61	105,433
Enginemen	3.72	3.72	3.75	3.78	3.84	48,318
Firemen	2.09	2.10	2.14	2.16	2.20	50,651
Conductors	3.13	3.13	3.17	3.17	3.21	35,070
Other trainmen	1.95	1.94	1.96	[b]2.00	2.04	91,383
Machinists	2.28	2.29	2.30	2.32	2.36	39,145
Carpenters	2.02	2.03	2.04	2.06	2.08	51,698
Other shopmen	1.70	1.72	1.73	1.75	1.78	136,579
Section foremen	1.69	1.68	1.68	1.71	1.72	35,700
Other trackmen	1.16	1.15	1.22	1.23	1.25	281,075
Switchmen, flagmen, watchmen	1.74	1.77	1.80	[b]1.74	1.77	50,489
Telegraph operators and dispatchers	1.92	1.93	1.96	1.98	2.01	28,244
Employees—account floating equipment	1.89	1.89	1.92	1.97	2.00	7,426
All other employees and laborers	1.67	1.68	1.71	1.69	1.71	147,201
Total						1,189,315

[a] Based on the reports of the statistician of the Interstate Commerce Commission.

[b] Switching train crews transferred from "Switching," etc., to "Other trainmen." Change slightly affects enginemen, etc.

GREAT BRITAIN AND IRELAND.

Number and per cent of men (adults) employed by principal railway companies, at specified weekly rates of wages, 1891.

[From Bulletin of United States Department of Labor, January, 1899.]

Weekly rate of wages.	Number.	Per cent.
Under 10s. ($2.43)	210	0.1
10s. to 15s. ($2.43 to $3.65)	8,186	2.6
15s. to 20s. ($3.65 to $4.87)	123,962	39.4
20s. to 25s. ($4.87 to $6.08)	90,472	28.8
25s. to 30s. ($6.08 to $7.30)	49,307	15.7
30s. to 35s. ($7.30 to $8.52)	20,732	6.6
35s. to 40s. ($8.52 to $9.73)	8,953	2.8
40s. to 45s. ($9.73 to $10.95)	9,974	3.2
45s. to 50s. ($10.95 to $12.17)	1,397	0.4
50s. to 60s. ($12.17 to $14.60)	891	0.3
60s. ($14.60) or over	436	0.1
Total	314,520	100.0

More than one-half of the employees receive under $6.08 a week, and the most numerous class are those who earn from $3.65 to $4.87 weekly. The British board of trade, on the basis of these reports, estimated the average annual earnings of adult males to be $296.37 in England and Wales and $291.50 in Great Britain and Ireland.

Average weekly earnings of British railway employees in the first week of December.

[From Ninth Annual Abstract of Labor Statistics, by the British labor department.]

	Number of companies.	Number of employees.	Average wages.
			s. d.
England and Wales	15	383,883	25 5½=$6.10
Scotland	5	45,240	23 1½= 5.55
Ireland	7	19,306	19 3½= 4.65
1902, United Kingdom	27	448,429	24 11½= 6.00
1901, United Kingdom	27	440,557	25 0½= 6.01
1900, United Kingdom	27	440,347	25 0¼= 6.02
1899, United Kingdom	27	431,858	25 3 = 6.06
1898, United Kingdom	27	412,304	24 7¼= 5.92
1897, United Kingdom	27	398,108	24 4¼= 5.86

FRANCE.

[From Bulletin of the United States Department of Labor, January, 1899.]

Railway employees in France, 1898.		Railway employees in the United States, 1890.	
Daily wages.	Per cent of total.	Daily wages.	Per cent of total.
1.25 francs ($0.241) or under	0.31	Under $0.21	0.29
1.26 to 2.25 francs ($0.243 to $0.434)	1.33	$0.21 to .40	.36
2.26 to 3.25 francs ($0.436 to $0.627)	28.44	.41 to .60	.83
3.26 to 4.25 francs ($0.629 to $0.820)	32.40	.61 to .80	1.49
4.26 to 5.25 francs ($0.822 to $1.013)	18.06	.81 to 1.00	4.25
5.26 to 6.25 francs ($1.015 to $1.206)	10.04	1.01 to 1.20	21.69
6.26 to 7.25 francs ($1.208 to $1.399)	4.02	1.21 to 1.40	21.59
7.26 to 8.25 francs ($1.401 to $1.592)	1.96	1.41 to 1.60	15.08
8.26 to 9.25 francs ($1.594 to $1.785)	1.16	1.61 to 1.80	11.40
9.26 to 10.25 francs ($1.787 to $1.978)	.66	1.81 to 2.00	9.22
10.26 to 15.25 francs ($1.98 to $2.943)	1.47	2.01 to 3.00	11.54
15.26 francs ($2.945) or over	.15	3.01 or over	2.26
Total	100.00		100.00
5.25 francs ($1.013) or under	80.54	1.00 or under	7.22
5.26 to 10.25 francs ($1.015 to $1.978)	17.84	1.01 to 2.00	78.98

GERMANY.

Annual wages of employees of Prussian State railways, 1896-97.

[From Bulletin of United States Department of Labor, January, 1899.]

Shopman, average $256.42.
Trackmen, average $182.31.
All other employees (1898-99 $335.10), $318.68.
Locomotive engineers begin at $285.60; maximum, $523.
Locomotive firemen begin at $238; maximum, $357.
Conductors begin at $190.40; maximum, $285.60.
Night watchmen begin at $166,60; maximum, $214.20.

THE TREND OF WAGES IN RECENT YEARS.

The Bulletin of the New York State Department of Labor for December, 1903, has the following editorial comment on the trend of wages in recent years:

The Bulletin contains a compilation of statistics published by the Federal and other State bureaus of labor to show the tendency of wages in recent years. All the statistics reveal a decline in wages after 1892, but the decline continued for a longer period in some States than in others, depending on the predominating industries of each and also in part upon the month of the year to which the statistics relate. As a general rule the lowest point in the decline was reached in 1895 or 1896, but whatever improvement began then remained unimportant until 1898. Since 1898 the rise in wages has been both important and widespread, so that by 1902 wages had generally reached a higher level than in 1892, the best year of the preceding decade.

In Massachusetts factories, for example, average yearly earnings rose from $396 in 1886 to $452 in 1892, declined to $413 in 1894 and $420 in 1898, and rose to $460 in 1902. In Wisconsin, average annual earnings of factory employees rose from $363 in 1883 to $426 in 1892, declined to $376 in 1894, and rose again to $422 in 1901. In Pennsylvania the 1892 average was surpassed as early as 1899. In striking agreement with the wage statistics of State bureaus are the statistics of unemployment furnished by the Cigar Makers' International Union of America. In 1890 this organization paid to its members out of work (but not on strike) the sum of $22,760.50 in benefits. In 1892 the amount declined to $17,461, but in 1893 it increased 400 per cent, and for three years, 1894–1896, it stood at about $175,000 annually. In 1897 it fell to $117,471, and thereafter steadily declined to only $21,071 in 1902, which, considering the increase in membership (more than 33 per cent), compares favorably with 1892.

The statistical compilation considered in the foregoing analysis appears at pages 445–454 of the New York department of labor's December bulletin and is subjoined:

The recent report of the United States Census Office on wages of factory operatives in 1890 and 1900 alludes to the inevitable incompleteness of statistics for such widely separated periods, in view of which the following statistics of wages in the last decade have been collated from the reports of State bureaus of labor statistics. To supplement these figures two tables are also given containing statistics published by Federal bureaus and covering agriculture, manufacturing, and transportation. [a]

[a] In close agreement with these official statistics are the figures published by the Cigar Makers' International Union of America on the amount annually expended for out-of-work benefits to its members. This fund is distinct from the strike and sick benefits and therefore registers the conditions of employment accurately.

Wages in the United States.

Year.	Manufacturing and mining.[a]	Agricultural.[b]
1890		98.6
1891	100.0	100.0
1892	100.3	
1893	99.32	102.6
1894	98.06	95.4
1895	97.88	95.1
1896	97.93	
1897	98.96	
1898	98.79	104.2
1899	101.54	108.7
1900	103.43	

[a] Based on reports from 148 establishments in 26 industries, representing 192 occupations. 1891 taken as 100. U. S. Dept. of Labor Bulletin No. 30, September, 1900.

[b] Relative wages of farm labor per month without board. 1891 taken as 100. Based on statistics in U. S. Dept. of Agriculture Bulletin No. 22, 1901.

Cigar Makers' International Union expenditure for out-of-work benefits.

1890	$22,760.50	1895	166,377.25	1899	38,037.00	
1891	21,223.50	1896	175,767.25	1900	23,897.00	
1892	17,460.75	1897	117,471.40	1901	27,083.70	
1893	89,402.75	1898	70,197.70	1902	21,071.00	
1894	174,517.25					

ILLINOIS.

[From the Eleventh Biennial Report of the Bureau of Labor Statistics (1900).]

Statistics compiled from reports of 627 identical manufacturing establishments.

Year.	Average number of wageworkers employed.			Aggregate wages.	Average annual earnings.	Increase (per cent.)
	Male.	Female.	Total.			
1895	20,056	2,410	22,466	$9,800,033	$436.22	
1897	21,059	2,508	23,567	10,335,919	438.58	0.5
1899	25,804	3,362	29,166	13,876,259	475.77	8.5

IOWA.

[From Tenth Biennial Report of Bureau of Labor Statistics, 1901-2, p. 449.]

Year.	Establishments.	Average number of employees.				Aggregate wages.	Nominal annual average.
		Men.	Women.	Children.	Total.		
1896	1,752	40,854	7,732	687	49,273	$17,369,662	$352.71
1898	1,625	45,006	9,800	623	55,429	19,623,892	354.03
1900	1,285	41,893	9,281	(a)	51,175	21,145,961	413.20
1902	1,627	47,857	11,812	2,630	[b]62,299	26,654,504	[c]434.80

[a] Not separately reported.

[b] No wage account reported for 996 of this number, hence 996 is to be deducted in calculating average income.

[c] The nominal annual average earnings of adult males in 1901 were $501.91; of adult females, $241.40; of children under 16 years, $122.85.

MASSACHUSETTS.

[From reports of Bureau of Statistics of labor on statistics of manufactures.]

NOTE.—In order to preserve an accurate basis for comparisons the Bureau each year omits establishments that did not report in the preceding year. To illustrate: In 1901 the Bureau reported the average earnings of all employees in factories that made comparative returns in 1900 and 1901 to be $449.63, as stated in the first column. But in the 1902 report the factories reporting were not precisely the same as those included in the preceding year, and a new average income was computed for 1901—namely $449.69, as stated in the second column—which, compared with 1902 average, revealed a gain of $10.29 in the last-mentioned year. As a general rule, little variation is to be noticed in the two averages for any one year.

Year.	Average annual earnings as stated in the report of the—		Increase or decrease in average yearly earnings.				Average number of days worked.
	Current year.	Next succeeding year.	Amount.		Percentage.		
			Gain.	Loss.	Gain.	Loss.	
1886		$395.89					
1887	$396.14	394.79	$0.25		0.06		
1888	402.45	413.19	7.66		1.94		
1889	419.17	426.82	5.98		1.45		
1890	433.56	437.93	6.74		1.58		
1891	441.90	445.49	3.97		.91		296.78
1892	452.21	450.59	6.72		1.51		297.14
1893	434.17	436.13		$16.42		3.64	277.36
1894	421.81	412.56		14.82		3.28	275.63
1895	421.59	425.39	9.03		2.19		291.42
1896	425.16	426.66	.23		.05		279.43
1897	421.69	422.26	4.97		1.16		283.33
1898	421.48	419.91	.78		.18		286.28
1899	427.71	427.60	7.80		1.86		294.14
1900	439.57	441.61	11.97		2.80		290.43
1901	449.63	449.69	8.02		1.82		292.78
1902	459.98		10.29		2.29		296.09

Year.	Estimated average yearly earnings of—		
	Adult males.	Adult females.	Minors (under 21 years of age).
1899	$523.34	$324.72	$219.34
1900	530.82	334.70	228.33
1901	542.23	342.68	231.85
1902	552.66	353.36	244.24

NEW YORK.

EXPLANATORY NOTE.—The following table gives the results of two separate investigations which are not strictly comparable. The first investigation, made in 1896, shows that after the middle of 1892 wages declined. The second investigation, covering 3,553 identical establishments, reveals a slight fall in wages between 1895-96 and 1896-97. After the middle of 1897 employment and wages increased in a striking manner, and this very increase renders it difficult to calculate an average annual wage. The statistics indicate that the total amount paid out in wages by the 3,553 manufacturers between July 1, 1897, and July 1, 1898, was $151,279,010; but at the beginning of the period they were paying wages to 304,376 workers and at the end to 326,090. It is therefore obviously incorrect to call either $464 ($151,279,010 divided by 326,090) or $497 (the same amount divided by 304,376) the average yearly earnings. The fact is no satisfactory method has yet been discovered of computing the average income when the number of employees fluctuate in this way. The least objectionable method of calculation on the basis of these figures is to divide the total wages by the mean number of employees, 315,233 (one-half the sum of 304,376 and 326,090), which yields an average wage of $480. Similar calculations for 1897 and 1899 yield the averages $459, and $477, as expressed in brackets.

Annual wages of persons employed in manufacturing industries.

[From Fourteenth and Seventeenth Annual Reports of the Bureau of Labor Statistics, 1896 and 1899.]

Date.	Total amount paid in wages.	Firms concerned.	Persons employed on June 1 (or June 30).	Crude average wage of persons employed at end of each annual period.
May 31, 1891	$93,257,541	1,721	200,333	$466
May 31, 1892	100,616,011	1,824	215,890	466
May 31, 1893	109,073,849	1,986	236,908	460
May 31, 1894	99,052,129	2,154	225,137	440
May 31, 1895	110,427,159	2,290	253,139	436
June 30, 1896	141,184,845	3,553	299,957	471
June 30, 1897	138,577,878	3,553	304,376	455 [a459]
June 30, 1898	151,279,010	3,553	326,090	464 [b480]
June 30, 1899	162,645,649	3,553	356,278	457 [c477]

a $138,577,878 divided by 302,166, the mean of 299,957 and 304,376.
b $151,279,010 divided by 315,233, the mean of 304,376 and 326,090.
c $162,645,649 divided by 341,184, the mean of 326,090 and 356,278.

Since 1897 the New York bureau has collected statistics of actual earnings of wageworkers through the officers of workingmen's organizations, reaching in this way 150 wage-earners where one could have been reached by means of individual schedules. As a large proportion of the members of trades unions are well-paid artisans and mechanics of the building trades, their earnings of course average much higher than those of factory employees already given. The New York statistics are based on quarterly reports collected twice a year and thus cover one-half of each year:

Average earnings of organized workingmen, 1897–1903.

Year.	January-March.	July-September.	Average for three months.	Estimated average for one year.	Estimated number of days of employment in year.
1897	$145	$174	$163	$650	254
1898	164	175	169	678	255
1899	172	197	187	747	273
1900	176	182	179	716	265
1901	183	194	189	756	274
1902	184	197	191	765	278
1903	186	190	188	753	278

Experience has shown that earnings in the six months April-June and October-December run about the same as in the six months for which statistics are collected, so that it is not erroneous to estimate the year's earnings on that basis. Between 1897 and 1903 the average yearly earnings of men increased $103 (from $650 to $753), or 16 per cent. As a matter of fact, the real increase was much larger, for the membership of trades unions more than doubled in the above-mentioned period and the new members almost invariably belonged to trades or lived in localities where they worked for lower rates of wages than the old members. As a consequence of these additions the average daily wage appeared to be stationary after 1899, while as a matter of fact it was almost universally advancing. In 1901, for example, 47,585 members of unions obtained advances averaging $1.97 a week, while only 2,668 suffered reductions in weekly wages—and these were principally due to the establishment of shorter hours of work. In 1902, again, 93,225 trades-unionists secured increases in wages averaging $1.78 a week, while only 3,329 sustained decreases. Considering these facts, it seems quite conservative to say that wage rates increased at least 10 per cent between 1897 and 1903. In that period employment increased as follows.

Percentage of working time in which organized working men and women were employed and idle.

Year.	Employed.	Idle.
	Per cent.	Per cent.
1897	69.7	30.3
1898	76.0	24.0
1899	82.0	18.0
1900	79.5	20.5
1901	82.8	17.2
1902	86.6	13.4
1903	86.1	13.9

The duration of employment in 1903 was therefore 24 per cent greater than in 1897. Assuming that rates of wages increased only 10 per cent in the same interval, their gain in earnings would be 36 per cent. This is doubtless larger than the increase enjoyed by workers in manufacturing industries.

The following tables show the—

Prevailing daily rates of wages in the building industry of New York City (Manhattan Borough) from 1883 to 1903.

Year.	Bricklayers and masons.	Carpenters.	Housesmiths.	Laborers.		Painters and decorators.
				Masons'.	Plasterers'.	
1883	$4.00	$3.50	$2.75	$2.50	$3.00	$2.50-4.00
1884	4.00	3.50	2.75	2.50	3.00	2.50-4.00
1885	4.00	3.50	2.75	2.50	3.00	3.00-4.00
1886	4.00	3.50	2.75	2.50	3.00	3.12-4.00
1887	4.00	3.50	2.75	2.75	3.00	3.12-4.00
1888	4.00	3.50	2.75	2.25-2.75	----------	3.50-4.00
1889	4.00	3.50	2.75	2.25-2.75	----------	3.50-4.00
1890	4.50	3.50	2.75	2.25-2.75	----------	3.50-4.00
1891	4.00-4.50	3.50	2.00-2.75	2.40-2.50	2.50	3.50-4.00
1892	4.00	3.50	2.00-2.75	2.40-2.50	2.50	3.50-4.00
1893	4.00	3.50	2.00-2.75	2.40-2.50	2.75	3.50-4.00
1894	4.00	3.50	2.00-2.75	2.40	2.75	3.50-4.00
1895	4.00	3.50	2.00-2.75	2.40	2.75	3.50-4.00
1896	4.00	3.50	2.00-2.75	2.40	2.75	3.50-4.00
1897	4.00	3.50	2.50	2.40	2.75	3.00-4.00
1898	4.00	3.50	2.50-2.80	2.40	2.75	3.00-4.00
1899	4.40	3.50-4.00	2.80-3.50	2.64	3.00	3.00-4.00
1900	4.40	4.00	3.20-3.50	2.64	3.00	3.00-4.00
1901	4.80	4.00	3.76	2.64	3.00	3.00-4.50
1902	5.20	4.50	4.00	2.80	3.25	a 3.50-4.50
1903	5.20	4.50	4.50	2.80	3.25	a 3.50-4.50

Year.	Plasterers.	Plumbers and gas fitters.	Roofers.	Sheet-metal workers.	Steam fitters.	Tile layers.
1883	$4.00	$3.00-3.50	$3.00	$2.00-3.00	$3.00	----------
1884	4.00	3.50	3.50	2.00-3.00	3.50	----------
1885	4.00	3.50	3.50	2.00-3.00	3.50	$3.50
1886	4.00	3.50	3.50	2.50-3.50	3.50	3.50
1887	4.00	3.50	3.50	2.50-3.50	3.50	3.50
1888	4.50	3.50	3.50	3.00	3.50	3.50
1889	4.00	3.50	3.50	3.25	3.50	3.50-4.00
1890	4.00	3.50	3.50	3.25	3.50	3.50-4.00
1891	4.00	2.75-3.75	3.50	3.25	3.50	4.00
1892	4.00	2.75-3.75	3.50	3.25	3.50	4.00
1893	4.00	2.75-3.75	3.50	3.25	3.50	4.00
1893	4.00	2.75-3.75	3.50	3.25	3.50	4.00
1895	4.00	2.75-3.75	3.50	3.25	3.50	4.00
1896	4.00	2.75-3.75	3.50	3.25	3.50	4.00
1897	4.00	3.75	3.50	3.25-3.50	3.50	4.00
1898	4.00	3.75	3.50	3.25-3.50	3.50	4.00
1899	4.50	3.75	3.50	3.50	3.75	4.00
1900	4.50	3.75	3.50	3.75	4.00	4.50
1901	4.50	3.75	3.75	3.75	4.00	5.00
1902	5.00	4.25	4.00	4.00	4.00	5.00
1903	5.50	4.25	4.00	4.00	4.00	5.00

a Amalgamated reports painters' wages $4; the Brotherhood, $3.50 and $4. Amalgamated reports decorators' wages $4.50. Decorators received the higher rate throughout the entire period.

Prevailing daily rates of wages for paving and stonecutting in New York City (Manhattan Borough), 1883 to 1903.

Year.	Paving.	Freestone.	Granite.	Marble.
1883	$4.00	$4.50	$3.50	$2.50
1884	4.00	4.50	3.50	2.50
1885	4.00	4.50	3.50	$2.50-3.00
1886	4.00	4.50	3.50	2.50-3.00
1887	5.00	4.50	3.50	2.50-3.00
1888	5.00	4.50	3.50	2.50-3.00
1889	----------	4.50	4.00	3.50
1890	----------	4.50	4.00	3.50
1891	4.50	4.50	4.00	3.50
1892	4.50	4.50	4.00	3.50
1893	4.50	4.50	4.00	3.50
1894	4.50	4.50	4.00	3.50
1895	4.50	4.50	4.00	3.50
1896	----------	4.50	4.00	3.50
1897	4.50	$3.50 and 4.50	4.00	4.00
1898	4.50	3.50 and 4.50	4.00	4.00
1899	4.50	3.50 and 4.50	4.00	4.00
1900	4.50	3.50 and 4.50	4.00	4.00
1901	4.50	3.50 and 4.50	4.00	4.50
1902	4.50	4.00-5.00	4.00	4.50
1903	4.50	4.00-5.00	4.50	5.00

PENNSYLVANIA.

[From the Twenty-ninth and Thirtieth Annual Reports of the Bureau of Industrial Statistics, 1901 and 1902, pages 258 and 392, respectively.]

Year.	Returns from 354 establishments.			Returns from 771 establishments.			
	Employees	Average yearly earnings.	Yearly gain (+) or loss (−).	Employees.	Average yearly earnings.	Yearly gain (+) or loss (−).	Per cent of increase.
1892	136,882	$491.90					
1893	122,278	464.66	−$27.24				
1894	109,333	413.15	− 51.51				
1895	127,361	445.78	+ 32.63				
1896	118,092	441.29	− 4.49	120,240	$382.47		
1897	121,281	429.90	− 11.39	134,918	383.14	+$1.67	0.4
1898	137,985	454.52	+ 24.62	150,990	401.89	+17.75	4.6
1899	154,422	506.27	+ 51.75	173,302	437.37	+35.48	8.8
1900	136,814	509.43	+ 3.16	184,623	439.97	+ 2.60	.6
1901	156,424	544.80	+ 35.37	191,153	450.44	+10.47	2.4
1902				205,927	482.68	+32.24	7.2

RHODE ISLAND.

[From the annual reports of the Bureau of Industrial Statistics.]

Wages in the textile industries, 1893–1901.

Year.	Average annual earnings as stated in the report of the—		Increase or decrease.				Number of reports tabulated.
	Current year.	Following year.	Amount.		Percentage.		
			Gain.	Loss.	Gain.	Loss.	
1893		$364.62					
1894	$327.33	324.41		$37.29		10.23	121
1895	363.73	339.97	$39.32		12.12		123
1896	313.69	319.20		26.28		7.73	135
1897	337.22	a336.13	18.02		5.65		135
1898	a329.23	329.75		a6.90		2.05	151
1899	347.07	348.71	17.32		5.25		175
1900	376.57	378.11	27.86		7.99		186
1901	384.89		6.78		1.79		188

a Corrected figures.

NOTE.—The average number of employees in the 188 factories considered in 1900–1901 was 47,600 in 1900 and 48,600 in 1901, and their aggregate wages were $17,998,136 and $18,707,183, respectively.

WISCONSIN.

[From Ninth Biennial Report of the Bureau of Labor and Industrial Statistics, 1899–1900, pages 235–238.]

Average annual earnings in factories, 1883–1901.

Year.	Average number employees.	Total wages.	Average yearly earnings.	Yearly gain (+) or loss (−).
1883	39,360	$14,268,213	$363.00	
1885	38,797	13,710,417	354.00	−$9.00
1887	62,935	23,710,866	377.00	+23.00
1888	71,218	28,416,694	399.00	+22.00
1889	80,504	32,575,944	405.00	+ 6.00
1890	80,880	33,125,213	410.00	+ 5.00
1891	94,089	38,023,247	404.00	− 6.00
1892	90,936	38,235,878	426.00	+22.00
1893	96,540	37,327,810	381.00	−45.00
1894	83,642	31,409,244	376.00	− 5.00
1895	85,767	32,993,707	384.00	+ 8.00
1896	80,051	31,749,822	397.00	+13.00
1897	87,534	36,583,044	418.00	+21.00
1899	79,871	31,515,194	394.58	+16.90
1900	80,159	32,983,769	411.48	
1900	78,632	32,378,588	412.00	+10.00
1901	82,775	34,863,674	422.00	

Percentage of factory employees whose daily wages were less than $1 and $1.50 or over.

Year.	Less than $1.	$1.50 or over.
	Per cent.	Per cent.
1888	17.06	49.25
1891	15.32	54.56
1893	16.00	52.67
18 4	18.67	43.89
1895	18.33	43.40
1896	18.55	45.07
1897	19.77	43.40

LOWER PRICES IN THE UNITED STATES THAN IN ENGLAND.

The claim is often made that while wages are higher in the United States the cost of living is correspondingly cheaper in Great Britain. That this statement is erroneous can be proved by official statistics obtained simultaneously in both countries. In 1892 the Senate Committee on Finance made an extensive report on "Retail prices and wages" in leading cities of the United States and Europe at different periods from June, 1889, to September, 1891. Among the cities considered in this report were St. Louis, Mo., and Manchester, England, cities for which wage comparisons have just been made.

A comparison of the prices of articles of identically the same description, obtained at the same time, namely, June, 1889, and September, 1891, in both cities, shows that instead of the necessary commodities of life being higher in the United States than in England they are, on the contrary, as a rule much lower. This is shown in the table which follows. A glance at this table shows that most of the necessary food products, such as bread, eggs, lard, bacon, roast beef, hams, mutton, milk, starch, and canned vegetables, were much lower in St. Louis than in Manchester, while the prices of the few remaining food products averaged about the same in both countries.

With regard to clothing and cloth goods, we find that men's hosiery, cotton shirts, sheetings, shirtings, and cotton and woolen dress goods of the same description and quality were cheaper in St. Louis than in Manchester; that carpets, flannels, and cotton underwear averaged about the same, and that only in the case of men's hats was there any decided difference in favor of the Manchester purchaser.

Household articles, such as earthenware, glassware, and cutlery, were nearly the same in price in St. Louis as in Manchester, with a very slight difference in some cases in favor of the latter city. On the other hand, furniture costs from about one-fifth to one-half as much in the United States as in Great Britain, so that for the cost of one bedroom set in Manchester one could buy from two to three sets in St. Louis, and for the cost of one dining table at Manchester a whole dining-room set could be bought in St. Louis.

But the question may be asked, "If the American workingmen earn so much more and pay so much less for what they consume, why are they not all wealthy and contented?" The answer may be found in the statement of the eminent French scientist, Prof. Emile Levasseur, in his work on "L'Ouvrier Americain" (The American Workingman). After summing up the conditions of labor in America as compared with Europe he says that wages in the United States are about double the wages in Europe; that objects of ordinary consumption by working people (excepting dwelling houses) cost less in the cities of the United States than in those of Europe; *that the American workingman lives better than the European; that he eats more substantially, dresses better, is more comfortably housed and more often owns his dwelling, spends more for life insurance and various social and beneficial associations, and, in short, has a much higher standard of life than the European workingman.*

Retail prices of commodities of ordinary consumption in St. Louis, Mo., and Manchester, England, in June, 1889, and September, 1891.

[Compiled from the report of the Senate Committee on Finance on "Retail prices and wages."]

	St. Louis, Mo.		Manchester, England.	
	June, 1889.	September, 1891.	June, 1889.	September, 1891.
Food products:				
Bread, best quality of bakers' per pound	$0.04	$0.04	$0.04½	$0.05½
Butter, best creamery do	$0.22 to .30	$0.25 to .30	.22½	.26½
Eggs, not limed, and from vicinity	.12 to .12½	.18 to .20	.18½	.24½
Lard, pure leaf per pound	.09 to .10	.09 to .10	.16½	.18½
Meal, oat, per pound	.03½ to .05	.03 to .05	.04½	.04½
Meat, bacon, per pound	.10½ to .12½	.11 to .15	.20½	.18½
Meat, beef, canned corn, No. 2 size, per can	.18 to .25	.20 to .25	.20½	.18½
Meat, beef, roasting, cuts of, per pound	.05 to .08	.05 to .08	$0.16½ to .20½	$0.16½ to .20½
Meat, ham, per pound	.08½ to .18	.08½ to .15	.11½ to .18½	.13½ to .20½
Meat, mutton, shoulder, per pound	.05 to .10	.05 to .08	.14½ to .16½	.16½ to .18½
Milk, fresh, per quart	.05 to .06	.05 to .06	.06	.06
Rice, Carolina prime, or similar grade, per pound	.08 to .10	.07½ to .10	.08	.08
Sugar, granulated, per pound	.07½ to .10	.04½ to .05	.05	.05
Vegetables, canned, corn, standard No. 2 size, per can	.08 to .10	.08½ to .10	.13½	.13½
Vegetables, canned, peas, standard No. 2 size, per can	.10 to .15	.10 to .15	.23½	.22½
Vegetables, canned, tomatoes, standard No. 3 size, per can	.08 to .10	.08½ to .10	.11½	.10½

Retail prices of commodities of ordinary consumption in St. Louis, Mo., and Manchester, England, in June, 1889, and September, 1891—Continued.

	St. Louis, Mo.		Manchester, England.	
	June, 1889.	September, 1891.	June, 1889.	September, 1891.
Cloth and clothing:				
Carpets, ingrain, standard, per yard	$0.75 to $0.90	$0.85 to $0.90	$0.91½	$0.79
Flannels, twilled scarlet, all wool, 3-4, per yard	.30 to .50	.25 to .45	.31½ to .37½	.31½ to .37½
Hats, men's derby, medium grade, each	2.00 to 3.00	1.90 to 2.50	.85½	.85½
Hosiery, men's cotton socks, mixed, per pair	.10 to .15	.10 to .15	.24½	.24½
Linen goods, men's cotton shirts, linen bosoms, 8 by 15 inches	.50 to .75	.50 to .75	1.09½	1.09½
Sheetings, brown standard, per yard	.07½ to .08½	.07½ to .08½	.09	.09
Shirtings, bleached, 4-4, per yard	.08½ to .10	.08½ to .09	.13½ to .18½	.13½ to .18½
Underwear, cotton shirts, Balbriggan, 34. gage	.35 to .65	.35 to .75	.46½	.46½
Underwear, cotton drawers, Balbriggan, 34. gage, per pair	.35 to .65	.35 to .75	.46½	.46½
Women's dress goods, cotton-warp cashmere, per yard	.25	.23 to .25	.24½ to .36½	.24½ to .36½
Women's dress goods, all-wool cashmere, per yard	1.00	1.00	1.21½	1.21½
Miscellaneous:				
Soap, best family, per pound	.06 to .06½	.06 to .06½	.07	.06
Starch, ordinary laundry, per pound	.03 to .05	.04½ to .05	.07	.07
Quinine, per ounce	.50 to .75	.50 to .75	1.46	.85½
Earthenware, teacups and saucers, white granite, with handles, per dozen	.65 to 1.25	.65 to 1.25	.85½	.85½
Furniture, bedroom set, ash or elm, 3 pieces (bedstead, bureau, and washstand)	18.50 to 30.00	18.50 to 23.00	a 51.22	a 51.22
Furniture, tables, dining, plain oak extension, each, 5-foot	3.15 to 7.50	3.15 to 8.00	a 18.25	a 18.25
Furniture, tables, kitchen, plain wood, 4-foot	1.50 to 2.00	1.50 to 1.75	a 4.01½	a 4.01½
Glassware, tumblers, common pressed, ½-pint, per dozen	.40 to .60	.40 to .60	.42½	42½
Knives and forks, table, iron handles, per dozen, each	.50 to 1.10	.50 to 1.10	a .93½	93½
Lamp chimneys, A-Sun, each	.05 to .10	.05 to .10	.05	.05

a Prices in Liverpool. Manchester prices not quoted.

Mr. HEMENWAY. I now yield to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. DALZELL. I simply desire leave of the House to extend my remarks in the RECORD.

There was no objection.

Mr. HEMENWAY. I now yield five minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Chairman, I desire to avail myself of this occasion for a few minutes to go back a little into history. When my friend from Missouri [Mr. CLARK] was making his very brilliant and able speech on the tariff a little while ago, I asked him how he stood upon the Wilson Act; if he would repeal the present tariff and revive the last Democratic measure. I want to read an extract from a speech made by another great Missourian on the 30th day of January, 1894, upon the Wilson bill. All will remember that as a period when this country was enduring the hardest times that we have ever known, and those hard times continued down to the campaign of 1896 and yielded only to the Dingley law. The Wilson bill was being considered in the House, and over its head was a Democratic halo of hope. Here is what an eminent Missourian said on that occasion. I read from the RECORD of the second session of the Fifty-third Congress, page 405:

> The passage of the bill [Wilson bill] will mark the dawn of a brighter day, with more of sunshine, more of the songs of birds, more of that sweetest music, the laughter of children, well-fed, well-clothed, well-housed.
>
> Can we doubt that in the brighter, happier days to come good, even-handed, wholesome Democracy shall be triumphant? God hasten the era of equality in taxation and in opportunity. And God prosper the Wilson bill, the first leaf in the glorious book of reform in taxation, the promise of a brightening future for those whose genius and labor create the wealth of the land and whose courage and patriotism are the only sure bulwarks and defense of the Republic. [Applause.]
>
> As we scan it [the bill] we see the light breaking, and what a bow of promise we behold reflected on its pages. It is but the beginning, a first step on rough ground; but it starts us in the right direction and by the right road. Soon we shall travel fast and journey far.

Such was the brilliant peroration of Hon. DAVID DE ARMOND, of Missouri, when the Wilson bill was passed in 1894. We know how well fed, well clothed, and well housed the people were under that law. We know how it stimulated "the laughter of children." We know what the people did to "that glorious book of reform" when they got a chance in 1896. The voters thought the Democracy "had traveled fast and journeyed far" enough. We know and rejoice that the Dingley bill took its place in 1897. And now my friend from Missouri [Mr. CLARK] calls attention to the fact that the railroad companies can pay better wages and pay a higher price for steel rails and still make money at the old rates, because, he admits, the business of the country has been so immensely developed under the Dingley law. [Loud applause on the Republican side.]

Mr. HEMENWAY. I yield thirty minutes to the gentleman from New York [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, after the somewhat stormy and vociferous eloquence of the gentleman from Missouri [Mr. CLARK] I shall discuss a very plain and simple question, and that is the Government Printing Office. If there are any Members of the House who are interested in the question of Government printing and its expense, I should be glad to have their attention, and I should also be glad if those who are not interested would allow me quiet during the remarks that I am to make. Mr. Chairman, the growth of the Government Printing Office and in the expenses of Government printing is perhaps not realized by most Members of the House. I have looked at the data for the Forty-seventh Congress. That was twenty years ago. The entire expense of Government printing at that time was about $2,400,000. Coming down ten years to the Fifty-second Congress, there had been no material increase in the expense of Government printing. It was still about $2,400,000 to $2,500,000. But when we come ten years further down, to the Fifty-seventh Congress, we find that the expense of Government printing has gone up from $2,500,000 to about $6,200,000. In other words, in ten years the expense of Government printing has increased about 150 per cent.

Now, I need not say that there has been no increase either in wealth or in business that would correspond to the vast increase of expense in Government printing, and I think it is perhaps worth while to consider, at no very great length, I hope, what are the reasons of that increase and how far it deserves to be considered and to be checked.

There are some items that may well excite our interest. I find that for the year ending June, 1902, this Government expended for pictures alone—some of them pictures of officials and other persons who wanted their faces to be known to the public, some of them fancy pictures and all sorts of pictures—over $250,000, and a good deal more last year. We pay for pictures as much as the salaries of fifty Congressmen. Perhaps the pictures are worth the services of the Congressmen, but certainly, Mr. Chairman, an item so large as this strikes one with surprise.

Now, this growth in expense is due to a number of things which are worth, perhaps, some little consideration from the Members of the House; because, while we are giving so much time to the increases which we make in Government expenses, it is worth while to give a little time to see if in some place there can not possibly be a reduction.

The first explanation for the great cost of Government printing lies in the fact that the Government does its own printing. Government printing is like all other Government enterprises. I have taken pains to ascertain with some degree of accuracy the relative expenses of printing, and with reasonable accuracy I can say that it costs the Government for a given amount of printing 25 per cent more than the same work done in private offices would cost.

Now, of course, Mr. Chairman, no one for one moment would think of attempting to remedy this by changes in the hours of Government employees or by changes in the wages of Government employees. The thing is as it is; but certainly it is worthy of consideration by gentlemen who, on both sides of the House, at some time suggest as a remedy for the evils of trusts, or as a remedy for the evils of monopolies, that the Government should absorb other and further industries, that this one branch of Government enterprise costs on an average 25 per cent more than it would in the hands of private parties. Take the railroads, Mr. Chairman, for example: There is not a railroad system in the United States of America, no matter how rich, no matter how high a rate of dividends it pays, that would not go into the hands of a receiver if its operating expenses were increased 25 per cent. In other words, Mr. Chairman, there is not a railroad system in the United States that, if its ratio of expense were increased by its being operated by the Government, as the expenses of the Printing Office are increased by its being operated by the Government,

would not either land in the hands of a receiver or be operated by the Government at a net loss. So much we may consider as we go by.

Now, a word more in reference to the operation of the Printing Office. I am not here to criticise. I am not familiar enough with the subject to criticise, though I have given it some study since I have been on the Printing Committee. But there are some subjects as to which I think a word should be said. There is one thing that is a marvel to me, and I think it is to many Members of the House, and that is why during all the years that have passed typesetting machines have not been used in the Government Printing Office. I saw the other day that Mr. Ricketts testified or stated that the use of typesetting machines would diminish by 30 per cent the number of employees in the Government Printing Office necessary to do that branch of the work. Why these machines have not been used, why they are not now purchased, I have never heard any explanation. I should suppose that the Committee on Appropriations could order their purchase.

I have spoken to members of the Appropriations Committee and I have been told by them that the Government Printer had authority to make the purchase, and I have been told by others, in behalf of the Government Printer, that the time had not yet come, that the value of these machines had not yet been sufficiently established. Now, Mr. Chairman, when every printing office of any size in the United States of America has so far tested these machines as to find them profitable for use in private business, their value has been sufficiently established, and certainly if the Government is to operate any branch of business it should be operated upon business principles. If the Government had a farm, would it be expected that the corn would be cut and gathered without the use of binders and reapers? Why the same argument should not apply to the use in the Printing Office of every device which is used in private enterprises is a question which is deserving of consideration at the hands of the Committee on Appropriations or any other appropriate committee.

Mr. GILLETT of Massachusetts. Will the gentleman allow me to make a suggestion?

Mr. PERKINS. Certainly.

Mr. GILLETT of Massachusetts. I simply wish to suggest to the gentleman that the Government Printer made the statement which he has quoted, but this year the Government Printer said that the time had come. Consequently I suppose they will be installed.

Mr. PERKINS. Well, it seems to me that the time certainly has come. To some it seemed that the time had long ago come, and I am glad that in the opinion of all it has now been reached.

Now, there is another thing respecting the Government printing, and that applies to many of the branches of Government expenditure, which accounts, as I think, to a large extent for the undue increase in Government expenses. Our Government has become a very large one. There are 80,000,000 of people, and there is an expenditure of $700,000,000 or $800,000,000, and the size and the multiplicity of the items brought before the Committee on Appropriations is, of course, very large. Now, we all of us know that there is no chief of any bureau of this Government or any other government who does not naturally, necessarily, by the operation of common laws of human nature, think that his branch of the government is the one important thing; that the one thing for which appropriation committees exist is to enlarge the field of his operations, to furnish it a larger publicity and a larger force.

That being so, Mr. Chairman, it seems to me that it is perhaps questionable—and with all deference I make the suggestion to those who have had much more experience in Congressional life than I have had—whether we are not becoming mere clerks to register the requests of a bureau of a department. They tell us what they want, we make a mild reduction, and then grant their request. Take, for instance, this item of printing. I see in the sundry civil bill which we are now to pass upon there is appropriated something over $6,000,000 for printing. Now, I will venture to say, and I say it in no carping sprit, that there is not one member of the committee, with all the great duties that devolve upon them of reporting appropriation bills aggregating three or four hundred millions of dollars, who can give any explanation of where this $6,000,000 goes.

The Department of State comes in and asks so much, the War Department asks so much, the Agricultural Department asks so much, and it is a physical impossibility for the Appropriation Committees, with all the duties devolving upon them, to give any details or explanation of where the money goes and for what it is required. Take that one item of printing, that costs $6,000,000. It is more than some of the small and prosperous States in Europe spend for their entire annual expenditures. It would be better if that item and all items of printing were sent to one committee that could have such opportunities for investigation that if there was a possibility of reducing the expense, if there was a possibility of knowing whether the Departments were intertwining and interlacing with each other, that committee could investigate and intelligently report on the items.

I want to say in no spirit of carping that as to this item for printing the committee reporting it knows nothing except that demands for these amounts are filed by the Departments. Work can be duplicated; a bureau in the Agricultural Department can be sending out substantially the same information as a bureau in the Department of Commerce, and no one be much the wiser. It is the theory, and it ought to be the practice of this Government, that Congress should fix the expenditures of the nation, and not that they should be fixed by a great number of officials, each one trying to get all he can and regarding the development of his branch as the one thing most important to the country.

Let us see how these demands have grown. I have made a few figures which I shall not weary the House long with. But I see, for instance, that ten years ago the Department of State asked for $18,000; the Navy Department asked for $70,000; the Post-Office Department asked for $200,000. In ten years every one of these Departments has doubled the amount. The Navy Department has more than doubled its demand on the public Treasury for the item of printing alone. I do not believe, Mr. Chairman, that within ten years, if proper supervision were exercised, it would have been necessary for every Department of the Government to double the amount which it receives for the item of printing.

Now, let me say another word, Mr. Chairman, in reference to our procedure, where I think a just criticism can be made. If anyone will look back over the history of the last few years he will find almost every year deficiency appropriations for printing and for Heaven knows how many other things. So far as I can make out, in many Departments they go on and spend what they see fit. The amount appropriated by Congress is not large enough to satisfy the views of chiefs of bureaus who want to publish reports and of chief clerks who occasionally favor us. Apparently the Departments spend money without any reference to the amounts allowed. They spend all they have in a few months, so they are absolutely penniless for the balance of the year, and Congress makes up the deficiency. It is useless to scold about this condition of affairs.

Now, my friend, the friend of us all, the chairman of the Committee on Appropriations, said that the Departments ought not to exceed the amounts of moneys that were allowed to them. Certainly they ought not. But, Mr. Chairman, there is only one way by which you can stop a Department in spending more money than is appropriated for it, and that is to refuse to appropriate for deficiencies.

Suppose a man has a boy at school, and the boy in six months spends his entire allowance, and his father says to him, "You ought not to do this; you ought not to be so extravagant; you must not spend so much money," and then proceeds to furnish the additional amount of money in order to defray the boy's expenses through the next six months. Will he do better next year? Cut off the boy's allowance so for six months he has nothing and after that he will make the money hold out. You must treat a Government Department in precisely the same way. If it is known absolutely that the expenses of any branch must be kept within the amount appropriated by Congress the amount will be kept down. But if it is known that if the entire amount is expended Congress will grant an additional sum beyond the first appropriation, then it is absolutely certain that the amount will be expended.

Now, Mr. Chairman, I want to say a few words more on another branch of this business. This subject is too large to be treated by any bill that I could introduce; but I have introduced and there will be reported from the Committee on Printing a bill aimed to stop some small amounts of Government waste, and really I should feel very much obliged to the Members of this House if they will take interest enough to consider and pass that bill. I will tell you two or three things that I have sought to remedy in a very small way by conferences with people in the Printing Office and the document room and elsewhere, who are familiar with these questions. Here is an item of $10,000 that might be saved. Ten thousand dollars is not very much, but, after all, the duty is upon every honest legislator to save $10,000 if he can.

I will tell you how this is wasted, and I know it by the statements of Mr. Grayson, whom we all know. There are, for instance, under the law as it is, printed of every bill, including every private bill, and of reports made upon private bills, I think, about 600 copies. Mr. Grayson tells me that 100 is as much as is ever required; and of course, if by any strange chance there should be a special demand for reports on a private bill for more than 100 copies, they can be furnished, because the type is

still set up at the office. Every morning at the document room, if any Member of Congress is curious enough to go and see, he will see parcels brought in of four or five hundred copies of reports on pension bills, copies of reports on every private bill, which the boys dump into waste-paper baskets as they come in, without even opening them. From eight to ten thousand dollars would be saved by limiting to the requirements of the office, as shown by experience, in the numbers of copies of bills and of reports on private bills. Nobody has paid any attention to this, though Mr. Grayson says that for a long time he has lamented it.

Besides this, you can go down in the basements of this building and you will see piles and piles and piles of papers and pamphlets and books, for every one of which the Government has paid, and which are of no more value than the sand upon the great desert in the West.

Mr. MAHON. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. PERKINS. Certainly; I am always delighted to answer questions.

Mr. MAHON. My experience is, as the gentleman has said, that hundreds of thousands of copies of reports of the Ordnance Department and the Quartermaster Department running up into the hundreds are printed and put to the credit of Members of Congress. I do not get one request in a year for some of those documents, and they are down in the basement rotting away. Now, I want to make this suggestion: Those are reports which are not read by the public generally. Why not publish a sufficient number of them to furnish the Departments, and then a few more copies for outside use, and in this way I think we could cut the appropriation down to $3,000,000. I have investigated it, and I am satisfied that millions of dollars are wasted in public documents which are rotting in the basement. Nobody wants them, and they would not read them if they were sent to them.

Mr. GAINES of Tennessee. Mr. Chairman, I am very glad to hear the gentleman talk about this matter, and the gentleman from Pennsylvania as well. It is almost an everyday thing, and particularly when I get home, that I get documents which I have to try to give away.

Mr. MAHON. And you can not do it?

Mr. GAINES of Tennessee. No; that is true; no one wants them, and yet they are handsomely bound, more handsomely bound than your law books or any other lawyer's law books who practices law in the United States, and it is an outrage upon other appropriations that should be made and to the thousands of claimants in this country whose claims are not paid, to spend the people's money in printing and binding them thus. Instead of doing this, throwing the people's money away in that manner, we ought to quit such work and appropriate money in a way so that the people will be glad to get the printed matter.

Mr. PERKINS. Any waste to the people's money is an outrage.

Mr. GAINES of Tennessee. And this is one way it is wasted.

Mr. PERKINS. The gentleman is entirely right——

Mr. GAINES of Tennessee. We can take this and extend the rural free-delivery system and a whole lot of other good things the people need and beg for.

Mr. SULZER. And increase the letter carriers' pay.

Mr. PERKINS. Yes.

Mr. GAINES of Tennessee. There are a great many things we could do with this money which will be far better for the people and reflect more credit on Congress than such performances.

Mr. PERKINS. Now, I want to say one or two words along this line, and give a few figures to the Members of the House as to how much this waste, this absolute waste, is. Some Members perhaps know that four years ago the superintendent of the folding room was requested to prepare a list of books, bound and unbound, which, in his opinion, were entirely worthless.

Certainly he made a most conservative estimate, because he put in the list of books that may have some value a vast number of books that, in my judgment, have no possible value. But even allowing for that, it appeared at that time that there were on hand, filling up the vaults of the Capitol that might be used for some useful purpose, more than a quarter of a million books. These books are of no value to any man under God's heaven, but they are books for which the United States had to pay. They cost the Government probably half a million dollars, and they fill up the cellars of the Capitol with rubbish. They are of no use to us and they are of no use to our constituents and of no use to anybody.

That thing has gone on still more rapidly, and in the bill I have introduced I have endeavored to cut down the amount of printing of a few things where it seemed to be so manifestly right that I hoped no Member of the House would object. Here, for instance—and this is only for the last four years—are a few figures: There have been placed to the credit of Members of Abridgments of Messages 36,000 copies. How many copies do you suppose have been sent out by all the Members of this House? About 5,000 copies. In other words, there is a distribution to Members, as is shown by actual test, seven times as large as is required. Now, gentlemen, that is waste; it is almost criminal waste. There have been given Members for distribution during the last four years of Labor Reports 14,000, and only 4,000 sent out; of Educational Reports, 20,000, and 5,000 sent out; of Statistical Abstracts, 11,000, and 2,000 sent out.

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

Mr. PERKINS. Certainly.

Mr. OTJEN. Are not these documents that you have referred to valuable documents if Members would send them out when they are first published?

Mr. PERKINS. They are not valuable to many people. They are of small value to anybody except to a small number. As the gentleman from Pennsylvania has well suggested, these could get their distribution from the bureaus, for certainly there should be some distribution to the bureaus, where those interested could get them. There is not a man on this floor who, try as hard as he can to send out books, can not send them all out.

We could get a more satisfactory distribution if all the copies of some documents were left with the document room or the bureaus, for then the few Members who have occasion to use them could get what they wanted, and the rest of us would not be bothered with what we do not want. That, for instance, is true of eulogies of deceased Members. Instead of the distribution being made equally, it would be better to give the bulk of them to the Representatives of the State in which the deceased Member lived. To some extent we accomplish this by writing letters to the other Members, but each one of us knows what a nuisance this is. After all, there is not a man here who has not to his credit hundreds of eulogies that he does not want and nobody else wants.

Mr. OTJEN. The gentleman has mentioned the report of the superintendent of education. I have made a practice of sending those to members of school boards, and they find they are very useful.

Mr. PERKINS. There is some demand for them. We must remember another thing, of course; you could take Shakespeare's works or any good book and if the Government of the United States would publish it and distribute it free, you could get demands without end, but the Government is not in that business. So when you move to reduce the amount of some publication a Member somewhere will say that for his district he wants all the copies that are credited to him and a few more.

But, Mr. Chairman, Government printing must be regulated on reasonable terms. If the demand for any publication is so small as to be confined to one or two districts, and you find the books distributed, compared with the great number undistributed, are costing the Government $50 a book, I take it that no Member will say that the demands of his constituents are so overpowering that he is justified in insisting upon the publication. It is not right to have the Government spend five or ten thousand dollars a year in publishing a report in order that one or two Members may give away half a dozen copies. The constituents would be just as happy without the books, and if it is costing the Government $25 or $50 a volume for the few sent out, manifestly that is too high for them.

Now, this bill I have introduced reduces the Government printing by perhaps $100,000. As I said, it is not much, but it is something. I have reduced, first, the number of documents sent to the document room unbound, which are simply taken and thrown from the hand of the boy who brings them into the waste-basket that receives them, because everybody knows that nobody wants them.

Mr. MANN. What documents does the gentleman refer to?

Mr. PERKINS. Five or six hundred copies of private bills and reports on private bills.

Mr. MANN. The gentleman doesn't mean the ordinary public bills?

Mr. PERKINS. Oh, no.

Mr. MANN. The gentleman's remark would seem to cover everything that went into the document room.

Mr. PERKINS. I refer to documents that experience has shown there is no demand for.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PERKINS. I ask for three minutes more, Mr. Chairman.

Mr. BENTON. I will yield the gentleman three minutes more.

Mr. PERKINS. I want to say a word or two more, because in this bill I have cut off the publication of a few things that it seems to me there is no reason this Government should print.

Here are the reports of the Bureau of American Republics. I do not believe that 10 per cent of the Members of this House know that such a book as the report of the Bureau of American Republics is published at all. I do not believe that book is of any value to any merchant in the United States, that there is any information in it that he can not get from some other place; but because years ago that Bureau was organized and a direction put in the law to publish those reports, every year the Government of the United States pays $22,000 for publishing the reports of the Bureau of American Republics, which I do not believe are worth 22 cents to anybody. I think things of that sort we can safely and profitably cut off.

When the Government's expenses are increasing in so many directions let us indulge in the rare luxury of making a little saving. Such changes will not throw a single man out of employment, but they will prevent the cost of the Printing Office increasing at the fabulous rapidity of the last few years. It is a good thing for the Printing Office as well as for the Government. As one of the most intelligent employees there told me, if the cost of Government printing went on increasing as it had done, the Government Printing Office would be broken down by its own weight. I venture to hope that while we are spending $700,000,000 the House will be willing to consider, and perhaps to pass, a modest bill which will save the country about $100,000 a year and harm no Member and no citizen. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses, and had further insisted upon its amendments to the bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes, numbered 16, 22, 23, 25, 29, 49, 50, and 51, disagreed to by the House of Representatives; had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PROCTOR, Mr. QUARLES, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 11711. An act granting an increase of pension to Jerome J. Hinds.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. BENTON. Mr. Chairman, I yield thirty minutes to the gentleman from Kentucky [Mr. TRIMBLE].

Mr. TRIMBLE. Mr. Chairman and gentlemen of the committee, I ask your indulgence for a few minutes while I briefly discuss, in my opinion, one of the most intensely interesting and important measures that is now pending before this body. It is not the question of equality between whites and blacks that my distinguished colleague from Massachusetts has just so eloquently discussed; it is not a question of appropriating hundreds of millions of dollars of the people's money for building war ships and maintaining standing armies to destroy human life, but it is a question of humanity that involves the hopes, peace, prosperity, and happiness of 400,000 men who are to-day engaged in the culture of tobacco in the United States, and of a million and a half of women and children who are dependent upon them for the necessaries of life.

I desire to make a positive and direct assertion, and I ask that it be challenged by any Member on the floor of this House, be he Democrat or Republican—for this is not a partisan question—that by reason of the internal-revenue laws of this country, which are to-day curbing by restrictions, regulations, and placing a tax of 6 cents upon every pound of tobacco that grows out of the ground before it can be properly prepared in its raw or unadulterated state by the producer to conveniently reach the consumer, that hydra-headed monster, the tobacco trust, which arbitrarily fixes the price on the raw product and manufactured article, is grinding these people into the very depth of poverty and industrial degradation. I say to you that by reason of the absolute monopoly of the tobacco business by the trust the Government is to-day virtually paying a bounty of 6 cents upon every pound of tobacco manufactured. When Congress reduced the tax from 12 cents to 6 cents a pound it benefited neither the consumer nor the producer, but practically put into the coffers of the Consolidated American and Continental Tobacco companies last year eighteen millions of dollars.

To help defray the expenses of the Spanish-American war, on July 1, 1898, the tax on manufactured tobacco was increased from 6 to 12 cents per pound, and the manufacturers advanced the price of said article accordingly. In July, 1902, that tax was reduced to 6 cents per pound; yet the manufacturers of tobacco in this country have not reduced the price of the manufactured article a single cent and are paying less for the raw product.

Had the Government retained the tax of 12 cents a pound upon tobacco, instead of collecting $18,000,000 of revenue from this source last year, as shown by the annual report of the Commissioner of Internal Revenue, it would have collected $36,000,000. I do not make this declaration from hearsay. I hold in my hands the invoices of the leading brands of tobacco manufactured by the tobacco trust, which show that to-day they are asking and selling for identically the same price the same brands of tobacco as when the tax was 12 cents a pound, notwithstanding the tax has been reduced to 6 cents a pound.

Mr. Chairman, the tobacco planters and the people who are depending upon them for a living are crying for relief, but no relief can come to this class of farmers until Congress shall have repealed this tax. Shall we do it and relieve them of this onerous burden, or shall we turn our ears away from the truth and refuse to hear the petitions of this sorely oppressed class of our citizens, and, in refusing to hear them, add insult to their injuries, deride their importunities, and curse them in their calamities? They come to you with their petitions and prayers and ask you to give the product of their fields the same privilege that is given every other staple that grows out of the ground. Put the tobacco planter upon the same plane as the man who grows cotton, corn, wheat, and oats, and every other product that comes out of the earth. It is claimed that tobacco is a luxury, and, therefore, ought to be taxed. Upon this question there is a difference of opinion. If it is a luxury, it is about the only one the poor man can enjoy. In my opinion it is one of the necessaries of life to the world at large. You may go where you will, you may circle this great round globe, and wherever you find the poor laboring man at work you will find him with his pipe and tobacco. It is his solace. It is as necessary almost to his comfort and happiness as the food that goes into his mouth.

Mr. Chairman, for the sake of argument, let's admit that tobacco is a luxury. No one who ever toiled in or knows anything about its cultivation will for a moment say that it is a luxury to produce. It requires more ceaseless toil to produce it than any other crop that grows out of the earth. It requires from twelve to sixteen months to grow and market a crop of tobacco. The plant beds are sown in February and March. The crop is transplanted in May and June. It is cut and put in the barn in August and September, and after going through a drying and curing process for from four to six months is stripped and prepared for market. Therefore, if tobacco be a luxury, it is in its consumption and not in its production. That you may understand more fully the deplorable conditions of this class of farmers, I submit to you resolutions adopted by a mass meeting of tobacco growers of Kentucky and Tennessee, held at Guthrie, Ky.

We, the tobacco growers and dealers of Kentucky and Tennessee, in convention assembled at Guthrie, this, the 28th day of January, 1904, do hereby petition and most respectfully represent:

That in the midst of the vaunted prosperity said to be deluging the other parts of our blessed country the tobacco-raising sections are in the very throes of calamity, the people hard up, farm laborers in want, nobody prospering, everything languishing.

That the effect of the revenue laws relating to tobacco has been to bring to the verge of ruin one of the richest counties God has made, destructively damaging to landlords and farmers, distressingly impoverishing to tenants and laborers, by placing it within the power of buyers and corporations to fix the price and combine to control it; that no other county in the United States has been so oppressed, having its natural fertility and wealth-producing powers rendered nil; that no other product of the soil is thus taxed and singled out for trusts to prey upon; that no other people are ground to powder by permission of the law.

That the effect of the law is to destroy competition among buyers and limit the growers' market; that if the grower were permitted to stem and twist his product and sell it in any quantity anywhere, in any quantity to anybody, he could thus reach the consumer and there would result a wider market, competitive demand, and living prices.

That under the prevailing system the grower can only sell a small quantity in the hand; that all the people about him to whom he might sell are growers like himself, or nearly all, and therefore he has no one to whom he might sell; that the small quantity he might sell would not justify him going into nontobacco regions to find customers; that he therefore has no one else to sell his crop to except the combined agents; that there is no longer competition in buying, the leading tobacco markets of the world have been abandoned by the army of buyers and agents from abroad, from all the principal countries of Europe, who sat daily around the tobacco boards and bid against each other; that the auction rooms are dismantled and abandoned, and where activity and prosperity once surged is now desolation and emptiness; that a few buyers for corporations, all in combination, alone remain to fix the price and take as much or as little as they wish; that there is no one else to whom they may sell—no exemption, no rivalry—and the result is that prices rule barely above the starvation point.

That the revenue law is directly responsible for this by depriving the grower of the right to sell his product to consumers stemmed and twisted into a shape that can be handled and used and in amount that would be any considerable part of the country's product; that to take off the handcuffs and allow him to stem and twist and sell it without limitation will create competition and bring tobacco to its worth.

That it is demonstrable, at least in the tobacco regions that we represent, that this suggestion will not decrease the revenues; but even if it does, even if it cost millions, is the Government warranted in punishing its people for revenue? Is it fair and just to select us from among all other tillers of the soil for unmerited punishment through unjust taxation?

Therefore we earnestly petition and pray the Congress of the United States to so amend the revenue laws as to permit any person (farmer, merchant, or dealer) to sell leaf tobacco in the hand, leaf tobacco stemmed, leaf tobacco stemmed and twisted, not mixed with any foreign ingredient or flavoring, to the consumer or to the trade in any quantity free of any tax whatever.

F. G. EWING, *Chairman.*
R. E. COOPER.
F. W. DAINEY.
W. F. FLOWERS.
C. C. REYNOLDS.
J. W. DUNN.
C. P. WARFIELD.

I am asked what will give relief. My answer is the passage of H. R. 3574, which I introduced in the first session of the present Congress, which reads as follows:

A bill for the relief of farmers and tobacco growers of the United States.

Be it enacted, etc., That farmers and growers of tobacco shall hereafter have the right to sell tobacco in the raw or unadulterated state, of their own growth, in any quantity, either in the leaf, twist, or such other form as they may wish, free from any tax or charge, or being in any manner subject to statutory regulation on the part of the Government of the United States.

This bill has been published and submitted through the press to the tobacco growers in every section of the country in the United States where tobacco is grown. The Kentucky legislature adopted resolutions requesting Congress to pass this bill. In has been indorsed by the White Burley Tobacco Growers' Association and more than 50,000 petitioners from every section of the country. Its passage will prevent the arbitrary fixing of the price of raw leaf or the manufactured product. It will be an equitable, automatic governor of prices, protecting producer and consumer and working no injury to the manufacturer who is satisfied with a legitimate profit on his capital. We do not ask you to take the tax off the manufactured article. We ask you to let the grower stem and twist his crop, and thereby put it in a convenient form to reach the consumer without paying this onerous and iniquitous tax. We say that because of this tax we have but one buyer in this country, one buyer from foreign countries, and because of this tax a foreign corporation is robbing the American tobacco growers every year on an average out of $14,000,000. You ask how this is done.

I will tell you how it is done. A foreign corporation cooperates with an American trust to control the price of tobacco. We ship annually on an average 350,000,000 pounds of tobacco to foreign countries. That tobacco is to-day being bought for 4 cents a pound, 2 cents a pound less than it costs to produce it. And why? Because the grower has to sell to the trust, there being no other buyer, or let it rot in his barn. Not a pound of tobacco should leave these shores for less than 8 cents a pound, which is but a fair living price. This foreign corporation to-day pays for 350,000,000 pounds of tobacco $14,000,000, when, if you will repeal this iniquitous tax and give us an opportunity to reach the consumer, that same tobacco would bring from foreign countries $28,000,000 instead of $14,000,000.

Mr. GAINES of Tennessee. Mr. Chairman, I will ask the gentleman if Mr. Yerkes does not state that this tax of which the gentleman is speaking does not produce any revenue to the Government?

Mr. TRIMBLE. Not one dollar of revenue is gotten by the Government from raw stemmed or unstemmed leaf tobacco which is exported.

Mr. GAINES of Tennessee. It serves as a restriction and a burden, however, on the tobacco grower's tobacco when a nonproducer buys it of the grower and then sells to the people. Then the nonproducer must pay 6 cents per pound tax.

Mr. TRIMBLE. It does.

Mr. GAINES of Tennessee. And does not produce a particle of revenue.

Mr. TRIMBLE. Here is some tobacco in its raw or natural state, just as it comes off the stalk and ready to sell to the manufacturer or exporter, for they are virtually the only buyers the grower can conveniently reach. That tobacco can now be sold to the consumer, provided the man who grows that tobacco delivers it with his own hands; but although that tobacco may be grown on my own farm, I can not sell it to a consumer and deliver it to him by a hired man or an agent. I submit a letter from the Commissioner, that you may understand the construction of the law and the hardship on the grower in this report. It reads thus:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., April 7, 1902.

SIR: In your letter dated 2d instant you present several questions concerning the sale of leaf tobacco by and for farmers who raise the tobacco, or who receive the same from tenants, or who buy the same while it is growing in the fields, and also whether a number of farmers may employ an agent to travel from place to place and sell the tobacco for them.

GROWER CAN NOT DELEGATE AUTHORITY TO SELL FOR HIM.

In reply you are informed that a farmer or grower of tobacco may sell tobacco of his own growth or raising, or that which he receives from his tenants as rent for land, without restriction as to the quantity sold or the business of the person to whom the tobacco is sold and delivered. This privilege is one which the farmer or grower can not delegate to another person.

My bill allows him to "delegate"—sell by another person, his agent.

The Office has decided that where a grower of tobacco sells his crop before it is severed from the land to another person, the purchaser would not be privileged to resell the tobacco to consumers without payment of the tax.

My bill allows free trade in leaf tobacco.

A farmer or grower of tobacco may place his tobacco in the hands of a qualified dealer in leaf tobacco to be sold by him on commission, and such dealer must sell the tobacco only to other qualified leaf dealers or to qualified manufacturers of tobacco or cigars, or to persons who buy leaf tobacco in packages for export.

My bill removes this restriction.

Any arrangement made by a farmer, or a number of farmers, with another person to sell and deliver his or their tobacco for him or them while traveling from place to place would be in violation of law. An agent who is paid a stipulated salary may travel and solicit orders for the sale of tobacco raised by another person, but he may not deliver the tobacco to purchasers; nor can he sell tobacco on commission, or receive as compensation for his services the difference between the price as fixed by the farmer and the selling price.

My bill abrogates these limitations.

All tobacco sold by an agent for the farmer who raised the tobacco must be delivered by the farmer, and not the agent, directly to the person who purchased the tobacco; and a farmer must sell his tobacco in the condition in which it was cured on the farm, and can not stem, twist, plait, roll, sweeten, or otherwise manipulate it for sale to consumers.

Respectfully,

J. W. YERKES, *Commissioner.*

If I take the stem out of that tobacco and make it into a twist—you see, this is in a dry state, so that it can not be handled—so that the consumer can smoke or chew it, then I have to pay a tax of 6 cents a pound to the Government, although I grow the tobacco on my own farm. No other product of the farm is restricted by such an abominable and infamous law. The tax on tobacco is the only tax levied on an agricultural crop. Mr. Chairman, tobacco was the first and at one time the only legal tender known to our country, and from the foundation of the Government until the war between the States it enjoyed free trade, and what was then known as the tobacco sections of the country were full of beautiful farms dotted over with elegant homes, the people were thrifty, prosperous, and happy. The great civil war came on. The Government needed both money and men to subdue the little band of gray-coated boys who were fighting for what they thought was right. It was then, July, 1862, that the present internal-revenue system was established. Blaine, in Twenty Years of Congress, says:

It was one of the most searching, thorough, comprehensive systems of taxation ever devised by any government. Spirituous and malt liquors and tobacco were relied upon for a very large share of revenue, a considerable sum was expected from stamps, and 3 per cent was exacted from all annual incomes over $600 and less than $10,000, and 5 per cent—afterwards increased to 10 per cent—on all incomes exceeding $10,000. Manufactures of cotton, wool, hemp, iron, steel, wood, stone, earth, and every other material were taxed 3 per cent. Banks, insurance and railroad companies telegraph companies, and all other corporations were made to pay tribute. The butcher paid 30 cents for every beef slaughtered, 10 cents for every hog, 5 cents for every sheep. Carriages, billiard tables, yachts, gold and silver plate, and all other articles of luxury were levied upon heavily. Every profession and every calling, except the ministry of religion, was included within the far-reaching provisions of the law and subjected to tax for license.

Bankers and pawnbrokers, lawyers and horse dealers, physicians and confectioners, commercial brokers and peddlers, proprietors of theaters and jugglers on the street, were indiscriminately summoned to aid the National Treasury. We were levying "taxes upon every article which enters the mouth or covers the back or is placed under the foot; taxes on everything which is pleasant to see, hear, feel, smell, or taste; taxes upon warmth, light, and locomotion; taxes on everything on the earth and waters under the earth; taxes on everything that comes from abroad or is grown at home; on the sauce which pampers man's appetite and on the drug that restores him to health; on the ermine which decorates the judge and the rope which hangs the criminal; on the poor man's salt and the rich man's spice; on the brass nails of the coffin and the ribbons of the bride.

The system of internal revenue, of which the foregoing is no exaggeration, proved in all respects effective. Congress rendered the taxes more palatable and less oppressive to the producer by largely increasing the duties on imports by the tariff act of July 14, 1862, thus shutting out still more conclusively all competition from foreign fabrics. The increased cost was charged to the consumer, and taxes of fabulous amount were paid promptly and with apparent cheerfulness by the people. The internal revenue was bounteous from the first, and in a short period increased to a million of dollars per day for every secular day of the year. The amount paid on incomes for a single year reached $73,000,000.

Mr. Webster said that "Hamilton smote the rock of national resources and abundant streams of revenue gushed forth." Since the war all the hardships imposed upon home industries and products by this drastic measure have been repealed with the single exception of tobacco, which for more than forty years has carried a tax of from 2 to 40 cents a pound, thereby converting hundreds of millions of dollars into the Treasury.

Date of acts imposing tax on tobacco and rates of tax.

Tobacco.	Rate of tax per pound.	Acts imposing tax.	Acts repealing tax.	Length of time rates were in force.
	Cents.			*Mos.*
Smoking, made exclusively of stems	2	July 1,1862	Mar. 3,1863	6
Do	5	Mar. 3,1863	June 30,1864	16
Smoking, prepared with all the stems in	5	July 1,1862	....do....	22
Cavendish, plug, twist, fine-cut, valued at not over 30 cents per pound	10	....do....	Mar. 3,1863	6
Cavendish, plug, twist, fine-cut, valued at over 30 cents per pound	15	....do....	....do....	6
Cavendish, plug, twist, fine-cut, and manufactured tobacco of all descriptions, except smoking tobacco	15	Mar. 3,1863	June 30,1864	16
Snuff	20	July 1,1862	....do....	22
Smoking, made exclusively of stems	15	June 30,1864	July 13,1866	25
Smoking, prepared with all the stems in, and fine-cut shorts	25	....do....	Mar. 3,1865	9
Cavendish, plug, twist, etc., and fine-cut chewing	35	....do....	....do....	9
Snuff	35	....do....	....do....	9
Twisted by hand	30	Mar. 3,1865	July 13,1866	16
Smoking, of all kinds, not otherwise provided for	35	....do....	....do....	16
Cavendish, plug, twist, etc., and fine-cut chewing	40	....do....	....do....	16
Snuff	40	....do....	July 20,1868	40
Smoking, not sweetened, stemmed, or butted	15	July 13,1866	....do....	24
Twisted by hand, etc., and fine-cut shorts	30	....do....	....do....	24
Smoking, sweetened, stemmed, or butted	40	....do....	....do....	24
Chewing	40	....do....	....do....	24
Chewing, etc., smoking, etc., part of the stems removed	32	July 20,1868	June 6,1872	47
Smoking, exclusively of stems, etc	16	....do....	....do....	47
Snuff	32	....do....	Mar. 1,1879	129
All kinds, except snuff, cigars, cheroots, and cigarettes	20	June 6,1872	Mar. 3,1875	32
Do	24	Mar. 3,1875	Mar. 1,1879	50
All kinds, except cigars, cheroots, and cigarettes	16	Mar. 1,1879	Mar. 3,1883	48
Do	8	Mar. 3,1883	Oct. 1,1890	91
Smoking and manufacutured tobacco and snuff	6	Oct. 1,1890	June 13,1898	90
Manufactured tobacco and snuff	12	June 13,1898	----------	----------

I am asked why, if this tax is such a hardship, relief has not been asked before this time. I will tell you. In the first place, the tobacco-tax question has been agitated more or less for the last twenty years, but that you may understand the deplorable condition under which the grower of tobacco now labors and the combination of circumstances, or, I might say, the artificial means used, by which every grower of tobacco is reduced to a condition of serfdom which is becoming unbearable and which ought not to be allowed to exist in any government, and which will continue indefinitely unless relief by the passage of a measure which will take Government restrictions, regulations, and tax off of the product in its raw or unadulterated state in any form—in other words, give tobacco the same rights and privileges that corn, wheat, cotton, and other products of the earth now enjoy—it would be necessary for me to refer you to the conditions existing before the organization of the tobacco trust and a brief summary of the history of that organization and its present method of doing business.

A few years ago the manufacture of tobacco in all of its forms and the sale of the manufactured article was in the hands of many thousand different individuals and corporations, each competing with the other in the purchase of the raw material and the sale of the manufactured article. Prices then were controlled alone by the law of supply and demand, and the growers received a fair price for their labor and a reasonable income on the capital invested, and the consumer only paid a fair price for the manufactured article.

In 1890 the American Tobacco Company was organized under the laws of New Jersey, with an immense capital, for the ostensible purpose of manufacturing tobacco in all of its forms, but with the real design of crushing out all competition in buying tobacco in its raw condition and in selling the manufactured article. How well it succeeded the present condition of the tobacco business and the general uprising of the people in opposition to the methods of the trust clearly indicate. Immediately after its organization it began to purchase competing tobacco factories in this and foreign countries, and paying for them in stock in the new concern at fabulous prices, many times more than these factories were worth. It engaged in the manufacture of tobacco in competition with other factories, and as it progressed in business whenever a formidable competitor was encountered it would be offered the alternative of favorable inducements to join the trusts or forced into bankruptcy by ruinous competition.

In December, 1898, a similar concern was organized under the laws of New Jersey, known as the Continental Tobacco Company, with a capital equally as great as the American Tobacco Company, which engaged in the business of absorbing minor factories in the same way as the American had done. While the Continental was apparently a competitor of the American, yet it was known that the promoters of the Continental were the same as the organizers of the American.

These two concerns continued as separate organizations until June, 1901, when another corporation, known as the Consolidated Tobacco Company, was organized by the same persons and for the same purposes that its predecessors had been formed, with a capital representing more millions than was ever conceived of by the Count of Monte Cristo in his wildest hallucinations.

A short time after the organization of the Consolidated Tobacco Company it acquired 88 and 90 per cent of the common stock of the American and Continental companies, respectively, which gave it control of these concerns, with all the factories engaged in the manufacture of plug, smoking tobacco, snuff, and cigars, and the wholesale and retail establishments engaged in selling tobacco, cigars, snuff, etc., which they had acquired. After this gigantic combination was formed the Consolidated Tobacco Company began a war of extermination against all independent factories which had not been absorbed by the American and Continental companies, and which were liable to compete with it in business.

In a short time a great majority of these independent concerns were either driven out of business or were forced to sell their plants to the trust, the result of which was that at the close of the year 1901 the Consolidated Tobacco Company owned and had control of 80 per cent of all the tobacco factories engaged in the manufacture of tobacco in any form in the United States and in many foreign countries.

The capital stock of this colossal combination, including stock of minor corporations owned and controlled by it, amounted to one-half billion of dollars. How much of this was watered stock no one other than the promoters will ever know, and they will never tell. Notwithstanding this unheard-of capitalization, this gigantic concern, in December, 1901, less than seven months after its organization, declared and paid a dividend of 20 per cent on its entire capital stock, and this, it will be remembered, was shortly after the close of the Spanish-American war, when the tax on manufactured tobacco was 12 cents per pound, and since the reduction of the tax from 12 to 6 cents per pound the trust has made no change in the price it pays for the raw tobacco or the price at which it sells the manufactured article.

To enable this corporation to make an annual dividend equal to one-fifth of its entire capitalization, real and fictitious, the trust forces the growers to sell their tobacco to it at less than the cost of production, with labor at from 50 to 75 cents per day, and sells the manufactured article to the consumer at from six to ten times more than it allows the growers for it. When it is understood that in the manufacture of tobacco a large amount of cheap, low-grade sugar, molasses, and licorice, worth only a few cents per pound, is worked into the raw material to make the manufactured article, some idea of the immense profits realized by the trust may be understood.

Under the internal-revenue laws of the United States, which we are attempting to modify, if a grower takes the stem out of the tobacco grown by him, so that it may be twisted and put into a convenient form and sold direct to the consumer, all the laws applicable to the manufacturers of tobacco becomes applicable to him, and he is required to pay a Government tax of 6 cents per pound thereon.

Under the laws the grower is denied the right to make advantageous disposition of his crop, and is thereby placed at the mercy of the trust. The situation is simply this: The trust owns and controls 80 per cent of all the tobacco factories of the world, consuming 80 per cent of all the tobacco produced in the United States, and it therefore, with the assistance of the laws of the Government, forces every producer to sell to it, as I have shown, thus destroying every vestige of competition of the purchase of tobacco in its raw state, as well as the sale of the manufactured article. The consequence is that the trust under present conditions has the power to arbitrarily fix the price of every pound of tobacco that it purchases or sells without regard to its real value.

The growers of tobacco do not ask the aid of the law to destroy the trust, nor do they ask the aid of the law to force the trust to deal with them fairly and on business principles; but they do ask that the law be so modified that they may be allowed to prepare their tobacco in its pure, raw, or unadulterated state in any form they deem most convenient to reach the consumer; and after being

so prepared all persons shall have the right to buy and sell the same without Government tax, restrictions, or regulations. Under these conditions they can compete with the trust and sustain themselves without the aid of the Government. [Applause.]

Why should a grower of tobacco be required to pay a heavy tax for the privilege of preparing the product of his land so that it may be sold to the consumer? The argument in favor of such a law is no more plausible than to say a farmer should not shuck his corn, thrash his wheat, gin his cotton, or make bacon out of his hogs without paying such a tax.

We are aware the trust will oppose the passage of a measure of this character and will use the argument which at first blush seems plausible and contend that the passage of the law would deprive the Government of a large amount of revenue. In answer to this argument, we insist that the amount of revenue which the Government would be deprived of by the passage of this bill would be inconsiderable, for the reason that if a grower were allowed a market for his tobacco other than the trust affords the trust would be forced to meet competition and pay a fair price. And no grower of tobacco, when he could sell it at a fair price in the "hand," could ever afford to take the time and trouble to twist and stem it so as to sell it to the consumer. Under ordinary circumstances they would always prefer to sell direct to the manufacturer, but if the trust should undertake to unjustly oppress the grower, as it is now doing, by fixing the price of tobacco in the hands of the growers in its unstemmed condition at less than it is worth or out of proportion to what it charges for the manufactured article, the grower could, as a matter of self-defense, seek another market by selling to the consumer, independent of the trust.

Mr. GAINES of Tennessee. Will the gentleman from Kentucky permit me to ask a question?

Mr. TRIMBLE. Certainly; with pleasure.

Mr. GAINES of Tennessee. I want to ask the gentleman from Kentucky how much, in his opinion, it would depreciate the revenue to give the farmer the right to stem and twist and give absolute free trade in tobacco in its raw and unadulterated state?

Mr. TRIMBLE. I am glad the gentleman has asked the question. I will read from the hearing before the Ways and Means Committee in regard to this bill. Mr. Yerkes, Commissioner of Internal Revenue, was asked the same question you have asked me, and his response was:

> It is very difficult, Mr. Chairman, for me to say exactly what amount of tax the Government would lose by the enactment of the second section, even after as thorough examination as I could make by correspondence with the collectors throughout the United States, and by examining all the records to which we have access and trying to reach an accurate statement as to the amount of tax annually secured by the Government through the 6 cents per pound levied on the twisted tobacco as distinguished from other forms of manufactured tobacco. But I do not believe the Government receives to-day more than $700,000 or $750,000 per year as the result of the tax upon twisted manufactured tobacco.

Mr. Chairman, I regret to say that in the hearing before the committee considering this bill it seemed the only object of the committee (and I say this with due deference to the gentlemen of the committee) was to ascertain not what would be the best interest of the growers, but how it would affect the revenue of the Government. Just think of that—and I am going to address myself to the Republicans of this House, because you absolutely dominate and control legislation; therefore the responsibility for the passage of this measure rests upon your shoulders. No law can come from this House unless you say it shall be the law [applause], and I want the tobacco growers of the United States, who constitute one of the great class of farmers who produce the wealth and pay the taxes of this country in times of peace, and fight its battles in time of war [applause], to know if they do not get relief it will be the fault of the Republican Members of this House. [Applause.] It will be because they love the trust more than the welfare of the people. [Applause.] My Republican friends, I want you to listen to the admonition of that martyred statesman and patriot, Abraham Lincoln, the greatest of all Republicans, when he warns you "not to put the dollar above the man."

When you take the position that you can not give relief to these suffering people because it will reduce the revenue, you "do put the dollar above the man." [Applause.] You weigh human misery in the balance and deliberately put a price upon human happiness [applause], for I tell you as I stand upon this floor, pleading for the welfare of the tobacco growers of the United States, I do not speak to you from the standpoint of a kid-glove politician. [Applause.] I live among them; I mingle with them; I am one of them; I know them in their comings and their goings, in their hopes and their fears, their trials and disappointments, and I tell you these people are to-day sorely oppressed and are being ground between the upper and nether millstone of Government and monopoly, the Government holding their hands while monopoly robs them of the fruits of their toil, reducing men, women, and children to a condition worse than Russian peasants and Mexican peons and filling this God-blessed but man-cursed land of ours with bloated plutocrats and hungry paupers. [Applause.] Remember, Mr. Chairman, that this nation is indebted to the farmer more than to any other class of people for all that it has been, for all it is to-day, and for all it can ever hope to be, for it is he, with his brain and brawn, sweat and toil, who tills the soil and from its fertility brings forth this nation's primary wealth. I appeal to you not to destroy him, for Goldsmith well expressed it when he said:

> Princes and lords may flourish or may fade,
> A breath can make them, as a breath has made,
> But a bold peasantry, a nation's pride,
> When once destroyed can never be supplied.

[Applause.]

Should Congress grant the relief asked, the trust would be forced to allow the grower, in addition to the price it now pays, a part of the unreasonable profits which it is realizing under present conditions. Therefore it will never be to the interest of the growers to stem their tobacco, and they will sell it to the trust and the Government will receive the same or practically the same amount of revenue from the manufacture of tobacco that it now collects. The passage of such a measure will act as a wholesome check on the trust in fixing the price of manufactured tobacco, as well as in allowing a fair and reasonable price to the grower. In other words, it will prevent the arbitrary fixing of the price of raw leaf or the manufactured product. It will be an automatic, equitable governor of prices, protecting both producer and consumer and working no injury to the manufacturer who is satisfied with a legitimate profit on his capital. The law of supply and demand will be allowed to govern prices between growers, manufacturers, and consumers, to which no honest person ought to object.

For the sake of argument, suppose the claim of the trust that by the passage of the measure the Government will lose a considerable amount of money in the way of taxes. We contend that no government is justified in impoverishing a certain class of her people for the sake of collecting taxes on any commodity of agriculture or should so frame its laws that in order to collect such taxes a gigantic trust would be fostered and given a monopoly of the purchase of the raw material and sale of the manufactured articles of such an important product as tobacco. We contend that but for the laws as they now exist the Consolidated Tobacco Company could not maintain this monopoly of the tobacco business, in all of its branches, in the United States, as it is doing to-day, by means of which it is unjustly oppressing hundreds of thousands of the best and most loyal citizens of the Government and depriving them of the means of providing the necessaries and comforts of life for themselves and families.

These people ask no exclusive privilege. They contend that the trust has taken advantage of the revenue laws, and by means thereof have destroyed all competition among the purchasers of tobacco, and by reason of these conditions the trust arbitrarily fixes any price it sees proper at which the grower shall sell his tobacco, whether it be one-half or one-fourth of its value, and thereby unjustly convert to its own use innumerable millions of dollars in the way of profits, more than the Government can ever hope to realize in the way of taxes.

The growers of Burley tobacco now have an organization for the purpose of securing from the trust a fair price for their tobacco, and representatives of this organization have had repeated conferences with the managers of the trust, seeking to bring about better conditions. The officers of the trust admitted that they were not paying the growers what their tobacco was worth, nor what, as they claim, they would like to pay them for it, but they contend that if they paid them what their tobacco was worth one year, the next year the growers would raise such a large crop that the business of the trust would be disorganized, and other interests would engage in the manufacture or rehandling of tobacco in opposition to the trust, by reason of which the trust could not handle or manage their business as successfully as under present conditions. The representatives of the Growers' Association offered to conform to any reasonable conditions that the trust might see proper to impose, all of which was declined by the trust, and the growers were given to understand that the trust would fix whatever price it saw proper on the tobacco, and the growers could raise tobacco at the price fixed by the trust or could go out of business, thus admitting that the trust controls the size of every crop of tobacco by the price it fixes on the tobacco in its raw condition.

It is a well-known fact that every year as soon as the time for preparing tobacco beds or setting the tobacco out arrives after the growers have sold their tobacco there is a very decided increase in the market price, but as soon as the new crop in the hands of the growers is ready for market the price drops back to the price at which the trust determines the grower shall sell.

To discontinue raising tobacco will work a great hardship in

many instances, especially in the Burley territory. Burley tobacco, as you know, can only be produced in about forty counties in the world, and about thirty-five of these are in Kentucky, two or three in Ohio, and about the same number in Indiana, which are contiguous to central Kentucky, which is peculiarly adapted to raising this tobacco. The demand for this particular type of tobacco is increasing in every part of the world, and the soil which produces it is being rapidly impoverished each year. Besides, these farmers at a great expense have built barns in which to cure the tobacco, and for them to be forced to discontinue raising it would entail a great loss. Under favorable conditions raising Burley tobacco would be the most profitable business in which these farmers could engage, and for this reason farmers have for several years continued raising it and submitting to the oppression of the trust, hoping some means would be adopted for their relief.

Mr. GAINES of Tennessee. The gentleman said a while ago that when the war tax of 12 cents a pound was collected on this manufactured tobacco the manufacturers sold it at the same price for which they are to-day selling it, when the tax is only 6 cents a pound.

Mr. TRIMBLE. That is exactly what I said. I have here the original invoices of tobacco manufactured by the American Tobacco Company, showing that they sold the Star brand at 42 cents a pound on May 29, 1902. I have here another invoice showing that they sold this same Star brand on the 4th of March, 1904, at 42 cents a pound. The Government has reduced the tax from 12 cents to 6 cents a pound, which reduces their expense just 6 cents upon every pound manufactured, but neither the producer nor consumer has derived any benefit by the reduction.

As I have stated, last year this Government collected on manufactured tobacco in internal revenue, at 6 cents a pound, $18,000,000 in round numbers. Had the tax been 12 cents a pound it would have collected $36,000,000, and nobody would have been the worse. Thus you practically give these tobacco manufacturers a bounty of $18,000,000; and at the same time you are tying the hands of the tobacco producers, while they are being robbed by this gigantic monopoly.

Mr. HILL of Connecticut. One question, if the gentleman pleases. If the consumer did not get the benefit of the reduction from 12 cents a pound to 6 cents a pound, why does the gentleman think he would get the benefit of a reduction from 6 cents a pound to nothing?

Mr. TRIMBLE. The gentleman does not seem to comprehend the meaning of this measure, and certainly the language is plain enough. Its object is not to reduce or in any way interfere with the revenue on manufactured tobacco, but to remove Government restrictions, regulations, and tax from raw tobacco, either stemmed or twisted. If we are allowed to go into the open market with the price of the product controlled simply by the law of supply and demand, we ask nothing more; but to-day, by reason of Government regulations, we have but one buyer; the price of the product is controlled by one firm, which arbitrarily fixes the price of both the raw and the manufactured article.

Mr. HILL of Connecticut. The gentleman knows that I am in sympathy with his view. I am asking simply for information. If the reduction of the tax from 12 to 6 cents a pound gave the consumer no benefit——

Mr. TRIMBLE. Not a dollar——

Mr. HILL of Connecticut. Why may not a reduction from 6 cents a pound to nothing work in the same way? Has the gentleman the figures showing the price that the producer of the tobacco was receiving when the tax was 12 cents a pound?

Mr. TRIMBLE. I have not the identical figures here, but I know the facts are as I am stating them. I am a producer of tobacco myself.

Mr. HILL of Connecticut. Then what did you get for your tobacco?

Mr. TRIMBLE. In a part of the country the tobacco is cheaper than ever. In certain other districts the price is nominal. I will tell the gentleman the reason. The fact to be recognized is the competition. I believe that if you would to-day give, not to the farmers, the producers, but to the product, a free, unrestricted, untaxed trade, allowing the tobacco to be sold in any form while it is in the raw or unadulteratad state; if you would allow it to reach the consumer in that form, I do not believe that the revenue of the Government would be reduced, but there would be created a healthy competition.

Mr. HILL of Connecticut. Let me ask the gentleman again whether he can give us figures showing the price that the producer received for his tobacco when it was taxed 12 cents a pound and the price which he realizes now, when it is taxed 6 cents a pound?

Mr. TRIMBLE. I can not give the gentleman the exact figures; but I will tell him that now the price of the raw leaf tobacco of the dark type is 4 cents a pound, and it can not be raised for less than 6 cents.

Mr. FLOOD. In that part of the tobacco-growing country which I represent the price of tobacco has gone down during the past six years about 4 cents a pound. If the gentleman would give me the time, I could explain the reason of this.

Mr. STANLEY. Mr. Chairman, may I have the attention of the gentleman from Connecticut? What was his question?

Mr. HILL of Connecticut. The question I asked was this: The gentleman seems to be working on the theory that with the tax at 12 cents a pound the reduction to 6 cents went entirely to the trust. Now, the question I asked was whether the taking off the remaining 6 cents would not allow that 6 cents equally to go to the trust? Would the producer get the benefit? I asked as an illustration of that if the gentleman would not quote the price that he as a producer received when the tax was 12 cents a pound, and also quote the price which he gets now with the tax at 6 cents a pound. The gentleman from Virginia states that the price is about 4 cents a pound less now than it was then, and that the price is about 4 cents a pound. Now, it seems to me likely to work out in this way, that if there was a reduction of 4 cents a pound to the producer as the result of taking off the 6-cent tax, and if the price was now 4 cents a pound, theoretically, at least, he would not get anything if the other 6 cents a pound was taken off.

Mr. STANLEY. It would operate in this way: By taking this tax off twisted tobacco entirely the benefit of the reduction of that would inevitably go to the trust wherever the trust sold the twist. But the farmer can make a better twist for less money than the trust can, because he can make it at home without additional expense.

Mr. HILL of Connecticut. The gentleman is not talking about twisted tobacco, but raw tobacco.

Mr. STANLEY. On raw tobacco it will operate in the same way. If the trust sells it, the trust will get the benefit of it, and if the farmer sells it, the farmer will get the benefit of it, and our theory is that the farmer will beat the trust on it.

Mr. TRIMBLE. In answer to the gentleman's question, I want to say to you that raw leaf tobacco is cheaper to-day than it was when the tax was 12 cents a pound. Now, when we are asking to take the tax off and give us unrestricted, unregulated, untaxed trade in the raw leaf, we are not striking at the trust, but we want competition. If you will give us the chance that we have not got to-day, I as a tobacco grower can twist my tobacco and sell it, a thing which I can not do to-day. To-day I can not twist my own tobacco and give it away. The Government comes in and says, "When you take the stem out of your tobacco in its raw state or in any other form, you become a manufacturer, and you are subject to all the rules and restrictions of a manufacturer." Now, if you take the restrictions and the regulations of the Government tax off the raw leaf and let the farmer twist it, he can go to the crossroads merchant, the city grocery, the mining camp, the cotton plantations of the South—he can go to the consumer direct and sell it; but to-day he is restricted, and he must go to the tobacco trust for his market and ask the tobacco trust, "What can you give us for our tobacco?" And there is no alternative except to sell it to the tobacco trust.

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

Mr. STANLEY. If my colleague [Mr. TRIMBLE] will yield.

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Illinois?

Mr. TRIMBLE. Certainly.

Mr. BOUTELL. I should like to ask the gentleman whether his attention was called to an article in this morning's Post headed "Tobacco prices high—Advance of $1 per 100 pounds in Petersburg market—Expectation of a short crop," etc.? In the dispatches from Petersburg and Danville it speaks rather as if the farmers were dictating to the trust instead of the trust dictating to the farmers. It says one purchaser got a thousand dollars for a load, and so on.

Mr. TRIMBLE. Well, I suppose we all know that the farmer dictates to the trust and everybody else in this country! [Laughter.] We all know that. At least an effort is made in some of our campaigns to make people believe that the trusts do not hurt anybody, but that they are organized for the welfare of the common people. [Laughter.]

Mr. BOUTELL. The question I should like to ask my friend from Kentucky is whether this applies to any certain kinds of tobacco?

Mr. TRIMBLE. It does. I will tell you about tobacco.

Mr. BOUTELL. Because we are very much interested in the question.

Mr. TRIMBLE. Tobacco grows on a stalk—from five to twenty leaves on each stalk. The leaves of a crop of tobacco, according to their quality, sell from one-half cent up. The general average

is what we are talking about. I have seen a hogshead of tobacco sell for $30 a hundred, and I have seen other tobacco, raised on the same place, that would not bring a dollar a hundred.

Mr. LAMB. That increase in price that is spoken of there is a temporary thing anyway.

Mr. GAINES of Tennessee. The gentleman is speaking about Danville tobacco. The Danville tobacco is not an export tobacco, whereas the dark tobacco that is raised in Kentucky and Tennessee is exported—about 80 or 90 per cent of it—and that export tobacco business is controlled by the tobacco trust absolutely, as much so as you control your hat or your horse.

Mr. STANLEY. Will the gentleman from Illinois yield for a question?

Mr. BOUTELL. With the consent of the gentleman who has the floor [Mr. TRIMBLE]. This matter having come up, I am very much interested in it.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. TRIMBLE] yield?

Mr. TRIMBLE. Yes, for a moment, as my time is very limited.

Mr. BOUTELL. It would take too much of the gentleman's time.

Mr. STANLEY. I will just make this statement. I have seen this article in the Post time and again. That applies to a particular kind of light leaf, very rare, and used in making wrappers. That tobacco is sometimes sold for 30 and 40 cents a pound—not one-hundredth part of the gross tobacco which we want to relieve. That does not apply to this tobacco. I would like if the gentleman would explain why it is absolutely necessary that this restriction should be removed from this tobacco so that it may be sold and so that it can be handled in this State.

Mr. TRIMBLE. Tobacco can not be conveniently handled in that shape, except in hogsheads and bales for the manufacturer. In the hand the farmer now has the right to sell tobacco in that state to the consumer, provided it is in the hand.

Mr. GAINES of Tennessee. Just state what that is.

Mr. TRIMBLE. This is a hand of tobacco; and all we ask is the right to sell the tobacco in the same condition, after taking out that stem and twisting it into a shape that it can reach the consumer and be convenient for use. In other words, tobacco in the shape that I exhibit is like wheat in the bundle. You might as well ask the farmer to sell wheat without being thrashed, so as to reach the consumer, as to ask a farmer to sell his tobacco in that shape.

Mr. GAINES of Tennessee. Mr. Yerkes said this about giving the growers the right to stem: "I do not know whether it is necessary to give the stemming privilege to the growers." What do you say about that?

Mr. TRIMBLE. Mr. Jo Washington, one of the witnesses before the committee, said: "I do not think it would do any good." But I think it would do a great deal of good. It would be another step toward twisting.

It would give us more liberty in handling our crop, and that is what we are fighting for. We now have a right to stem our tobacco provided it is sold to an exporter. If Congress gives free and unrestricted trade in stemmed leaf tobacco, and the great Committee on Ways and Means has in its goodness of heart agreed to favorably report a bill of this character, the additional privilege to stem without twisting would be advantageous, as the speculators and independent buyers could then prepare their purchase for export; and if the exporter did not buy it, he could then dispose of it on the local market without paying tax; but if the law should stand as it now is, if he did not sell to the exporter, he would have to pay the manufacturer's tax.

Mr. GAINES of Tennessee. England buys most of our export tobacco stemmed, so as to avoid paying the tax on the stem. Now, to give our people the right to stem would give them a chance to put more value into their tobacco, would it not?

Mr. TRIMBLE. I am not very well acquainted with the export business, as very little of the tobacco in my section of the State is exported; but I understand the chief object in stemming for the foreign trade is to save the freight on the stem, which is about 3¼ per cent of the gross weight of the tobacco.

Mr. GAINES of Tennessee. There is a tax of 82 cents on tobacco in England.

Mr. TRIMBLE. Mr. Chairman and gentlemen of the committee, it is your duty as patriots to come to the relief of the tobacco planters of this country. [Democratic applause.] You are the guardian of the people and should not ignore the rights of the toilers that Dives may add to his fortune. The true statesman tries to make all men equal before the law, to accord like opportunity in the field of industry, and insure to each the full usufruct of his labor. This is no partisan question. Both Republicans and Democrats are engaged in this work. In fact, three-fourths of the people who are engaged in the cultivation of tobacco in the dark-tobacco district are negroes, and you have expressed great friendship for them. I tell you that the negroes who are dependent upon the culture of tobacco to-day are in a worse fix than when they were chattel slaves, because then their masters fed, clothed, sheltered them, and doctored them in their sickness, but to-day the tobacco trust feeds them on half rations and lets them go hungry, wretched, and ragged, and has no compassion for them. [Applause on the Democratic side.]

I appeal to my Republican friends to come to their relief, and I say, Mr. Chairman, that from all over this land—North, South, East, and West—the appeals and petitions of the tobacco growers come to you praying for relief. They come to this Congress and ask you to relieve them of this onerous, iniquitous, and unjust burden. They do not want your sympathy, they spurn your charity; they ask only even-handed justice, that they may have an opportunity to earn their bread in the sweat of their face [applause on the Democratic side], that the fruits of their own labor may go into their own pockets and not into the coffers of a heartless, greedy trust, who would steal the very nozzle of the nursing bottle in the mouths of their babes, and I tell you I know what I am talking about. [Applause on the Democratic side.]

Such universal weeping, wailing, and gnashing of teeth among the tobacco growers of the United States is certainly without parallel in the history of our country. Thousands and tens of thousands of these honest toilers of the soil are asking: "What shall I do to be saved from the most frightful of all Gehennas, the hell of want."

With them this is the great problem of life, and the goal of their ambition is to solve it. By day and by night their pitiable condition worries, burdens, haunts, and curses them; the dark cloud which hangs over and around them seems to have no silver lining; they are completely discouraged, yet they relax not their energies, but, on the contrary, are forced to work with all the more earnestness and desperation, hoping and praying for the dawn of a brighter day, that they may provide themselves and families with the necessaries and comforts of life.

Mr. Chairman, let us send the glad tidings to the tobacco fields of Kentucky, Virginia, Tennessee, and other States engaged in its production that this great staple is to be relieved from tax from this time forth. It will give bread and cheer to these toiling thousands and will let the sunshine of prosperity pour into their humble homes. [Applause on the Democratic side.]

APPENDIX.

Acreage, production, and value of tobacco in the United States in 1903.

State.	Acreage.	Yield per acre.	Production.	Price per pound.	Total value.
	Acres.	*Pounds.*	*Pounds.*	*Cents.*	
New Hampshire	131	1,650	216,150	16	$34,584
Vermont	191	1,800	343,800	14	48,132
Massachusetts	4,755	1,560	7,417,800	15	1,112,670
Connecticut	12,725	1,712	21,785,200	16	3,485,632
New York	8,040	1,250	10,050,000	8	804,000
Pennsylvania	17,269	1,275	22,017,975	6	1,321,078
Maryland	34,081	625	21,300,625	6	1,278,038
Virginia	182,359	750	136,769,250	7	9,573,848
North Carolina	219,263	650	142,520,950	7	9,976,466
South Carolina	34,912	734	25,625,408	7	1,793,779
Georgia	2,050	670	1,373,500	19	260,965
Florida	3,079	520	1,601,080	30	480,324
Alabama	648	400	259,200	24	62,208
Mississippi	175	500	87,500	18	15,750
Louisiana	89	375	33,375	20	6,675
Texas	269	650	174,850	22	38,467
Arkansas	1,405	640	899,200	12	107,904
Tennessee	59,830	650	38,889,500	6	2,333,370
West Virginia	4,676	635	2,969,260	7	207,848
Kentucky	322,194	800	257,755,200	6	15,465,312
Ohio	62,949	885	55,709,865	7	3,899,691
Michigan	302	765	231,030	8	18,482
Indiana	7,469	835	6,236,615	7	436,563
Illinois	1,311	650	852,150	7	59,650
Wisconsin	48,422	1,340	64,885,480	7	4,541,984
Missouri	2,140	850	1,819,000	11	200,090
United States	1,030,734	797.3	821,823,963	7	57,563,510

Tobacco products manufactured during calendar year 1903 (not including cigars and cigarettes).

	Pounds.
Quantity of plug and twist produced	185,736,781
Quantity of fine-cut chewing tobacco produced	12,065,617
Quantity of smoking tobacco produced	131,130,733
Total quantity of tobacco produced	328,933,131
Quantity of snuff produced	18,682,341
Total production	347,615,472
Total production for 1901	313,891,391
Increase in production	33,724,081

TOBACCO DIVISION.

The total revenue derived from taxes imposed and collected on domestic and imported tobacco manufactures, paid by stamps, during the last fiscal year ended June 30, 1903, amounted to $43,513,616.85, not including $1,193.39, miscellaneous collections.

The net increase in collections from cigars and cigarettes was $2,333,917.37, as compared with the collections for the previous fiscal year, and a decrease of $10,538,558.97 in the amount collected from tobacco and snuff. The total net decrease in collections for the last fiscal year, as compared with the previous year, was $8,204,641.60.

The total collections of revenue from each source during the fiscal year ended June 30, 1903, were as follows:

From manufactured tobacco	$18,640,059.20
From snuff	1,130,455.00
From cigars, taxed at $3 per thousand	20,359,171.60
From cigars, taxed at 54 cents per thousand	345,869.93
From cigarettes, taxed at $1.08 per thousand	2,743,594.89
From cigarettes, taxed at 54 cents per thousand	265,425.17
From cigarettes, taxed at $3 per thousand	29,041.06
Total collections	43,513,616.85

There was a decrease in the amounts collected from the following sources, as compared with the previous year:

Tobacco	$9,972,584.95
Snuff	565,974.02
Small cigars, taxed at 54 cents per thousand	65,033.55
Cigarettes, taxed at $3 per thousand	2,123.61
Total	10,605,716.13

There was an increase in collections from the following sources:

Cigars, taxed at $3 per thousand	$2,048,020.35
Cigarettes, taxed at $1.08 per thousand	286,044.03
Cigarettes, taxed at 54 cents per thousand	67,001.15
Total increase from these sources	2,401,074.53

The total net decrease in collections from all sources for the last fiscal year, as compared with the previous year, amounted to $8,204,641.60, as first above stated.

Table showing amount of unmanufactured leaf tobacco exported from June 30, 1892, to 1902.

Countries.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Austria-Hungary			16,577		459,837	127,475		478,410	124,735	273,937	248,000
Azores, and Madeira Islands	2,778	3,000	8,877	45,582	14,735	2,962	4,020	7,320	1,795	43,486	2,620
Belgium	15,957,831	11,975,133	17,327,262	24,602,773	23,505,518	25,892,119	15,002,753	17,246,480	17,122,797	18,950,320	16,478,225
Denmark	225,328	103,052	207,617	242,305	116,493	72,805	242,816	280,779	113,621	22,810	472,563
France	39,632,650	39,399,405	38,253,334	34,943,161	33,792,243	23,762,881	22,016,203	23,656,171	38,584,488	37,751,056	31,822,220
Germany	45,343,477	52,977,915	46,649,172	51,311,070	53,693,152	64,304,001	53,787,518	44,216,962	52,525,167	45,421,823	45,735,544
Gibraltar	563,758	657,866	1,092,593	1,586,140	1,429,618	937,406	1,713,727	407,310	508,885	216,712	169,425
Italy	30,096,355	27,473,115	24,484,406	24,542,652	32,218,201	27,472,628	23,432,941	27,397,587	38,372,301	42,030,464	29,948,766
Malta, Gozo, etc					45,111	35,650		10,025	336,656	612,635	60,790
Netherlands	12,728,481	13,523,560	15,325,069	17,765,213	19,148,254	26,489,855	18,282,505	21,170,683	19,932,942	20,486,826	17,724,812
Portugal	290,610	2,657,256	1,334,080	5,091	274,271	82,964	82,155	1,258,906	288,433	550,961	81,853
Russia on Baltic and White Seas							960		6,800	2,200	8,720
Russia on Black Sea									7,000		
Spain	22,862,875	12,611,810	30,054,113	26,202,432	21,274,165	19,364,505	6,897,068		13,772,478	18,056,915	14,542,342
Sweden and Norway	1,629,755	317,668	393,632	351,493	923,522	1,260,705	677,837	726,354	2,272,022	1,241,331	1,136,703
Switzerland							200			3,371	
Turkey in Europe											9,659
United Kingdom	53,830,373	66,421,354	71,935,879	89,618,817	79,063,780	89,664,950	88,366,290	85,395,282	121,793,251	93,011,808	98,727,979
Bermuda			100						13,573	2,720	1,915
British Honduras	18,625	42,775	15,535	5,508	17,905	34,220	71,004	58,641	95,990	105,959	116,942
Dominion of Canada:											
Nova Scotia, New Brunswick, etc	512,785	339,422	447,788	506,884	392,931	345,910	246,746	363,226	195,796	251,867	153,155
Quebec, Ontario, Manitoba, etc	6,344,151	10,174,812	11,625,300	11,320,954	10,074,651	14,504,792	6,501,652	12,147,346	9,373,700	10,037,068	11,412,236
British Columbia	29,172	34,236	33,287	22,069	40,165	67,775	35,041	57,393	112,754	49,178	60,174
Newfoundland and Labrador	329,212	206,887	388,331	142,814	342,686	216,402	336,206	111,599	273,395	224,067	266,639
Central American States:											
Costa Rica	25,118	51,090	56,150	135,200	145,880	82,920	131,625	90,620	138,059	102,180	88,452
Guatemala	35,939	21,200	500	500	13,642	325	6,950			3,273	1,300
Honduras	4,865	4,100	8,375	7,915	27,269	14,660	4,035	3,915	3,396	14,566	2,281
Nicaragua	16,969	32,719	38,477	35,678	9,452	6,610	4,815	26,000	17,499	39,698	14,307
Salvador	2,750	1,000		5,730		232					1,225
Mexico	725,919	845,925	1,334,152	1,968,685	2,195,111	1,458,871	1,814,085	1,827,490	2,686,758	1,890,083	2,677,510
Miquelon, Langley, etc	16,720	3,900	400	1,000	1,600	1,520	2,400	1,600	2,439	1,800	1,700
West Indies:											
British	908,313	1,399,015	1,278,868	1,303,910	1,433,547	1,310,541	1,424,907	1,142,954	1,283,051	1,115,622	1,182,660
Cuba	2,000						17,338	54,214	498	7,500	
Danish	103,888	123,824	150,239	88,478	122,749	118,915	188,422	100,240	123,819	147,271	136,983
Dutch	49,434	48,592	54,508	35,985	179,010	53,292	78,804	115,872	128,291	87,022	39,004
French	653,714	706,310	447,685	476,229	528,460	487,917	452,500	533,360	494,495	430,806	376,264
Haiti	897,519	969,089	1,005,507	946,909	797,212	749,991	1,039,307	811,692	922,905	879,076	850,653
Porto Rico	14,100								2,055		
Santo Domingo				2,520						250	110
Argentina	301,325	234,868	89,610	21,839	108,368	67,790	236,146	357,071	261,984	252,947	93,313
Brazil	9,704	82,223	69,237	3,065	55,563	18,302	44,904	41,596	22,453	44,696	17,440
Chile					1,245		872	350	5,308		
Colombia	548,632	335,600	11,365	21,845	22,230	18,393	56,029	46,789	89,606	102,533	272,884
Ecuador			2,000		1,200	700					
Guiana—											
British	785,475	528,283	511,875	585,218	697,277	485,468	621,139	517,748	483,301	505,402	591,687
Dutch	114,134	156,999	132,670	112,498	125,830	118,171	146,893	127,519	116,861	136,844	123,480
French	57,063	42,067	46,545	18,360	42,010	38,070	49,367	59,794	59,291	52,200	70,707
Peru									7,605		
Uruguay	241,716	107,375	158,703	482,546	215,409	232,976	188,772	188,540	195,457	153,889	15,432
Venezuela	38,653	115,720	120,385	102,339	119,871	219,330	118,719	133,462	230,233	86,472	21,831
Chinese Empire		1,360	19,390	9,692	10,960	110,800	226,266	486,188	459,489	272,237	279,594
East Indies—British	15,495	4,500	49,840	7,621		82,343	9,814	32,318	20,037	17,150	96,438
Hongkong					1,656	12,448	230			12,528	53,188
Japan			11,087	73,512	237,041	861,677	2,751,246	24,198,879	3,104,472	2,249,706	4,618,433
Korea											70,846
Russia, Asiatic							1,645				
British Australasia	2,170,531	1,384,203	1,352,676	1,934,715	2,093,300	1,607,331	2,246,127	2,701,384	3,765,957	4,825,441	4,949,626
German Oceania								3,080			
Hawaii	11,758	605	917	546			200	1,295			
Philippine Islands									923		380
British Africa	1,017,995	1,046,635	1,216,053	1,022,214	938,839	1,749,586	1,504,393	2,808,222	2,630,760	3,308,191	4,308,379
Canary Islands	473,081	511,261	602,448	650,961	577,290	828,548	276,022	518,071	687,279	329,213	656,729
French Africa	905,648	634,927	816,315	359,882	158,176	528,185	785,078	449,553	598,802	425,519	407,841
German Africa									1,600		6,730
Liberia	38,595	17,780	48,780	3,250	5,216	4,595	5,235	3,655	11,655	15,210	60,340
Portuguese Africa	10,881	962	300	1,000	7,530	37,430	34,960	36,900	111,558	9,600	91,231
Spanish Africa							31,174			34,495	
Turkey in Africa—Egypt		810									
All other Africa						30,290	750	1,500	17,650		9,390
All other British			2,290	21,055							
Total	240,716,150	248,367,258	268,791,312	293,805,855	287,700,301	305,978,292	252,258,902	272,421,295	334,604,210	306,900,934	291,369,700

Table showing value of unmanufactured leaf tobacco exported from June 30, 1892, to 1902.

Countries.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
Austria-Hungary			$1,400		$40,324	$9,800		$54,060	$12,688	$28,000	$24,000
Azores, and Madeira Islands	$330	$350	1,173	$4,621	613	471	$634	962	189	3,730	460
Belgium	1,538,266	1,170,599	1,685,144	2,405,300	2,204,176	2,283,179	1,226,991	1,521,879	1,467,748	1,701,732	1,488,386
Denmark	20,470	10,565	20,767	23,685	11,699	7,237	20,635	26,635	11,067	1,389	46,910
France	2,681,731	2,859,543	3,024,688	2,901,098	2,614,605	1,832,903	1,724,682	1,918,624	2,999,118	3,062,819	2,654,924
Germany	3,827,996	4,465,886	3,767,617	3,862,971	3,968,284	4,574,725	4,140,900	3,808,748	4,911,382	3,831,579	4,189,979
Gibraltar	42,222	46,666	71,164	118,899	93,903	59,044	113,470	26,876	44,249	19,631	10,841
Italy	2,370,283	2,233,971	2,067,877	2,283,908	2,874,473	2,632,730	2,620,882	3,287,343	3,665,632	4,457,976	3,118,123
Malta, Gozo, etc					7,355	2,852		302	14,853	29,730	4,200
Netherlands	801,899	1,063,294	1,028,215	1,081,203	1,107,534	1,506,131	1,047,117	1,512,306	1,302,841	1,497,861	1,265,291
Portugal	18,760	225,043	118,346	500	21,394	5,894	5,660	118,443	29,085	38,533	6,365
Russia on Baltic and White Seas							96		888	220	800
Russia on Black Sea									750		
Spain	1,185,700	798,800	1,634,074	1,506,018	988,140	738,730	298,997		661,842	946,167	908,062
Sweden and Norway	200,715	29,325	52,769	32,069	84,653	136,566	42,953	80,087	201,695	117,813	121,603
Switzerland							25			303	
Turkey in Europe											1,500
United Kingdom	5,229,335	6,790,147	7,357,287	9,266,515	8,239,451	8,119,248	8,572,298	7,808,850	10,957,441	8,803,283	9,415,527
Bermuda			12						1,032	425	307
British Honduras	1,397	3,603	1,435	510	1,448	2,617	7,257	7,081	8,408	10,247	13,363
Dominion of Canada:											
Nova Scotia, New Brunswick, etc	44,120	39,761	46,861	73,802	50,488	39,938	33,997	27,268	31,630	34,969	20,488
Quebec, Ontario, Manitoba, etc	1,252,594	1,505,933	1,057,781	1,003,629	1,012,167	1,478,318	631,019	1,206,598	902,533	970,302	1,142,326
British Columbia	7,414	8,045	7,274	4,832	8,461	9,965	9,655	12,149	17,399	14,538	15,970
Newfoundland and Labrador	31,917	17,890	43,064	15,116	26,802	18,154	24,931	5,392	15,318	14,369	19,279
Central American States:											
Costa Rica	2,901	5,334	6,791	17,588	18,885	11,953	20,156	14,251	22,565	16,202	14,223
Guatemala	5,048	2,779	60	55	2,043	44	2,012			352	122
Honduras	579	424	1,004	964	2,559	1,387	472	446	427	1,482	327
Nicaragua	2,025	5,098	3,983	3,745	1,254	751	880	2,846	2,285	4,571	1,621
Salvador	240	106		628		35					765
Mexico	82,090	116,053	114,225	156,778	160,685	109,152	135,636	142,485	182,938	135,267	195,817
Miquelon, Langley, etc	2,381	470	48	113	192	179	295	185	337	218	212
West Indies:											
British	76,183	128,422	120,051	118,156	132,930	113,555	131,392	110,814	115,584	105,788	106,840
Cuba	262						1,230	6,499	100	750	
Danish	7,362	9,717	12,898	7,332	9,764	9,083	14,661	7,561	9,750	11,291	10,792
Dutch	7,408	7,652	8,129	4,732	23,408	7,904	12,148	15,646	17,221	11,550	4,571
French	53,098	56,394	38,399	37,906	43,580	37,193	35,482	44,637	33,430	35,258	30,928
Haiti	99,988	110,331	112,774	105,542	92,101	83,693	116,732	84,562	85,988	81,855	78,084
Porto Rico	1,841								185		
Santo Domingo				295						35	24
Argentina	13,385	11,973	5,133	1,795	6,996	5,020	12,984	24,673	23,394	18,827	6,731
Brazil	886	7,981	7,530	286	6,420	1,733	5,996	5,453	3,496	6,250	2,453
Chile					210		180	50	687		
Colombia	65,901	43,107	1,089	2,525	2,745	2,405	8,057	6,309	13,107	15,078	39,042
Ecuador			90		120	81					
Guiana:											
British	54,279	44,493	41,785	45,626	50,966	35,210	47,917	40,476	42,642	40,639	51,499
Dutch	9,255	13,753	10,975	9,355	9,167	8,315	11,358	10,611	9,218	11,410	11,686
French	6,411	4,383	4,768	1,885	3,998	3,250	4,520	5,427	6,179	5,555	7,623
Peru									804		
Uruguay	14,803	8,256	12,222	37,151	20,621	15,440	15,174	15,806	14,485	12,285	2,035
Venezuela	7,516	19,970	19,966	23,017	17,973	28,547	15,053	19,840	20,711	15,932	4,561
Chinese Empire		175	1,039	1,055	690	6,952	18,116	35,899	44,473	24,839	27,842
East Indies—British	1,553	500	4,820	1,143		8,933	2,407	3,606	2,885	2,229	16,723
Hongkong					280	1,600	25			1,780	6,784
Japan			820	7,340	12,948	55,124	197,036	2,414,482	322,362	228,240	508,985
Korea											10,888
Russia, Asiatic							592				
British Australasia	314,723	214,244	213,818	268,079	286,213	253,807	332,369	374,299	546,809	700,834	749,127
German Oceania								616			
Hawaii	2,246	115	185	130			55	272			
Philippine Islands									275		190
British Africa	88,675	100,988	114,223	93,197	82,296	148,985	143,022	260,542	241,501	324,442	409,375
Canary Islands	38,555	47,115	59,795	55,225	45,940	61,066	34,364	52,549	62,979	30,923	56,783
French Africa	84,210	61,605	30,914	33,340	13,171	38,530	75,677	41,826	56,734	40,621	39,590
German Africa									432		685
Liberia	3,313	1,627	4,119	268	420	355	427	311	875	1,584	5,053
Portuguese Africa	979	87	30	100	700	2,833	2,977	3,985	9,723	800	9,305
Spanish Africa							2,686			2,963	
Turkey in Africa—Egypt		81									
All other Africa						1,950	50	200	1,687		751
All other British			175	2,659							
Total	20,303,245	22,292,704	22,939,356	25,622,776	24,405,245	24,513,567	21,924,337	25,170,771	29,163,086	27,475,466	26,881,641

ANOTHER IMPORTANT MEETING OF BURLEY TOBACCO GROWERS HELD IN THIS CITY ON THE 25TH—EXECUTIVE COMMITTEE MET AT LELAND HOTEL ON THE 24TH—IMPORTANT BUSINESS TRANSACTED—ASSOCIATION BEGINS HANDLING 1903 CROP DECEMBER 1.

Pursuant to a call of President W. B. Hawkins, the executive committee of the Burley Tobacco Growers' Association met at the Leland Hotel, in this city, Tuesday, November 24. Many important questions were up for discussion, and all arrangements to begin the handling of the 1903 crop were completed. The meeting was adjourned at 4.30, to meet at Jackson Hall Wednesday.

About 150 growers assembled at Jackson Hall Wednesday morning. The meeting was called to order by President W. B. Hawkins, who in a few words stated the object of the meeting. Reports as to the progress in writing stock for the association in the various counties were read, and it was learned that much work has been done within the past ten days.

Enough stock had been raised to guarantee the success of this mammoth undertaking. After several matters of importance were acted upon the meeting was declared open for discussion. Several discussions were made, questions asked and answered, and different views on the different subjects were expressed by members present, which was of great benefit to those present.

Mr. C. C. McChord was appointed a committee of one to draw up a bill of sale to be signed when the crop was delivered to the association. These will be placed in the hands of the different county boards as soon as printed. The following resolution was offered and passed:

"*Be it resolved*, That every member of the association be urged to subscribe for the Kentucky Observer, the official organ of the association."

All members present were urged to notify every grower in their respective counties that the association would be ready to receive this year's crop on December 1, and the executive committeeman of each county was instructed to make all arrangements for the receiving of the crop.

In the House of Representatives, November 17, 1903, Mr. TRIMBLE introduced the following bill; which was referred to the Committee on Ways and Means, and ordered to be printed:

"A bill for the relief of the farmers and tobacco growers of the United States.

"*Be it enacted, etc.*, That farmers and growers of tobacco shall hereafter have the right to sell tobacco in the raw or unadulterated, of their own growth, in any quantity, either in the leaf, twist, or such other form as they may wish, free from any tax or charge, or being in any manner subject to any statutory regulation on the part of the Government of the United States. All statutes in conflict herewith are hereby repealed."

"Whereas only a few years ago the tobacco produced in this country was all manufactured by many factories scattered over the land, each factory a competitor in the open market for its raw material; and

"Whereas at this time 80 per cent of all these factories have been purchased

by one gigantic trust called the tobacco trust, thus virtually cutting off all competition; and

"Whereas the law regulating the tax on manufactured tobacco has been so construed by the Commissioner of Internal Revenue to include tobacco in the raw state, as subject to the tax of 6 cents per pound; and

"Whereas this construction has worked and does work a great injustice to the farmer who raises the tobacco, in that he has no market for his product other than to sell to one man, because, as before stated, the great tobacco trust controls more than 80 per cent of all factories in the United States:

"Now, we, the tobacco growers in the State of Kentucky, do by this petition call the attention of Congress to the gross injustice done by said law or construction of said law to the producers of tobacco and pray for relief, and ask that the bill now pending (H. R. 3574) for the relief of the farmer and tobacco grower of the United States be passed, and to take effect from its passage."

The above was adopted by the tobacco growers in convention assembled in this city on Tuesday, November 24, and it was recommended that every tobacco grower write to the Hon. SOUTH TRIMBLE, at Washington, D. C., thanking him for his advocacy of the farmers' interest.

During the delivery of the above speech,

The CHAIRMAN. The time of the gentleman from Kentucky, as extended, has expired.

Mr. TRIMBLE. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kentucky asks leave to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none, and leave is granted.

Mr. BENTON. Mr. Chairman, I now yield to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN of Massachusetts. Mr. Chairmnn, for the first time in the history of our country it is asserted that the Republican party is the enemy of trusts. From the time the war tariff was passed in 1861 Republican tariff schedules have carefully nurtured monopolies, and it was thought that this policy had been carried to its extreme limit in the McKinley tariff of 1890, but it reached its highest development in the Dingley tariff of 1897. The antitrust law of 1890 was passed by both political parties, and both parties have made attempts to enforce its provisions. But the Dingley tariff bred trusts one hundred times faster than the slow machinery of the law could destroy them, even though all the energies of the Government were bent to destroy them.

After 1897 the formation of industrial trusts flourished as it never did before. Foreign competition was excluded by the high tariff, and if domestic competition could now be removed by combinations of industries these combinations could charge the public any price they pleased up to the point of what "the market would bear." The prospect of profits to be made by charging exorbitant prices for the necessaries of life and the materials of industry was so alluring that the formation of industrial trusts became the absorbing passion of the captains of industry. Industry after industry was seized by capital, and combination of industries was followed by combination of combinations. The entire field was swept in the mad rush for wealth, and all but a few unimportant industries were seized by the giants' power. Meanwhile the manufacturers saw the hope of cheaper raw materials vanish, the consumer saw prices of food and clothing and fuel mount higher and higher, and the small merchant and frugal mechanic saw the door of business opportunity closing against them.

The trusts, in these years of Republican administration, had attained their greatest power and practised their cruelties upon The people unrestrained by law. The beef trust forced prices up so high that beef was beyond the reach of persons of small means. The coal trust forced up the price of coal, and thousands were threatened with sickness and even death. And the Standard oil trust, taking advantage of the high price of coal, forced up the price of oil, thus depriving many of cheap fuel. The steel trust made the prices of its product so high that the building industry came to a standstill, and all the industries dependent upon the products of that trust paid vast tribute to it and helped to earn dividends on its well-watered stock. In short, the trusts ran riot under the license to plunder the people which the Republican party granted them in 1897, and the trusts in 1900 purchased by campaign contributions a promise from the Republican party that their tariff shelter would not be taken from them.

Now, there is one way to restrain the trusts that is more potent than all others, and that is by reducing the tariff. No one ought to object to a reduction to such a point as to provide sufficient competition to enable Americans to buy American products at prices at least as cheap as Europeans buy them. From 1897 until now the Democratic party has demanded tariff reduction, and the Republican party has denied it. Our manufacturers want cheaper coal, iron, lumber, and hides, and our people want cheaper and better food and clothing. But the Representative from Pennsylvania [Mr. DALZELL] tells us we can not have reciprocity with Canada, because the Republican party is opposed to it, and the Republican members of the Ways and Means Committee vote solidly against the Democratic bill for free raw materials for our industries.

Now, this refusal to help the people in the only way the trusts really fear is strangely inconsistent with your claim that you have deserted the trusts and gone over to the side of the people.

But the country will be glad if you have really begun a campaign of hostility to the trusts. No political party was ever better equipped for the accomplishment of this purpose. You have the President, the Senate, and the House, and you have sufficient time between now and election day to begin this work. And you need not go outside of your own ranks to secure information as to the methods of the trusts. Mr. Perry Heath could give you much information which he gathered as national committeeman and as a post-office official. The Secretary of the Treasury stood on the same platform with the Senator from Rhode Island recently and declared the Republican party the enemy of trusts. As "general manager" of the Republican party it might be well to consult the Senator from Rhode Island as to the best mode of attacking the sugar trust and the Standard Oil Company. The senior Senator from Pennsylvania could be counted on to devise a scheme to destroy the coal trust, and the Senator from Michigan, former Secretary of War, would delight in a campaign against the beef trust. The senior Senator from New York would abandon temporarily his contest for control of New York and join with the junior Senator from New York in framing a plan to punish railroads that violated the laws.

With a President of such strong purpose, surrounded by such a competent corps of advisers, the trusts should soon be driven to extremity; and the Administration should begin at once, for the Attorney-General has said he will not "run amuck," and this has been construed as the declaration of a truce with the trusts. Unless something is done at once the trusts will believe that the Northern Securities Company has been made a scapegoat, and they will feel assured that the usual campaign contributions will purchase immunity from prosecution. So the President must press on and serve notice on the trusts that they can not purchase a further license to strangle competition and thereby plunder the community. If this warfare is not begun now the people will know that it will not begin after the election if the Republican party is successful therein, and the people will realize that the Administration waged just enough war against the trusts to convince the plain people that it was on their side and against the trusts, but not quite enough war to prevent the trusts from paying their usual contributions to the Republican campaign fund, as the price of further license to violate the law.

You should not rest content with this one decision in your seven years of Administration. There is still an unexpended balance of $475,000 which is at the disposal of the Attorney-General for the prosecution of trusts; and although he says that "this appropriation should be made available for the enforcement of the laws of the United States generally," because "vast portions of the public lands have been dishonestly acquired through frauds, perjuries, and forgeries, and by similar means the laws relative to the proper administration of the Post-Office Department and other branches of the public service have been grossly violated," still we hope that it will not require all of this $475,000 to punish the officials who have been guilty of plunder under this Administration, so that there will be nothing left to complete the prosecution of the trusts which the Republican party has just begun. Nor should you rely upon making party capital out of the dissenting opinions of the justices of the Supreme Court, for you will remember that it is not long since criticism of a former decision of that court was denounced by your party as an attack upon the court itself. There are limits beyond which the exigencies of politics should not force us, and a decent respect for the highest tribunal of the land should cause you to refrain from indorsing the insinuation that partisanship caused a division among the members of the Supreme Court.

Now, the Democratic party has proposed a practical remedy for the abuses of industrial trusts, and if placed in power will apply that remedy. It will also enforce existing law and seek to amend that law so as to make it more effective. It stands ready to give the country a President who respects the law, whose lifetime veneration of its majesty will insure its vigorous administration at his hands.

In 1902 the grasping avarice of the coal trust caused a situation that was well described by the supreme court of Pennsylvania when it said, speaking of a combination that existed prior to this one:

This combination has a power in its confederated form which no individual action can confer. The public interest must succumb to it, for it has left no competition free to correct its baleful influence. When the supply of coal is suspended the demand for it becomes importunate and prices must rise. Or if the supply goes forward, the price fixed by the confederates must accompany it. The domestic hearth, the furnaces of the ironmaster, and the fires of the manufacturer all feel the restraint, while many dependent hands are paralyzed and hungry mouths are stinted. The influence of a lack of supply or a rise in the price of an article of such prime necessity can not be measured. It permeates the entire mass of the community and leaves few of its members untouched by its withering blight.

The President had implored the coal trust to arbitrate its differences with its workmen, but the trust had spurned his recommendations. Then a great man arose in the community, whose

record as Secretary of State and Attorney-General lent authority to his words, and denounced the coal trust for its unblushing violation of law. This declaration of Richard Olney focused the attention of the country on its criminality, and shortly after that the trust receded from its arrogant position and agreed to arbitrate with its employees. He it was who maintained the dignity of this nation by insisting on the preservation of the Monroe doctrine when the most powerful nation in the world threatened to violate it. He it was who from his commanding position as Attorney-General intervened in a suit before a circuit court of the United States and gained recognition of labor's right to organize. In his ability, courage, judicial balance, and calm temperament, as shown in his record of statesmanship and diplomacy, lies the best guaranty of peace and honor with all nations and happiness and prosperity at home.

The country turns for relief to the Democracy. The Democracy contains within it many men capable of guiding the destinies of our nation. None within its ranks are more gifted or more trustworthy than this distinguished son of Massachusetts. The country needs a President who will compel a return to former standards of official honesty and propriety, and who will not find it necessary to instruct the members of newly created commissions that their official standard of conduct must be higher than that which now exists in the several Departments of this Government.

We need a return to economy in administration, which Republican policies persistently ignore. We need a revision of the tariff in the interest of the people and not in the interest of protected manufacturers and trusts. We need a standard of international fair dealing that will restore confidence in the American nation and insure respect for the Monroe doctrine, which our retention and exploitation of the Philippine Islands and our sharp practice with Colombia in the canal negotiation have done much to destroy. We need an Executive who will observe the law himself and who will not authorize Departments to usurp the legislative function. And above all we need an Executive upon whom we can depend for the preservation of peace with all the nations of the world.

Mr. BENTON. Mr. Chairman, I now yield fifty minutes to the gentleman from Mississippi [Mr. BYRD].

Mr. BYRD. Mr. Chairman, some weeks ago I introduced House bill No. 12694, intended to aid the farmers by removing the protective duties that range from 20 to 60 per cent on agricultural machinery, implements, and a few other necessaries incident to the life of the farmer. This bill, I understand, was turned down by the Ways and Means Committee a few days ago on a strict party vote. This measure I believe to be just, and it should receive the earnest consideration of this body. Agriculture is our chief source of national wealth. The estimated value of the food and kindred products of the American farms in 1903 was more than $2,300,000,000, and in the last decade 30,000,000,000 pounds of cotton, valued at about $2,500,000,000, were exported and sold to maintain our international financial parity.

One need not be learned in political economy to know that the financial success of the farmer is directly dependent upon buying and selling on the same terms and in the same market. Bartering is his most beneficial method of commerce, and when denied this privilege, by law or otherwise, his prosperity is seriously impaired. To deprive him of this right in any country is indefensible, but to deny it to him in this country of equal rights to all men is little less than tyranny. To tax one to upbuild the industry of another is legalized robbery, excusable only in a half-civilized despotism, yet we find it to be the chief rule of administration in this Government.

Since the inception of the American protective-tariff system the farmer has often been compelled to drink the bitter dregs of penury, in order that a policy intended from its beginning to enrich the few at the expense of the many might be exploited, and we must concede that it has served its mission well, breeding millionaires and trusts by the hundreds in every period of its existence. To-day it is holding high carnival in this temple of American liberty. Its every devotee, from its lord protector in the White House to the billingsgate political ward bummer, is imbued with its divinity far more than they are with the teachings of that Holy One who taught that every man should eat bread by the sweat of his brow.

Mr. Chairman, from the effects of this ideal Republican policy I have witnessed hardships almost too incredible for belief. I have seen magnificent estates, which were once the abode of baronial magnificence and splendor, plastered with mortgages, and finally pass at the auction block from the possession of the owner into the hands of heartless syndicates, notwithstanding they were as fertile as the valley of the Nile, and, had they been in any other land, would have been transmitted from generation to generation, clustered about with the sacred legends of ancestral history. I have seen the inmates of these once palatial homes reduced to extreme poverty, becoming tenants in the ideal mansions of their fathers. Their broad acres, though fertile and tilled to the verge of exhaustion, could not yield a sufficiency to appease the greed of the Shylocks of protection.

Passing to the more humble farmer, the yeoman of the land, I have seen him toiling from ten to fourteen hours a day, year after year, and his tender children dragged from the schoolroom to drive a plowshare in the scorching southern sun. I have seen him die, his home sold for debt, and his wife and children scattered and reduced to miserable degradation.

In summing up the hardships visited upon the American farmer by this policy of protection, I am forcibly reminded of the miserable condition to which the same policy reduced the English agriculturist fifty years ago, as given in the reported speeches of Mr. Cobden. Listen to what a few of the many thousands of these defenseless people said to the agents of the English Government concerning the destitution to which they were reduced. One witness said:

> If women and boys who labor in the fields suffer in their health at all, it is not from the work they perform but the want of food. The food they eat is not bad of its kind, but they have not enough of it, and more animal food would be most desirable; but with the present rate of wages it is impossible. Their low diet exposes them to certain kinds of diseases, more particularly to those of the stomach.

Another:

> Our common drink is burnt crust tea. We also buy about a half a pound of sugar a week. We never know what it is to get enough to eat. At the end of the meal the children would always eat more. Of bread there is never enough, the children always asking for more at every meal.

Another:

> Our poor live on the borders of destitution. * * * From one year's end to another there are many laboring families that scarcely touch in the way of food anything but bread and potatoes, with now and then some bacon. Bread in almost every cottage is the chief food of the children.

These are miserable pictures, indeed; yet I have seen their prototypes in different sections of the South within the last few years. It is a very common scene among the 6,000,000 negroes of the South who till the soil for a living. The wages received by both white and colored farm laborers are wholly inadequate to provide the necessaries of life, being only $10 or $12 per month, while the industrial laborers receive from $2 to $4 per day for their wages. And the few negroes who have acquired little homes realize so little therefrom in the way of profits that they have scarcely been able to provide sufficient food and clothing for their wives and children. And here permit me to say that if the Republican party were as much concerned about their right to live as human beings should live as it claims to be about their right of suffrage they long since would have been in much better condition—would have expanded in intelligence along with their prosperity, and would have freed themselves of many crimes begotten of poverty. It is claimed that the Democrats of the South deprive them of their votes, but the Republicans, year after year, have robbed them of their bread, and they should long hesitate before shaking their "gory locks" again. [Applause.]

A few years ago in my home town I observed an old negro entering a grocery store to invest his day's wages as a farm laborer—50 cents—in bacon. In a few moments he came out with a small roll wrapped in brown paper. Coming up to me, he said, "Boss, what does this mean that I can't get more to eat for my day's work? This won't make two meals for myself, wife, and six children." I said, "Uncle, you have heard about the Republicans who have been 'raising cain' about your right to vote so long. A few years ago they put a tax of 5 cents a pound on bacon, and a few of them in Chicago who make all the meat got together and advanced the price 5 cents per pound, in order to get the benefit of this tax, and this is why you have to pay 14 cents for all you eat." After reflecting a moment the old negro raised his head, with tears in his eyes, and said, "Boss, them Yankees am fools. If dis goes on dar ain't going to be no niggers here to vote." [Applause.]

But it is contended that if these conditions ever existed they have passed; that the farmer now, too, is prosperous; that he has a market for his produce, and that the Republican Administration is responsible for his prosperity, and that his sole duty is to "stand pat" and let well enough alone.

But what produced this little wave of agricultural prosperity, and how long will it continue? Do we not all know that it was caused by a shortage in the world's supply of cotton and by an increased demand for food products beyond the sea? This temporary boom in the prices of farm products has imparted new life and new energy in all of our industrial pursuits, thereby proving the indispensability of the farm as a factor in our national existence. [Applause.] The Dingley law has been in operation since 1897, and the most direful hardships that were ever realized by the southern farmer were in 1898 and 1899, when he was compelled to sell his cotton crop at about 5 cents per pound. The following will show the price of his product on the 1st day of November for each year since 1897, when the Dingley law went into effect: 1898, 4¼ cents; 1899, 7 cents; 1900, 9 cents; 1901, 7 cents; 1902, 7 cents,

and 1903, 10 cents. This shows that the average price has only been about 7½ cents per pound, and it is conceded by the best authorities that on account of the advance on the necessaries of life incident to the reign of protection and trust the cost of production is at least 7 cents per pound, leaving the farmer's profit at one-third of 1 cent. The cost of living since 1897 has increased more than 30 per cent, as is demonstrated by the following statement from R. G. Dun & Co., published by the approval of the Government, and showing the value of a year's necessaries if purchased on the 1st day of January of each year: January 1, 1898, $72; January 1, 1899, $82; January 1, 1900, $95; January 1, 1901, $95; January 1, 1902, $101; January 1, 1903, $100, and January 1, 1904, $100.

From this it seems impossible for the present wave of prosperity to long continue in the agricultural districts unless the Government comes to the rescue and reduces the cost of production by removing the tax from agricultural implements, machinery, and other necessaries of life, the price of which is now only affected by the conscience of heartless trusts, which are largely organized and perpetuated under the thieving schedules of the tariff law. [Applause.] It is impossible for the farmer to conjecture the price he will realize for the crop now being planted. He does not know whether it will be profitable or unprofitable. In approximating its worth he must consider the ravages of the boll weevil of Texas and the locusts of Kansas; he must number the showers that fall on the plains of Europe and watch the irrigation of the cotton fields in Egypt; he must number the fields reclaimed from the wilderness in Africa, note the labor troubles in Europe, and the duration and destructive results of the Japo-Russian war.

All these varying conditions and much more must be considered in approximating his profits from the present crop. Should the world's supply of cotton be above its consumption, as was the case in 1898, and which is altogether probable, this commodity will again drop in price to 5 cents per pound, and should the foreign demand for wheat be less than our surplus the western farmer will again realize only 40 cents a bushel for his product. This is true because the price of the whole is always measured by the value of the surplus in a foreign market. This is an economic axiom, self-evident, and can not be successfully contradicted. [Applause.]

But turn to the other side of the question, and ask if there is any uncertainty about the price the farmer must pay for the necessaries incident to his occupation. The McCormicks, the Carnegies, and other trust magnates have long since prescribed the terms by which he must live and ply his humble avocation; and their decree is as unalterable as the "laws of the Medes and Persians." They have determined the amount and fixed the price of his raiment and food, and with the insignia of the trusts they have stamped his nails, his wire, his plows, his reapers, and many other of his indispensable necessaries. [Applause.]

Notwithstanding the products of his labor are exposed for sale in a market where the whole world meets in competition, he is compelled to buy within a protected wall where the will of one or two men alone fix the price of all he must purchase. The same parties who have arranged an unchangeable trust price for him compel him to pay any amount of profit they please, while they sell the same articles in foreign markets, where they encounter competition, at from 20 to 100 per cent less than he is charged for the same. We find, as I will show further on, that when they charge him $11 for a cultivator, they would charge the Mexican only $8.40; when he pays $14 for a plow the Englishman would buy it for $12.60; when he pays $22 for a sewing machine the Brazilian could buy it for $17.50, and when he pays $7 per dozen for shovels the Russians could buy them for $5.75, and so on throughout the whole list of articles needful for his well-being as a farmer.

Now, Mr. Chairman, in the light of this showing, is it not a fact that the agricultural consumer is bound hand and foot and is being robbed as effectually as though he were being sacked by the wildest band of highwaymen that ever roamed the western plain? Is the man who compels you at the point of a rifle to surrender your money any more a robber than the millionaire who plants himself behind the thieving walls of the existing tariff law and demands the pound of flesh next to the farmer's heart, who reduces the farmer's wife and children to hardships in order that he may exploit his millions to the world and live and die in a brownstone mansion? [Applause.]

It is perfectly manifest that the duty levied on the articles mentioned is being prostituted and used as a tool by the trusts to rob the home consumer, and it is also equally certain that the full amount of this duty under the manipulation of these Shylocks is being extracted above a legitimate profit.

We find that in 1903 $22,000,000 worth of agricultural machinery was sold to foreigners; we also find that about eighty-eight millions, or four times as much, was sold to the home consumer, and it is estimated that of the latter sum at least $17,000,000 was a bonus paid by the farmers to the trusts and manufacturers by virtue of the existing duty. In like manner they were robbed on the $21,000,000 they paid for sewing machines and on the $36,000,000 they paid for nails, wire, piping, and kindred products. Now, if you will calculate the amounts stolen from them in this manner since the infamous Dingley bill went into operation, you will find that the American farmer has contributed enough to the trusts and millionaires to more than build the isthmian canal. [Applause.]

The per capita wealth of Mississippi is only about $143, Arkansas $144, Alabama $155, and Tennessee $170, notwithstanding they include the most fertile agricultural and valuable timber and mineral lands in the world; while, on the other hand, the per capita wealth of Pennsylvania is $559, Michigan $590, Rhode Island $950, and Massachusetts $1,419. Why is this? Why has the farmer been shackled in poverty for the past fifty years, while his manufacturing brother has prospered to the extent of turning to gold almost everything he has touched? There can be no answer except the one is being robbed to enrich the other; and, too, the Republican party is a joint heir in this legacy of shame. It is the highwayman that makes the farmer "stand pat" while the manufacturers and trusts filch his pockets. [Applause.]

To more fully demonstrate how the home consumer is being held up and robbed by the trusts, let me quote from an article that recently appeared in one of our journals. It says:

On November 12 the Iron Age quoted American steel bars in England at 82s., or less than $20 per ton, and in America at $1.42½, or $31.92 per ton. The same number of the Iron Age tells us that American steel beams, plates, angles, channels, and rivet steel are being sold in Canada at from $9 to $11 per ton less than the prices charged here.

The Iron Age of December 17 enumerates a great number of articles of American make which are sold largely in South Africa. Nearly all are sold there at prices far below those charged here. Thus it appears that shovels, which our shovel trust sells here at 90 cents each, are sold there at 38½ cents. This Iron Age also contains information showing that the United States Steel Corporation was early in January offering steel billets in Lancashire, England, at 75s. per ton. Deducting $5 for freight and other transportation costs, the trust gets about $14 per ton for billets for export, while its price to American consumers is $23.

The American manufacturers, mostly in big corporate trusts, guard their export prices so well that it has become next to impossible to obtain export price lists or catalogues in this country. Recently Henry Russell & Co., of Sheffield, England, dealers in files and tools, wrote a letter, which says:

"As an illustration of the unfair manner in which the home buyers of files are treated by the United States of America manufacturers, I inclose you herewith a comparison of the prices charged to the buyers in the United States of America with those offered by the same manufacturers here."

Some of the prices on the list inclosed follow:

Files.	Price per dozen.		Per cent difference.
	England.	United States.	
Flat bastard, 4 inches	$0.34	$0.92	170
Flat bastard, 6 inches	.50	1.07	114
Flat bastard, 10 inches	1.08	1.75	62
Hand bastard, 4 inches	.38	.92	142
Hand bastard, 6 inches	.62	1.07	73
Hand bastard, 10 inches	1.30	1.87	44
Half round bastard, 4 inches	.34	1.20	253
Half round bastard, 6 inches	.50	1.52	204
Half round bastard, 10 inches	1.08	2.27	108
Round bastard, 4 inches	.34	.75	121
Round bastard, 6 inches	.50	.87	74
Round bastard, 10 inches	1.08	1.40	30
Square bastard, 4 inches	.34	.95	179
Square bastard, 6 inches	.50	1.15	130
Square bastard, 10 inches	1.08	1.85	71

But in order to show you how fully and completely the farmer is being robbed on almost everything incident to his humble occupation, I desire to quote the following figures showing the prices that he must pay, and also what the foreigner must pay on the same articles. This statement is made up of data furnished by an expert, who was employed to secure the same for the late Democratic campaign committee:

Articles.	Domestic price.	Export price.
Cultivators	$11.00	$8.40
Plows	14.00	12.60
Axes, per dozen	8.25	7.20
Kettles	1.40	.85
Wire nails, per 100 pounds	2.25	1.35
Horse nails, per pound	.17	.14
Barbed wire, per 100 pounds	3.00	2.00
Sewing machines, medium	22.00	17.50
Axle grease, per gallon	5.40	4.50
Fruit presses	11.00	8.82
Meat choppers, average	2.00	1.50
Rakes (shanks), per dozen, average	1.75	1.40
Saws, per dozen, average	15.00	12.00
Shovels, per dozen, average	7.00	5.75
Hoes, per dozen, average	13.00	10.00

These figures proclaim the condemnation of this iniquitous protective tariff policy far more eloquently than the human tongue can speak. They show that this trust-breeding system is indefensible, tyrannical, and not intended for revenue purposes, but to enrich the rich. The Government derives no revenue from the importation of this class of goods. They are not imported in sufficient amounts for consideration, nor is the tax needful to enable any of our manufacturers of this class of articles to compete with foreigners, because, unlike any other country, we have the raw material—the iron, the coal, and the timber—on the same mountain side. [Applause.]

What justification can there be in longer perpetuating such an infamous policy? Has it come to this that 40,000,000 farmers must be taxed without limit? Upon what hypothesis of right is it predicated? Has the farmer not played his part well in the great drama of our national existence? Did he not in blood write our liberty on the snows at Valley Forge? Was he not foremost in the charges of Sumter and Marion, in the swamps of Georgia and Carolina? When our President was a fugitive, when our capital was sacked and burned, when these classic hills were under the martial step of the proud Briton, and when our northern army had cowardly surrendered or scattered like wild beasts to the mountains, who was it that dared to die on that historic battlefield far to the South in order that the nation's flag might be purged of the stains of shameful cowardice and might once again float transcendently in the heavens? [Applause.]

Who filled the ranks of the Spartan bands of Crockett, Travis, and Houston; that drove the bloody savage and the treacherous Mexican far to the sunset, planting a lone glittering star in the southern sky to herald the advent of the new-born Republic? Who were more abundant in that intrepid army that marched with Scott and Taylor through fire and blood and scorching sands to gather trophies from the palace of the Montezumas, and to spread the map of this Republic to the golden shores of the Pacific? [Applause.]

Sirs, we may extend to him the basest ingratitude; we may shackle him in the pinions of misfortune by unjust taxation; we may rob him of his humble home and make him a fugitive of poverty in the land of his fathers to appease our avaricious greed, but remember that we can no more blot his deeds of valor, devotion, and chivalry from our country's history without dimming its brightest pages than we can strike the constellations from the heavens without impairing the beauty of the universe. [Applause.]

Mr. Chairman, not only is the farmer being impoverished by this infamous policy at home, but it is rapidly closing his most extensive and profitable markets abroad. By realizing such enormous profits from the home consumer the trusts and manufacturers are enabled to undersell the foreigner in his own country, and this is done with the delibe ate purpose to further satiate his greed by destroying all free competition. If you doubt this, listen to the following, credited to a writer in the Pittsburg Gazette, published in the very hothouse of protection:

> The time is coming when the present duty on steel manufactures will either be removed or materially reduced. Before this comes a wise management will see that we are firmly intrenched in our home markets and that no foreign manufacturer can enter them. This can best be done by so underselling him in his own markets that he will have no profits to invest in betterments. It is only by maintaining prices here that we can afford to undersell the foreigner in his own market. This may be regarded as a cold-blooded policy. It will shock many people who do not know that many of our manufacturers have been built up under it.

The truth here expressed has reached across the sea, and the present English ministry is upon the verge of dissolution, being driven from power by the cries of popular vengeance against the American industries.

But, we ask, how is it possible for our manufacturers to pay American wages, ocean freights, and then undersell the Englishman in his home market? Let me explain. By the same authority above quoted it was stated that the American Steel Trust could make steel rails at $12 per ton, and by adding $3 profit we find that they can be profitably made and sold at $15; but the December report of Commerce and Finance says that from May, 1902, to the date of the report steel rails were sold at the fixed price of $28 to American consumers. This unchangeable and outrageous profit-making price destroyed all foreign competition, there being no record of any rails imported into this country during the year 1903.

The Germans and Belgians who furnished the same character of goods to Mexico and South Africa at $24 per ton, including ocean freights, were, by tariff duties to the amount of $7.80 per ton, prohibited from entering this rich field of commerce. The American manufacturer, in order to receive $28 per ton, had only to add the $5 per ton freight that would have to be paid by a foreign competitor and the $7.80 duty under the Dingley bill to his legitimate price of $15 per ton, to make $27.50 per ton, which is only 50 cents less than his fixed price.

From this we are forced to the conclusion that the whole amount of the duty now levied on this class of goods is gobbled up at the expense of the American consumers by the trusts and manufacturers, and that in this manner the American consumer is robbed on the hundreds of millions of dollars for steel rails used by our railways. And right here let me say that this enormous profit to the trusts and manufacturers is not only a tax on the railroads, but it is likewise a tax on the whole American people; more largely on the farmers whose freight must be fixed by the railroad with a view of discharging this enormous debt, and, too, this debt will prove an unending burden. This generation will pay the interest on the bonds issued to cover this extra cost of construction, and when we have all passed away the same bonds will be reissued, and our children will be taxed in a like manner to pay the interest on the same, and so on through all of the generations to come. [Applause.]

From these figures it is perfectly clear that on every ton of rail sold the manufacturers or trusts realize above a legitimate profit $13 per ton, and we are not surprised that they are thereby enabled to destroy foreign competition. Suppose they sell 400 tons at $13 profit to American consumers, we find that they realize $5,200. Then, should they sell 400 tons, the same amount, to the English railway at $10 per ton, being $2 less than first cost, they would lose $800. By deducting $800 losses from the $5,200 profit, we find that the seller realizes the net sum of $4,400 profit on 800 tons of rails, plus the satisfaction of having inflicted a deadly blow to their foreign competitor.

This method of gathering profits from home consumers and destroying foreign competition is true as to all the iron and steel schedules of the Dingley law and is likewise true as to all the agricultural implements and machinery enumerated in the foregoing schedules, the sale price of which is fixed by the harvester trust, organized under the name of the International Harvester Company, chartered under the laws of New Jersey in 1892 with a capital stock of $120,000,000, and is composed of six or more independent companies. This combination largely sold in 1893 at less than home prices reapers, mowers, cultivators, and plows to the amount of $3,617,430 to Russia, $1,680,439 to Germany, $1,020,053 to British Africa, $1,558,836 to Australia, and $15,075,358 to other foreign countries.

Now, if this is true, as we have shown, what reason can there be for longer perpetuating tariff tax on this class of articles? It is not needed for revenue; none are ever imported. According to the report from the Department of Commerce and Finance not a dollar of revenue was derived from these sources during the past year, 1903. Then why should it be continued? For what purpose do we retain it? Where is the authority to levy any tax except for revenue? It can not be claimed that it is needed to enable this trust to justly compensate its employees, for a business backed by such enormous wealth, separated from all serious competition by an ocean, and having for a market a continent at home and the world abroad can not be otherwise than prosperous and fully able to take care of all of its wage-earners.

This method of robbing at home and underselling abroad is rapidly revolutionizing the fiscal policy of England, that has for more than half a century been founded upon the bed rock of free trade, and that great market that has been free and open to the world and in which we sold nearly one-half of our exported agricultural products in 1893, and for many years prior to that time, is about to be closed by protective duties to save the English industries threatened largely by the American trusts.

The Right Hon. Joseph Chamberlain, late secretary of the English colonies and the author of this retaliating policy, has all his life been an adherent of the Cobden theory of free trade and justifies his present position by pleading national self-defense.

The Edinburg Review or Critical Journal quotes him as recently saying:

> Protection enables foreign countries to dump in England, that is, sell to us below cost price, and recoup themselves by high prices in their home markets. By this process, sufficiently continued, they can destroy a particular industry and then raise their prices. Iron and steel at present are threatened in this way.

Again, he says:

> The old ideas of free competition are changed. We are face to face with great combinations and enormous trusts, having behind them gigantic wealth. Even the industries and commerce which we thought to be peculiarly our own are in danger. * * * At the present time the Empire is being attacked on all sides, and in our isolation we must look to ourselves. We must draw closer our international relations—the ties of sentiment, ties of sympathy; yes, ties of interest.

But if this policy of English retaliation, as outlined by Mr. Chamberlain, extended only to the imposition of duties on our manufactured and trust-controlled articles shipped to that country, it would not be so far-reaching in its damaging results, and, too, it would carry with it the approval of all who believe in righteous retribution; but we understand that it is the purpose of the advocates of that doctrine to levy a duty upon imported agricultural products. It contemplates a general tariff law with pref-

erential schedules and rates to the English colonies and dependencies, which is to be reciprocal, to the end that the colonial markets are to be saved for the manufacturers of England, and the market of the mother country is to be saved for the agricultural and other products of the colonies.

Listen to what Mr. Chamberlain says is the true intent of this policy:

If, however, our colonies develop further their present protectionist policy, the colonial market also will be gradually closed to us. Hence it is wise, while we can, to secure preferential treatment in their markets, which we can do by giving them preferential treatment in ours. This involves the taxation of food.

What does he mean by using the expression, "This involves the taxation of food?" Is it not his purpose to place a tax upon American meat, corn, and wheat in order to provide a protective market for like products from Canada, Australia, and other colonies? In the event that he does succeed and does place a duty of something like 50 per cent on all the food products of this character not produced in the colonies, what would be its effect upon our western farmers, who in the year 1903 sold in that market alone $180,000,000 worth of these products? Where would he find another market in which to sell such a large share of his annual surplus? Is it not reasonable to conclude that a large per cent of it would decay in the bins and packing houses of the West? But we are confronted by those who say that if they live they must eat, and that as they have depended on us for their food supply for the past half century they must continue to do so.

But, Mr. Chairman, we should not forget the fact that the wheat-growing area of middle and western Canada, as yet practically undeveloped, is quite as large as our western grain belt, and is so fertile that many of our western farmers are flocking there in search of homes.

The Duke of Argyle, in a recent article on the resources of Canada, says:

Both by soil and climate Canada is specially adapted to agriculture. Within the last few years its agricultural importance has greatly increased, and when the great prairies are brought into cultivation Canada will be one of the chief agricultural countries in the world. * * * Within a period of thirty years Canada has stretched from the Atlantic to the Pacific, and the territory now under her control is very little inferior in extent to that of the great Republic to the south, and contains within itself all the elements of a prosperous future. * * * The great Northwest, still in the very infancy of its development, is destined to give the confederation several provinces outside of Manitoba, as large and productive as Minnesota, and to be the principal wheat-growing district of Canada.

Hon. John Charlton, a member of the Canadian Parliament, in a recent article in the North American Review, says:

In the Canadian northwest, as yet practically untouched, is a wheat-growing area as large as eight States like Illinois. Where now there are a few hundred thousand inhabitants, there will be teeming millions, and the 60,000,000-bushel wheat crop of the present year will be swollen to a figure that will make this great region the granary of food-purchasing nations.

This being true, and with a preferential right in the English market, it is altogether probable that the wheat-growing area of that country and the annual shipments therefrom will equal ours within the next few decades.

Not only have our food products been listed for taxation by the advocates of this commercial upheaval in England, but we find that cotton is also to be protected by a preferential system of taxation with the colonies. Mr. Boyle, our consul-general at Liverpool, speaking in a late report on this subject, says that Mr. Chamberlain is an advocate of the taxation of cotton, so as to enable the industry to be developed in the colonies to the extent of relieving England from absolute dependence on the American cotton fields. In this report he says:

The significant growth of the new "imperial sentiment" among the British people has led to the desire to produce within the Empire as much as possible the things the Empire consumes. There is now a widespread and profound belief among the cotton spinners of this country that the only salvation of our trade is British-grown cotton.

To this end the British Cotton Growers' Association is experimenting in cotton growing in all of the English colonies.

Mr. Chamberlain, the ex-colonial secretary, has taken a great interest in the movement, and through him the aid of the governors of the colonies has been obtained. We call your attention to the following excerpts from this report of Mr. Boyle, showing the cotton-producing area of the English colonies and dependencies:

It is claimed that West Africa and Nigeria have an area of land suitable for cotton growing equal to that of the cotton-producing districts of the Southern States of America. * * * Several gins and 100 tons of seed were sent to Lagos in 1902. There were 4,000 acres under cultivation, and since then the acreage has increased to 30,000 acres. * * * Years ago cotton was exported from Lagos to the value of $380,000 per year. * * * It is believed that cotton can now be grown as cheaply as in the United States.

Last year an expert from Greenville, Miss., was sent to Free Town, Sierra Leone. * * * The expert there professes great hopes for the future of indigenous cotton, which he believes to be equal if not superior to middling American.

Early this year a practical cotton grower went to Gambia to give instructions in conducting experiments. The results from the American and Egyptian seeds are reported as satisfactory.

In the last annual report of the British commissioner of Central Africa the details of exports were interesting as containing the first mention of the export of cotton. Last spring 600 acres were under cotton cultivation, and it is expected that there will be 4,000 acres.

Efforts are being made to revive the cotton-growing industry in Jamaica. Sea-island seed has been procured from the United States Department of Agriculture. Sea-island cotton is a native of Barbados, and the Government has undertaken to encourage its cultivation.

BRITISH GUIANA.

The governor of this colony says that cotton grows wild there, and from time immemorial it has been cultivated by the Indians. In the early years of the last century from six to ten million pounds of cotton were exported annually.

Cotton grows in a wild state throughout British Honduras. American growers are negotiating for the purchase of land for cotton cultivation. * * * It is believed that India could easily produce an additional million of bales.

AUSTRALIA.

Attention is being paid to the question in Central Queensland, and experiment stations are being established.

The consumption of Egyptian cotton is increasing in England. In 1890 the United Kingdom imported 1,618,448 hundredweight, and in 1902 the amount was 3,168,697 hundredweight. * * * The wonderful system of water storage and irrigation recently established on the Nile under British auspices has greatly increased the acreage of cotton cultivation. It is said that the Egyptian cotton this year will be 98,000,000 pounds more than last year. It is claimed that there are millions of acres of cotton-growing land in the Sudan.

Thus it appears that the cotton-growing area of the English colonies and other countries under her immediate control is equal to about one-quarter of the habitable globe, and if we will consider for a moment the wonderful fertility of many sections of this vast domain and the mighty wealth and energy of the progressive people who are enlisted in the development of this great industry, and if we will further consider the fact that in a few years at least the producers of cotton in this territory will, in all probability, have preferential right to market their product in England, the greatest cotton-consuming country in the world, we are astounded at the probable rapidity with which this profitable industry will be developed within the very near future. [Applause.]

An additional profit of 4 or 5 cents a pound over foreign competitors will have the effect to multiply the production in these fields many millions of bales annually.

If a monopoly of the iron and steel trust market, produced by tariff taxation, has made it possible for a little blacksmith shop situated on the banks of a Pennsylvania river in 1860 to evolve into the mightiest trust and corporation ever known to the world, how long will it take for a similar system of taxation, monopolizing the English market, to make the valley of the Nile, the plains of Sudan, the isles of the sea, and other colonies and dependencies to become as white as the driven snow with this gold-bearing fleece?

Mr. Chairman, if we continue this policy of spoliation at home and destruction abroad until we make certain the adoption of this policy of retaliation by the English Government, if we make it possible for the only free market which is great enough to consume nearly one-half of our exported agricultural products to be closed by taxation, we will have visited upon the farmers of this country an injustice and calamity more far-reaching and damaging than the destruction of the civil war. [Applause.]

However fast our population may increase, and however fast our spindles may multiply, they can never keep pace with the ever-increasing production of our farms; and when we contemplate, for a moment, that with the whole world as our market in the past the farmer was scarcely able to realize a small margin of profit from his labor, and that not until within the last few years have the prices of his products been above the cost of production, and that when the great English market is closed to him, and all the paupers of India, the negroes of Africa, and the fellahin of Egypt are engaged without numbers and without limit to compete with him in the production of his chief product, we can see no escape but ruin for him.

Should this become true, we will see his cattle running wild on the plains, his corn burning for fuel, his cotton rotting in the field, his home mortgaged, his children being reared in poverty and ignorance, and the horrors of serfdom haunting his little ones.

The Europeans, especially the English, are importers, while the American farmers are the exporters of agricultural products, and it is as vitally important for them to have a monopoly of that market as it is for the manufacturers to have a trust on this.

It is claimed that competition here impoverishes the latter. In the same manner will competition there impoverish the former. The price the farmer receives for the surplus of his products in a foreign market is "the leaven that leavens the whole of his production." [Applause.]

The 10,000,000 bales of cotton produced in 1903 brought about $50 per bale, because that was the price paid for the surplus in foreign markets, and the many millions of bushels of wheat grown by the western farmer sold for about $1 per bushel, because the foreign bread consumer was willing to pay that price for the amount he exported. And so it is with all of the agricultural products produced in excess of home consumption. The influence of every flurry in the foreign market is noted in every

exchange in America, just as the waves of the sea are broken by lashing the rocks of the opposite shore. [Applause.]

The startling increase of our agricultural surplus renders the question of providing foreign markets one of vital importance. Of this class of goods, in 1893 we exported $600,000,000 and in 1903 $900,000,000, an increase of $300,000,000 in one decade. Farm products amounted to 62 per cent of all our goods sold in a foreign market and shows that they are the direct cause of the enormous balance of trade annually resulting in favor of America from her foreign dealings, and it further shows that they are adding more to our gold supply than is realized from any other commercial source.

The farm is an exhaustless source of national wealth, and is susceptible of marvelous development if it could only receive fair and just treatment at the hands of the Government.

The farmer is not a beggar. He does not want preferential treatment. He only wants an equal chance in the race of life. He only wants the Government to draw the hands of the thieves and robbers from his pockets. [Applause.] He only wants to be permitted to expend his "sweat and blood" for comforts for his wife and children, and not to further enrich the parasites of protection. He believes the Government should abandon its trust-breeding policy that has robbed him for fifty years. He believes it should dispel the gloom that overhangs his richest market across the sea by removing the "damnable" causes of that industrial revolution which lurk on our own shores. He believes instead of its Navy and diplomacy being used to intermeddle in foreign wars and in exploiting the doctrine of imperialism, that these mighty agencies should be used in opening the barricaded markets of the world to his ever-increasing products, to aid in carrying his bread and cotton to the hungry and naked millions in every quarter of the globe, and that the Government in refusing him these just demands is his enemy, and not his friend. That instead of aiding him in the race of life, it adds to the destruction of his prosperity, and instead of giving him an equal showing in the pursuit of happiness, it exposes him as a feeble victim of the mighty and the strong. [Loud applause.]

In the beginning of the present tariff policy of Germany the welfare of her agricultural classes was zealously guarded. Testimony was taken to show what effect this schedule and that schedule would have on the cost of production, and to what extent, if any, they would impair their rights in the markets of the world. The same policy has been pursued by the French Government, and I dare say that a more contented and happy people do not exist than the agriculturists who dwell in the vine-clad homes of France.

The rights of our farmers have not been so regarded. It seems that their welfare has not been consulted in shaping any of the policies of this great Republic, and if they have succeeded to any degree it has been through their heroic energy and the benedictions of Heaven, and not through any governmental favors. They have not been invited to any of your tariff hearings; they have not been asked how much the tax on agricultural necessaries increased their cost of production or how much profit they have been realizing on their immense crops. Mr. Schwab has been here to defend the steel trust, Mr. Havemeyer to protect his millions invested in the sugar trust, and Mr. Mitchell, or other representatives of the labor unions, have been here to speak for their rights. Cæsar has spoken for Cæsar, Brutus for Brutus, and Cassius for Cassius, but there has been no one to speak for Rome. [Applause.]

I desire to say to the opposition in this House that your party has never been the friend of the farmer, though he has been your most valiant supporter. You would not have been in power to-day but for the prosperity brought to the country by the wonderful crops he has made and exported. Had he failed in a crop last year or had his prices been greatly reduced we would to-day have been in the midst of a fearful panic, and your party would have been trembling for its existence.

Notwithstanding this benediction, you have never advocated a policy that did not involve his impoverishment and ruin, and all of your legislation in his behalf has been deceptive and elusive. Under the pretense of fostering his prosperity you levied a tax of 25 cents per bushel on wheat, knowing full well at the time you did it that he had no competition in our wheat market, that no one wanted to bring wheat to a country where they made millions for export. You might as well say that hades needs protection on fire, or that the ocean needs the April shower to swell its volume, as to say that the wheat growers need a protective tariff to enhance the price of their product. [Applause.]

What possible good could come to the grower of our common cotton were you to levy a tax of $10 per bale on all that might be imported? Everybody knows that we export 6,000,000 bales per year. An advocate of such a policy would be denounced as a fraud or an imbecile. Likewise, gentlemen, you practiced your deceptive art on the western meat producers when you imposed a duty of 5 cents a pound on bacon and hams and 2 cents on imported beef. In persuasive tones you told them that this tax would enhance the price of their cattle and hogs, when many of you knew full well that the only purpose it could serve and did serve was to enable Swift, Armour, and other packers to create the meat trust and deprive millions of our poor people of the use of this essential article of food.

Here is how it affected the farmer. Listen: In January, 1899, beef sold at $10.50 per barrel and Texas steers at $5.25 per hundred, and in January, 1903, beef had advanced to $18.50 per barrel and Texas steers were selling at about $4 per hundred. For a few weeks in the summer of 1902 beef cattle advanced to $6 or $7 per hundred, but by September of the same year it was down to about $4.50, and it has since remained at about that price. And thus it was when the farmers "asked you for bread, you gave them a stone; and when they asked for a fish, you gave them a serpent."

The history of the Republican party is a romantic story of triumphant delusion and deception. It has long "served the devil in the livery of heaven." Pretending to be the champion of freedom, it has enslaved the weak to the strong and the poor to the rich. Boasting of having severed the shackles of slavery from the negro, it has forced upon him the manacles of an industrial servitude that has kept him in the direst poverty for half a century. Claiming friendship for the laboring man, you are "standing pat" while there are annually coming into this country to compete for his bread-earning occupation 600,000 Hungarians, Austrians, and Italians, the most degraded pauperized blood of Europe. Advocating honesty in the public service, it is as dumb as the dead to the demands of the American people for the searchlight of investigation to be turned on the suppressed glaring frauds in the Post-Office Department. And professing a statesmanship liberal enough to encircle the welfare of all Israel, it legislates only for the proud Pharisees of spoliation and greed, the irrepressible barnacles of the trust.

Mr. Chairman, popular government becomes a tyranny when not administered upon the principles of equal and exact justice to all the governed, and statesmanship is a misnomer when not broad enough to compass all the rights of all the people in all the sections and in all the prospective years of national existence. A governmental policy launched for the gratification of the avarice of the minority, regardless of the welfare of the majority, eventually ruins either its promoters or those over whom it is promulgated. [Applause.]

Mr. Chairman, when President McKinley was inaugurated for a second term a feeling of hopeful satisfaction spread throughout the country. The people believed he was sincere in fostering the doctrine of protection that had made him great, but they had the utmost confidence in his integrity, and believed his statesmanship was broad enough for him to recede from his former position on this great question if convinced that it was no longer a desirable national policy, and in this belief I am sure they did not misjudge him, for in the last and greatest speech of his life, made at Buffalo the day before he was stricken down by the bloody assassin, he said:

> What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet, and we should sell everywhere we can and buy wherever the buying will enlarge our sales and productions, and thereby make a greater demand for home labor.
>
> The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good-will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

These great sentiments were not idly expressed; they were carefully considered; every word and every sentence was intended to express just what he said, and we believe he intended to announce his purpose to abandon our policy of "exclusiveness" produced by protection and to convert the nation into a commercial world power. Not only was he speaking to the American people, but to the representatives of all of the American republics.

But this great man has gone to his reward; his mantle of power has fallen upon another, who, when he assumed the reigns of Government, announced to the world that he would follow the policy outlined by his illustrious predecessor. The people were still hopeful; they remembered that Mr. Roosevelt was once a member of the Cobden Free Trade Club of England, the most ultra antiprotection organization in the world, and that he had also been a member of the Free Trade Club of New York and had repeatedly said that he "would die for free trade;" and that one of his admiring friends, Doctor Schurman, as late as 1891, proposed as a campaign slogan for 1904 the "Three R's—Roosevelt, Reciprocity, and Reduction of the Tariff." And their expectant hopes ran high along this line when they heard him say at Denison, Iowa, June 2, 1902:

> I think you will do me the justice to say that I do not say what I do not mean. I never said anything off the stump that I would not say on the stump

To further inspire the people with the hope of relief, in his message of December 3, 1901, he said:

> The natural line of development for a policy of reciprocity will be in connection with those of our productions which no longer require all of the support once needed to establish them upon a sound basis.

Again he said:

> Wherever the tariff conditions are such that a needed change can not with advantage be made by the application of the reciprocity idea, then it can be made outright by lowering the duties on given products.

Observe the striking similarity between this and what Mr. McKinley said on reciprocity in his Buffalo speech. He said:

> If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?

And just here permit me to call your attention to this theory of reciprocity, outlined by both President McKinley and President Roosevelt. They evidently pointed out this as the true theory of reciprocity and as one of the means by which the excessive protective duties should be repealed; and it was under this conception of the doctrine that the celebrated Kasson treaties, now dying at the hands of the Republican Senate, were negotiated. What an immeasurable difference between this enunciation of Republican reciprocity and that outlined by the distinguished gentleman from Pennsylvania [Mr. DALZELL], who declared that "Republican reciprocity is reciprocity in noncompeting articles and in nothing else."

How widely divergent, too, is the warning counsel of Mr. McKinley, who said that "commercial wars were unprofitable," to the sentiment daily expressed in the applause of the Republicans of this House at the slightest mention of the name of Mr. Chamberlain, the author of the threatened disastrous commercial war between this country and England.

Returning to Mr. Roosevelt, we find that at one time he was very much opposed to the trusts and was willing to use the strong arm of the law to suppress them, saying in his message of 1901:

> There is a widespread conviction in the minds of the American people that the great corporations known as trusts are in certain of their features and tendencies hurtful to the general welfare.

Again, on the 4th day of July, 1902, in discussing the subject of trusts in a speech at Pittsburg, he said:

> It is a little difficult to set clearly before us all the evils; but I think that those gentlemen, and especially those gentlemen of large means, who deny that the evils exist are acting with great folly.

From these and other declarations of the President, it was evident that in the beginning of the Administration he desired to follow the doctrines of tariff reform, reciprocity, and trade expansion outlined in Mr. McKinley's dying message to the American people: but in September, 1902, the Republican leaders, becoming alarmed at this revoluticnary tariff reform and antitrust policy, sent Senator ALDRICH and others to Sagamore Hall, the President's home by the sea, to bridle him in his wild and reckless course. They must have done their work well, and have prescribed to him the terms of his political existence; they must have convinced him that he and the tariff-protected barons were too powerful and strong not to live in peace, for on the 20th day of the same month we find him speaking in Cincinnati, and in this speech he flops over, soul and body, to the defense of the trusts and protection. Speaking of the trusts, he says:

> Now, it matters very little whether or not we like these new conditions. * * * Our likes and dislikes have very little to do with the matter. The new conditions are here. They have produced both good and evil. We can not get rid of them, even if it were not undesirable to get rid of them. * * * It remains true that the real evils connected with the trusts can not be remedied by any change in the tariff laws. The trusts can be damaged by depriving them of the benefits of a protective tariff only on condition of damaging all their smaller competitors and all the wageworkers employed in the industry.

In commenting upon the sudden change in the President's policy, the New York Journal of Commerce and Commercial Bulletin a few weeks afterwards said:

> That speech may be regarded as the result of the advice of the Senators who lately conferred with him (the President) at Sagamore Hall.

Such is the varied record of our President on these great political issues. He now "stands pat" in perfect obedience to the will of the "bosses." Indeed, it seems that when he would do good evil was always present. His insatiable craze to "bestride the narrow world like a Colossus" evidently produced this change of policy. He has permitted his inordinate ambition to drive from his memory the principles of political rectitude and civic virtue that adorned his former life, and to-day we find him playing the rôle of the "cuckoo" and "dreaming of the hour" when he can more fully exploit his ideal views of imperialism. [Applause.]

Mr. Chairman, going back to my subject, and in conclusion, let me urge the majority to report this bill and pass it, thereby giving a living profit to those who till the soil, and strike one blow at the monsters of the trusts before folding your tents to return to the people. Do this, and with one accord millions of our common people will rise up and sing your praises. But if you are determined in your policy of inertia, let me charge you that there is a limitation to the patience of an outraged people—a line beyond which political oppressors should fear to go.

Dangerous, indeed, is the process of converting into gold the "sweat and blood" of a brave, proud people to fill the coffers of the rich. One is blinded by selfish ignorance who assumes that they will submit to a base injustice until becoming beggars at the gates of Dives. The American is too proud for such humiliation; the same blood that nerved him for every emergency of the past will urge him to victory in a coming political revolution. All may be well with you now; you may possibly be able to collect "monkeys" enough to bridge the stream in November, but that will be your last victory unless you change your policy. The sky appears rosy to-day, but an ominous cloud may hang on the horizon of to-morrow. Remember that the heedless boy scaled the cliffs, and the thoughtless maiden chanted the lullabies of love in the shadows of Mount Pelee in the same hour that nature was marshaling her forces to baptize a city in a revolution of fire. [Loud applause on the Democratic side.]

During the delivery of the above speech,

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GILBERT. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The Chair will state, under order of the House, the control of the time is with the gentleman from Indiana [Mr. HEMENWAY] and the gentleman from Missouri [Mr. BENTON].

Mr. BYRD. Then, Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none, and leave is granted.

Mr. CLARK. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is the objection? [After a pause.] The Chair hears none, and leave is granted.

Mr. BRANTLEY. Mr. Chairman, the purpose of my argument is not to defend "peonage;" it is not to indorse slavery, involuntary servitude, or crime of any kind. It is simply to raise the question of jurisdiction in cases where Federal courts assume to try individuals for the alleged offense of depriving other individuals of their liberty, denominating same as "peonage." I submit that "peonage" does not exist in Georgia, or in any other State, and I submit that neither under the Constitution of the United States nor the statutes of the United States is there any authority for the "peonage" trials that have been had and are still being had in the South. That instances occur in the South where individuals trespass upon the liberty of other individuals is unfortunately true, but I apprehend that it is also unfortunately true that such instances occur in other sections of the Union.

The South is neither better nor worse in this regard than any other part of our common country. That such individual or isolated instances occur or that numerous instances of the kind occur would not constitute a system or a condition of peonage. Trespasses upon property and upon life itself unfortunately occur in the South and throughout the Union, but does the fact of the trespasses confer jurisdiction upon the Federal courts to try the trespassers? It is the duty of the States to protect their citizens in life, liberty, and property. If one citizen of a State in the commission of a private wrong deprives another citizen of either one of these three great rights, the right, the duty, and the power to punish him is vested solely in the State.

Because the trespass is upon liberty is no reason why the jurisdiction of the State is less than when the trespass is upon life or property. For Federal courts to assume jurisdiction to try private citizens of a State for lawlessly trespassing upon the liberties of other private citizens of the same State is an unwarranted assumption of power and jurisdiction, and is as much an invasion and attack upon the sovereignty of that State as would be an act of Congress delegating such jurisdiction. At least such is my belief and my contention, and such I will undertake to demonstrate.

THE LAW AGAINST PEONAGE.

The Revised Statutes deals with peonage as follows:

Section 5526 reads:

> Every person who holds, arrests, returns, or causes to be held or returned, or in any manner aids in the arrest or return of any person to a condition of peonage shall be punished by a fine of not less than $1,000 nor more than $5,000, or by imprisonment not less than one year nor more than five years, or by both.

Section 5527 reads:

> Every person who obstructs, or attempts to obstruct, or in any way interferes with or prevents the enforcement of the preceding section shall be liable to the punishments and penalties therein prescribed.

Section 5532 provides that, in addition to the foregoing penalties, persons convicted of peonage shall be disqualified from holding any office of any profit or trust under the United States.

Section 1990 reads:

The holding of any person to service or labor under the system known as "peonage" is abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States, and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary servitude or labor of any persons as peons in liquidation of any debt or obligation, or otherwise, are declared null and void.

Each of these sections refers to the act of March 2, 1867, as the authority for its existence, and when we read the act of March 2, 1867, we are at a loss to understand why these sections of the Revised Statutes are so widely separated and why they appear as if each was a separate enactment of Congress. The act of March 2, 1867, found in volume 14, United States Statutes at Large, page 546, the same being chapter 187, does not explain the matter, but the same does state the law and the whole law against peonage. The said act reads as follows:

An act to abolish and forever prohibit the system of peonage in the Territory of New Mexico and other parts of the United States.

Be it enacted, etc., That the holding of any person to service or labor under the system known as "peonage" is hereby declared to be unlawful, and the same is hereby abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States, and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State of the United States, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons in liquidation of any debt or obligation, or otherwise, be and the same are hereby declared null and void; and any person or persons who shall hold, arrest, or return, or cause to be held, arrested, or returned, or in any other manner aid in the arrest or return of any person or persons to a condition of peonage, shall, upon conviction, be punished by fine not less than $1,000 nor more than $5,000, or by imprisonment not less than one nor more than five years, or both, in the discretion of the court.

SEC. 2. *And be it further enacted*, That it shall be the duty of all persons in the military or civil service in the Territory of New Mexico to aid in the enforcement of the foregoing section of this act; and any person or persons who shall obstruct or attempt to obstruct, or in any way interfere with or prevent the enforcement of this act shall be liable to the punishments and penalties hereby provided, and any officer or other person in the military service of the United States who shall so offend, directly or indirectly, shall on conviction before a court-martial be dishonorably dismissed from the service of the United States, and shall thereafter be ineligible to reappointment to any office of trust, honor, or profit under the Government.

Approved March 2, 1867.

The reading of this act fails to inform us what constitutes "peonage," and fails to clearly enlighten us as to what evil Congress was seeking to remedy. It is important, therefore, to turn to the

HISTORY OF THE LEGISLATION.

A reference to the proceedings of the Senate at the second session of the Thirty-ninth Congress, found in the Congressional Globe, volume 38, part 1, page 239, on January 3, 1867, shows that Mr. Sumner offered this resolution:

Resolved, That the Committee on the Judiciary be directed to consider if any further legislation is needed to prevent enslavement of Indians in New Mexico, or any system of peonage there, and especially to prohibit the employment of the Army of the United States in the surrender of persons claimed as peons.

A letter from N. H. Davis, Assistant Inspector-General, United States Army, was read, as follows:

LAS CRUCES, *August 22, 1865.*

The commanding officer of Fort Selden will allow and assist, if necessary, the bearer, Don Pedro Garcia, and retain and take in his charge his peon, Antonio Rodriguez, at said post.

By command of General Carleton.

N. H. DAVIS,
Assistant Inspector-General, United States Army.

A further letter from General Davis, specifically ordering Capt. J. H. Whitlock, commanding Fort Selden, N. Mex., among other things, as follows:

You are hereby directed so far to aid in the rendition of peons when claimed by their masters, or there is a reasonable cause to believe that they have deserted them, as not to allow them to remain on the military reservation—

was read.

These letters were claimed as justification for the resolution, and the evil complained of in the discussion this day was limited solely to New Mexico. The resolution, after debate, was referred by unanimous consent, not to the Committee on the Judiciary, but to the Committee on Military Affairs (see p. 241), showing that the object of the Senate was to get at the army officers who were assisting in upholding peonage.

On January 26, 1867 (see Congressional Globe, vol. 38, pt. 2, p. 764), in the proceedings of the Senate, Mr. Wilson asked and, by unanimous consent, obtained leave to introduce a bill (S. 543) to abolish and forever prohibit the system of peonage in the Territory of New Mexico and other parts of the United States, and the same was referred to the Committee on Military Affairs and Militia.

On January 28, 1867 (see p. 789, same volume), Mr. Wilson, from the Committee on Military Affairs, reported the bill with an amendment.

On February 19, 1867 (vol. 38, pt. 3, p. 1571, of the Congressional Globe), Mr. Wilson called up the bill, offered a substitute therefor, which substitute is the identical language of the law as it passed. The substitute was adopted and the bill passed. (See p. 1572.)

In the discussion Mr. Wilson was asked to define peonage, and he did so (p. 1571). He said:

It is a condition of modified servitude which we have inherited from Mexico. It exists in New Mexico at this time, the only part of the country where I know it does exist. In some cases it is voluntary, but in most cases forcible. In the larger towns it is disappearing, but in a portion of the country it still exists, and what is more, officers of the United States, military and civil, have been carrying it out. The object of this bill is to arrest it—to make it the duty of the civil and military officers of the United States to put an end to the system, and not support it. * * * It is a system of modified servitude which is carried on to a great extent in New Mexico, and especially to a lamentable extent with the Indians. A great many Indians are captured and forcibly held in servitude.

Mr. Lane (p. 1571) gave this definition:

By the laws of Mexico, which were existing in New Mexico at the time of the conquest, peonage was established. The system was simply this, as I understood it, that where a Mexican owed a debt his creditor had a right to his labor and services until the debt was paid. The debtor became a domestic servant, and he and his family were supported by the creditor, and the peonage never ended until the debt was discharged. It was a kind of servitude for debt which the committee thought was inconsistent with our institutions. We simply say by this bill that peonage shall be abolished, and the creditor shall be left to all his legal means of collecting his debt, but he shall not hold the peon in slavery.

Mr. Lane further said:

If the Senator will pardon me one moment, I will say that the creditor can not sell the peon, but he can transfer him as he would a mule or a horse and give his services to anybody else. It is a system of serfdom worse than the Russian system ever was.

Mr. Doolittle said:

The sum and substance of the testimony was that probably there were about 2,000 Indians held in New Mexico under that system. But, sir, you will recall the testimony of Judge Benedict, the chief justice of the Territory. He stated that the question having arisen before the United States court in New Mexico upon a habeas corpus it was decided that these persons were free, and the court had discharged them upon habeas corpus. The court had decided that there was no power in the law of New Mexico which would hold a person against his will in servitude; but he stated as a practical fact that these persons remained in the families and in the service of their former masters or employers. Not knowing their rights, not being in a position to go into court to assert their rights, or not having a desire to do so, they were generally remaining in the families of their masters, and probably there were about 2,000 of them in the Territory. * * * Then, as to the system of peonage, it is true that by the law of Mexico, before we acquired the Territory of New Mexico, the system of peonage existed there, a system by which a person indebted to another is compelled specifically to perform labor until the debt is discharged.

The debtor has the privilege under their law of hiring himself out to another man; to get another man or master, if you please, to purchase the debt, and then he goes along with his debt to another master, but as long as the debt remains he is compelled to serve. According to the custom of that country, with that class of people, in the development of civilization which they have attained, the practical fact was that almost always when one desired to hire out the first thing the laborer desired to do was to get in debt to his master, and get in debt as much as he could, and go and live with him. * * * It is a system of serfdom. I understood, however, from the chief justice of the Territory that in the decision which was given by the court they had decided against the power to hold these persons against their will. They were not compelled to remain any longer than they desired to remain, but, as a practical fact, they do reside with the landholders throughout New Mexico to a considerable extent.

Mr. Buckalew (p. 1572) said:

There is no doubt of our jurisdiction in the Territory of New Mexico to enact such a law as the one proposed. I have some knowledge of this system, and I think the necessity of this law is evident. Eventually the courts will weed out this system in that Territory and do it effectually, but it will remain lingering there for a considerable time, unless Congress shall interpose by a law of this kind. Upon the publication of such a statute in that Territory, the whole system will fall to the ground at once.

When we turn to the proceedings of the House, we find that on March 2, 1867, this bill was, upon motion of Mr. Bingham, put upon its passage and passed without debate and without division.

It will be a help to us also to seek—

FURTHER DEFINITIONS OF PEONAGE.

The Standard Dictionary defines "peon" as follows:

A common laborer; a servant; specifically, in Spanish America, one who is bound to serve his creditor until the debt is paid.

And defines "peonage" as "the state of a peon."

Webster's Dictionary defines "peon:"

A day laborer; a servant; especially in some of the Spanish-American countries, a debtor held by his creditor in form of qualified servitude to work out a debt.

And defines "peonage" as "the condition of a peon."

Worcester's Dictionary defines "peon" as—

In Mexico, a day laborer; usually a laborer held in servitude until a debt is discharged; a bondsman for debt.

And defines "peonage:"

The state of peons. Slavery as it exists in Mexico.

The Century Dictionary defines "peon:"

A day laborer; specifically in Spanish America a species of serf compelled to work for his creditor until his debts are paid.

And defines "peonage" as—

A form of servitude existing in Spanish America. It prevailed especially in Mexico.

The International Encyclopedia (vol. 13, p. 918), after describing peonage, its practice, etc., in Mexico, says:

Though in a legal sense the institution long since disappeared, the name of "peon" is still used to designate the laborer of native or mixed blood, and through his ignorance and credulity many of the worst features of the system are yet fastened upon him. The system as then prevailing in Mexico survived in New Mexico and Arizona a few years after the annexation of the Southwest to the United States, but was removed by national enactment March 2, 1867. Recent revelations have shown that the worst features of the convict-labor systems of the South, especially as applied to negro prisoners, closely parallel some of the most flagrant evils of early Spanish-American peonage, and consequently that term has been used, though not with strict accuracy, to designate the condition of these convicts.

Black's Law Dictionary (edition A. D. 1891) defines "peon" as follows:

In Mexico, a debtor held by his creditor in a qualified servitude to work out the debt; a serf. In India, a footman, a soldier, an inferior officer, a servant employed in the business of the revenue, police, or judicature.

Anderson's Dictionary of Law (edition 1889) defines "peonage" as follows:

The state or condition of a peon. In Mexico, a debtor held in servitude until he has worked out his debt.

A still further definition is given by Judge Jones, of Alabama, in 123 Federal Reporter, page 673. The learned judge there says:

Peonage was not slavery as it formerly existed in this country. The peon was not a slave. He was a free man with political as well as civil rights. He entered into the relation from choice, for a definite period, as a result of a mutual contract. The relation was not confined to any race. The child of a peon did not become a peon, and the father could not contract away the services of his minor child, except in rare cases. The peon, male or female, agreed with the master upon the nature of the service, the length of its duration, and compensation. The peon, then, became bound to the master for an indebtedness founded upon an advancement in consideration of service.

Section 5526 of the Revised Statutes, quoted in the foregoing, is the authority that certain Federal courts rely upon as justifying them in seizing individual citizens of the States for the alleged offense of depriving other citizens of the State of their liberty. These citizens are not charged with acting as officials or officers of the State or of any other government. They are not charged with acting under or by virtue of any act, law, resolution, order, regulation, or usage of any State, but they are charged as individuals committing a private wrong upon other individuals, which wrong, through some process of reasoning wholly unintelligible to me, is denominated "peonage."

Now, in order to get at the true meaning and intent of section 5526 we must read it in connection with section 1900, and we must construe it by construing the entire act of 1867, for here is found the complete expression of the legislative will on the subject of "peonage." We must also go further and read the Senate debates in order that we may gather the intention of the lawmakers, for it is the legislative will in connection with the legislative intent that makes the law.

Pursuing this method of investigation, we must conclude, first, that the purpose of the act of 1867 was specifically to abolish "peonage" in New Mexico and to punish persons guilty of "peonage" in New Mexico, and, generally, to make "peonage" unlawful anywhere in the United States.

The debates conclusively show the purpose of the lawmakers; and the second section, directing that "it shall be the duty of all persons in the military or civil service in the Territory of New Mexico," and nowhere else, "to aid in the enforcement" of the first section, shows that the purpose of the lawmakers was carried out in their enactment. In the light of the Senate debates the words "arrest" and "return" clearly were intended to apply to Army officers. It is urged, however, that the words "or in any Territory or State of the United States" appear in the act and that this language was authorized by the thirteenth amendment to the Constitution then in force, and that therefore the penal provisions of the act are leveled against citizens of the States and may be enforced by the United States courts. Let us see how the language quoted is used in the act. We find that the first section of the act, after declaring the "system known as peonage" to be unlawful, says:

And the same is hereby abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States, and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State of the United States, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons in liquidation of any debt or obligation or otherwise be, and the same are hereby, declared null and void.

And then follows the penal provisions of the section, in which the word "State" does not occur. Now, what does this act do? It does three things. First, it makes the "system" of peonage unlawful, and abolishes and prohibits the "system" in all the States and Territories; second, it makes null and void in New Mexico, and in all the States and Territories, "all acts, laws, resolutions, orders, regulations, or usages" then or thereafter established by which the voluntary or involuntary service or labor of persons as peons in liquidation of a debt or obligation is permitted, and third, it provides a punishment for holding, arresting, or returning a person to "a condition of peonage."

Construing the act as a whole, it couldn't be contended that the second section of same, directing all persons in the military or civil service in the Territory of New Mexico to aid in the enforcement of the first section, could apply to the first and second things that the act does.

Persons in New Mexico couldn't aid in preventing a "system" of peonage or a "law" authorizing peonage from existing in the several States. They were, therefore, directed to aid in enforcing the law only in New Mexico, to wit, the penal or third provision of the law, which provision was intended to apply only to the Territories and specifically intended to apply to New Mexico. Clearly, therefore, the true intent and meaning of this act, so far as the States were concerned, was to prevent them from establishing a "system" of peonage, or from enacting, maintaining, or enforcing "laws, resolutions, orders, regulations, or usages" by which peonage could be enforced.

So far as the States are concerned, the act is directed specifically against them as States; the only individuals it is directed against are the individuals in the Territories. That such is the meaning of the act is patent from the reading of it, and that Congress intended no other meaning to be given it is fully and completely shown by the debates preceding its passage. I go further, however, and maintain that any other construction of the act will be fatal to its validity. I maintain, and will herein cite the authorities in justification thereof, that to construe the penal provisions of the act as applicable to individuals in a State would make the law void for want of constitutional power in the Congress. In my view the construction I give the act is one so imperatively demanded by reason as to call for no authority on construction; but I cite:

If a section of an act of Congress admits of two interpretations, one of which brings it within and the other presses it beyond the constitutional authority of Congress, it is the duty of the Supreme Court to adopt the former construction, because a presumption never ought to be indulged that Congress meant to exercise or usurp unconstitutional authority, unless that conclusion is forced upon the court by language altogether unambiguous. (12 Peters, 72.)

Just here, and before proceeding to the citation of authorities on the main question, I call attention to the very important fact that the act, construing it as a whole, is not directed against individuals acting independently of a "system," "law," "usage," or "regulation," no matter where the individuals reside, whether in a State or in a Territory.

The title of the act is "to abolish and forever prohibit the system of peonage in the Territory of New Mexico and other parts of the United States." In the outset, therefore, it is announced that it is a "system," not individual acts, that is prohibited. The act proceeds to make the "system known as peonage" unlawful and prohibits it. It then recognizes that the "system" it is seeking to abolish is one arising by "law, regulation, or usage," etc., and proceeds to make all such laws, regulations, or usages null and void; but it will be noted that the act does not make null and void any law, regulation, usage, etc., by which there is maintained merely the voluntary or involuntary service or labor of a person in liquidation of a debt or obligation. The act requires more than this to make the law, regulation, or usage void. It contains the words "as peons."

The thing that is made null and void is the law, regulation, or usage that permits or authorizes persons to be held in the voluntary or involuntary service or labor "as peons" in liquidation of a debt or obligation. After these inhibitions against the acts of States, the act then proceeds, without even the intervention of a period, "and any person or persons who shall hold, arrest, or return, or cause to be held, arrested, or returned, etc., any person or persons"—to what? To involuntary service? No. To peonage? No; but returned "to a condition of peonage," shall be punished, etc.

We must of necessity read this language in connection with what precedes it, and thus reading it we know that a "condition of peonage" means a "system known as peonage." It means "the voluntary or involuntary service or labor of a person as a peon in liquidation of a debt or obligation or otherwise," which is obtained "by virtue" of an "act, law, resolution, order, regulation, or usage, established, maintained, or enforced" by a State or Territory.

It follows, therefore, that before a person can "hold, arrest, or return" another to a "condition of peonage" the "system" of peonage must exist, and must exist by virtue of some "act, law, resolution, usage," etc., maintained or enforced by the State or Territory.

"Peonage," it is clear from this act, is something authorized, recognized, or maintained by the State or Territory. An individual can not create it. Once created by the State or Territory, the

individual can "hold" or "return" a person to it, or "arrest" a person who has fled from it, and this is the thing that is made criminal for him to do. The act of 1867 abolishes the "system," makes null and void laws then or thereafter enacted that authorize it, and at the same time makes it a penal offense for any person to hold or return a person to the "system" thus abolished.

The act is thus aimed only incidentally at the individual. Its real purpose was to make null and void the laws authorizing the "system," and to abolish the "system," and as a means to that end provision was made to punish the individual. Clearly, therefore, preliminary to punishing the individual the "system" must be shown as existing and as existing by virtue of some law or usage maintained or enforced by the State or Territory. An individual acting as an individual and independently of any law, regulation, or usage maintained or enforced by his State or Territory could not be guilty of "peonage." His offense under such circumstances, if he deprived another person of his liberty, would be the invasion of the private rights of one individual by another individual. It would be a private wrong. It would be just such a crime or wrong as the local law might prescribe, and a crime for the local law to punish, and one over which Congress would have no jurisdiction.

We have, therefore, two conclusions from a careful reading of the act of 1867, either one of which is sufficient to deny the Federal court's jurisdiction to punish individuals in the State of Georgia for the alleged offense of "peonage." First, the penal provision of the act, from the letter and language of the act itself, is directed against individuals in the Territories, and is not applicable elsewhere; second, this penal provision is not directed against individuals anywhere whose acts are outside and independent of a "system" of peonage established, maintained, or enforced by some act, law, resolution, order, regulation, or usage of a State or Territory, and no such "system" being alleged or shown to exist in Georgia, the offense of holding, arresting, or returning a person to a "condition of peonage" can not exist in Georgia.

Having shown that the natural and ordinary construction of the act of 1867 is sufficient in itself to deny the Federal courts jurisdiction in the States to punish for the alleged offense of "peonage," I now proceed to demonstrate that this natural construction is the only legal construction that can be given the act, and that Congress has no power to provide for the punishment of a private wrong by one citizen of a State against another citizen of the same State. It necessarily follows, therefore, that if Congress never intended to provide such a punishment, and could not, even though it intended to do so, that no such punishment is provided by the act of 1867.

The argument is made, as I have suggested, that the thirteenth amendment to the Constitution justifies the use of the word "State" in the act; and the word "State" being in the act, the act in its entirety is applicable to all States and Territories and the citizens thereof. The thirteenth amendment is as follows:

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

I first call attention to the point already made that the act of 1867 only applies to States as States. It abolishes a certain "system" in the States and makes it unlawful, and annuls and makes void all laws that authorize it. The act attempts to go no further than that, so far as the States are concerned, and as to whether it can constitutionally go that far depends entirely upon whether "peonage" is such slavery or involuntary servitude as the thirteenth amendment prohibits. Certainly there is no other provision of the Constitution that would permit Congress to abolish a system of "peonage" in the States; and if "peonage" is a form of servitude less than the slavery and involuntary servitude prohibited by the thirteenth amendment, it would not be abolished in the States by the act of 1867, assuming that it existed in the States, for the act to that extent would be void.

It is interesting in this connection to note that this act solemnly says, "The system known as peonage is hereby declared to be unlawful and the same is hereby abolished and forever prohibited." Now, when Congress made this declaration the thirteenth amendment was in force. The President's proclamation announcing its ratification was made December 14, 1865. This amendment, the Supreme Court has said, "by its own unaided force and effect abolished slavery and established universal freedom." The court says it is "self-executing." Therefore, when the act of 1867 was passed the things prohibited by the thirteenth amendment were already unlawful and were already abolished. Isn't it absurd to suppose that Congress undertook in 1867 to make by a Congressional act slavery and involuntary servitude unlawful and to abolish them, and to make any law of a State authorizing them null and void?

Such a declaration by Congress in 1867 did not add to the force and effect of the thirteenth amendment. It is not the act of 1867 that prohibits the States from recognizing slavery. It is the thirteenth amendment that makes the prohibition, and with the act of 1867 repealed the States would be just as powerless to establish slavery as they are with it in existence. Are we not to presume that Congress knew all this when it passed the act of 1867? If we do so presume, then we must further presume that when Congress in 1867 said the "system known as peonage" is "hereby" made unlawful and is "hereby" prohibited and abolished, Congress had in mind something that was not slavery and something that was not unlawful involuntary servitude. This view is strengthened by the definitions of "peonage" hereinbefore given, in which it is most frequently referred to as a "qualified form of servitude," and, following this line of reasoning, we reach the conclusion that in the opinion of Congress "peonage" did not come within the definition of slavery or involuntary servitude.

It is not important to the proposition maintained by me whether Congress did or did not have the power to make null and void any State law authorizing "peonage," because there is no contention and couldn't be that any such State law exists. It does follow, however, that if Congress had no power to make State "peonage" laws void, still less would it have power to provide punishment for an individual in a State for the offense of "peonage."

But, recurring to the thirteenth amendment in connection with the act of 1867, these conclusions, from all that has been stated, are inevitable:

First, that in passing the act of 1867 Congress was not undertaking to legislate the thirteenth amendment into a statute—

(*a*) Because the terms "slavery" and "involuntary servitude" do not appear in the act.

(*b*) Because the act uses the term "voluntary service," which the thirteenth amendment does not authorize.

(*c*) Because to the term "voluntary or involuntary service or labor of any persons" is added "as peons," showing that Congress was dealing with something separate and apart from the "involuntary servitude" named in the thirteenth amendment.

Second, that the thirteenth amendment was not necessary to give Congress jurisdiction to pass the act of 1867, so far as concerned its application to the Territories, because, as to the Territories, Congress had plenary power.

I now wish to direct attention to the specific reasons why Congress could not and can not pass a law providing a punishment for citizens of a State committing the alleged offense of "peonage" against other citizens of the same State.

There being no law, resolution, order, or usage of the State by which "peonage" is maintained, established, or enforced, the act of a citizen in depriving another citizen of his liberty, call the offense "peonage" or any other name, is merely the act of an individual. The wrong is a private wrong, and the power to punish for it is vested exclusively in the State. Such punishment comes within the police power of the State, and Congress has no jurisdiction to punish same. Our system of government is a dual one. We have a National Government and a State government. Each has certain powers, duties, and jurisdictions, and each is sovereign in its proper sphere. The Government of the United States is one of enumerated powers. The ninth amendment to the Constitution reads:

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

The tenth amendment reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Now, specifically as to what powers were reserved by the States and the people and denied to the United States Government by the foregoing amendments, I quote 14 Howard, 17:

The power to make municipal regulations for the restraint and punishment of crime, for the preservation of the health and morals of her citizens, has never been surrendered by the States or restrained by the Constitution of the United States.

9 Wallace, 41, says:

No power is conferred by the Constitution upon Congress to establish mere police regulations within the States.

1 Wheaton, 304, 326, says:

The Government of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication.

16 Wallace (Slaughterhouse Cases), 82, says:

Under the pressure of all the excited feeling growing out of the war our statesmen still believed that the existence of the States, with powers for domestic and local government, including the regulation of civil rights, the rights of persons and of property, was essential to the perfect working of our complete form of government.

92 U. S., 542, seventh headnote, says:

Sovereignty for the protection of life and personal liberty within the respective States rests alone with the States.

113 United States, 31, in speakng of the fourteenth amendment, says:

But neither the amendment, broad and comprehensive as it is, nor any other amendment was designed to interfere with the power of the State, sometimes termed its "police power," to prescribe regulations to promote the health, peace, morals, education, and good order of the people, etc.

95 United States, 672:

But an act committed within a State for a good or bad purpose, or whether with an honest or criminal intent, can not be made an offense against the United States unless it have relation to the execution of a power of Congress or to some matter within the jurisdiction of the United States. An act not having such relation is one in respect to which the State can alone legislate.

106 United States, 629 (Harris case), involved the constitutionality of section 5519 of the Revised Statutes. The court held the same unauthorized by the thirteenth, fourteenth, and fifteenth amendments or by any other provision of the Constitution. The court says (p. 643):

A private person can not make constitutions or laws, nor can he, with authority, construe them, nor can he administer or execute them. The only way, therefore, in which the private person can deprive another of equal protection of the laws is by the commission of some offense against the laws which protect the rights of persons, as by theft, burglary, arson, libel, assault, or murder. If, therefore, we hold that section 5519 is warranted by the thirteenth amendment, we should, by virtue of that amendment, accord to Congress the power to punish every crime by which the right of any person to life, property, or reputation is involved. Thus, under a provision of the Constitution which simply abolished slavery and involuntary servitude, we should, with few exceptions, invest Congress with power over the whole catalogue of crimes.

Again, on page 644, speaking of second section, Article IV, of the Constitution, the court said:

It was never supposed that the section under consideration conferred on Congress the power to enact a law which would punish a private citizen for an invasion of the rights of his fellow-citizens conferred by the State of which they were both residents on all its citizens alike.

In 140 United States, 554, the court said:

The power of the State to impose restraints and burdens upon persons and property in conservatism and promotion of the public health, good order, and prosperity is a power originally and always belonging to the States, not surrendered by them to the General Government, nor directly restrained by the Constitution of the United States and essentially exclusive. In short, it is not to be doubted that the power to make the ordinary regulations of police remains with the individual States and can not be assumed by the National Government, and that in this respect it is not interfered with by the fourteenth amendment.

Cooley's Constitutional Limitations, 706, says:

In the American constitutional system the power to establish the ordinary regulations of police has been left with the individual States, and it can not be taken from them, either wholly or in part, and exercised under legislation of Congress. Neither can the National Government, through any of its departments or officers, assume any supervision of the police regulations of the States.

Again, in 704, the same writer says:

The police of a State, in a comprehensive sense, embraces its whole system of internal regulations by which the State seeks not only to preserve the public order, but also to establish for the intercourse of citizens with citizens those rules of good manners and good neighborhood which are calculated to prevent a conflict of rights and to insure to each the uninterrupted enjoyment of his own so far as is reasonably consistent with a like enjoyment of rights by others.

Pomeroy on Constitutional Law (p. 154) says:

Those affairs which are local, which affect the individual citizen in his private capacity, abstracted from his relations to the whole political society, are managed by the separate State governments which were found in existence and left remaining in existence by the same Constitution.

The contention is made, however, that the thirteenth amendment prohibits slavery and involuntary servitude and gives Congress power to enforce the prohibition by appropriate legislation, and therefore that Congress has the power to punish a citizen in a State for the offense of slavery and the offense of involuntary servitude. We are concerned just now not so much with the question of the power of Congress to enact such punishment as we are with the question whether or not the act of 1867 is the exercise of such power by Congress. We have shown, as I think, conclusively that Congress in said act did not intend and did not attempt to exercise such power.

I now submit further, as the authorities to follow will demonstrate, that the only way by which Congress could exercise such power would be by an act directed against those who practiced slavery or involuntary servitude under and by virtue of a State law; and the act of 1867 not being directed in that way, the same is not "appropriate" legislation under the thirteenth amendment.

What is slavery? The Supreme Court, in 163 United States, 542, gives this definition:

Slavery implies involuntary servitude, a state of bondage, the ownership of mankind as a chattel, or at least the control of the labor and service of one man for the benefit of another, and the absence of a legal right to the disposal of his own person, property, and service.

With this definition before us we can the more easily appreciate the force of the following declaration made by the Supreme Court in 109 United States, 20:

It is true that slavery can not exist without law any more than property in lands and goods can exist without law, and therefore the thirteenth amendment may be regarded as nullifying all State laws which establish or uphold slavery.

In the light of this announcement from the Supreme Court, saying without a law authorizing it there is no slavery, how can it be lawful or constitutional for Congress to provide a punishment for an individual charged with slavery, the charge being against him as an individual and independent of any State law authorizing his conduct? Can such a law by any possibility be held appropriate legislation under the thirteenth amendment, or under any other provision of the Constitution?

It is said, however, that it is against "peonage" that the act of 1867 is directed, and not against legalized slavery. I submit that there is no distinction between slavery and peonage possible to be made under the thirteenth amendment. If peonage comes within the operation of the thirteenth amendment, it is because and only because it is slavery. We must remember, too, that the only justification for enforcing the act of 1867 in Georgia is given in the claim that the act is authorized by the thirteenth amendment. Therefore to claim one rule for slavery and another rule for peonage is to beg the whole question. But let us see about "peonage."

In the Slaughterhouse Cases (16 Wallace, 72) the court says:

Undoubtedly, while negro slavery alone was in the mind of the Congress which proposed the thirteenth article, it forbids any other kind of slavery now or hereafter. If Mexican peonage or the Chinese cooly labor system shall develop slavery of the Mexican or Chinese race within our territory, this amendment may safely be trusted to make it void.

The headnote says:

While the thirteenth article of amendment was intended primarily to abolish African slavery, it equally forbids Mexican peonage or the Chinese cooly trade, where they amount to slavery or involuntary servitude.

Here we have the declaration from the very highest source that the only peonage affected by the thirteenth amendment is that which develops or amounts to slavery or involuntary servitude. Consequently the same rule applies to peonage that applies to slavery; and the rule as to slavery being, if there is no law to authorize it there is no slavery; it necessarily follows, if there is no law to authorize "peonage," there is no peonage. In this connection, if we will recur to the Senate debates and to the entire act of 1867, we will again learn that this act was directed against a "system" that was maintained, enforced, and established by law—to wit, by the Mexican law. Senator Doolittle said:

It is true that by the law of Mexico before we acquired the Territory of New Mexico the system of peonage existed there.

The act being intended and being directed only against a "system" recognized by law, and our Supreme Court having said that this "system" can not exist except by law, where does a United States district court in Georgia get authority or jurisdiction, without allegation that a peonage law exists, and without proof that it exists, to punish a citizen of Georgia for the offense of peonage? The act of 1867 confers no such authority under any possible construction, and the thirteenth amendment confers no such authority under any legislation appropriate or otherwise that has ever been enacted by Congress.

We know that Congress has never passed a law providing punishment for slavery or for involuntary servitude in those terms, and we learn from the authorities above referred to why Congress has not done so. There could be no occasion or reason for Congress to do so unless some State subsequent to the thirteenth amendment had undertaken by its laws to maintain slavery; and, more than this, the offense could not be defined and could not exist unless some State did retain or enact a law maintaining slavery. No State having done this, Congress has never acted.

If Congress did act, its action would of necessity be directed not against an individual acting as an individual, but acting as an officer or in some public capacity or under and by virtue of the State law. This will be patent from the authorities to follow. My contention now is that the act of 1867 was not and is not an exercise of the power, whatever it may be, that Congress has under the thirteenth amendment. The contention is made, however, that the thirteenth amendment is broad and comprehensive, and that it acts upon individuals as well as States.

Let us see the exact language used by the Supreme Court in this regard. In the civil rights cases reported in 109 United States, the court, in referring to the thirteenth amendment, on page 20, says:

By its own unaided force and effect it abolished slavery and established universal freedom. Still, legislation may be necessary and proper to meet all the various cases and circumstances to be affected by it, and to prescribe proper modes of redress for its violation in letter or spirit, and such legislation may be primary and direct in its character, for the amendment is not a mere prohibition of the State laws establishing or upholding slavery, but an absolute declaration that slavery or involuntary servitude shall not exist in any part of the United States.

Again, on page 23, the court says:

Under the thirteenth amendment, the legislation, so far as is necessary or proper to eradicate all forms and incidents of slavery and involuntary servitude, may be direct and primary, operating upon the acts of individuals, whether sanctioned by State legislation or not.

Again, on page 20, the court says:

But it has a reflex character also, establishing and decreeing universal civil and political freedom throughout the United States; and it is assumed that the power vested in Congress to enforce the article by appropriate legislation clothes Congress with power to pass all laws necessary and proper for abolishing all badges and incidents of slavery in the United States.

Whatever the contention may be as to the exact meaning of this language, there are two facts already established that makes its meaning of no importance to our contention. The one is that this same decision announced that without a law authorizing it there can be no slavery, and the other is that there is no law in Georgia recognizing slavery or peonage. It follows, therefore, that no matter what Congress may have the power to do, a citizen of Georgia can not be held guilty of an offense that he can not commit. Our real concern, however, is not what Congress might do under the language quoted, but what Congress has done.

No matter how broad the language quoted, it can not and does not add to the words and meaning of the act of 1867. I have already shown what that act is and what it means. I wish now to show that the very decision quoted from sustains my construction of the act and sustains further my proposition that the only individual in the State who can be acted on penally by the thirteenth amendment (and I care not how the amendment may otherwise affect him) is the individual who practices slavery or involuntary servitude as a part of a "system" and as an official or under and by virtue of a law or usage recognized and maintained by the State.

The first witness I will call is Mr. Solicitor-General Phillips, who filed the brief for the Government in the case under consideration and who speaks as to the system. On page 7 of the report his brief reads:

Granting that by involuntary servitude, as prohibited in the thirteenth amendment, is intended some institution—viz. custom, etc.—of that sort, and not primarily mere scattered trespasses against liberty committed by private persons, yet, considering what must be the social tendency in at least large parts of the country, it is "appropriate legislation" against such an institution to forbid any action by private persons which in the light of our history may reasonably be apprehended to tend, on account of its being incidental to quasi public occupations, to create an institution.

It is well to note that the court disagreed with the conclusion drawn from his premise.

The next witness I will call is Mr. Justice Harlan, who disagreed in part from the conclusions of the majority of the court. In his dissenting opinion (p. 36) he said, as to the individual:

Congress, therefore, under its express power to enforce that amendment (thirteenth) by appropriate legislation, may enact laws to protect that people (African) against the deprivation because of their race, of any civil rights granted to other freemen in the same State, and such legislation may be of a direct and primary character, operating upon States, their officers and agents, and also upon at least such individuals and corporations as exercise public functions and wield power and authority under the State.

I then call attention to the opinion of the majority of the court, holding that the first and second sections of the act of Congress under consideration were void. These sections provided a punishment for individuals who denied equal accommodations to all citizens at inns, theaters, on public conveyances, etc. The contention was made that denying the same accommodations to negroes as was given to whites was to affix or maintain a badge or incident of slavery upon the negro and was therefore in violation of the thirteenth amendment. The contention was, of course, also made that it was in violation of the fourteenth amendment. The majority of the court in their opinion adverted to the act of 1866, reenacted in 1870. This was the act intended to give full force and effect to the thirteenth amendment, and it may be well to quote it here. Said act reads:

That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States, and such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall have the same right in every State and Territory of the United States to make and enforce contracts, to sue, be parties and give evidence, to inherit, purchase, lease, hold, and convey real and personal property and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishments, pains, and penalties, and to none other, any law, statute, ordinance, regulations, or custom to the contrary notwithstanding.

SEC. 2. That any person who under color of any law, statute, ordinance, regulation, or custom shall subject or cause to be subjected any inhabitant of any State or Territory to the deprivation of any right secured and protected by this act, etc., shall be punished, etc.

The court in the opinion we are quoting from says, on page 16, in speaking of this act of 1866:

But the penal part by which the declaration (in the first section) is enforced and which is really the effective part of the law retains the reference to State laws by making the penalty apply only to those who should subject parties to a deprivation of their rights under color of any statute, ordinance, custom, etc., of any State or Territory.

Further, in the same opinion, page 15, the court holds that the fourth section of the act it is then considering, which section provides a punishment against any person charged with summoning jurors in a State who shall exclude or fail to summons a citizen on account of race, color, or previous condition, is constitutional, but says:

But a moment's attention to its terms will show that the section is entirely corrective in its character. Disqualifications for service on juries are only created by the law, and the first part of the section is aimed at certain disqualifying laws * * * and the second clause is directed against those who in assuming to use the authority of the State government carry into effect such a rule of disqualification.

Note this language, "Disqualifications for service on juries are only created by the law," and therefore the man who acts under the authority of the State government can be punished. Note that the man who acts under color of "law, statute, ordinance" of State or Territory is punished under the act of 1866, and then note that the man who acts as an individual in denying equal accommodations at inns, theaters, etc., can not be punished. Then apply this to slavery. It, too, is "created only by the law." It follows, therefore, that only the person who practices slavery under the authority of his State government can be punished by Federal statute. He can not practice it in any other way. If, as an individual, he deprives another individual of his liberty, he commits a private wrong, for which he is amenable only to his State.

If anything more were needed to demonstrate the correctness of this contention it is found in the civil rights act of 1866, just quoted. The significance of this act lies in the language of the second section, which expresses the Congressional interpretation of the thirteenth amendment, to the effect that the power to punish under this amendment is limited to those individuals who act under color of law, statute, ordinance, etc., of any State or Territory. We are thus sustained in our contention by both Congressional and Supreme Court interpretation.

If it be suggested, however, that Congress did not recognize any such interpretation in the act of 1867 and did not limit same to individuals acting under color of law, the answer is that in that act Congress was legislating for the Territory of New Mexico, and the limitation was not necessary, for the power of Congress there was plenary.

The mere fact that Congress did not place the same limitation in the act of 1867 that it placed in the act of 1866, is in itself a powerful, if not convincing, argument that Congress in 1867 was not attempting to reach persons in the States. To give the act of 1867 the construction we insist upon is to maintain for New Mexico, the only part of the United States in which "peonage" existed, a just and wholesome law, but to give it the construction that some Federal courts have given it is to do violence to the legislative intent, to the ordinary meaning of words, to all rules of construction, to the Constitution itself, and is to defeat and annul an otherwise beneficent law.

But, pursuing the subject yet further, I invite attention to some other amendments of the Constitution to be considered in connection with the thirteenth amendment. The fifth amendment, among other things, says:

Nor shall any person * * * be deprived of life, liberty, or property without due process of law.

The fourteenth amendment, among other things, says:

Nor shall any State deprive any person of life, liberty, or property without due process of law.

Clearly this part of the fourteenth amendment is an inhibition against the States, but equally clear is it that the part of the fifth amendment quoted is not. Now, if Congress, under the thirteenth amendment, the same merely saying that involuntary servitude, except as a punishment for crime, shall not exist within the United States, can punish a citizen of a State for holding another citizen of the same State in involuntary servitude, when in doing so he acts as an individual and without authority of law, why can not Congress punish the citizen of a State who wantonly takes the life of another citizen of the same State?

The victim of the murderer is deprived of his life "without due process of law," and the murderer has violated the Constitution just as much as the person has who holds another in involuntary servitude and, in addition, has committed a much more serious crime. To hold another in involuntary servitude is to deprive him of his liberty. Then why not punish the individual who does this by act of Congress under the fifth amendment, as well as under the thirteenth amendment?

You may well say you can not punish him under the fourteenth amendment, because that amendment is directed specifically against the States, but the fifth amendment is not so directed. Why not punish him under that? The reason you can not do so is stated in 123 United States, 166, as follows:

That the first ten articles of amendment were not intended to limit the powers of the State governments in respect to their own people, but to operate on the National Government alone, was decided more than a half century ago, and that decision has been steadily adhered to since.

To the same effect is 153 United States, 538; 164 United States, 158; 175 United States, 174.

In other words, the fifth amendment, being one of the first ten,

is merely a limitation on the United States Government itself. It is a part of the bill of rights necessary to the liberty of a free people. It is the declaration of the people that their Government shall not deprive them of life, liberty, or property except by due process of law. I have called attention, however, to the language of the fifth amendment to show how easy it is to enter upon fallacious reasoning as to the thirteenth amendment.

Now I want to consider the fifth, the thirteenth, and the fourteenth amendments together. It is certainly competent to consider the thirteenth and fourteenth together, and, indeed, the fifteenth, for the Supreme Court has said that the thirteenth, fourteenth, and fifteenth amendments are each part of one general scheme to give freedom and liberty to the negro race and to place this race on an equality with the white race in all civil rights.

Now, the fifth, the thirteenth, and the fourteenth amendments each deals with human liberty. The fifth is an inhibition against the power of the United States Government to deprive a person of liberty except by "due process of law;" the fourteenth is an inhibition against the power of State governments to deprive a person of liberty, except by "due process of law;" the thirteenth is but an enlargement of the inhibition contained in the fifth and fourteenth amendments—it applies to both the State and the National governments and says that neither of them, even with "due process of law," shall deprive a person of liberty, if such deprivation amounts to slavery or involuntary servitude, except as a punishment of crime.

That the thirteenth amendment in its prohibitory phase is not directed against individuals, but is directed against government, State and National, must be true, because we have already seen that slavery can not exist except through law, and law necessarily means government. That the thirteenth amendment in its declaratory phase does not apply to individuals we have seen in the opinion of the Supreme Court in the civil-rights cases. The court says:

> The amendment is not a mere prohibition of the State laws establishing or upholding slavery, but an absolute declaration that slavery or involuntary servitude shall not exist in any part of the United States.

Also:

> The legislation so far as is necessary or proper to eradicate all forms and incidents of slavery and involuntary servitude may be direct and primary, operating upon the acts of individuals, whether sanctioned by State legislation or not.

In other words, the prohibitory feature is against laws, State or national, that uphold slavery. The declaratory feature ignores State lines, breaks down the barriers of police power, enters the States and declares freedom and liberty to exist there, and that any "proper" legislation operating upon the individual, and "necessary" to give him freedom, Congress may enact, "whether sanctioned by State legislation or not."

The declaratory feature says that notwithstanding a State has the power to regulate the intercourse of its citizens, the one with the other, and to prescribe a rule of conduct for them, whether or not a State declares its citizens to be freemen, they are freemen, "without the legislative sanction of the State" as well as with it.

When we deal, however, with the prohibitory feature of the amendment, we find, as already stated, that of reason and necessity this is directed against the States, and any punishment that Congress may enact in pursuance of the amendment must be under that phase of it which prohibits and can in reason, law, and logic be directed only against those who invoke, or claim, or in some way seek to justify their conduct by the laws, rules, regulations, or usage of their State government. It would be the veriest waste of time for Congress to pass a law that no State shall establish slavery or involuntary servitude. The thirteenth amendment has already said that, and under that "self-executing" amendment no State can legally and constitutionally establish slavery.

Congress can not say that whoever practices slavery shall be punished, for that would be to state no offense, because nobody can practice slavery without the help of his State. The thirteenth amendment makes such help by the State of no avail to him who invokes it, for it is this help that the thirteenth amendment prohibits, but it must be invoked for the amendment to apply.

What Congress can do and all that Congress can do is to say whoever practices slavery "by the help of his State" shall be punished, but Congress has never so much as said that. The act of 1867, if it were otherwise applicable to Georgia, does not read that way; and even if it read that way, a conviction could not be had in Georgia under it, because the offense, as thus defined, could not be proven.

Having thus demonstrated, as I think, clearly and satisfactorily that the prohibitory feature of the thirteenth amendment is directed only against the States, and that being the only feature of the amendment that concerns us in this discussion, I now want to direct attention to some further opinions of the Supreme Court that I think pertinent and applicable to the contentions herein made and conclusive of their correctness. These opinions relate largely to the fourteenth amendment, but I have already shown that both the thirteenth and fourteenth amendments relate to liberty and are each a part of one general scheme, and I think these opinions directly in point as to the effect, meaning, and power of Congress under any limitation or prohibition of power against the States that is expressed in the Constitution.

109 United States, 17:

> In this connection it is proper to state that simple rights, such as are guaranteed by the Constitution against State aggression, can not be impaired by the wrongful act of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceeding. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual.

The court was speaking of the fourteenth amendment, and speaking of this also, the court says (p. 11):

> It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject-matter of the amendment.

Further (p. 11):

> It does not authorize Congress to create a code of municipal law for the regulation of private rights, but to provide modes of redress against the operation of State laws and the action of State officers, executive or judicial, when these are subversive of the fundamental rights specified in the amendment.

Also:

> It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation.

Also (p. 13):

> Such legislation can not properly cover the whole domain of rights appertaining to life, liberty, and property, defining them and providing for their vindication. That would be to establish a code of municipal law regulative of all private rights between man and man in society. It would be to make Congress take the place of the State legislatures and to succeed them. It is absurd to affirm that, because the rights of life, liberty, and property (which include all civil rights that men have) are by the amendment sought to be protected against invasion on the part of the State without due process of law, Congress may therefore provide due process of law for their vindication in every case.

Further, the court said (p. 14), in speaking of the act of Congress requiring the furnishing of equal accommodations at inns, theaters, etc.:

> It applies equally to cases arising in States which have the justest laws respecting the personal rights of citizens and whose authorities are ever ready to enforce such laws as to those which arise in States that may have violated the prohibition of the amendment. In other words, it steps into the domain of local jurisprudence and lays down rules for the conduct of individuals in society toward each other and imposes sanction for the enforcement of those rules without referring in any manner to any supposed action of the State or its authorities.
>
> If this legislation is appropriate for enforcing the prohibitions of the amendment, it is difficult to see where it is to stop. Why may not Congress, with equal show of authority, enact a code of laws for the enforcement and vindication of all rights of life, liberty, and property?

In 16 Wallace, 78:

> The argument, we admit, is not always the most conclusive which is drawn from the consequences urged against the adoption of a particular construction of an instrument. But when, as in the case before us, these consequences are so serious, so far-reaching and pervading, so great a departure from the structure and spirit of our institutions; when the effect is to fetter and degrade the State governments by subjecting them to the control of Congress in the exercise of powers heretofore universally conceded to them of the most ordinary and fundamental character * * * the argument has a force that is irresistible, etc.

Harris case (106 U. S., p. 629): This case involved the constitutionality of section 5519 of the Revised Statutes, which section provided a punishment:

> If two or more persons in any State or Territory conspire or go in disguise upon the highway or on the premises of another for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws, etc.

This statute, in this opinion, is held unconstitutional, and the entire opinion is valuable and to the point. It is held that neither the thirteenth, fourteenth, or fifteenth amendments to the Constitution, or section 2 of Article IV of the Constitution, authorized this statute, and that no other provision of the Constitution authorized it.

As to the fourteenth amendment, the court says (p. 638):

> It is perfectly clear from the language of the first section that its purpose was to place a restraint upon the action of the States.

And again, on page 639, the court says:

> Where the State has been guilty of no violations of its provisions, where it has not made or enforced any law abridging the privilege or immunities of citizens of the United States, nor none of its departments has deprived any person of life, liberty, or property, without due process of the law, or denied to any person within its jurisdiction the equal protection of the law; when, on the contrary, the laws of the State, as enacted by its legislative and construed by its judicial and administered by its executive departments, recognize and protect the rights of all persons, the amendment imposes no duty and confers no power upon Congress.

United States *v.* Cruikshank et al. (92 U. S., p. 542), the first headnote:

> The duty of a government to afford protection is limited always by the power it possesses for that purpose.

The third headnote:

The Government of the United States, although it is within the scope of its powers supreme and beyond the States, can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction. All that can not be so granted or secured are left to the exclusive protection of the States.

The eighth headnote:

The duty of protecting all of its citizens in the enjoyment of an equality of rights was originally assumed by the States, and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right.

100 United States, 339:

Whoever by virtue of his public position under a State government deprives another of life, liberty, or property without due process of law, or denies or takes away the equal protection of the laws, violates that inhibition. (Fourteenth amendment.)

136 United States, 436; 137 United States, 624; 127 United States, 678:

The fourteenth amendment to the Federal Constitution was not designed to interfere with the power of the State to protect the lives, liberties, and property of its citizens and to promote their health, peace, morals, education, and good order.

139 United States, 463:

By the fourteenth amendment the powers of States in dealing with crime within their borders are not limited, except that no State can deprive particular persons or classes of persons of equal and impartial justice under the law, etc.

We learn throughout these opinions that the protection of the lives, liberties, and property of citizens rests upon the States; that this duty was originally assumed by the States and remains there, and consequently was not assumed by and does not vest in the United States Government, and that so long as the States do not violate the inhibitions against them fixed by the Constitution these inhibitions impose no duty and confer no power upon Congress.

If the act of 1867 means what some of the Federal courts say it means, and if it be true that "mere scattered trespasses against liberty by private persons" may be punished in the Federal courts under an act of Congress that is valid, then we may well ask, in the language of the Supreme Court, "Why may not Congress, with equal show of authority, enact a code of laws for the enforcement and vindication of all rights of liberty and property?" And we may also ask, "Why not make Congress take the place of the State legislatures and succeed them?"

I think it entirely proper now to direct attention to the Georgia law on the subject of slavery and liberty; to show our constitution, our statutes, and their interpretation by our supreme court. Preliminary to this, however, I direct attention to a further expression of opinion by the Supreme Court of the United States. The court, in 103 U. S., 370, said:

A State must recognize as binding an amendment to the Constitution of the United States and enforce it within its own limits, without reference to any inconsistent provisions in its own constitution or statutes.

The State of Georgia has complied with this mandatory declaration. She has recognized the thirteenth amendment as binding, and she has enacted a constitution and competent laws to enforce it, and, in my judgment, has enforced her laws as well as any State in the Union.

The Supreme Court further, in the opinion quoted from (p. 389), said:

The presumption should be indulged in the first instance that the State recognizes as its plain duty an amendment of the Federal Constitution from the time of its adoption as binding on all its citizens and every department of its government, and to be enforced within its limits without reference to any inconsistent provisions in its own constitution or statutes.

This is an indirect, though none the less emphatic and correct, announcement that Georgia was looked to, under our system of government, to enforce the thirteenth amendment; that the duty of enforcing it devolved upon her; that the National Government should assume, in the first instance at least, that she would enforce it, and impliedly that it would be time enough for Congress to undertake its enforcement when Georgia failed to do it. The presumption was well indulged so far as Georgia is concerned. She has recognized and enforced the amendment.

So well has she discharged the obligations resting upon her, and so well have all the slave States done so, that Congress has not until this hour found any reason, necessity, or excuse for providing a punishment against anybody for using the power or authority of his State to practice slavery or involuntary servitude.

It has remained for certain of the Federal courts in their eager reach for power to not only ignore the presumption suggested and directed by the Supreme Court, but to ignore as well the constitutions and laws of their respective States and to ferret out a Territorial law that for thirty years and more has been recognized only as a Territorial law, and through and by what I believe to be misconstruction and misinterpretation—and I charge nothing more than this—to distort same into a law that Congress never dreamed of enacting, that Congress has never found any necessity for enacting, and into a law that, if Congress had enacted it, would clearly be invalid.

THE GEORGIA LAW.

The Georgia constitution prescribes (Code, sec. 5714):

Slavery.—There shall be within the State of Georgia neither slavery nor involuntary servitude, save as a punishment for crime after legal conviction thereof.

The constitution further says (Code, sec. 5718):

There shall be no imprisonment for debt.

Further (Code, sec. 5763):

Legislative acts in violation of the constitution or of the Constitution of the United States are void, and the judiciary shall so declare them.

In 72 Georgia, 69, third headnote, the court held:

If the plaintiff hired a person of full age to the defendant and received from him the note in suit for the services of the person so hired, this was an illegal transaction, and the note so given was void as being contrary to public policy and in violation of the thirteenth amendment of the Constitution of the United States and of paragraph 17 of the bill of rights in the constitution of Georgia.

In 74 Georgia, 247, the court held:

Besides, we are not aware of any power possessed by a court of equity or any other court to compel a party to perform personal service for another which he had contracted to perform but was unwilling to render. This would reduce him to involuntary servitude, not as punishment for crime, but for an alleged breach of contract, and would be directly in the teeth of the constitution

In 95 Georgia, 538, the court holds:

The county authorities have no power to hire out convicts sentenced under the provisions of section 4310 to a private individual, whether, being so hired, they be worked in chain gangs or otherwise, and so much of the acts of the legislature embodied in sections 4814, 4815, 4820, 4821 (e) of the code as authorizes such a hiring is repealed by the act of August 11, 1879. (Code, 4310.)

In 45 Georgia, 128:

Where A advances $20 to a laborer on the promise of the latter to work it out, and the laborer afterwards refuses to do so, he is not guilty of the offense of being a common cheat and swindler.

In part 3 of the code of Georgia, the same being the penal code, we find the following section (109):

Every person who forcibly abducts or steals away any person without lawful authority or warrant from this State or any county thereof, and sends or conveys such person beyond the limits of the State, or a county thereof, against his will is guilty of kidnaping.

The punishment (sec. 111) is not less than four years nor more than seven years' confinement in the penitentiary.

SEC. 106. False imprisonment is a violation of the personal liberty of a person and consists in confinement or detention of a person without sufficient legal authority.

And a penalty is provided therefor.

SEC. 123. If any person or persons, by threats, violence, or intimidation or other unlawful means shall prevent or attempt to prevent any person or persons in this State from engaging in, remaining in, or performing the business, labor or duties of any lawful employment or occupation, such offender or offenders shall be guilty of a misdemeanor.

SEC. 124. If any person or persons, singly or together, or in combination, shall conspire to prevent or attempt any person or persons by threats, violence, or intimidation from engaging in, remaining, or performing the business, labor, or duties of any lawful employment or occupation, such offender or offenders shall be guilty of a misdemeanor.

SEC. 125. If any person or persons, singly or by conspiring together, shall hinder any person or persons who desire to labor, from so doing, or hinder any person, by threats, violence, or intimidation, from being employed as a laborer or employee, such offender shall be guilty of a misdemeanor.

Sections 128, 129, 130, 131, 132, 133, and 134 cover the law against employers blacklisting employees.

In the early part of this argument or discussion I quoted from the International Encyclopedia, but not with the intention or purpose of indorsing the reference therein to the convict-labor systems of the South. I apprehend that the "recent revelations" referred to by the writer were from the brain of some prejudiced or unduly biased person. Whether the convict systems of the South, however, are good or bad is not germane to the question that I have been attempting to discuss.

I have been endeavoring to present a purely legal question, and I made the quotation from the encyclopedia as an authority for whatever it might be worth, from one evidently none too friendly to the South, that even a convict system—a system necessarily founded on law and a part of government, and, according to him, a bad system—that even the worst features of this bad lawful system do not amount to "peonage."

How much less excuse is there, therefore, to call the act of an individual and the act of a mere private citizen "peonage?"

My attention has been called, since the preparation of this argument, to an opinion on "peonage," delivered by Judge W. T. Newman, of the United States district court for the northern district of Georgia, and I add same hereto, together with the "notes" of the reporter. I am glad to find in Judge Newman such excellent support of the views I have presented, or at least for some of

them. The opinion of Judge Newman was rendered in the case of United States *v.* Eberhart et al., and is found in Federal Reporter, volume 127, No. 1, pamphlet form, issued March 10, 1904.

The following is the opinion:

The indictment charges the defendants with certain acts in restraint of the personal liberty of named persons of African descent, and characterizes these acts as peonage, and charges the defendants with holding the persons named as peons, and with returning them to a condition of peonage, in violation of the act of Congress of March 2, 1867 (chap. 187, 14 Stat. L., 546; Rev. Stat., sec. 5526; U. S. Comp. St., 1901, p 3715). The act of Congress named, entitled "An act to abolish and forever prohibit the system of peonage in the Territory of New Mexico, and other parts of the United States," was aimed at a system.

Its purpose was to abolish and forever prohibit the system known as "peonage," as it existed in New Mexico and elsewhere. A full discussion of this system and how it came to exist in New Mexico will be found in the case of Jaremillo *v.* Romero (1 N. M. 190). It came with the territory ceded to the United States by the treaty with Mexico after the Mexican war. It was part of the system of the people inhabiting that territory. The clear purpose of the act was to deal with this system by abolishing it and prohibiting a return to it. An examination of the act will show that this is true beyond question. No such system as this ever existed in Georgia. African slavery existed, but this was the ownership of Africans and persons of African descent as chattels. There could not be, therefore, in Georgia, any such thing as holding persons under this system of peonage or returning them to it.

It would be the merest perversion of this act to attempt to apply it to an ordinary case of restraint of personal liberty, and the case is not strengthened by the charge that the person so restrained is of African descent. However wrongful and illegal some of the acts charged in the indictment may be, they can not be punished under the statute named. The purpose of this act, as stated, was to abolish this system of peonage and to render null and void all acts, laws, resolutions, orders, regulations, or usages in New Mexico or elsewhere which established or which sought to establish this system. The penal part of the act will not be enlarged beyond the scope and purpose of the act as above indicated. The penalty is for holding under, or for arresting or returning to, this condition of peonage. A person must have been held under this system or arrested and returned to it; that is, to a preexisting condition of peonage.

MEXICAN PEONAGE.

It may be added that even if the act of Congress on which this indictment is based could be held applicable in Georgia the acts set out in the indictment are nothing like the old system of peonage. That system seems to have been, even as it came from Mexico, a voluntary system of labor and of servitude. The individual, in the beginning at least, voluntarily assumed this service. He was afterwards, it is true, held to the service against his will until his contract was discharged, and he could be held under it or by the custom and usages of the country arrested and returned to it.

Certain it is that by the act of the Territorial legislature of New Mexico of 1852 (Laws 1851-52, p. 184), which was probably in force when the act of Congress was passed, the service must have been voluntarily entered into (Jaremillo *v.* Romero, supra.) So that both under the old system of peonage, as it came from New Mexico, and also as it was embodied in the statute law of New Mexico, the contract was entered into freely and voluntarily by the servant. The act of Congress on which this indictment is based is inapplicable in Georgia, and, even if applicable here, the facts set out in the indictment are not such as make a case under the act. To merely characterize acts in restraint of personal liberty as peonage is not sufficient to make them such—certainly not under this act of Congress.

REPORTER'S NOTES.

The foregoing opinion was filed in 1899, but has not before been published. Since this decision Judge Jones of the northern district of Alabama has taken what seems to be a different view of the matter, in some respects at least, as shown in his "Response to questions by grand jury." (In re Peonage cases, 123 Fed., 671.) It is understood that Judge Speer, of the southern district of Georgia, and Judge Swayne, of the northern district of Florida, have also held differently, but in cases which, so far as known, have not been reported. Circuit Judge Shelby had a peonage case before him on habeas corpus. (In re Lewis, 114 Fed., 963.) Judge Shelby states, however, in reference to the question involved here that it "need not now be decided." Cases on writ of error, from the northern district of Florida, are pending in the circuit court of appeals for the fifth circuit, but have not yet been heard.

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WILLIAMS of Mississippi. Did the gentleman from Ohio make any remarks this morning?

Mr. GROSVENOR. I did. This is the same document about which the gentleman from Mississippi and I have had conversation.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the gentleman from Ohio and I had an agreement and I shall not object provided I have the same unanimous consent. I wish to insert an article in the RECORD and make a few comments in connection with it in reply to what the gentleman from Ohio is to put in.

The CHAIRMAN. Is this a request to print documents, or is it a general leave to extend remarks?

Mr. GROSVENOR. I will state, Mr. Chairman, my proposition to the House. Some days ago the gentleman from Mississippi put into the RECORD properly a newspaper article from the Brooklyn Eagle, which was the product of a correspondent. I received an editorial from the same paper with a request that it might go into the RECORD. I consulted the gentleman from Mississippi, and he stated that he had an article from the New York World which he desired to put into the RECORD as an answer to that. That is our proposition.

Mr. WILLIAMS of Mississippi. And to say a few words in answer to that article from the Eagle which the gentleman proposes to insert.

The CHAIRMAN. The gentleman from Ohio and the gentleman from Mississippi, respectively, ask unanimous consent to extend remarks in the RECORD. Is there objection?

There was no objection.

Mr. HEMENWAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. BURTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14416, the sundry civil appropriation bill, and had directed him to report that the committee had come to no resolution thereon.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I am instructed to submit the report of the conferees on the army bill and a statement to be printed in the RECORD under the rule. I will state that it is only a partial agreement.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10670) making appropriations for the Army for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 6, 7, 9, 10, 11, 12, 19, 20, 21, 24, 34, 35, 38, 42, 47, 54, and 57.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 8, 13, 17, 18, 26, 28, 30, 31, 32, 34, 36, 37, 39, 41, 44, 45, 46, 48, 53, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 74.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: On page 6, line 14, of the bill strike out the word "fifty;" and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "eighty-one thousand and six hundred;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In line 7 of said amendment strike out the following: "the Adjutant-General's section and the Record and Pension section of," and in line 31 of said amendment, before the word "military," insert the word "the," and after the word "brigadier-general," in line 34 of said amendment, insert the following: ": *Provided further*, That when the office of Military Secretary with the rank of major-general shall hereafter become vacant, it shall not be filled with said rank, and thereafter the chief of the Military Secretary's Department shall have the rank of a brigadier-general with the title of the Military Secretary, and there shall be only one officer above the rank of colonel in the said department," and in line 42 of said amendment strike out the words "Adjutant-General" and insert in lieu thereof the following: "Military Secretary: *Provided further*, That the chief of the Military Secretary's Department shall be a member of the Board of Commissioners of the United States Soldiers' Home;" and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the words "seventy-six thousand two hundred" and insert in lieu thereof the following: "forty-five thousand eight hundred;" and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: After the word "audit," in line 14 of said amendment, insert the following: ", and the Secretary of War may hereafter authorize the assignment to duty in the office of the Paymaster-General of such paymasters' clerks, now authorized by law, as may be necessary for that purpose:" and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: After the word inserted by said amendment insert a comma; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Strike out all the matter inserted by said amendment and insert in lieu thereof the following: ": *Provided*, That of the appropriation for construction and repair of hospitals not more than forty thousand dollars shall be used for the enlargement or construction of a hospital at any one post:" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "thirty-nine" and insert in lieu thereof the word "forty-five;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the words "direct that the same;" and in the same line, after the word "presented," insert the following: "by direction of the President and;" and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: After the word "accounts," in line 14 of said amendment, strike out all of the matter inserted by said amendment; and the Senate agree to the same.

Your conferees report a disagreement on the following amendments: Nos. 16, 22, 23, 25, 29, 49, 50, and 51.

J. A. T. HULL,
F. C. STEVENS,
JAMES HAY,
Managers on the part of the House.

REDFIELD PROCTOR,
J. V. QUARLES,
F. M. COCKRELL,
Managers on the part of the Senate.

Statement to accompany report of conference on H. R. 10670.

Amendment No. 1 refers to contingent expenses in the Office of Chief of Staff; and the Senate recedes.

Amendment No. 2 is a limitation on the use of the contingent fund; and the House recedes.

Amendments Nos. 3 and 4 simply refer to the things appropriated for in the School of Submarine Defense, at Fort Totten, N. Y., without changing the amount; and the House recedes.

Amendments Nos. 5, 6, and 7 refer to professional books of reference, periodicals, and newspapers; and the Senate recedes from all three amendments.

Amendment No. 8: Alaskan cable; House recedes.

Amendments Nos. 9, 10, 11, and 12 are changes simply in the language of the bill; and the Senate recedes from all five amendments.

Amendment No. 13 refers to the repayment to Maj. William H. McArthur of money paid wrongfully without any fault on his part; and the House recedes.

Amendment No. 14: The House recedes, and agrees to the same with an amendment reducing the number of quartermaster-sergeants to two hundred.

Amendment No. 15: The House recedes, and agrees to the same with an amendment making the amount appropriated correspond with the number of quartermaster-sergeants authorized.

Amendment No. 16 refers to an increase in the enlisted force in the Signal Corps; and the conferees report a disagreement.

Amendment No. 17 designates where the chief clerk can be employed; and the House recedes.

Amendment No. 18 is simply the insertion of the words "per annum;" and the House recedes.

Amendments Nos. 19, 20, and 21 refer to an increase of clerks at headquarters; and the Senate recedes.

Amendments Nos. 22 and 23 refer to an increase of clerks; and the conferees report a disagreement.

Amendment No. 24 refers to an increase of general-service messengers; and the Senate recedes.

Amendment No. 25 refers to the total amount appropriated; and the conferees report a disagreement until an agreement has been reached on the number of clerks.

Amendment No. 26 is simply an insertion of a comma; and the House recedes.

Amendment No. 27 refers to the consolidation of the Adjutant-General's Department and the Record and Pension Office under the title of "Military Secretary's Department;" and the House recedes from its disagreement, and agrees to the provision with amendments, the principal amendment being to make the rank of the senior of the consolidated bureau a major-general only during the active service of the present incumbent.

Amendment No. 28 refers to an increase in the Corps of Engineers; and the House recedes from its disagreement.

Amendment No. 29 refers to advancement of retired officers; and the conferees report a disagreement.

Amendment No. 30 is a limitation on retired officers acting as clerks or other civil employees in the Departments of the Government; and the House recedes.

Amendment No. 31 relates to computed length of service in the retirement of enlisted men; and the House recedes.

Amendment No. 32 is verbal; and the House recedes.

Amendment No. 33 inserts the words "and twenty-one," and is necessary to cover the appropriations following; and the House recedes.

Amendment No. 34 relates to the army nurses; and the Senate recedes.

Amendment No. 35 relates to the claim of Maj. E. W. Halford; and the Senate recedes.

Amendment No. 36 cuts off extra pay of troops serving in Hawaii and Porto Rico; and the House recedes.

Amendment No. 37 cuts off additional pay of officers serving in Hawaii and Porto Rico; and the House recedes.

Amendment No. 38 makes the Porto Rican regiment consist of three battalions; and the Senate recedes.

Amendment No. 39 provides for officering the two battalions; and the House recedes.

Amendment No. 40 refers to pay of officers of the line of the two battalions of the Porto Rican regiment; and the House recedes and agrees to same with an amendment.

Amendment No. 41 simply makes a paragraph, made necessary by the insertion of amendment No. 39; and the House recedes.

Amendment No. 42 is the appropriation for pay of the enlisted force of the Porto Rican regiment; and the Senate recedes.

Amendment No. 43: The House recedes, and agrees to the same with an amendment authorizing the Secretary of War to use the paymaster's clerks in his discretion in the Department.

Amendment No. 44 refers to the amount appropriated for subsistence; and the House recedes.

Amendment No. 45 simply protects officers in the use of the horses owned by them; and the Houses recedes.

Amendment No. 46 refers to the amount appropriated for supplies for the Quartermaster's Department; and the House recedes.

Amendment No. 47 provides for barracks on the Isthmus of Panama; and the Senate recedes.

Amendment No. 48 refers to the amount appropriated for the Army and its supplies; and the House recedes.

Amendment No. 49 is for the construction of a military wagon road in Alaska; and the conferees report a disagreement.

Amendment No. 50 is for locating and constructing a military trail in Alaska; and the conferees report a disagreement.

Amendment No. 51 is to authorize the construction of a bridge across the Spokane River; and the conferees report a disagreement.

Amendment No. 52 is verbal; and the House recedes with an amendment.

Amendment No. 53 exempts from the appropriation officers' quarters at the Army and Navy Hospital at Hot Springs, Ark.; and the House recedes.

Amendment No. 53 refers to the amount appropriated for the construction and repair of hospitals; and the Senate recedes.

Amendment No. 54 relates to the segregation of amounts for hospitals at certain posts; and the House recedes from its disagreement, and agrees to the same with an amendment limiting the amount which can be appropriated at any one post.

Amendment No. 56 relates to the appropriation for shooting galleries and ranges; and the House recedes from its disagreement, and agrees to the same with an amendment increasing the amount from $39,500 to $45,500, with the Senate receding from its amendment No. 57, appropriating $10,000 for a rifle range at Fort Riley, Kans., making the amount of the appropriation less than the amount appropriated by the Senate.

Amendment No. 58 is for the purchase of materials for the manufacture of metallic ammunition; and the House recedes.

Amendment No. 59 relates to the amount appropriated for the manufacture and purchase of ammunition for the Army; and the House recedes.

Amendment No. 60 relates to medals of honor; and the House recedes from its disagreement, and agrees to the same with an amendment simply making clear how these medals are to be presented.

Amendment No. 61 makes immediately available appropriation for field artillery for the several States; and the House recedes.

Amendments Nos. 62, 63, 64, 65, 66, 67, 68, 69, and 70 are simply changing the phraseology of the bill, leaving the total amount appropriated in these clauses the same as appropriated by the House; and the House recedes from all the amendments.

Amendment No. 71 relates to military stores sold to the Philippine Islands; and the House recedes.

Amendment No. 72 relates to bookkeeping of the Ordnance Department, and the sale of parts of serviceable arms to American inventors and designers; and the House recedes.

Amendment No. 73 relates to an adjustment of accounts between the civil government of the Philippine Islands and the Government of the United States; and the House recedes from its disagreement, and agrees to the same with an amendment striking out all after the end of line 2, page 52 of the printed bill.

J. A. T. HULL,
F. C. STEVENS,
JAMES HAY,
Managers on the part of the House.

PRINTING OPINIONS IN NORTHERN SECURITIES COMPANY VS. UNITED STATES.

Mr. PERKINS. Mr. Speaker, I present the following privileged report.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives 14,000 copies of the opinion of the Supreme Court of the United States, with concurring and dissenting opinions, in the case of the Northern Securities Company and others *v.* The United States, delivered March 14, 1904.

Mr. GAINES of Tennessee. Mr. Speaker, I reserve a point of order for the purpose of asking the gentleman if he will not amend the resolution so as to include the opinion of Judge Thayer and his associates in the court below?

Mr. PERKINS. The resolution provides only for printing the opinions of the Supreme Court.

Mr. WILLIAMS of Mississippi. Will the copies under this request go to the folding room, so that Members will get their share of them? If not, I will ask the gentleman to amend his resolution so that they may go to the folding room.

Mr. PERKINS. Under the resolution 14,000 copies are for use of the Members of the House, to be divided equally, which will give each Member about thirty-five copies.

Mr. WILLIAMS of Mississippi. And they will go to the folding room?

Mr. PERKINS. Yes.

Mr. GAINES of Tennessee. May I ask the gentleman to amend his resolution so as to include the opinion of Judge Thayer and his associates?

Mr. PERKINS. I can not do that, Mr. Speaker.

Mr. GROSVENOR. That is not valuable.

Mr. GAINES of Tennessee. It is valuable, as the Supreme Court of the United States has affirmed it, and the opinion is able.

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

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1572. An act granting an increase of pension to Isaac N. Hughey—to the Committee on Invalid Pensions.

S. 1310. An act granting a pension to Ella C. Tupper—to the Committee on Invalid Pensions.

S. 716. An act granting an honorable discharge to Jacob Niebels—to the Committee on Military Affairs.

S. 402. An act for the relief of James D. Vernay—to the Committee on Military Affairs.

S. 329. An act granting an increase of pension to Bushnell B. Loomis—to the Committee on Invalid Pensions.

S. 320. An act granting an increase of pension to Hiram W. White—to the Committee on Invalid Pensions.

S. 208. An act granting an increase of pension to Alfred Kent—to the Committee on Invalid Pensions.

S. 94. An act granting a pension to Alvin Rine—to the Committee on Invalid Pensions.

S. 5028. An act granting an increase of pension to Charles W. Chargo—to the Committee on Invalid Pensions.

S. 4919. An act granting an increase of pension to William C. Griffin—to the Committee on Pensions.

S. 4899. An act granting an increase of pension to Laura Gillmore—to the Committee on Invalid Pensions.

S. 4891. An act granting an increase of pension to Elizabeth G. Illsley—to the Committee on Invalid Pensions.

S. 4846. An act granting an increase of pension to John Taylor—to the Committee on Invalid Pensions.

S. 4842. An act granting an increase of pension to Siloam Williams—to the Committee on Invalid Pensions.

S. 4765. An act granting an increase of pension to Adrian Terry—to the Committee on Invalid Pensions.

S. 4742. An act granting an increase of pension to Earl B. French—to the Committee on Invalid Pensions.

S. 4648. An act granting an increase of pension to John T. Rader—to the Committee on Invalid Pensions.

S. 4618. An act granting an increase of pension to William Varnes—to the Committee on Pensions.

S. 4372. An act for the relief of H. Gibbes Morgan and other coowners of Cat Island, in the Gulf of Mexico—to the Committee on Interstate and Foreign Commerce.

S. 4343. An act for the relief of Talton T. Davis—to the Committee on Military Affairs.

S. 4056. An act granting an increase of pension to George G. Wright, alias George Gravett—to the Committee on Invalid Pensions.

S. 3938. An act for the relief of George H. White—to the Committee on Military Affairs.

S. 3503. An act to amend the record of Maj. John Murphy—to the Committee on Military Affairs.

S. 3030. An act granting an increase of pension to Charles O. Fargo—to the Committee on Invalid Pensions.

S. 2930. An act to remove the charge of desertion from the military record of James B. Boyd—to the Committee on Military Affairs.

S. 2711. An act granting an increase of pension to Fannie S. Moore—to the Committee on Invalid Pensions.

S. 2423. An act granting an increase of pension to Benson C. Bellamy—to the Committee on Invalid Pensions.

S. 2330. An act to correct the military record of Jacob McDowell—to the Committee on Military Affairs.

S. 1989. An act granting an increase of pension to John McCabe—to the Committee on Invalid Pensions.

S. 1654. An act for the relief of Theodore F. Northrop—to the Committee on Military Affairs.

S. 2650. An act to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy—to the Committee on Naval Affairs.

S. 1618. An act granting an increase of pension to Thomas Herran—to the Committee on Invalid Pensions.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3015. An act to provide for an additional judge of the district court of the United States for the eastern district of Pennsylvania.

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 3761. An act ceding certain land appertaining to the custom-house at St. Joseph, Mo., for use as a street:

H. R. 9777. An act granting to the city of Port Angeles, State of Washington, for park purposes, certain portions of the Government reserve in said city:

H. R. 8335. An act to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, 1892, chapter 28;

H. R. 9791. An act granting a pension to Abram Claypool;

H. R. 56. An act to authorize the State of South Dakota to select school and indemnity lands in the ceded portion of the Great Sioux Reservation, and for other purposes:

H. R. 11449. An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River;

H. J. Res. 113. A joint resolution for the printing of 5,000 copies, with accompanying maps and illustrations, of the report of the governor of New Mexico to the Secretary of the Interior for the year ending June 30, 1903, and the printing of 1,000 copies of the latest map of said Territory;

H. J. Res. 55. Joint resolution providing for the publication of the reports of the Board of Managers and Inspectors of the National Home for Disabled Volunteer Soldiers for the fiscal year ending June 30, 1903; and

H. J. Res. 133. Joint resolution providing that the bulletins of the Bureau of American Ethnology be printed in octavo.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave to withdraw from the files of the House, without leaving copies, was granted to Mr. DANIELS, the papers in the case of William D. Hall, Fifty-eighth Congress, no adverse report having been made thereon.

To Mr. HUFF, leave to withdraw from the files of the House, without leaving copies, the papers in the case of W. H. Pershing, no adverse report having been made thereon.

ADJOURNMENT.

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

The motion was agreed to; and accordingly (at 5 o'clock and 19 minutes p. m.) the House adjourned until to-morrow, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Ohio River below the mouth of Green River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with accompanying communications, a draft of a bill to permit a right of way to the Oahu Railroad and Land Company through the military reservation of Kahauiki, district of Kona, Oahu, Hawaiian Islands—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting statement of useless documents accumulated in his Department—to the Joint Committee on Disposition of Useless Papers in Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. TAWNEY, from the Select Committee on Industrial Arts and Expositions, to which was referred the bill of the Senate (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark, in the years 1804, 1805, and 1806, and for other purposes, reported the same with amendment, accompanied by a report (No. 1965); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BONYNGE, from the Committee on Mines and Mining, to which was referred the bill of the House (H. R. 1223) to establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 1966); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FORDNEY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the Senate (S. 1750) to provide an American register for the British ship *Pyrenees*, reported the same without amendment, accompanied by a report (No. 1963); which said bill and report were referred to the Private Calendar.

Mr. BURKE, from the Committee on Indian Affairs, to which was referred the bill of the House H. R. 4662, reported in lieu thereof a resolution (H. Res. 275) for the relief of the heirs of John Baxter, accompanied by a report (No. 1967); which said resolution and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 12772) to restore certain officers of the United States Army to their proper places on their respective lineal lists, reported the same adversely, accompanied by a report (No. 1964); which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 14455) granting a pension to George A. Fan Joy—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8708) granting an increase of pension to David C. Posey—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. MOON of Tennessee: A bill (H. R. 14498) to declare, enlarge, and define the jurisdiction of the United States courts in certain cases, and for other purposes—to the Committee on the Judiciary.

By Mr. ZENOR: A bill (H. R. 14499) to extend the provisions of existing pension laws to the Indiana State Militia, known and designated as the "Indiana Legion," and to the widows, children, and dependent relatives of deceased members of the Indiana Legion who rendered service to the United States during the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. KALANIANAOLE: A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii—to the Committee on Military Affairs.

By Mr. McDERMOTT: A bill (H. R. 14501) to provide for the erection of a monument to the memory of Maj. Pierre Charles L'Enfant—to the Committee on the Library.

By Mr. COOPER of Wisconsin: A bill (H. R. 14502) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes—to the Committee on Insular Affairs.

By Mr. GROSVENOR: A bill (H. R. 14532) to amend certain sections of Title LII of the Revised Statutes of the United States, entitled "Regulation of steam vessels," and acts amendatory thereto, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. GIBSON: A bill (H. R. 14533) to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee—to the Committee on the Judiciary.

By Mr. ZENOR: A joint resolution (H. J. Res. 138) authorizing the Secretary of War to pay certain employees, clerks, copyists, stenographers and typewriters, laborers, workmen, workwomen, and mechanics, in the Quartermaster-General's Office and at United States Government depots of the Quartermaster's Department, for additional work performed in excess of their customary and regular hours per day under the rules and regulations thereof—to the Committee on War Claims.

By Mr. BURKE, from the Committee on Indian Affairs: A resolution (H. Res. 275) referring to the Court of Claims the bill H. R. 4662—to the Private Calendar.

By Mr. MIERS of Indiana: A resolution (H. Res. 276) authorizing the Committee on Appropriations to provide in the general deficiency appropriation bill for the payment to Marsellus Butler of $100—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BELL of California: A bill (H. R. 14503) for the relief of Joseph Gallagher, postmaster at Davisville, Cal.—to the Committee on Claims.

Also, a bill (H. R. 14504) granting a pension to John Q. Adams—to the Committee on Pensions.

Also, a bill (H. R. 14505) granting a pension to John Bryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14506) granting an increase of pension to Peter C. Dufour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14507) granting an increase of pension to Alden Youngman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14508) granting an increase of pension to John Brady—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 14509) for the relief of James G. Field, surgeon in the United States Navy—to the Committee on Naval Affairs.

By Mr. CRUMPACKER: A bill (H. R. 14510) granting an increase of pension to Daniel M. Graves—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 14511) granting an increase of pension to Robert R. Keys—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney—to the Committee on Pensions.

By Mr. GARBER: A bill (H. R. 14513) for the relief of Harvey S. Miller—to the Committee on Military Affairs.

By Mr. GRANGER: A bill (H. R. 14514) for the relief of Thomas F. Tobey—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 14515) granting an increase of pension to George R. Brumblay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14516) granting a pension to Emma Goddard—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 14517) granting a pension to Lillie A. Schoppaul—to the Committee on Pensions.

Also, a bill (H. R. 14518) granting a pension to Henderson Evins—to the Committee on Pensions.

By Mr. KETCHAM: A bill (H. R. 14519) granting an increase of pension to George R. Thayer—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 14520) granting a pension to J. H. McGraw—to the Committee on Pensions.

By Mr. MAHON: A bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips—to the Committee on Invalid Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 14522) directing the issue of a check in lieu of a lost check drawn by Col. John V. Furey, assistant quartermaster-general, United States Army, in favor of John Wanamaker—to the Committee on Claims.

By Mr. MIERS of Indiana: A bill (H. R. 14523) granting an increase of pension to Richard McCandliss—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 14524) granting a pension to Jennie A. Brown—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 14525) granting a pension to Sylvester Ray—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 14526) granting an increase of pension to Sarah Yeager—to the Committee on Invalid Pensions.

By Mr. TAYLOR: A bill (H. R. 14527) for the relief of Rittenhouse Moore—to the Committee on Claims.

By Mr. WANGER: A bill (H. R. 14528) granting an increase of pension to John C. Umstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14529) to authorize the President to place the name of John Roop on the retired list of the United States Navy with the rank of first assistant engineer, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 14530) for the relief of George W. Flack—to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 14531) granting an increase of pension to P. A. Gatchell—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By the SPEAKER: Petition of Greenleaf Woman's Christian Temperance Union, of Rising City, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of Elsie Bradshaw, of Beaver, Utah, and Ella P. Collins, of Los Angeles, Cal., against sale of cigarettes to minors—to the Committee on the Judiciary.

By Mr. BEDE: Petition of residents of Duluth, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BELL of California: Petition of A. R. Wilson and others, of Watsonville, against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Sacramento and St. Helena, Cal., against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Sacramento (Cal.) Typographical Union, No. 46, in favor of the passage of an eight-hour law—to the Committee on Labor.

By Mr. BONYNGE: Resolutions of Grand Army of the Republic Posts Nos. 1, 2, 3, 5, 10, 18, 22, 46, 53, 63, 81, 88, 96, 100, 105,

106, 109, and 110, Department of Colorado and Wyoming, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CROMER: Petitions of A. J. Hinshaw and many others, of Union City, Ind., and Charles L. Hawkins and 50 others, of Parker, Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Cigar Makers' Union No. 274, of Anderson, Ind., against the passage of the anticoupon bill (H. R. 6)—to the Committee on Ways and Means.

Also, petition of Carl Miller and others, of New Mount Pleasant, Ind., asking for the defeat of the post-office bill as reported by the committee and that the carriers be permitted to act as agents for newspapers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Farmers' Institute of Cass County, Ind., in favor of bill H. R. 8678—to the Committee on Agriculture.

By Mr. DAVEY of Louisiana: Petition of New Orleans Typographical Union, No. 17, in favor of the enactment of the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of New Orleans Typographical Union, No. 17, in favor of the passage of an eight-hour bill—to the Committee on Labor.

Also, petition of John I. Adams & Co., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of John I. Adams & Co., in favor of certain amendments to bill S. 4319—to the Committee on Interstate and Foreign Commerce.

By Mr. DEEMER: Resolutions of Lodge No. 386 and Helpers' Division No. 142, Brotherhood of Boiler Makers and Iron-ship Builders, of Jersey Shore, Pa., in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. FULLER: Petition of Rev. P. M. Alfoin and 36 others, of Rockford, Ill., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Patent Law Association of Chicago, against the passage of bills H. R. 11585 and S. 4062—to the Committee on Patents.

By Mr. GOULDEN: Resolution of the Drug Trade Section of the New York Board of Trade and Transportation, in favor of a reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. GRIFFITH: Paper to accompany House bill to increase the pension of Capt. George R. Bramblay—to the Committee on Invalid Pensions.

Also, petition of Charles H. Lommel and 16 others, of Lawrenceburg, Ind., against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Petition of S. V. Brewer Post, No. 323, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HITT: Resolution of U. S. Grant Circle, No. 20, Ladies of the Grand Army of the Republic, of Rochelle, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Mr. KLINE: Petition of Yeager Furniture Company, of Allentown, Pa., in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. KALANIANAOLE: Resolution of Honolulu Chamber of Commerce, Honolulu, Hawaii, urging the passage of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. McNARY: Petition of Hovey & Harding, of South Boston; F. L. and J. C. Codman, of Boston, and 7 others, in favor of increasing the salary of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Division No. 13, Ancient Order of Hibernians, of Walpole, Mass., and petition of William H. Flynn, of Walpole, Mass., in favor of a bill for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. MAHON: Papers to accompany House bill for the relief of Samuel H. Phillips—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Papers to accompany bill granting a pension to Richard McCandless—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany House bill to declare, enlarge, or define the jurisdiction of the United States courts in certain cases, and for other purposes—to the Committee on the Judiciary.

By Mr. NEVIN: Petition of Lawrence E. Wilson and others, praying for relief for the landless Indians of northern California—to the Committee on Indian Affairs.

By Mr. PATTERSON of Tennessee: Memorial of the Daughters of the American Revolution and the Maury Memorial Light-House Commission, relative to a light-house memorial in memory of Mathew Fontaine Maury—to the Committee on the Library.

By Mr. PORTER: Resolution of a Republican convention of Virginia, indorsing the Jamestown Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, letters from Christy & Christy, patent attorneys, and the McConway & Forley Company, of Pittsburg, Pa.; the Patent Law Association, of Chicago; Kay, Totten & Winter, and Joseph M. Nesbit, of Pittsburg, Pa., against the passage of bills H. R. 11585 and S. 4062—to the Committee on Patents.

Also, petition of Eli Hemphill Circle, No. 40, Ladies of the Grand Army of the Republic, of Tarentum, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Picking Naval Garrison, No. 4, Army and Navy Union of the United States, relative to the naval retirement bill—to the Committee on Naval Affairs.

Also, petition of the citizens' committee of San Miguel, Cal., relative to the purchase of army training camps—to the Committee on Military Affairs.

By Mr. RAINEY: Petition of Rev. Thomas O'Hara and 56 others, of Pittsfield, Ill., in favor of a memorial monument in memory of Commodore John Barry—to the Committee on the Library.

Also, petition of L. F. Bright and 53 others, of Barry, Ill., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RIDER: Resolution of the Patent Law Association of Chicago, Ill., against the passage of bills H. R. 11585 and S. 4062—to the Committee on Patents.

By Mr. ROBINSON of Arkansas: Paper to accompany bill H. R. 12105, granting an increase of pension to James A. Lowe—to the Committee on Invalid Pensions.

By Mr. RUSSELL: Petition of Rev. N. C. Howard and 100 others, of Terrell, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SCOTT: Petition of soldiers of Bronson, Moran, and Redfield, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SCUDDER: Resolution of citizens' associations of Jamaica, N. Y., in favor of bill H. R. 11129—to the Committee on Rivers and Harbors.

Also, resolution of officers of Suffolk County (N. Y.) Agricultural Society, in favor of improving the harbors and channels of Long Island—to the Committee on Rivers and Harbors.

By Mr. SIMS: Resolution of the Chattanooga Central Labor Union, in favor of the passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. SNOOK: Paper to accompany bill H. R. 4771, granting a pension to Aaron Taylor—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the Patent Law Association of Chicago, Ill., against the passage of bills H. R. 11585 and S. 4062—to the Committee on Patents.

By Mr. TRIMBLE: Petition of residents of Kentucky, in favor of the enactment of bill H. R. 3574, for the relief of farmers and tobacco growers—to the Committee on Ways and Means.

SENATE.

TUESDAY, *March 29, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. HOAR, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

THE COMMITTEE ON THE JUDICIARY.

Mr. HOAR. I ask unanimous consent that the Committee on the Judiciary may have leave to sit during the sessions of the Senate.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the Judiciary Committee be allowed to hold sessions during the sessions of the Senate. Is there objection? The Chair hears none, and that order is made.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, schedules of papers, documents, etc., on the files of the Interior Department December 31, 1900, not needed in the transaction of public business and of no permanent value or historical interest which have not been disposed of, together with a communication from the Commissioner of Indian Affairs, showing the accumulation of such papers in his office since that time. The communication and accompanying papers will be referred to a Joint Select Committee on the Disposition of