

living to give their explanation of it. But I will not gainsay a word which has come to us from the Senator who has just spoken.

Mr. President, we are not going to get through one bit earlier than we will in the natural course of events by overpressure upon a wearied body. Senators have attended here habitually. I am in the same situation that, no doubt, every other member of the committee, if not of the Senate, is in. I have piles of mail concerning this subject, in which, in the due course of things, the correspondents would receive, as they are entitled, a reply; but it can not be done when we have our minds occupied with determining how we shall vote on different propositions and necessarily occupied in attendance upon the Senate.

But the Senator from Rhode Island can rely upon this body, for we know its sense as well as he does. There is not going to be any undue delay. It is as important to some Senators to lay their views before the Senate in a fitting way as it is to other Senators. Such a prodigious matter as this, which he hopes, and his side hopes, may be of long continuity and bring peace to the country, can not be disposed of by dragooning. That is one thing which the Senate always flinches from doing, and which they will not permit, in my judgment, to be done. I do not mean to intimate that that is the spirit of the Senator, but, having been aroused here by a few jests on yesterday of the Senator from South Carolina, he seems to have gotten into an instant passion of haste and to wreak it upon the Senate.

Mr. President, it would help the movement of this body to adjourn over until Monday. My colleague [Mr. MARTIN] has gone away. The lumber schedule is very important. He will be back here Monday. Of course, the Senate is not going to stop for one man at any time, but there was no contemplation of that matter coming up to-morrow. I think we had better go along with such matters as they arise in their due course and let it come later. That is all I have to say.

Mr. ALDRICH. Mr. President, as far as the colleague of the Senator from Virginia is concerned, he came to see me before he left the Chamber and I explained to him precisely what was going to happen; that the lumber schedule would be taken up to-morrow, and that there would be nothing but speeches; and he said that was perfectly satisfactory to him.

I think every Member of the Senate will agree that there has never been a time in the memory of anyone who has any knowledge of the subject, when a tariff bill was before the Senate, that more hours have not been occupied in its discussion and consideration than in the tariff bill which is now before the Senate. In 1890, when I had charge of the McKinley bill in this body, the Senate met every day at 10 o'clock and remained in session continuously until 6, and a large part of the time had evening sessions. In 1897 the same thing was done.

The Senate certainly have not remained in session to an undue length of time at any time since the pending bill has been before the Senate, and it is not my purpose, certainly, to crowd the Senate. I have shown no such disposition. But it is the paramount duty of this body to pass the bill, and to pass it as speedily as possible. So far as I have any responsibility about the matter I intend to ask the Senate to stay here not unreasonably, but certainly every day, until the bill is disposed of.

Mr. BAILEY. Mr. President, perhaps the architects of this Capitol are partly responsible for the inconvenience of long sessions. It is built on the principle of a jail. It is a house within a house. I have never been able to spend seven consecutive hours here without leaving it with a headache, and I know that is the experience of some other Senators, at least.

I believe that the interests of the country shall be above the personal comfort or the personal convenience of Senators, but it seems to me when a Senator is giving from fifteen to eighteen hours every day to the service of his country, it is not unreasonable for him to consult his comfort by taking one day in a month, even if he asks it for personal reasons.

But in this case, speaking for myself—I assume it fairly states the case of other Senators—I expect to employ that one day, if I can have it free from the sessions or demands of the sessions of the Senate, in correspondence with those people who have a right to expect a reasonably prompt reply to the letters which they write. I am sure the Senator from Rhode Island has so many letters that he has quit reading them. He lays them aside. They may permit that in Rhode Island, but they do not permit it in Texas and they do not permit it in many other States.

I think that if we can give one day in two weeks to our correspondence it is as little consideration as we can show those people. I myself would rather come here at night and have an occasional day. I can employ myself about my correspondence and many of these letters concern these very questions, as the Senator from Virginia has said. And your constituent

does not feel any too well pleased with the fact that he writes you a letter about a schedule and gets an answer to it after the tariff bill has passed. If he can make and does make a sensible suggestion he is entitled to recognition at the hands of a Senator. I do not know how others feel, but I was taught that common politeness requires us to make an answer to a civil letter received from anybody under any circumstances. The correspondence of a Senator is the work of a man. It has become a burden. It is a burden that occupies altogether more of our time than is well for the knowledge we ought to acquire and for the knowledge which the discharge of our duties does require.

Still I see no way out of it in this day of general enlightenment. Men have learned to write, and men exercise their talent in this way. If I could find a constituency that could not write I think I would move out there. Probably I would find after I got there that they voted the Republican ticket, and I would not be able to come to the Senate from a State like that. But at the same time this correspondence has grown until every Senator here knows that I but speak his experience when I say that it takes almost half our time to answer our letters. If it does take half our time ordinarily and we stay here continually without the intermission of a day, it simply means that some of us will have too much work in explanations and letters after the tariff bill is disposed of, and when my distinguished friend from Rhode Island is on the high sea bound for a vacation in the Old World. I think he ought to consent that some of us who are not going to take a vacation may take a day off now.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. BAILEY. My motion is pending and has precedence. I withdrew the motion merely—

Mr. ALDRICH. But the motion to adjourn takes precedence.

Mr. BAILEY. It does not. A motion to adjourn to a day takes precedence. I submit that matter to the Chair.

Mr. ALDRICH. A motion to adjourn is always in order.

Mr. BAILEY. But a motion to adjourn to a day takes precedence. It is proper for the house to fix a time to which it will adjourn before it is to adjourn.

Mr. ALDRICH. On some subjects I will be glad to submit to the superior judgment of the Senator from Texas; but it is undoubtedly the fact that a motion to adjourn is always in order.

The PRESIDING OFFICER. Rule XXII provides that—

When a question is pending, no motion shall be received but—

To adjourn.

To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 22, 1909, at 10 o'clock a. m.

## SENATE.

SATURDAY, May 22, 1909.

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

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The VICE-PRESIDENT being absent, the President pro tempore took the chair.

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

### FOREIGN PRODUCTS IN DOMESTIC MARKETS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, in further response to resolutions of March 6, 1909, and April 5, 1909, additional reports of the consular officers of the United States relating to the practice of selling foreign manufactured goods in this country at a lower price than the domestic price (S. Doc. No. 16, part 2), which, with the accompanying papers, was ordered to lie on the table and be printed.

### RIVER AND HARBOR BALANCES.

Mr. BURTON. I am directed by the Committee on Commerce, to whom was referred the joint resolution (S. J. R. 33) relating to the provisions of section 10 of the sundry civil act of March 4, 1909, to report it favorably without amendment, and I submit a report (S. Rep. No. 4) thereon. I ask unanimous consent for the immediate consideration of the joint resolution,

The PRESIDENT pro tempore. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Senate joint resolution 33.

*Resolved, etc.,* That the provisions of section 10 of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1910, and for other purposes," approved March 4, 1909, shall not be construed as applying to the unexpended balance of any river and harbor appropriation the use of which may be essential, in the judgment of the Secretary of War, for the further maintenance or prosecution of the work to which it pertains as heretofore authorized by Congress.

Mr. HALE. Mr. President, I do not like to interfere with the Senator, but I think he must be aware of the fact that the resolution or bill, whichever it may be, is entirely opposed to the order of business which was established by the Senate, that no legislation should be taken up excepting the census and the tariff bills until after the tariff bill had been disposed of. I will say to the Senator that I have no doubt, because the case has been presented to me from the department, that it is a case of need, but I suppose there have been a dozen different committees who have desired to have exceptions made in their cases and to have legislation passed for needed relief, and the only way is to deal with all alike.

I hope the Senator will do what others have done. Whenever we get out of the jam and can take up the action of all the different committees I shall help the Senator and the other Senators in getting measures through, but I can not consent that the joint resolution shall go through and the others remain unacted upon.

Mr. BURTON. Mr. President, I trust the Senator from Maine will withdraw his objection, at least until the measure is briefly explained. It stands in a class by itself, because until the section was adopted in the sundry civil act of March 4 last, under express conditions of law, the river and harbor balances were not covered back into the Treasury, but were retained for future expenditure or application. There are obvious reasons for that. An emergency may arise from a storm which may cause congestion in a channel or injury to some public work, which may require immediate reparation and the expenditure of money. River and harbor works differ from other public works in that they are of a continuing nature. An improvement may be authorized, but its prosecution and the expenditure of the appropriation are frequently postponed because of litigation. There are two or three pending illustrations of that.

The policy of retaining these funds to the credit of the various improvements was the settled policy of legislation until this section was inserted last winter. The act of June 20, 1874, provided a general rule that unexpended balances of appropriation should be carried to the surplus fund after two fiscal years—

*Provided,* That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors—

And so forth.

Congress thus made an express exception in 1874 as to appropriations relating to river and harbor improvements.

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

Mr. HALE. Will the Senator withhold that until this matter passes over on my objection?

Mr. BAILEY. Certainly; I do not wish to interfere with it.

Mr. CLAPP. Will the Senator from Ohio pardon an interruption?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. BURTON. Certainly.

Mr. CLAPP. The Senator from Ohio must know without my suggesting it that there is nothing personal, of course, in what I am going to say, but if the Senator from Maine should withdraw his objection, I should feel constrained to press the objection. I do not think that at this time the entering wedge ought to be permitted as against the rule we have established. There is not a day that we do not have to say to our constituents, "There is no use talking, we can not expect to get the measure through at this time." The only way we can be consistent is to make a rule for all. I shall feel constrained to interpose an objection if the Senator from Maine does not.

Mr. HALE. Let me also say that as soon as the tariff bill is completed here—

Mr. BAILEY. Mr. President, I insist on the point of no quorum.

Mr. HALE. Will the Senator allow me to complete the sentence?

Mr. BAILEY. I can not refuse the Senator that.

Mr. HALE. As soon as the tariff bill is completed here and goes to the House, it is the intention to take off the embargo and then this and other measures can be considered.

Mr. BURTON. Is the point of no quorum insisted on, or will the Senator from Texas kindly permit me to finish my remarks? It will take but a moment.

Mr. BAILEY. Of course I do not want to interfere. I simply want to keep my assurance to the Senator from Rhode Island that I would help him to keep a quorum here to-day, and that he will not do any business unless he does keep a quorum. But I will suspend that until the Senator from Ohio finishes.

Mr. BURTON. The exceptional claims of this joint resolution are based upon the fact that it is a restoration of the law to what it formerly was and had been for nearly thirty-five years. I have no doubt this provision was inserted without a sufficient consideration of the claims of this class of improvements. I want to say to the Senators from Maine and Minnesota that important public works will suffer if this measure be allowed to be postponed until the passage of the tariff bill. Contracts naturally and necessarily have to be made at this season of the year. In fact, quite a number of them already have been delayed by reason of the provisions of the last sundry civil act.

I want to say another thing. The river and harbor act of the last session was passed in reliance upon the utilization of these balances, and it would be almost an act of bad faith to the respective localities scattered through the Union in many States to deny to them the use of the balances remitted which the joint resolution would restore.

It seems to me it is altogether an exceptional case, not like an ordinary measure, and that the Senator from Minnesota, always facile in explaining matters to his constituents, will without the least difficulty be able to explain his permission to allow the joint resolution to pass.

Mr. CLAPP. If the Senator will pardon me, the trouble is that there will be other matters that will be urged with the same force, and if we begin now there will be no end to it. As I understand the situation, if this is done before the 1st day of July, it answers every purpose. We have at least six weeks in which to do it. It is like everything else, and if you once open the door it is hard after that to draw the line. I do not want to be an objector, but—

Mr. BURTON. I will state in this connection that the Senator's impression is hardly correct, because in important cases contracts have to be made, and those contracts can not be made unless the department is assured of the amount available. For instance, there is one case at Petersburg, Va., where there is a most pressing emergency, and it is desirable that the contract should now be made and the work prosecuted as rapidly as possible. Then, again, in other places the emergency has arisen or might arise at any time.

I think it is altogether easy to show to the Senate that no other claims for appropriation or for the application of money can be presented here with anything like the same merit or in which there is the same universality of interest. This is not an appropriation. It is restoring the status of those funds to the condition in which they have been under existing law from 1874 to 1909, a period of about thirty-five years.

It is impossible for Senators and Members of the House to keep track of every bill. I should most assuredly have objected to this provision in the sundry civil act if it had been called to my attention at the time it was passed, and I have no doubt numerous Senators would have made the same objection had they been aware that it was included.

The PRESIDENT pro tempore. Objection being made—

Mr. BURTON. Do I understand that there is objection?

Mr. CLAPP. Yes; I object.

Mr. HALE. The Senator from Minnesota tells me if I do not object he will.

The PRESIDENT pro tempore. The joint resolution will take its place on the calendar.

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented the petition of Frank Simper, a resident of the State of Iowa, praying Congress to authorize him to bring action in the courts of the District of Columbia for the loss of certain property in that State, which was referred to the Committee on the Judiciary.

Mr. GUGGENHEIM. I present a telegram which I received yesterday and which I should like to have the Secretary read and to have inserted in the RECORD. It is signed by a number of prominent people of Denver and by the governor of the State, as well as the mayor of Denver.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read the telegram.

Mr. BAILEY. Mr. President, I renew the point that there is no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Aldrich	Crane	Hale	Perkins
Bacon	Crawford	Heyburn	Piles
Bailey	Culberson	Hughes	Root
Beveridge	Cullom	Johnson, N. Dak.	Scott
Borah	Cummins	Jones	Shively
Bristow	Depew	Kean	Simmons
Brown	Dick	Lodge	Smith, Mich.
Burkett	Dillingham	McCumber	Smoot
Burnham	Fletcher	McLaurin	Stone
Burrows	Flint	Nelson	Sutherland
Burton	Frye	Overman	Tillman
Chamberlain	Gallinger	Owen	Warner
Clapp	Gamble	Page	Warren
Clay	Guggenheim	Paynter	

Mr. PAYNTER. I desire to announce that my colleague [Mr. BRADLEY] is absent from the Chamber by reason of illness. He has been absent for the last two or three days owing to the same cause.

The PRESIDENT pro tempore. Fifty-five Senators have responded to their names. A quorum of the Senate is present. If there be no objection, the Secretary will read the petition in the nature of a telegram sent to the desk by the Senator from Colorado [Mr. GUGGENHEIM].

There being no objection, the petition was read and ordered to lie on the table, as follows:

Hon. SIMON GUGGENHEIM,  
*Senate Chamber, Washington, D. C.*

Strong sentiment in Colorado that best interests of business demand prompt disposition of tariff legislation. Trust you will do all possible for speedy determination.

DENVER, COLO., May 20, 1909.

JOHN F. SHAFROTH,  
*Governor.*  
R. W. SPEER, *Mayor.*  
H. M. TELLER,  
D. H. MOFFATT,  
J. A. THATCHER,  
C. B. KOUNTZE,  
DENNIS SHEEDY,  
*Chamber of Commerce.*  
By F. L. BARTLETT,  
*President.*

Mr. GUGGENHEIM presented petitions of sundry citizens of Denver, Berthoud, Hillrose, Lafayette, Lyons, Fort Lupton, Goodrich, Ault, Lucerne, Orchard, Fort Morgan, Greeley, Sterling and Wellington, all in the State of Colorado, praying for a retention of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. FLETCHER. I present a resolution of the house of representatives of Florida, which I ask may be read and referred to the Committee on Commerce.

There being no objection, the resolution was read and referred to the Committee on Commerce as follows:

Whereas the beautiful and historic Suwanee River if properly improved, would be an important means of transportation through the most fertile sections of the State of Florida: Therefore be it

*Resolved by the house of representatives.* That our Senators and Representatives in Congress be requested to use all laudable means to procure an appropriation for the dredging and removing of the shoals and otherwise improving said river.

*Resolved further.* That the chief clerk be instructed to transmit copies of this resolution to each of our Senators and Representatives in Congress.

Adopted March 5, 1909.

J. G. KELLUM,  
*Chief Clerk of House.*

Mr. SHIVELY presented petitions of the Connersville Buggy Company, of Connersville; of C. A. Niblick and sundry other citizens of Decatur; of O. A. Baker and sundry other citizens of Huntington; of Oskar Duenweg and sundry other citizens of Terre Haute; of F. M. Allen and sundry other citizens of Berne; of J. A. Mackey and sundry other citizens of Logansport; of C. D. Knight and sundry other citizens of Coatesville; of O. F. Brown and sundry other citizens of Westfield; of Mossman, Yarnell & Co., of Fort Wayne; and of the Seymour Saddlery Company, of Seymour, all in the State of Indiana, praying for the removal of the duty on rawhides, which were ordered to lie on the table.

Mr. BURTON. I present a joint resolution of the legislature of Ohio, which I ask may be read.

There being no objection, the joint resolution was read and ordered to lie on the table, as follows:

House joint resolution 12.

Joint resolution relative to requesting Congress to remove the duty on lumber, timber, and their raw products.

Whereas the researches of the National Conservation Commission, under the direction of the President, indicate the exhaustion of the domestic forests within twenty to thirty years, which will be a national calamity; and

Whereas in this State and in all others lumber and its products are one of the necessities of life and in general use by all our people; and

Whereas the only present practical means of extending the duration of our domestic forests is to reduce the drain on them; and

Whereas the price of lumber and all forms of wood continuously advance, thereby imposing a great hardship on our people; and

Whereas the Government should not be a party by its fiscal legislation to the imposition of these exorbitant prices: Therefore be it

*Resolved by the general assembly of the State of Ohio.* That our United States Senators and Representatives in Congress are hereby respectfully requested to use all honorable means within their power to have all duties on lumber, timber, and their raw products forthwith removed, and to have the same placed as soon as possible on the free list.

*Resolved further.* That copies of this resolution, duly signed by the respective officers of both houses, be sent to each of our said Representatives in Congress, and to the Hon. SERENO E. PAYNE, chairman of the Ways and Means Committee of the National House of Representatives.

GRANVILLE W. MOONEY,  
*Speaker of the House of Representatives.*  
FRANCIS W. TREADWAY,  
*President of the Senate.*

Adopted March 5, 1909.

OHIO, UNITED STATES OF AMERICA,  
OFFICE OF THE SECRETARY OF STATE.

I, Carmi A. Thompson, secretary of state of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original rolls now on file in this office, and in my official custody as secretary of state, as required by the laws of the State of Ohio, a joint resolution adopted by the general assembly of the State of Ohio on the 5th day of March, A. D. 1909.

In testimony whereof I have hereunto subscribed my name and affixed my official seal at Columbus, this 19th day of May, A. D. 1909.

[SEAL.]

CARMI A. THOMPSON,  
*Secretary of State.*

Mr. ROOT. I present a memorial of the International Longshoremen's Association and the Amalgamated Woodworkers' International Union, of Ogdensburg, N. Y., which I ask may be read.

There being no objection, the memorial was read and ordered to lie on the table, as follows:

*To the United States Senate, Washington, D. C.:*

Whereas the tariff bill is now before the Senate for consideration, and it being rumored that it is proposed to put dressed and manufactured lumber on the free list; and

Whereas such a course would, in our judgment, lead to the closing of the planing mills, box shops, and lumber yards in Ogdensburg, and necessitate their removal to Canada, thereby depriving the members of the labor unions named in the following resolution of their only means of employment and livelihood here:

*Resolved, therefore.* That we, the members of Locals No. 217, No. 238, and No. 429, of the International Longshoremen's Association, and Local No. 239, of the Amalgamated Woodworkers' International Union of America, at Ogdensburg, N. Y., numbering about 800 men, and employed for the most part in the plant of the Skillings, Whitneys & Barnes Lumber Company, at Ogdensburg, N. Y., in mass meeting assembled on the 15th day of May, 1909, do hereby most earnestly and solemnly protest against putting dressed and manufactured lumber on the free list.

WILLIAM M. KELLY,  
*President Local I. L. A. No. 217.*  
HARLOW A. OLMSTED,  
*Vice-President Local I. L. A. No. 217.*  
JOHN J. KELLY,  
*President I. L. A. Local No. 238.*  
EDMOND RAMIE,  
*Secretary I. L. A. Local No. 238.*  
LOREN D. WILSON,  
*President I. L. A. Local No. 429.*  
ADOLPHUS A. DOWNEY,  
*President A. W. I. U. of A. Local No. 239.*  
WM. J. BLAKELY,  
*Recording Secretary A. W. I. U. of A. Local No. 239.*

Mr. SUTHERLAND presented petitions of sundry citizens of Syracuse, Wilson, Kanessville, Marriott, Plain City, North Ogden, West Weber, Willard, Brigham, and Perry, all in the State of Utah, praying for the retention of the present duty on all grades of sugar, which were ordered to lie on the table.

Mr. DEPEW presented a petition of Local Union No. 9, Wall Paper Machine Printers and Color Mixers' Association, of Sandy Hill, N. Y., praying for an increase of the duty on wall paper, which was ordered to lie on the table.

He also presented a petition of Subdivision No. 419, International Brotherhood of Locomotive Engineers, of Brooklyn, N. Y., praying for the passage of the so-called "Burkett boiler-inspection" bill and the "Borah-Dawson full-crew" bill, which was referred to the Committee on Interstate Commerce.

Mr. PILES presented a petition of sundry citizens of Tacoma, Wash., praying for a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

AMENDMENT TO THE TARIFF BILL.

Mr. GUGGENHEIM submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The PRESIDENT pro tempore. The morning business is closed and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. McLAURIN. Mr. President, the administration of the business affairs of the Government ought to be conducted upon the same principle upon which is conducted any other well-

managed business or establishment. All extravagance and useless expenditure of money should be eschewed.

In theory, at least, all the people of this country have formed a partnership to equally protect the life, liberty, and property of every member of the organization. Everyone has surrendered so much of his natural liberty and natural right as is necessary to the accomplishment of this purpose. To do this, it is necessary to have laws, and officers to expound, administer, and execute such laws. It is proper to make all necessary military and naval preparations to defend the honor and integrity of the body politic and of the country against foreign aggression.

One of the rights surrendered by every member of the society is a right of the Government to tax him proportionately to the benefit received by him to raise revenue to defray the economical expenses of the Government. To tax any man more than this is an act of tyranny that can not find any justification in morals or principle.

To the lawmaking department is committed the power and the duty of determining what laws will protect life, liberty, and property, and what expenses should be therefor incurred, and what proportion of taxes shall be levied upon the different members of society to raise the revenue sufficient to meet these expenses. For the lawmaking department to be unfaithful, unjust, or inequitable in the discharge of this duty is just as reprehensible as it is for the officers of a private corporation to be untrue to the duty and powers and functions committed to them.

The Constitution, Article I, section 8, authorizes Congress—  
To lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare of the United States.

This is the whole authority of Congress to lay or collect taxes, and the only purpose for which taxes can constitutionally be laid or collected.

Every Member of Congress, when he enters upon the discharge of his duties, obligates himself to support this Constitution, which is an obligation that he will not, so far as his voice and vote goes, lay or collect any taxes for any purpose except to pay the debts and provide for the common defense and general welfare of the United States.

The fact that there is no power or authority in the administration of the Government to which an appeal can be taken, and that can review the motives and purposes of a legislator in the laying and collecting of taxes, is not a reason for the loose construction of the Constitution and the usurpation of power and authority not therein conferred; but it ought to be a strong incentive to a strict construction of the Constitution, and to the abnegation of any power or authority that is not constitutionally conferred, but which may be with impunity exercised.

There is a principle of law universally accepted, or to be more accurate, legal maxim, "That the naming of one is the exclusion of all others." So that when the Constitution says that Congress may lay and collect taxes, it virtually says that nobody else is authorized to lay and collect taxes.

There is another principle of law that is universally accepted that—

No power delegated by the Constitution to one branch of the Government can be legally delegated by that branch to anybody else.

It follows, therefore, that when the Constitution delegates to Congress the power to lay and collect taxes, Congress has no authority to delegate that power to manufacturers, or to anybody else.

Congress is to lay and collect taxes, and out of the taxes thus collected Congress is to pay the debts, and Congress is to provide for the common defense, and Congress is to provide for the general welfare of the United States. No money can be lawfully applied to the payment of the debts, or applied to the provision of the common defense, or applied to the provision of the general welfare of the United States, except it be appropriated by Congress. The money thus collected for the purposes enumerated forms the Treasury of the United States; and in section 9, Article I, of the Constitution it is said that no money shall be drawn from the Treasury, but in consequence of appropriations made by law.

I have called attention to the consideration of these provisions of the Constitution that it may be seen how utterly preposterous is the loose construction of the Constitution which claims authority of Congress to delegate to the manufacturers the power to collect taxes from the consumer under that grant by the Constitution to Congress of the power to collect taxes to provide for the general welfare of the United States.

In the early years of the Government a school of politicians resorted to this loose construction of the Constitution that they might, as they claimed, nourish infant industries until they were able to stand alone; and expressed the intention of then re-

turning to a sane, sound, and logical construction of the Constitution.

Out of that false construction and misguided patriotism has grown up the iniquitous system known as the "protective policy," but which in fact is a policy of extortion. This is an exemplification of the danger attending the first step out of the "straight and narrow way," which, if long pursued, must inevitably lead to destruction. Under this policy of extortion, denominated by its advocates "protection" for the sake of euphony, the consumer is required to pay to the manufacturer the price of his product with a reasonable profit, and in addition thereto the equivalent of the tariff laid on the article consumed.

This additional amount of the tariff thus laid on the article consumed is taxes unconstitutionally collected by the manufacturer from the consumer. That the manufacturer is thus permitted to add the equivalent of the tariff to the price of his wares is the avowed purpose of the extorsive tariff. That he is supposed to do so, I quote from the junior Senator from Iowa when he was speaking of the conduct of a vice-president of a certain railway company. He said: "I suppose he, or his company, takes from you whatever he can, and that seems to be the habit in these days." If, then, the manufacturer has the power to take, and it is the habit to take, whatever he can, he adds the equivalent of the tariff to the price of his goods.

The junior Senator from New York on the 11th day of this month said:

In 1895 and 1896, when we had a duty of 30 per cent on these articles included in paragraph 192, the revenue was not substantially different from the revenue which is now derived from the present duty of 55 per cent.

He had to explain this failure of the 30 per cent tariff to produce more revenue than the 55 per cent tariff by saying that—

Our people had not the money with which to buy china ware from abroad or anywhere else, and, therefore, no greater revenue was produced by the revenue duty of 30 per cent than is produced by the protective duty of 55 per cent.

The scarcity of money was caused by the panic of 1893, which panic was under a Republican tariff law enacted in 1890, and which threw its shadow over the four succeeding years.

I may be pardoned for digressing long enough to read this further from the speech of the junior Senator from Iowa, which will be found on page 1879 of the RECORD:

But if he takes from you, or if his company takes from you \$25 per ton, based on the actual transportation from Salt Lake City to New York City, then, I believe, the people of Utah ought quickly to awaken to some sense of the slavery under which they are held and try to emancipate themselves.

I commend this thought to the consumers of the United States, and apply it by saying that they ought quickly to awaken to some sense of the slavery under which the extorsive tariff holds them and try to emancipate themselves.

The beneficiaries of the extorsive tariff are the ones who advocate and proclaim its beneficence. They patriotically claim the American markets for themselves, because, they say, they are American producers. When they are thus advocating a policy that makes them rich at the expense of those upon whom they have no claims for pecuniary contributions, their bursts of fervid eloquence and rhythmic rhetoric and flights of fancy are direfully pathetic. They convince themselves that they are really influenced by a spirit of patriotism to advocate laws that will enable them to rob their fellow-citizens.

This is not strange, for it has been said, "We believe that without which our nature would be dissatisfied, and this belief takes its rise in the feelings—the blind expressions of intellectual want—which form the first stage toward completed insight." But it is strange that they can so illusionize themselves as to believe that they are influenced by the disinterested and unselfish desire to exclusively benefit the laboring man. I commend to them one of the proverbs of the ancient Greeks—"Know thyself."

I crave your indulgence while I devote a minute or two to this interesting subject. I find, if my information and inquiry are correct, that the dutiable importations for 1907 were, in round numbers, \$780,000,000; that the customs receipts were \$329,000,000, which would show that the tariff paid on dutiable goods imported averaged a little more than 42 per cent for that year. Our domestic production was a little more than \$14,000,000,000; our exports nearly \$2,000,000,000; so that the domestic productions consumed amounted to a little more than \$12,000,000,000. If we include in that the 42 per cent of the tariff, the manufacturers have been the beneficiaries of the tariff to the extent of \$3,550,000,000, in round numbers.

The wages paid to laborers in 1904 amounted to \$2,331,938,518. A liberal estimate for 1907 would be two and a half billions of dollars paid to laborers. So that the manufacturers were the

beneficiaries of the tariff more than \$1,000,000,000 in excess of what they paid to laborers for labor.

If I were addressing a convention of protected manufacturers, I would say to them: You have collected, through the tariff, under the guise of benefiting labor, \$3,550,000,000 and you have only delivered to laborers \$2,500,000,000; you are, therefore, in debt to them for all the work they have done, and you are further indebted to them in the sum of \$1,050,000,000, which you have collected in their name and fraudulently withheld from them.

I do not claim that the figures that I have given are perfectly exact, but they are accurate enough, for all practical purposes, to show that the manufacturers neither need this protection to enable them to compete with foreign producers, nor do they pay to laborers whom they employ the amount of money they collect in their name; indeed, they do not pay them out of their own pockets anything, but require the consumers to pay them their wages, and then withhold one-third of that which the consumers pay for wages of the laborers.

Returning to the discussion before this digression, I can not consent to that doctrine that as a Democrat I should vote for a tariff bill to raise revenue sufficient for the extravagant administration of the Government. I can understand how Republicans, who have extravagant and profligate ideas of the administration of the Government, after having voted for extravagance and profligacy, will vote for the collection of exorbitant revenues to meet such profligate expenditures; but I do not feel called upon to vote for a tariff bill to raise revenue more than sufficient, in my judgment, to meet the expenses of an economical and business administration of the Government. As a Democrat, I feel that it is my duty to endeavor to limit the expenses of the Government to its reasonable requirements, and to vote for the raising of a revenue sufficient to meet these expenses.

I think the Philippine Islands are a burden that we should throw from our shoulders. In so doing we could, and ought to, reduce the army and navy expenditures a hundred millions of dollars.

We can, and ought to, reduce the expenditures on account of pensions. The pension laws ought to be equal and uniform. There should be no private pension bills. If one man, an ex-soldier, with a certain disability, is pensioned, another man, an ex-soldier, with the same disability, ought to be pensioned an equal amount. The private soldier who performed the drudgery of camp life and incurred most of the dangers in battle and on the sentinel's post should have a pension equal to the officer who enjoyed the distinction and privileges and authority of the army and had the best of the camp and was exempt from many of the dangers to which the private soldier was exposed.

It is no answer to say that the officer was of a higher rank and received a higher salary during the time he and the private soldier were in the actual active service of the country. They have both been relegated to private life and are private citizens, who are, or ought to be, on a perfect equality before the law. The pension laws are not for the payment to either of these men for the service he has rendered; but having done military service to his country, these laws are intended to recognize such service; and if by misfortune he should fall upon evil days, the Government for which he fought will in this way shelter him. This is the only principle upon which pension laws can be enacted.

There are other places that will occur to those in authority, if they are looking for them, where the expenses of the Government are greater than they should be and can be reduced and ought to be reduced.

When these expenses are reduced to the reasonable necessities of governmental expenditure the taxes raised to defray them ought to be levied and collected by some system that will apportion them among the taxpayers in proportion to the benefits of government received.

I do not inveigh against the rich man. I like to see men become rich, but I want them to become rich out of the proceeds of their own industry and not out of the proceeds and earnings of others. The rich do not pay customs taxes in proportion to their wealth as much as do those of moderate means. Let me illustrate this: The man worth \$3,000 must use strict economy if he purchases less than \$300 a year of dutiable goods. One hundred dollars of this is a tax paid to the Government if he buys imported goods and paid to the manufacturer if he buys domestic goods. This tax amounts to one-thirtieth of what he is worth.

The man worth \$3,000,000 would have to consume \$300,000 of dutiable goods, and thereupon pay a tax of \$100,000 before he would pay a proportionate part of the expenses of the Government. The man with \$30,000,000 would have to consume \$3,000,000 of dutiable goods and pay \$1,000,000 of taxes to the Government before he would pay in proportion to the man worth \$3,000,

You know the rich do not pay their proportion of the expenses of the Government. The man worth \$3,000,000 has a thousand times as much protection from the laws of the country as the man with \$3,000; and the man with \$30,000,000 has ten thousand times as much protection from the laws of the country. All these men, or a good many of them, are unwilling to pay in proportion to the benefits derived from government.

I do not say that a man ought to pay more than his proportionate share of the taxes to support the Government merely because he is rich, but I do say that he ought not to be exempt from payment of his proportionate share of the Government's expenses merely because he is rich. You may say that men can not be compelled to buy dutiable goods and thus contribute to the revenue of the Government. That is true. Neither can men of small means live without buying more dutiable goods than multimillionaires are required to buy in proportion.

The law in laying and collecting taxes should be mindful of both these facts and should lay and collect taxes with reference to both of them. To make this levy of taxes somewhat more equal, it is proposed to collect a revenue of 2 or 3 per cent upon the incomes of all persons in excess of \$5,000 a year. There is opposition to this because it is said that it impinges that part of section 9, Article I, of the Constitution, which says that no capitation or other direct tax shall be laid, unless in proportion to the census or enumeration directed to be taken.

A great deal of learning and investigation by the courts have been devoted to this clause of the Constitution, which seems to me to require for its interpretation nothing but a plain, practical reading. After all the investigation and learning devoted to it by the courts the Supreme Court of the United States for a hundred years held that a law imposing an income tax does not violate this clause of the Constitution. With the long train of decisions that accumulated within the century starting them in the face, the Supreme Court in the Pollock case by a majority of one declared that an income tax is violative of this clause of the Constitution.

At once upon reading this clause it is discovered that the framers of the Constitution mentioned capitation tax as a direct tax. This is shown by the use of the word "other." Then, when capitation is specified as a direct tax, and all other direct taxes are excluded, by a familiar rule of construction other direct taxes must be of the same kind.

A capitation tax is defined to be a tax upon each head of persons without reference to property. Then, any other direct tax must be a tax without reference to property; a tax upon the individual and not upon his property. Manifestly, when the framers of the Constitution used the word "capitation," it occurred to them that there might be some way of evading its force by some other word that would tax the individuals instead of the property of the country, and to prohibit that it was stated "or other direct tax." And for this reason nobody did or could answer the query propounded to the convention, "What is a direct tax?"

A capitation tax, which is a tax without reference to property, is the only direct tax that can be imposed. If the taxing of any property could be denominated a direct tax, then the taxing of all property is a direct tax. A man's business is his property, and if you tax his business, it is as much a direct tax upon his property as to tax his land. All the refinement of the learning of the courts for a hundred years has never been able to show that it is any less the taxing of property to tax a man's business or profession than to tax his land.

The only thing required by the Constitution is that the tax shall be equal and uniform. So that when a tax is imposed upon an income it does not violate this clause of the Constitution. And as it is demonstrable that an income tax is absolutely necessary under the provisions of this bill to in any degree equalize the burdens of raising revenue for the Government, it is a tax eminently proper.

It has been estimated by the proponent of this amendment for an income tax, the Senator from Texas [Mr. BAILEY], that it will produce a revenue of from sixty to eighty millions of dollars.

Another item of revenue production that would be just and fair would be the imposition of a head tax upon immigrants. Twenty millions of dollars could thus be raised through those who come to our country to enjoy the blessings of liberty. If they are worthy to come, they will not object to paying something for the privileges they receive. If they are not worthy, a head tax can not be raised too high in order to exclude them.

If you are in earnest in your desire to benefit the labor of the country, here is an opportunity for you to do something for them. You ask the Government to allow you to tax the consumer because, you say, you want to benefit the laborers. Your plea is that you do not want the American laborer to have to compete with the cheap labor of Europe. If you are sincere,

here is an opportunity for you to show it. Exclude the cheap labor of Europe by putting a head tax high enough to prevent that cheap labor's entrance.

After raising \$70,000,000 from an income tax and \$20,000,000 from a head tax on immigration to this country, you will then, if you desire to be equitable and just in the enactment of your tariff laws, reduce the duty on articles used by the plain laboring people of the country.

When I say laboring people, I mean those who labor, not only with their hands but with their brains—the man who labors in the field and factory, behind the counter and in the offices of the professions, in the schoolroom, and in every other vocation.

You can do another thing. You can take the tax off farm implements and the tools of carpenters and blacksmiths and of workmen. A few days ago I offered an amendment looking to the putting of farm implements, carpenter's tools, and blacksmith's tools upon the free list. You voted it down. Afterwards I offered an amendment in an effort to put printing presses, sewing machines, and typewriters on the free list. You voted that down.

If you will reduce the extravagance and profligacy of the Government and impose these taxes that I have just mentioned, you can then put farming implements, carpenter's tools, blacksmith's tools, printing presses, sewing machines, and typewriters and other necessary articles upon the free list. You can then, and even now, with your bill as it is, afford to put bagging and ties on the free list.

The amount of bagging manufactured in the United States last year was 83,650,000 yards, and 16,350,000 yards imported. The revenue realized by the Government on bagging and ties was a little more than \$120,000. I hear Senators in their places say to the Senate that there are in their States certain industries which require that you shall lay a tax upon the importation of products such as theirs, enough to enable them to tax the consumers sufficient to keep these industries in operation, and they call that "protection."

I do not ask you in behalf of the cotton growers of the South to lay a tax upon anybody, or upon anybody's property, for their benefit, but I do ask you not to lay a tax upon them for the benefit of somebody else. All I ask for the cotton growers of Mississippi is that you do not, directly or indirectly, tax the product of their toil.

There is scarcely anything in Mississippi that is benefited by a tariff. When other individual States have legislation in this bill for the benefit of the industries of those States, is it not as reasonable to ask for the same consideration for the State of Mississippi?

The people of the South produce about 12,000,000 bales of cotton annually. It requires the labor of about 6,000,000 of people. The laborers each get about \$100 in the cultivation of this crop. True, they raise other crops—corn, oats, wheat, and so forth—but the crop to which they look for ready money is the cotton crop.

I judge a fair average for this crop is 10 cents a pound—\$6,000,000 a year put into circulation, and going to make up the balance of trade with the world in our favor, and without which the balance of trade would be against us. Cotton is the only product of the United States that will, at all times and under all circumstances, bring to this country the gold of Europe. And this by the labor of men and women who are not benefited one particle by any provision of tariff taxation.

These people ask you to give them free bagging and ties; that is, to take the tariff off of bagging and ties, and thus save to them from three to five millions of dollars a year of the money they earn. In behalf of these people, I ask you to do this act of justice. If you will not do this, then I say away with your honeyed expressions of interest in the South.

These laborers work the entire year to make, gather, and prepare for market the cotton which they are glad to sell for 10 cents a pound. When it is converted into the plainest articles of manufacture it is worth from 35 cents to \$1 a pound. In the plain manufacture it turns out from 4 to 8 square yards to the pound. In the fine fabrics produced from cotton the increased value to the manufacturer is relatively greater.

It has been said that when the farmer sells his bale of cotton he sells the bagging and ties at the price of the cotton, and thereby receives more for the bagging and ties than he pays for them. That is a mistake. When the cotton reaches Liverpool, where the price of cotton is fixed, 30 pounds a bale is deducted for tare, and that on account of the bagging and ties, and of course the purchaser in this country must necessarily calculate that in the price he makes.

I ask leave to print in the RECORD as an appendix a table showing the prices of cotton from 1860 to 1907, and I call atten-

tion especially to the price of cotton in 1864, which shows the estimate put upon this staple by the world at a time of its greatest scarcity.

The PRESIDENT pro tempore. The Chair hears no objection. The table referred to will be found at the end of Mr. McLAURIN's remarks, as Appendix B.

Mr. McLAURIN. Mr. President, loath as I am to occupy the time of the Senate, I can not conclude what I have to say without expressing my most solemn protest against the amendment which proposes to tax coffee. This is not any longer an article of luxury. In three-fourths of the homes of this country it is an article of dire necessity. Thousands of men and women, who work that they may eat and live and have clothes and shelter, would drag themselves through their day's labor suffering the tortures of excruciating headaches if they could not have a cup of coffee for breakfast. It is true that in many cases they are compelled to use a cheap quality; nevertheless, they must use some coffee of some quality. To place a tax upon these people of 5 cents a pound upon their coffee, and deny the rich the benefits of paying an income tax, is a species of iniquitous legislation that I am not prepared to believe even the Republican party will enact.

If I were enacting this bill, I would take all the tax off tobacco. I would not encourage the use of tobacco. I think it is a deprecable habit. But there are millions of people who have used it so long that they think they can not live without it, and far the greater number of these are people who can not well afford to have to pay an extortionate price for tobacco.

I intended to say something before I concluded in behalf of the reduction of the tax on sugar. The tariff on all raw sugar should be the same and there should not be any tariff on refined sugar. The sugar trust has made hundreds of millions of dollars out of the tariff that has been enacted for their benefit, and with these hundreds of millions of dollars they ought to be able to live in comfort the balance of their lives, and I am told that when one of them dies he does not take a nickel of it with him to the next world.

But as I have already occupied too much of the time of the Senate, I will ask leave to print, as an appendix to what I have to say, a table on sugar, which I will send to the desk.

Now, Mr. President, in conclusion I have but a few more words to say. In the days of the Roman Empire the right to tax provinces was sold by the government to the highest bidder. The purchaser of this right paid the money for it into the treasury. The operation of this system was so tyrannical that they became a byword to the taxpayers and were called "publicans." In this day and in this Government the right is given to certain interests and interested persons to tax the people, and they pay nothing for it. They tax without remorse, and they are called "Re-publicans."

Mr. President, I ask leave to have printed in the RECORD as an appendix to my remarks a table I have prepared on the sugar schedule.

The PRESIDENT pro tempore. The Chair hears no objection. The table referred to, marked "Appendix A," is as follows:

#### APPENDIX A.

##### *Sugar production of the world, 1906-7.*

[From report No. 86, United States Department of Agriculture, and prepared in the Division of Foreign Markets, Bureau of Statistics.]

	Long tons.
1. Cane sugar, United States, including Louisiana, Texas, Hawaii, and Porto Rico.....	845, 871
2. Cuba.....	1, 427, 673
3. Other West Indies.....	279, 631
4. Mexico.....	108, 000
5. Central America.....	19, 000
6. South America.....	610, 151
7. Asia.....	3, 455, 446
8. Africa.....	349, 000
9. Oceania.....	249, 000
10. Europe.....	16, 400
Total cane sugar.....	7, 360, 172

##### *United States production 11.48 per cent of the world's production.*

1. Beet sugar, United States.....	long tons..	431, 796
2. Beet sugar, Canada.....	do.....	11, 367
3. Beet sugar, Germany.....	metric tons..	2, 238, 000
4. Beet sugar, Austria-Hungary.....	do.....	1, 344, 000
5. Beet sugar, France.....	do.....	756, 000
6. Beet sugar, Russia.....	do.....	1, 470, 600
7. Beet sugar, Belgium.....	do.....	283, 000
8. Beet sugar, Netherlands.....	do.....	181, 800
9. Beet sugar, other countries.....	long tons..	445, 000
Total beet sugar.....		7, 160, 163

The long ton is 2,240 pounds; the metric, 2,204.622. Light, the European compiler uses the metric ton, and American compilers do not change. The difference—35 pounds—is immaterial in a general argument or calculation.

The United States production of beet sugar, 431,796 tons, is about 6.03 per cent of the world's production.

<i>Total world's production of sugar.</i>		
Cane	long tons	7,360,172
Beet	tons	7,160,163
<hr/>		
Total		14,520,335
Deducting 95,000 tons for difference between the metric and long ton for Europe		
		95,000

Total world production long tons 14,425,335  
 The United States production of cane and beet sugar is slightly more than 8.8 per cent of the world's production.

These figures are not exactly correct, as the Bureau of Statistics includes the sugar from the Philippines in Asia.  
 The production of the Philippine Islands in 1907 was 145,500 long tons of cane sugar. Should it be deemed advisable to consider this a United States production, the figures will stand:

United States cane sugar, 991,371 long tons, or 13.4 per cent of the world's production of cane sugar, and 9.8 per cent of the world's production of both cane and beet sugar.

<i>Sugar consumption of the world, 1907.</i>	
	Long tons.
Foreign sugars in United States	2,337,352
Domestic	656,627
<hr/>	
Total United States consumption	2,993,979
World's production	14,520,335

World's consumption outside the United States 11,526,356  
 United States consumption, 25.96 per cent of all the rest of the world—20 per cent of the world's production.

Of the total quantity consumed in the United States in 1907, nearly 80 per cent was imported from either foreign countries or our insular possessions.

	Tons.
Imported from Hawaii	392,871
Imported from Porto Rico	210,000
Imported from Philippines	145,500

Total imported from insular possessions 748,371  
 Imported from all sources 2,337,352

Total imported from foreign countries 1,588,981  
 About 53 per cent of the United States consumption comes from foreign countries, 25 per cent from our insular possessions, 8.1 per cent from Louisiana and Texas, and 13 per cent of domestic beet sugar.

*Character of the importations as to duties.*  
 Nearly 85 per cent of the sugar imported comes from Hawaii, Porto Rico, the Philippines, and Cuba, under tariff concessions, while about 15 per cent comes from other countries and pays full duties.

Cuba alone furnishes about 58 per cent of the foreign sugar consumed in the United States, and about 45 per cent of all the sugar consumed in the same country. Nearly all the imported sugar is made from cane, less than 1 per cent of the imports in 1907 being from beets.

<i>Imported sugar in 1907, with concessions.</i>	
	Long tons.
From Hawaii, free	418,102
From Porto Rico, free	212,853
From Philippines, 25 per cent less than regular rates	10,700
Cuba, under reciprocity, 20 per cent less than regular rates	1,340,400
<hr/>	
Total, with concessions	1,982,055

<i>Imported sugar, with full duties.</i>	
	Tons.
Raw cane, from 95 cents to \$1.75 per hundredweight	347,509
Raw beet	6,789
Refined beet, \$1.95 per hundredweight	949
Refined cane	50
<hr/>	
Total dutiable	355,297
Total with concessions	1,982,055

Total imports 2,337,352  
 Paying full duties, about 16 per cent; free, about 28 per cent; with concessions, about 55 per cent.

<i>Character of importations as to conditions.</i>	
	Tons.
(a) Imports paying full duties:	
Raw cane sugar	347,509
Raw beet sugar	6,789
<hr/>	
Total raw sugar	354,298
Refined cane	50
Refined beet	949
<hr/>	
Total refined sugar	999

But little more than one-fourth of 1 per cent of the importations were of refined sugar.

(b) Imports, with concessions:	Tons.
Raw sugar (no refined sugar)	1,982,055
(c) Imports, with duties and concessions:	
Raw, with concessions	1,982,055
Raw, with duties	354,298
<hr/>	
Total raw	2,336,353
Total refined	999

The percentage is too insignificant to calculate.  
*Raw and refined sugar.*

Willett & Gray have compiled the following table, which has been adopted by the Department of Agriculture in Report No. 86.

Consumption of refined and raw sugar in the United States and quantities refined by different classes of refiners in 1907:

Classes.	Quantities.	Percentage refined.
Refined sugar manufactured by:	Long tons.	
American Sugar Refining Co.	1,401,061	49.27
Independent refiners	1,064,827	37.44
Beet-sugar factories	375,354	13.19
Hawaiian cane-sugar factories	1,674	.06
Foreign refiners	1,068	.04
<hr/>		
Total refined	2,843,928	100
Raw sugar consumed	150,051	

About 5 per cent in 1907, and, if the two preceding years be considered, less than 5 per cent of the sugar consumed in the United States is used in a raw, unrefined condition, while more than 95 per cent is refined.

About one-half of the sugar refined is turned out by the American Sugar Refining Company, about three-eighths by the independent refiners, one-tenth by American beet-sugar factories, and only the smallest fraction of 1 per cent by foreign refiners. In fact, the high rate of duty on refined sugar—\$1.95 per 100 pounds, or nearly 2 cents a pound—practically bars out all importations of refined sugar and creates an excessive importation of raw sugar to be refined by American refiners, at a rate of profit nearly equal to the duty on refined sugar. In other words, the price of refined sugar in the United States has been raised to the consumer to the advantage of the American refiners without a corresponding increase to the Government in revenues. Duties which should have improved the government revenues have been silently changed into profits for American refiners.

The import prices for sugar not above No. 16 Dutch standard in color, cane, were for the year 1906-7 as follows:

	1906.	Cents.
July		0.0198
August		.0216
September		.0196
October		.0196
November		.0196
December		.0190
<hr/>		
	1907.	
January		.0221
February		.0215
March		.0207
April		.0208
May		.0228
June		.0234

Average for a year—0.0208 cent per pound.  
 The wholesale price for standard A for 1907 was 0.0445 per pound, and for granulated 0.0465. The export price of sugar refined in 1907 was 0.0386 cent, or about 4 cents a pound.

In other words, the average foreign cost per pound was 2.08 cents in 1907, while the wholesale price of granulated sugar in New York for the same year was 4.65 cents per pound, and the export price of all refined sugar 3.86 cents.

The consumption in the United States for 1907 was 2,993,979 long tons, or 6,706,512,960 pounds, an average of 77.5 pounds per capita, or 387.5 pounds per family of five.

SUGAR SCHEDULE E.

1. A most complicated one. This paper, however, will endeavor to present its actual workings in 1907: Molasses, not above 40°, duty 20 per cent. Cuba, 20 per cent less 20 per cent. No. 3229, imports 170,651.53 gallons, duties \$5,053, ad valorem 20 per cent; from Cuba, 20,402,994 gallons, duties \$92,215.20, ad valorem 16 per cent.

2. Above 40 and under 56, 3 cents a gallon; Porto Rico, 15 per cent of 3 cents; Cuba, less 20 per cent. No. 3230, imports at 3 cents, 888,945.50 gallons, duties \$26,668.37, ad valorem 15.51 per cent; Porto Rico, 1,344,060 gallons, duties \$8,048.28, ad valorem 2.05 per cent; Cuba, 990,271 gallons, duties \$23,766.50, ad valorem 27.93 per cent.

3. Over 56°, 6 cents a gallon; Porto Rico, 15 per cent of 6 cents; Cuba, 6 cents less 20 per cent. No. 3231, imports at 6 cents, 10,910 gallons, duties \$654.60, ad valorem 34.76 per cent; Porto Rico, 3,584 gallons, duties \$32.26, ad valorem 4.13 per cent; Cuba, 217.25 gallons, duties \$10.46, ad valorem 9.61 per cent.

No. 3232. Sirup, refined, 20 per cent; imports, 33,457 pounds; duties, \$509.20; ad valorem, 20 per cent.

Molasses above 40° are practically prohibited. Between 40 and 56° a great quantity comes in, but it is nearly all from Porto Rico, whose rate is practically a free one. A better schedule, possibly, would combine Nos. 3229, 3230, 3231, and 3232 into a simple schedule, molasses and sirup, at an ad valorem rate of 20 per cent, with concessions to Cuba and Porto Rico.

Beet sugars.	Pounds.	Duties.	Ad valorem.
No. 3239, not above 75, 0.95 cent per pound	1,939	\$18.42	Per cent. 36.12
No. 3247, not above 88, 1.405 cents per pound	6,090,088	98,905.74	69.39
No. 3253, not above 94, 1.615 cents per pound	306,396,065	4,948,296.46	78.26
No. 3254, not above 95, 1.65 cents per pound	9,995,095	114,759.07	76.56
No. 3255, not above 96, 1.685 cents per pound	28,523,776	480,625.63	87.16

No. 3253 produces nearly all the revenue. A better classification would seem to be a single item for all beet sugars of all degrees, polari-

scopic test, with a rate of 1 cent a pound. This would not hurt the beet-sugar men of the United States and would help consumers.

Cane sugars.	Pounds.	Duties.	Ad valorem.
No. 3250, not above 75, 0.95 cent per pound.	1,236,006	\$11,742	23.89
Cuba, 20 per cent off.	6		10
Philippines, 25 per cent off.	3,360	23	36.27
No. 3260, not above 76, 0.985 cent per pound.	3,405	33	54.10
No. 3261, not above 77, 1.03 cents per pound.	45,898	4.68	40.12
No. 3262, not above 78, 1.055 cents per pound.	6,148	64	30.08
No. 3263, not above 79, 1.09 cents per pound.	52,768	575	42.42
No. 3264, not above 80, 1.125 cents per pound.	55,538	624	40.08
No. 3265, not above 81, 1.16 cents per pound.	739,831	8,581	107.49
Philippines, 25 per cent off.	181,830	1,146	27.27
No. 3266, not above 82, 1.195 cents per pound.	5,069	60	25.45
Philippines, 25 per cent off.	11,501	103,080	43.29
No. 3267, not above 83, 1.23 cents per pound.	35,266,696	433,780	91.08
Philippines, 25 per cent off.	9,238,633	80,841	44.88
No. 3268, not above 84, 1.265 cents per pound.	308	3	27.36
No. 3269, not above 85, 1.3 cents per pound.	2,988	38	30.34
Philippines, 25 per cent off.	17,136	167	48.71
No. 3270, not above 86, 1.335 cents per pound.	4,072,119	54,362	82.08
Philippines, 25 per cent off.	6,293,444	63,013	46.39
Cuba, 20 per cent off.	169,158,508	1,806,612	62.90
No. 3271, not above 87, 1.37 cents per pound.	74,579	1,021	46.16
Philippines, 25 per cent off.	16,334,073	165,469	61.40
No. 3272, not above 88, 1.405 cents per pound.	31,634,237	444,461	81.81
Philippines, 25 per cent off.	18,228,855	192,086	48.00
Cuba, 20 per cent off.	996,972	11,205	69.43
No. 3273, not above 89, 1.44 cents per pound.	1,265,067	18,216	87.73
Philippines, 25 per cent off.	8,717,685	94,150	43.65
Cuba, 20 per cent off.	959,725	11,056	56.70
No. 3274, not above 90, 1.475 cents per pound.	1,016	14	36.56
No. 3275, not above 91, 1.51 cents per pound.	116,216	1,754	120.19
No. 3276, not above 92, 1.545 cents per pound.	52,001	804	64.90
No. 3277, no importation in 1907.			
No. 3278, not above 94, 1.615 cents per pound.	20,935,311	338,105	75.33
Cuba, 20 per cent off.	5,506,019	72,300	67.34
No. 3279, not above 95, 1.65 cents per pound.	38,615,356	637,153	70.65
Cuba, 20 per cent off.	2,904,241,322	38,335,985	59.84
No. 3280, not above 96, 1.685 cents per pound.	593,412,212	9,968,995	90.46
Cuba, 20 per cent off.	85,211,423	1,148,649	64.36
No. 3281, not above 97, 1.72 cents per pound.	14,243,666	244,991	97.64
No. 3282, not above 98, 1.755 cents per pound.	1,621,428	28,456	69.40
Total.	3,980,128,265	54,310,082	

Average duty 1.37 cents per pound on imports regular, and with concessions. Four hundred and eighteen thousand one hundred and two long tons came in free from Hawaii. This is equal to 936,548,480 pounds. The refiners get this much free sugar, and 3,980,128,265 pounds at an average duty of 1.37 cents per pound. Adding the free and dutiable sugars, we have a total of 4,916,676,745 pounds of raw cane sugar, which comes to the American refiners at a tariff cost of \$54,310,082, or an average duty rate of 1.104 cents per pound. The tariff rate on refined sugar is 1.95 cents per pound, which makes the real differential to the refiners 0.746 cent, instead of 0.26½ cent, as claimed by them. Their argument rests on 96° sugar, which carries a duty of 1.685 cents, and gives a differential of 0.265 cent. Ninety-six-degree sugar, however, covers but 678,623,635 pounds of import, while 95° sugar covers 2,942,856,678 pounds, or three-fourths of the raw cane sugar imported. The differential on the 95° sugar is 0.3. Granting a loss of 5½ pounds for refining, or 0.14 cent, the protection left refiners on 95° sugar is 0.16 cent, or about one-sixth, instead of one-eighth as argued. But it is misleading to argue the rate of protection on either 95° sugar or 96° sugar. The protection is really the differential between the average rate on all imported raw cane sugar, free and dutiable, which is (1.95 less 1.104) 0.846 cent. It is illogical to deduct anything for the 5½ pounds loss in refining, inasmuch as this is a common loss to both foreign and domestic refiners; but granting it at their claim of 0.14 cent, the differential is then 0.706 cent, instead of 0.125 as claimed—seven-tenths cent per pound, instead of one-eighth cent. The difference between 0.706 cent, the protection actually received by the refiners, and 0.125 cent, the amount admitted, is 0.581 cent, or more than one-half cent a pound filched from the pockets of the consumer, without corresponding advantage to Government, and transferred to the pockets of the refiners. Four billion nine hundred and sixteen million six hundred and seventy-six thousand seven hundred and forty-five pounds of raw sugar come in and go to the refiners at a revenue or tariff cost to them of \$54,310,082. Allowing one-nineteenth loss for refining, an allowance not permitted by reason or law, inasmuch as foreign refiners must suffer the same loss, we have left 4,657,905 pounds of sugar, ostensibly protected at one-eighth cent, but really protected at seven-tenths cent. In other words, by reason of selecting a most important

grade of sugar, 96°, but by no means the most important item, as 95° sugar covers three-fourths of the raw cane sugar imported, and by ignoring the fact that the refiners get the benefit of all other items, and more especially the free sugar, the important fact is lost sight of that imported raw sugars come to the refiners at 1.104 cents a pound and that the real protection is seven-tenths, instead of one-eighth, and that thereby more than one-half cent per pound is treacherously conveyed to the pockets of the refiners without adding to government revenues.

One-half cent on 4,657,905,328 pounds of raw sugar amounts to \$23,289,567 profit for the refiners. This half cent enters into the wholesale price of all the 6,706,512,960 pounds of refined sugar consumed in the United States and represents a charge to the consumers of \$33,532,564 at wholesale prices.

This is not all. There is no reason for the allowance, in fact and in argument, of the loss of refining of 5½ pounds, or about one-nineteenth of import. All refiners suffer the same loss and the allowance is not valid. The real protection enjoyed by the refiners is \$1.95, less the average tariff rate on free and dutiable sugars, 1.104 cents, or 0.846 cent per pound, or nearly seven-eighths cent a pound, instead of the one-eighth so confidently relied upon. The difference between seven-eighths cent absolutely received and one-eighth cent argued and defensible is six-eighths cent, or three-fourths cent per pound, or an unwarranted profit to refiners of three-fourths cent a pound on the 3,980,128,265 pounds of raw sugar actually imported at concession rates, and the 4,916,676,745 pounds free and dutiable, and, as well, the entire 6,706,512,960 pounds consumed, or a total of \$50,298,847 profit to the refiners, a sum equal to the Government revenue on all raw sugar imported.

The above calculations exclude 212,000 tons of raw sugar imported from Porto Rico free, which, if calculated, will make the differential that much greater.

WHAT ARE THE SUGAR PROFITS?

The Census Department, in Bulletin No. 57, for Manufacturers, 1905, gives the following facts:

Sugar and molasses refining.

Number of establishments, 1905	344
Salaries paid 1,886 officials and clerks	\$2,153,679
Wages paid 13,549 workmen	7,575,650
Miscellaneous expenses	8,600,754
Materials	244,752,802
Total expenses	263,082,885
Value product	277,285,449
Profit	14,202,564
Capital	165,468,320

Or a profit of a little more than 8 per cent. This on its face shows its absurdity. Analyzing the figures, we find that "Miscellaneous expenses" cost more than labor, a thing easily explainable in some minor industries, but entirely unusual in a business of the magnitude of sugar. This statement, at least, negatives all reason for protection on the Taft idea of a difference between domestic and foreign wages. In sugar refining, labor is the least element of value, as reported by its managers, except salaries paid officials and clerks. Labor costs sugar refiners, according to their own showing, seven two-hundred-and-sixty-thirds of all their expenses, or about 2.6 per cent. The tariff on refined sugar \$1.95 per hundredweight, to cover the difference between foreign and domestic labor, can well be abolished: (1) Because it produces no revenue, and (2) because the labor cost of sugar refining in the United States is practically nothing, a measly 2.6 per cent of the expenses. Analyzing the showing further, we find that the cost of materials is enormous—sufficiently enormous to cast a doubt on the accuracy of the returns:

	Cost of materials.	Cost of labor.
Boots and shoes	\$197,000,000	\$69,000,000
Bread	155,000,000	43,000,000
Carriages	61,000,000	30,000,000
Cars	151,000,000	142,000,000
Clothing	185,000,000	57,000,000
Clothing, women's	130,000,000	51,000,000
Cotton goods	286,000,000	96,000,000
Foundry	324,000,000	229,000,000
Hosiery	76,000,000	31,000,000
Iron and steel	620,000,000	141,000,000
Leather	191,000,000	27,000,000
Lumber	183,000,000	50,000,000
Paper	111,000,000	32,000,000
Slaughtering	706,000,000	37,000,000
Sugar	244,752,862	7,575,650

In sugar refining the labor cost is but one thirty-second of the cost of materials, as shown by the refiners. The import price of sugar was about 2 cents in 1907, and the average duty 1.104 cents. Had the refiners bought all the sugar imported which paid duties, viz, 3,980,128,265 pounds, and the free sugar, 936,548,480, or a total of 4,916,676,745 pounds, at the import price, 2 cents, the entire cost, without duties, would have been \$98,333,534. Had they paid all the duties the Government received for raw sugar, \$54,310,082, the cost of raw materials would have been \$152,643,616. It is true that there are other materials used in refining, but the raw material is the very largest part of it; freights go to miscellaneous expenses, and the return \$244,752,802 for material is \$92,000,000 more than the raw sugar cost, duties added, and fully \$50,000,000 more than the cost of all raw materials. The returns to the Census Department are evidently prepared for an emergency—doctored to suit the case, and the profits instead of being \$14,202,000, are fully \$64,000,000, or about 30 per cent of the capital. In other words, while \$14,202,000 profits are admitted, a further profit of \$50,000,000 is covered up in tariff technicalities and classifications coupled with doctored returns to the Census Office.

GENERAL REMARKS.

This cane-sugar classification was evidently intended to show accurate scientific determinations, but the most casual examination of its working will show that for all practical purposes it is useless. The



very greatest number of the items or numbers cover few importations and yield little revenue. To retain and operate them casts upon the Government an extra expense for their scientific determination, without any corresponding advantage, leads to confusion in settlements and arguments, and blinds the public to the real merits of the question.

This paragraph has 24 items or numbers producing a revenue of \$54,310,082, of which two items, or Nos. 3279 and 3280, produce \$50,930,628, leaving \$4,189,300 for the remaining 22 items, and one of these, No. 3270, produces nearly \$2,000,000; 21 items of the paragraph may appear scientific, but are worthless in a practical common-sense tariff schedule, whose object is to win money, although disguised to win labor votes. The two items yielding the greatest revenue carry an ad valorem rate of 90.46 per cent and 64.36 per cent.

Sugar, continuation of Schedule E.

	Pounds.	Duties.	Ad valorem.
Maple sugar, No. 3295, 1.95 cents.....	4,318,995	\$84,220.00	72.57
Maple sugar and sirup, No. 3301, 4 cents.....	2,579,024	103,160.00	49.65
Candy and confectionery:			
No. 3304, 4 cents and 15 per cent.....	252,915	13,058.00	66.58
Cuba, 20 per cent off.....	6,003	278.00	38.58
Candy and confectionery, n. s. p. f.:			
No. 3305, 50 per cent.....	250,394	37,141.00	50
Cuba, 20 per cent off.....	575	52.00	40
Sugar cane:			
No. 3306, 20 per cent.....		1,120.00	20
Cuba, 20 per cent off.....		.48	16

Duties produced.

Molasses.....	\$154,956
Sugar beet.....	5,637,694
Sugar cane.....	54,310,082
<b>Total.....</b>	<b>60,102,732</b>
Maple sirup.....	103,160
Sugar cane.....	1,120
Maple sugar.....	84,220
Candy and confectionery.....	50,529

Total revenue, Schedule E..... 60,341,761

The total duties collected on merchandise for the year 1907, according to the Statistical Abstract, page 655, amounted to..... 329,480,040  
 Duties, Schedule E..... 60,341,761  
 Duties on sugar alone..... 59,947,776

Practically one-fifth of the tariff revenue is collected from sugar alone.

Taking the refiners' returns to the Census Department for salaries paid officials and clerks, wages paid labor, and miscellaneous expenses, the cost of refining becomes a simple proposition. The cost of materials does not enter into the cost of refining. They report:

Officials' and clerks' salaries.....	\$2,153,679
Wages.....	7,575,650
Miscellaneous expenses.....	8,600,754

Total expenses of refining..... 18,330,083

They refine 3,000,000 tons. The price per ton for refining is \$6.11. The price per pound is 0.27 cent per pound, or about one-fourth cent per pound. The refiners claim that this cost is from three-eighths to five-eighths cent per pound, another instance of the truth of the doctrine of total depravity, so far as it pertains to sugar manufacturing.

APPENDIX B.

Prices of cotton and its manufactures.

MIDDLING COTTON AND STAPLE MANUFACTURES OF COTTON IN THE NEW YORK MARKET: AVERAGE PRICES, 1860 TO 1907.

[Prepared by Mr. Joshua Reece, jr., in 1892; since then by Mr. Alfred B. Shepperson, of New York.]

Calendar year.	Middling cotton, per pound. <sup>a</sup>	Stand-ard sheet-ings, per yard.	Stand-ard drill-ings, per yard. <sup>a</sup>	New York Mills, bleached shirt-ings, per yard. <sup>b</sup>	Stand-ard prints, per yard.	64 by 64 printing cloths, per yard.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
1860.....	11.00	8.73	8.92	15.50	9.50	5.44
1861.....	13.01	10.00	9.58	15.33	9.71	5.33
1862.....	31.29	18.65	18.94	21.00	14.40	9.81
1863.....	67.21	36.04	33.41	35.33	21.24	15.20
1864.....	101.50	52.07	53.02	48.35	33.25	23.42
1865.....	83.38	38.04	37.33	49.58	29.00	20.24
1866.....	43.20	24.31	25.14	45.90	21.15	14.13
1867.....	31.59	18.28	18.70	35.21	16.58	9.12
1868.....	24.85	16.79	16.49	26.65	13.88	8.19
1869.....	29.01	16.19	16.49	24.79	14.00	8.30
1870.....	23.98	14.58	14.98	22.50	12.41	7.14
1871.....	16.95	13.00	13.64	20.83	11.62	7.41
1872.....	22.19	14.27	15.14	20.66	12.00	7.83
1873.....	20.14	13.31	14.13	19.41	11.37	6.69
1874.....	17.95	11.42	11.75	18.04	9.75	5.57
1875.....	15.46	10.41	11.12	15.12	8.71	5.33
1876.....	12.98	8.55	8.71	13.58	7.66	4.10
1877.....	11.82	8.46	8.46	12.46	6.77	4.38
1878.....	11.22	7.80	7.65	11.00	6.00	3.44
1879.....	10.84	7.97	7.57	11.62	6.25	3.93
1880.....	11.51	8.51	8.51	12.74	7.41	4.51

<sup>a</sup> Including 1881 and since, the prices of standard drillings are net; raw cotton prices are also net for the entire period.

<sup>b</sup> After 1905 the figures represent Wamsutta Mills shirtings.

Prices of cotton and its manufactures—Continued.

Calendar year.	Middling cotton, per pound. <sup>a</sup>	Stand-ard sheet-ings, per yard.	Stand-ard drill-ings, per yard. <sup>a</sup>	New York Mills, bleached shirt-ings, per yard. <sup>b</sup>	Stand-ard prints, per yard.	64 by 64 printing cloths, per yard.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
1881.....	12.03	8.51	8.06	12.74	7.00	3.95
1882.....	11.56	8.45	8.25	12.95	6.50	3.76
1883.....	11.83	8.32	7.11	12.93	6.00	3.60
1884.....	10.88	7.23	6.86	10.46	6.00	3.36
1885.....	10.45	6.75	6.36	10.37	6.00	3.12
1886.....	9.28	6.75	6.25	10.65	6.00	3.31
1887.....	10.21	7.15	6.58	10.88	6.00	3.33
1888.....	10.03	7.25	6.75	10.94	6.50	3.81
1889.....	10.65	7.00	6.75	10.50	6.50	3.81
1890.....	11.07	7.00	6.75	10.90	6.00	3.34
1891.....	8.60	6.83	6.41	10.64	6.00	2.95
1892.....	7.71	6.50	5.60	10.25	6.25	3.39
1893.....	8.56	5.90	5.72	9.75	5.25	3.30
1894.....	6.94	5.11	5.07	9.50	4.90	2.75
1895.....	7.44	5.74	5.69	9.85	5.25	2.86
1896.....	7.93	5.45	5.48	9.50	4.66	2.60
1897.....	7.00	4.73	4.75	9.25	4.70	2.48
1898.....	5.94	4.20	4.10	8.00	3.96	2.06
1899.....	6.88	5.28	5.13	9.50	4.25	2.69
1900.....	9.25	6.05	5.95	10.75	5.00	3.21
1901.....	8.75	5.54	5.48	10.25	4.62	2.84
1902.....	9.00	5.48	5.52	10.50	5.00	3.11
1903.....	11.18	6.25	6.37	10.75	5.00	3.25
1904.....	11.75	7.13	7.31	10.50	5.00	3.44
1905.....	9.80	7.00	7.00	9.50	4.75	3.13
1906.....	11.50	7.25	7.37	10.98	5.12	3.63
1907.....	12.10	7.62	7.62	13.00	6.00	4.62

<sup>a</sup> Including 1881 and since, the prices of standard drillings are net; raw cotton prices are also net for the entire period.

<sup>b</sup> After 1905 the figures represent Wamsutta Mills shirtings.

During the delivery of Mr. McLaurin's speech, Mr. OWEN. Will the Senator from Mississippi yield to me to make a request?

Mr. McLaurin. With pleasure.

Mr. OWEN. I ask the consent of the Senate to have printed as a document an article by Mr. James G. Parsons on "Protection's favors to foreigners" (S. Doc. No. 54).

The PRESIDENT pro tempore. The Senator from Oklahoma asks unanimous consent that there may be printed as a document the paper which he sends to the desk.

Mr. McLaurin. And in the RECORD, I suggest.

Mr. OWEN. And in the RECORD.

Mr. ALDRICH. What is the request?

The PRESIDENT pro tempore. Will the Senator from Oklahoma state what the paper is?

Mr. OWEN. It is a paper prepared by James G. Parsons, showing the favors of the tariff to foreigners.

Mr. ALDRICH. What is asked to have done with it?

Mr. OWEN. To have it printed as a Senate document and in the RECORD.

Mr. ALDRICH. I object to its being printed in the RECORD, and I think the practice of having matters of this kind printed as public documents ought not to be extended too far. I object to its being printed in the RECORD.

The PRESIDENT pro tempore. The Senator from Rhode Island objects to its being printed in the RECORD.

Mr. ALDRICH. I do not object to its being printed as a document.

The PRESIDENT pro tempore. The Senator from Rhode Island does not object to the paper being printed as a document.

Mr. OWEN. I so understood. I do not care to read it into the RECORD at this time.

Mr. KEAN. How large a document is it?

Mr. OWEN. It is a document of 60 or 70 pages.

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

After the conclusion of Mr. McLaurin's speech,

Mr. BAILEY. Mr. President, I did not want to interrupt the very excellent and instructive address of the Senator from Mississippi, but now, as he has concluded, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Aldrich	Bristow	Burton	Crane
Bacon	Brown	Carter	Culberson
Bailey	Bulkeley	Chamberlain	Cullom
Bankhead	Burkett	Clapp	Cummings
Bourne	Burnham	Clark, Wyo.	Curtis
Brandegge	Burrows	Clay	Daniel

Depew	Heyburn	Nixon	Smith, Mich.
Dick	Hughes	Overman	Smoot
Dillingham	Johnson, N. Dak.	Owen	Stone
Dixon	Johnston, Ala.	Page	Sutherland
Elkins	Jones	Perkins	Taylor
Fletcher	Kean	Piles	Tillman
Flint	La Follette	Root	Warner
Foster	Lodge	Scott	Warren
Frye	McCumber	Shively	
Guggenheim	McLaurin	Simmons	
Hale	Nelson	Smith, Md.	

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

Mr. ALDRICH. Mr. President, I gave notice on yesterday that I would to-day ask that a time be fixed for a final vote upon this bill. I now ask that the Senate agree that on Wednesday, the 5th, I think it is, of June the final vote be taken upon the bill and all pending amendments without further debate.

Mr. CUMMINS. Mr. President—

The PRESIDENT pro tempore. The Chair will state the request of the Senator from Rhode Island. It is for unanimous consent that the final vote be taken on this bill and all pending amendments on Wednesday—the first Wednesday will be the 2d and the second Wednesday the 9th day of June—

Mr. DANIEL. I object.

Mr. ALDRICH. I meant to have stated the 5th of June, but I will make it Wednesday, the 2d.

Mr. DANIEL. I object, Mr. President.

The PRESIDENT pro tempore. Objection is made.

Mr. CUMMINS. Mr. President, has objection been made?

Mr. SCOTT. Yes.

Mr. CUMMINS. I rose to say that I hope the Senator from Rhode Island [Mr. ALDRICH] will not insist upon his request. There are certain Senators of the Republican faith who honestly believe that the duties reported by the committee should, in some instances, be reduced. There ought to be an opportunity for an expression of our views upon those subjects. I can not think that the Senators who so believe have unduly retarded the progress of the bill up to this point. I think they have, in the main, confined themselves somewhat strictly to the exact point at issue as the various items have appeared.

Personally, I am just as anxious that this bill shall be speedily disposed of as is the Senator from Rhode Island. I think it is our duty to pass along with it just as rapidly as we can, having in view all the time a full and fair discussion of the points of difference.

If there has been any error—and I do not accuse any Senator of committing any error—it has been in the desire to widen the scope of the discussion. So far as I am concerned—and I know that I speak for some Republican Senators who believe in a reduction of these duties—I intend to do whatsoever I can, and I know they will do whatsoever they can, to speed this bill just as fast as it can be speeded, giving an opportunity for a fair expression of our views as the various paragraphs appear.

Mr. ALDRICH. Mr. President, I fully appreciate the position of the Senator from Iowa [Mr. CUMMINS]; and of course I have no idea of trying to prevent a full discussion of the remaining paragraphs and schedules of the bill. I think the Senator from Iowa will agree with me, without saying who is responsible for it, that there has been a good deal of what seemed to me irrelevant discussion upon the bill. I hope that we shall be able to go ahead with the discussion of the remaining paragraphs and schedules; and I hope that at an early day we shall be able to arrive at a general agreement in regard to fixing a time for a final vote.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Maine?

Mr. ALDRICH. I do.

Mr. HALE. Will the Senator permit me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. HALE. What proportion of the bill, considered by pages, has the Senate passed upon in the four weeks' time that we have been here considering the bill? I ask the question in order that the Senator may, in his answer, bring before the Senate the important fact that only a small portion of the text of the bill has thus far been considered, and that we must give constant attention to the real purposes of the bill.

Mr. ALDRICH. Mr. President, in number of paragraphs we have passed over about one-half of the dutiable list. My impression is we have passed over a much larger proportion than that of the paragraphs which will be in dispute. Of the remaining paragraphs, at least half are matters about which, I imagine, there will be no contention. So I think the majority of the disputed paragraphs have already been passed upon by the Senate.

Mr. BAILEY. Mr. President—  
The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. I do.

Mr. BAILEY. I simply want to interpose a remark in reply to the statement of the Senator from Rhode Island that there has been a good deal of irrelevant discussion. I venture to say that the RECORD will disclose that there has been less irrelevant discussion—indeed, there has been less general discussion—on this bill than on any other tariff bill in the history of the country. The discussion here has been confined almost entirely to a discussion of schedules and items. And while—as I think will always happen in the consideration of a bill of this kind, and even with a less important bill—some time has been spent in digression, I do not think the Senator from Rhode Island can safely say that any of it, or that much of it, in any event, has been wasted in irrelevant discussion.

Mr. CLAPP. Mr. President, while this matter is up I want to take the liberty of making a suggestion to the chairman of the Finance Committee regarding the resolution offered yesterday by the Senator from Maine [Mr. HALE], proposing to change the hour of meeting from 10 to 11 o'clock. In my humble way I suggest that we retain 10 o'clock as the hour for the opening of the morning session, and that, beginning next Monday, we proceed with evening meetings. I would not curtail the morning session by an hour.

I hope the committee will see its way clear to report the resolution in such shape as to retain 10 o'clock as the hour of meeting, and provide for evening sessions.

The PRESIDENT pro tempore. The Secretary will report the pending amendment.

The SECRETARY. On page 61, paragraph 182, line 20, it is proposed to strike out "four" and insert "six."

Mr. ALDRICH. I suggest that the amendment might be disposed of at this time. I think there is no particular objection to it, and before we go on with another schedule I should like to have the pending amendment disposed of.

Mr. HEYBURN. I should like to have the amendment reported again before the question is put.

The PRESIDENT pro tempore. The Secretary will again report the amendment.

Mr. CUMMINS. On what page is it?

The SECRETARY. On page 61, paragraph 182, fixing the rate on ferrosilicon valued at not exceeding \$90 per ton and containing not more than 15 per cent of silicon, the amendment of the committee reads "\$4 per ton." It is proposed to amend that by striking out "four" and inserting "six."

Mr. LA FOLLETTE. Mr. President, when this paragraph was up yesterday I understood the Senator to say that it could be recurred to for amendment without moving to reconsider.

Mr. ALDRICH. Yes; that is my purpose now.

Mr. LA FOLLETTE. Then, if this amendment is adopted—

Mr. ALDRICH. It will still be open.

Mr. LA FOLLETTE. With the understanding that it will be open for amendment without moving to reconsider—

Mr. ALDRICH. Or I will myself move to reconsider.

Mr. LA FOLLETTE. With that understanding, I shall interpose no objection. That is, it will be open for amendment in the committee?

Mr. ALDRICH. Yes; I understand.

Mr. BEVERIDGE. It will be open in the Senate anyhow.

Mr. ELKINS. Mr. President—

Mr. ALDRICH. If the Senator will permit me, I hope this amendment will be disposed of now.

Mr. ELKINS. I will say, that if it is distinctly and clearly understood that this matter can be again taken up for consideration, I am willing to have it disposed of now, as suggested. My State is interested in this industry, and at the proper time I want to say something about the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, which has been stated.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. HEYBURN. Just a moment, Mr. President. Paragraph 182 includes tungsten. I understand it is agreed that the ore will be specified, with the usual provision for sampling the value of the tungsten in the ore. While it is not so expressed now, with that understanding I shall not insist upon a postponement of action upon the paragraph.

Mr. ALDRICH. It is the intention of the committee to report a separate provision for tungsten ore.

Mr. HEYBURN. With that understanding, I will not insist upon a postponement.

The PRESIDENT pro tempore. The Secretary will state the next paragraph passed over.

Mr. ALDRICH. I ask that the lumber schedule be now taken up.

The SECRETARY. Schedule D, at the top of page 69. The first paragraph passed over is 196—"Timber, hewn, sided, or squared," etc.

Mr. ALDRICH. I move to strike out the words "otherwise than by sawing" and that the word "or" be inserted before "sided."

Mr. CRAWFORD. Mr. President, I think the chairman of the Finance Committee made the statement very plainly that there was to be no roll call on this bill to-day. My colleague—

Mr. ALDRICH. This is simply a change of phraseology.

Mr. NELSON. I desire to say to the Senator from South Dakota that this amendment restores the Dingley rate in the case of this paragraph and is what we who believe in free lumber advocated.

Mr. CRAWFORD. I was not rising to object to that.

Mr. ALDRICH. There will be no vote except by unanimous consent.

Mr. CRAWFORD. My colleague went away with the understanding that there were to be no votes taken to-day.

Mr. ALDRICH. There will be none, except by unanimous consent. I thought everybody was in favor of this.

Mr. LODGE. This is merely an amplification of the paragraph.

Mr. CULBERSON. I suggest to the Senator from Rhode Island that unanimous consent on the part of those present would not live up to the agreement of yesterday.

Mr. ALDRICH. I withdraw the suggestion. There was no agreement. I withdrew the statement yesterday; but I am not raising the question now. I withdraw the amendment and will offer it later.

Mr. DANIEL. I will remind the Senator from Rhode Island that he did not withdraw the statement that there would be no vote.

Mr. ALDRICH. I beg the Senator's pardon; I did.

Mr. DANIEL. I did not hear that.

Mr. ALDRICH. I did; I took it back. I afterwards withdrew the statement.

Mr. STONE. When did the Senator afterwards withdraw it?

Mr. ALDRICH. Yesterday; but that is not a matter of any consequence. I am not going to press this amendment.

Mr. LODGE. Then, the paragraph goes over?

Mr. ALDRICH. The paragraph goes over.

Mr. CRAWFORD. I did not rise for the purpose of making an objection. I simply wished to call attention to the fact that my colleague is absent; and he is interested in this matter. He went away with the understanding that there was not going to be a roll call to-day.

Mr. ALDRICH. But the Senator's colleague is in favor of this amendment. However, I shall not press the point now. It may go over until some later time.

Mr. CRAWFORD. I did not rise with any reference to this particular proposition; and I certainly do not want to interpose any obstacle to its adoption.

Mr. McCUMBER. Mr. President, I offer the amendment I send to the desk.

The PRESIDENT pro tempore. The Senator from North Dakota submits an amendment, which will be stated.

The SECRETARY. Strike out paragraphs Nos. 197, 199, 200, 201, 203, 204, and 205, in Schedule D; also strike out all of paragraph No. 708, free list, after the word "planking," line 25, page 220, and insert in lieu thereof the following:

And all kinds of lumber, timber, laths, shingles, pickets, palings, staves of wood, clapboards, paving posts, railroad ties, and telephone trolley, electric light, and telegraph poles of cedar or other woods, and all other lumber not specifically provided for.

Mr. McCUMBER. Mr. President, I have already spoken at some length upon the question of free lumber, and I am not going to reiterate what I have said or make any further address. The matter has already been quite thoroughly considered. But in again proposing this amendment, it seems to me proper to epitomize in a very few short sentences my reasons for advocating free lumber.

I move this amendment for free lumber, Mr. President, for the following reasons:

First. Under the relation the forests of the United States bear to consumption in the United States, a protective policy as applied to the lumber industry has no warrant or justification in principle.

I advocate free lumber again, because, on account of the limited supply of the raw material, the forests, the industry itself, must necessarily become exhausted in a comparatively few years, and it will be brought to a speedier termination in exact proportion to its expansion.

I favor free lumber for the further reason that just to the extent that our forests diminish by exhaustion the price of lumber must necessarily increase.

It is therefore evident, Mr. President, that the reverse of the principle of protection should be applied to lumber. The duty should be discontinued, because the prices of lumber—which are to-day excessive as compared with the prices of former years—have increased so rapidly as to become a source of danger to the very best interests of the country.

It may be stated that the price of lumber has gone down considerably within the last year. But that has been due to economic conditions in this country; and as soon as normal conditions return, the prices will undoubtedly go back to the old rates. And I believe, Mr. President, they will rise even above those old rates.

While the cost of production has increased during the last fifteen years only from 25 to 40 per cent, the price of the lumber itself has increased from 50 to more than 200 per cent.

I believe the time has passed for any further protection of that industry, because it has been conclusively shown that no business in the United States has given such enormous profits year in and year out, for the last fifteen years, as the lumber business.

I believe in free lumber because we are paying out for the conservation of our forests immense sums of money, while we are aiding in the destruction of those forests by a duty which, at least to some extent, will keep out foreign importations, and to the extent that it keeps out those foreign importations it is accelerating the destruction of home forests.

I believe in this reduction because the disastrous floods resulting from the denudation of our forests have already caused losses of millions upon millions of dollars to the American people. I also propose it because the tariff mainly benefits the great holders of the stumpage, of lands purchased in many instances for about 15 cents per thousand, which have advanced in value in a great many instances as high as 2,000 per cent, and because this advancement will far more than offset any possible diminution of profits by a reduction of the tariff.

I believe that this should be put upon the free list because the tariff is not needed for protection. The evidence is overwhelming that the cost of production, on the average, is as great in Canada—our only competitor—as it is on this side of the Canadian line.

I support the proposition for free lumber because the consumers themselves have an interest in the subject far above that of the producer. Not only have the consumers of the present generation an interest in this subject, but the consumers in the years to come will be deeply and more deeply interested as they behold our great forests almost totally destroyed. I favor the reduction because there is a systematic effort on the part of the great lumber interests of the country to-day who own timber on both sides of the line—in Canada and in the United States—to retain this duty upon lumber until they have disposed of their holdings on this side of the line; and as soon as their American holdings become exhausted, they will be ardent supporters of free lumber.

Mr. President, I have stated again and again that I do not expect by the reduction in the tariff that we will seriously reduce the price of lumber. On the contrary, I insist that the diminishing supply of the raw material at the rate at which it is being diminished yearly will be an absolute guaranty of rising prices under ordinary conditions. This being true, there is no danger whatever of closing any of the American mills. The advancing prices and the growing demands of an increasing population will more than keep pace, in my opinion, with any possible importations from Canada.

I support this reduction also, Mr. President, because we are able not only to compete with the Canadian producer at the very doors of his mills, but we are able to compete with him in all of the great markets of the world. While, in the lumber trade between Canada and the United States, to-day we receive more from Canada than we export to that country, our exportations are growing more rapidly than the importations from Canada, and while in the last ten years, say, the Canadian exports abroad have increased in the neighborhood of about 50 per cent, our exports to the same markets have increased from about 150 to 200 per cent, thus indicating very clearly that we are able to compete with the Canadian producer of lumber both in this country and outside of it.

I am in favor of this reduction because it will favorably affect every home builder in the United States, not, as I have stated, by suddenly reducing the cost of the American product, but by preventing a too rapid rise of that cost. It will act, and act favorably, as a regulator of those prices. The interest of economy demands the conservation of our forests. The interests of the lands that are destroyed by floods demand it. The interests of navigation fed by the streams conserved by our forests also demand this conservation.

Mr. President, it is frequently asserted that the consumer does not make himself heard here. The consumer has been heard

throughout the United States upon the question of the lumber tariff. The National Grange, representing 1,000,000 farmers, declared for free forest products at the annual meeting in Washington November 18, 1908. The Democratic National Convention at Denver last July, largely of the consuming class, declared for free lumber, thereby expressing the popular and also the historic attitude upon that question. A number of the Republican States, including my own, Minnesota, Ohio, a strong Republican State, as we have heard to-day, and, I believe, Wisconsin, have resolved in favor of free lumber; and Minnesota and Wisconsin are both largely interested in the production of lumber.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I do.

Mr. BORAH. I assume the Senator from North Dakota does not quote the Democratic platform as being a very strong factor in this matter since the interpretation of it in this Chamber.

Mr. McCUMBER. It ought at least to have some weight with those who are following the banner of that party and who helped to make that platform.

Mr. BORAH. But we are told that platform was not made under such conditions as to represent the popular cry.

Mr. McCUMBER. It undoubtedly represented the cry of a certain portion of the American public.

Mr. BORAH. I desire to say, in answer to that, that that portion of the Democratic platform was not discussed to any considerable extent in the Northwest.

Mr. McCUMBER. That is very true; but the question of free lumber was discussed very much in that section of the Northwest in which I live.

Mr. CRAWFORD. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from South Dakota?

Mr. McCUMBER. I do.

Mr. CRAWFORD. The Republican party in the State of South Dakota most emphatically in its platform declared in favor of the removal of the tariff upon lumber.

Mr. McCUMBER. I mention this as showing that some of the strongest Republican States in the Union, by their representatives, either in legislature or by the representatives of their party in convention, have declared most emphatically for free lumber, and it is not to be assumed that they are free traders because they believe that some products should be placed upon the free list any more than the Senator from Idaho can be said to be a free trader because he will vote, undoubtedly, that a large number of articles be placed upon the free list.

We view it in this way: The lumber industry is not and can not be a growing industry; in a very short time it must necessarily be extinguished; and therefore will soon, and in the very near future, become a product only of foreign lands, to be imported. We support it because we desire to conserve the great national resources of our country just as long as they can be conserved for the benefit of the American people, and because we believe that we not only gain in the conservation of our forests, but we gain in many other things that are dependent upon such conservation.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield.

Mr. BORAH. I merely suggest, in answer to the suggestion of the Senator from North Dakota, that I believe that protection, if it is anything at all, is a system. If it is to be confined to this or that particular schedule, it is a privilege, and a privilege is always wrong and can never be justified. Unless we discuss the protective policy upon the theory that it is a system which builds up all the industries of the United States and diversifies those industries and gives opportunity for labor to be employed in all of the different industries, it can not be justified at all. There is no argument in the world by which you can justify the building up of one industry under the policy of protection. It must be a system to include the whole country, or it is not justified upon any theory whatever.

Mr. McCUMBER. There is where we possibly agree. The only difference is that the Senator is considering a proposition where it is impossible to expand the industry, because just to the extent that you expand it you diminish an exhaustible commodity which can last but a few years. Already we have probably reached the limit of lumber production in the United States. The greater the expansion to-day, necessarily the greater the contraction to-morrow.

If I believed, as, possibly, the Senator does, that we had an inexhaustible supply of timber in this country, and also be-

lieved it was not in the hands of a comparatively few people who could dominate the price, I then would be in favor of protecting this product the same as I would be of protecting the fabrics of the mills.

But the conditions are entirely different. The policy which declares in favor of a protective tariff for building up an industry by expanding it and thereby reducing the value of the commodity to the consumer, and also to give added work for the American laborer, has absolutely no application, because, as I have said, the material itself is bound to be exhausted in such a short time that we can not expand the industry.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield to the Senator.

Mr. BORAH. It seems to me that the Senator falls into the error which so many of the conservationists adopt in discussing the question of timber conservation. They assume that because the timber which the God of Nature gave us is to be exhausted as it was left to us, that that is the end of the supply. It is a fact that the only means by which we can replenish it is by the cooperation of man with nature by the replanting of lands which are not fit for anything in the world except to produce timber. There is one great industry in the United States to-day which has already planted and is to-day supplying all the timber that is necessary for that particular industry.

It is incredible to me that the human race is going to perish rather than plant trees upon those lands where nothing else will grow except trees. We have simply arrived at a point where the timber is only exhausted as nature gave it to us, and we have arrived at a point where mankind must take hold of it and replant trees where timber must grow. When we do that we will find that we have enough land in this country which will supply nothing but timber to supply to the full satisfaction and necessity of the entire people. Instead of taking the duty off, if you are going to increase that which has been, you will put a duty on, if you are consulting alone the question of conservation.

Mr. McCUMBER. Mr. President, I am not at all afraid that the American public are going to perish because of the exhaustion of our timber supply. Why? Because while they may wake up too late in the day, as they have already done, to properly conserve their forests, they will be obliged by the necessity of conditions to reforest all of the mountain ranges of the United States. It will be a slow job. It will be a project that will require not a few years, but a few centuries. It will be a project that will require not a few thousand or a few million dollars, but billions of dollars before we can ever bring our forest sections up to a condition where they will be able to supply the demands of the people, and I am not satisfied that they ever will supply that demand.

Mr. President, when the Senator travels from one ocean to the other over that vast section of land which was once covered with these immense forests, when he recalls that we, perhaps, have not used any more than what the American public demanded, and yet when he sees a third of a mighty State covered with nothing but black stumps, those solitary reminders of the past glory of our forests, and sees around them nothing but a few willows, some poplars, and some other woods that will never grow into timber, he will become convinced that it is going to take some few years for us ever to reforest that country with the same timber that we have to-day. Out in the Senator's own State he will find trees that are a thousand years old and probably are still growing. He will find that that which they are cutting to-day is probably mostly over a hundred years old, and it will require, in my opinion, at least a hundred years to reforest the sections that we have cut off and to produce good, merchantable timber.

I am willing to admit that you can take some little tree in a lawn and turn your hose on it and water it and care for it and you can produce a pretty good tree in twenty-five or thirty years, but you are not going to do it out in the country where the land has been once deforested.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. McCUMBER. I yield to the Senator.

Mr. BORAH. May I ask the Senator in what respect the taking off of this duty would regulate the manner of cutting trees in the forests?

Mr. McCUMBER. I discussed that at considerable length a few weeks ago. It was not my intention to take up and re-discuss it again to-day, but to place in a very few short sentences my reasons for the amendment, all of which were included in the former statement. Of course, I could go into the

question of reforestation and the question of the use of the tops and the increased destruction when lumber is low in price, but that subject has already been discussed.

Mr. BORAH. I am well aware that the Senator discussed it at length, and I will do him the credit to say that I have read his speech some two or three times with a view of arriving, if I could, at some conclusion upon that very proposition. No one yet has undertaken to state how that would conserve the forests in that particular and has supported it with any arguments or any facts.

The fact is that it is a generalization which the facts dispute. I ask the Senator now to tell me in as specific a way as he can how the taking off of the duty would conserve the forests.

Mr. McCUMBER. May I ask the Senator one question right here?

Mr. BORAH. Yes.

Mr. McCUMBER. Does the Senator believe that by taking off the duty we would increase the importations from Canada?

Mr. BORAH. I think so; on certain kinds of lumber, unquestionably.

Mr. McCUMBER. All right. Mr. President, we will say that we need for the use of the American public next year 4,500,000,000 board feet of lumber. Now, we only need that quantity. If we import the 500,000,000 feet from Canada, that means 500,000,000 feet that will be cut for use in the United States. That is a case of simple mathematical calculation.

Mr. BORAH. That is very simple. Is that the answer?

Mr. McCUMBER. That ought to be the answer. If the Senator needs any further answer, if his ideas are on different lines, I will try and answer him.

Mr. BORAH. Permit me to say that undoubtedly if you follow it no further that would be true. However, the people who cut lumber in this country are not going to cease cutting, but they are going to continue to cut, and they must cut in competition with the Canadian forces; and they will only cut such portions of the lumber out of which they can make a profit, and that which they can not make a profit out of they will permit to rot in the forest. The result will be that you are not conserving the forests, but you are bringing in competition the cutting of the best lumber and the rest will be wasted.

Mr. McCUMBER. That is a double-edged sword that cuts both ways. It cuts deeper backward than it does forward. If the importation from Canada reduces the price of lumber, as our theorists on the other side say that it will, they say that they are forced to cut only the most valuable of that lumber; that they can use only a certain portion of the log cut, and that other portions will go to waste. That is their argument. That is the argument of Mr. Pinchot. But they forget another thing that is clearly established by the hearings. If lumber is excessively high, the owners of the stumpage that has been cut over once never resist the temptation to cut the smaller timber again before it gets its growth. As was suggested by one of the witnesses before the Ways and Means Committee, they are cutting, in Minnesota to-day, saplings that are fit for only laths and lumber, and which they only cut when lumber is high. So, what you will gain on the one side you more than lose on the other; you are deforesting more rapidly than ever by the higher price of lumber.

Mr. President, I did not intend to take up any more time in the discussion of this subject. I think it has been shown, and shown very clearly, that by diminishing the supply the prices are bound to soar upward in any ordinary conditions of the country, and that no mills will be closed; but by the importation of a certain amount of Canadian lumber we will not only be able somewhat to regulate the prices, but we will be enabled to stem the too rapid depletion of our present forests.

Mr. SUTHERLAND. Before the Senator takes his seat, I understand the Senator's position to be that if lumber is put upon the free list the importation of Canadian lumber will increase and the production of lumber in our own forests will consequently decrease. Do I correctly apprehend the Senator's statement?

Mr. McCUMBER. That would follow, as a natural result. In other words, we would not produce for home consumption quite as much if we were not drawing from the other source.

Mr. SUTHERLAND. The Senator has insisted that the supply of timber in this country is not inexhaustible. Is it not also true that the supply of Canadian timber is not inexhaustible?

Mr. McCUMBER. That is true.

Mr. SUTHERLAND. That being so, if we put lumber upon the free list, and the result of that is to materially increase the importation of lumber from Canada, is it not quite likely that

the Canadian government will put an export duty upon their product, and the final result of that will be that the export duty put on the lumber by the Canadian government will increase the price upon this side in precisely the same way as the import duty imposed upon this side would do, and with the further result that the export duty put upon the lumber in Canada will go into the Canadian treasury and to that extent deprive the Treasury of the United States of the amount which it would receive from the present import duty?

Mr. McCUMBER. Mr. President, I am not looking for any export duty upon Canadian lumber to any extent in the near future. The Senator must remember that while the Canadian lumber supply is less than that in the United States, the population is something like one-tenth of the population in the United States; and so the Canadian government, in proportion to its population, has a very much greater supply of standing timber than this Government has. To-day, while they are conserving to a certain extent, they are naturally looking for markets for their product, and if we take off the tariff I am not at all afraid that they will immediately put an export duty upon it. If they did, of course it would counteract what we have done, and leave us in practically the same condition we are in to-day.

Mr. BAILEY. Mr. President, I think a quorum of the Senate ought to be here to hear this interesting colloquy, and I make the point that there is no quorum present.

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Aldrich	Crane	Johnson, N. Dak.	Root
Bacon	Crawford	Jones	Scott
Bailey	Cullom	Kean	Shively
Beveridge	Cummins	La Follette	Simmons
Borah	Curtis	Lodge	Smith, Md.
Bourne	Daniel	McCumber	Smith, Mich.
Brandegeee	Depew	McEney	Smoot
Bristow	Dick	McLaurin	Stephenson
Brown	Dillingham	Money	Stone
Bukeley	Dixon	Nelson	Sutherland
Burkett	Elkins	Oliver	Tallaferro
Burnham	Flint	Overman	Tillman
Burrows	Foster	Page	Warner
Chamberlain	Frye	Penrose	Warren
Clapp	Guggenheim	Perkins	Wetmore
Clark, Wyo.	Heyburn	Piles	
Clay	Hughes	Rayner	

Mr. CRAWFORD. I desire to state that my colleague [Mr. GAMBLE] is unavoidably absent and it will be impossible for him to be here perhaps during to-day's session. I make that statement now in reference to this roll call, and any future one that may be taken to-day.

Mr. TILLMAN. I wish to announce that my colleague [Mr. SMITH] is unavoidably absent, and is paired to-day with the Senator from Washington [Mr. PILES].

The PRESIDENT pro tempore. Sixty-six Senators have responded to their names. There is a quorum present.

Mr. BAILEY. Nobody seems desirous to proceed. I move that the Senate adjourn.

Mr. LODGE. On that I ask for the yeas and nays.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas that the Senate adjourn.

Mr. LODGE. I will allow the Chair to put the question first.

The PRESIDENT pro tempore. The question is on agreeing to the motion that the Senate adjourn.

The motion was not agreed to.

Mr. ELKINS. Mr. President, I wanted to speak this morning, but my friend on the committee has made some suggestion which I should like to look up. I am so surprised that the committee have free-trade notions imbedded in their rock-ribbed principles that I do not know where they took them up. In wandering over the plains of North Dakota, under the stars of night, the Senator from North Dakota might find some theory to justify him. Because a man is sick and is well again, he wants to make him sick so that he will last longer. That is his idea of the conservation of our industries. I am just debating in my own mind whether to speak to-day or to defer speaking until Monday.

Mr. BAILEY. I suggest to the Senator from West Virginia that he ought to wait until Monday. He has already observed that the only way to keep Senators here is to make the point of no quorum, and then they come in, and as soon as the roll call is finished they disappear. If I were in the place of the Senator from West Virginia, I would wait until Monday to make my speech.

Mr. CLAPP. I hardly think the remark of the Senator from Texas applies. If the Senator from West Virginia would prefer to speak to-day, I think the Senate would be very glad to remain here and listen to him.

Mr. BAILEY. I know that is true, except the fact that so many Senators understood yesterday afternoon that there would be practically a cessation of all business to-day that they are about their correspondence and their other work.

Mr. ALDRICH. The Senator could not have understood that in the face of the statement which I made.

Mr. BAILEY. The Senator from Rhode Island says I could not have understood that, because he said, with very considerable emphasis, that there would not be anything done to-day, except general debate, and then, later on, he did, as he has said, withdraw that.

Mr. ALDRICH. The only statement I made was that there would be no vote on the lumber schedule to-day.

Mr. BAILEY. Nothing but general debate.

Mr. ALDRICH. No; I did not say that. The RECORD will show.

Mr. BAILEY. I may be mistaken; but I believe I will resort to the RECORD to see. The Senator from Rhode Island has a habit of saying things and then saying he did not say it. From the RECORD I read the following:

Mr. ALDRICH. I will agree now that there shall be nothing done to-morrow except the consideration of the lumber schedule, and that there shall be no votes taken.

Mr. BAILEY. In other words, the Senator from Rhode Island means that there will be nothing done except speaking.

Mr. ALDRICH. Except a day of general debate upon the lumber schedule, which is sure to come—perhaps several days. We shall not save any time by—

Then there was an interruption. I think I was not mistaken. I thought when I made the statement I was not mistaken.

Mr. ELKINS obtained the floor.

Mr. ALDRICH. If the Senator had read a little further, he would have seen that I said:

I think it is much better to have it understood by the Senator that no votes are to be taken upon the lumber schedule to-morrow.

I afterwards withdrew the whole proposition.

Mr. BAILEY. I understand that, and I did not contradict the statement that the Senator afterwards withdrew it, but he withdrew it under such circumstances that it did not impress the Senators. I understood it because I happened to be engaged in the colloquy, but there was not one Senator in ten who understood, until the Senator said so this morning, that he had withdrawn the statement made. But the fact that he withdrew it confirms my statement that he made it.

Mr. ELKINS. Mr. President, it looks to me like neither the Senator from Rhode Island nor the Senator from Texas wants to have the bill expedited from what has just occurred. The time of the Senate has been consumed for ten or fifteen minutes.

The PRESIDENT pro tempore. The Senator from West Virginia is entitled to the floor.

Mr. ELKINS. Mr. President, West Virginia is interested in the duty on lumber, coal, and oil, which are the three leading products of the State, and I may say in a measure leading products of the South.

West Virginia is in an unfortunate position so far as the pending bill is concerned. It would seem that the Committee on Finance, that reported the bill, is not overfriendly to her products. What is termed as the "progressives" in this honorable body—I do not mean this in any offensive sense—I greatly fear will not vote for a duty on coal, oil, and lumber, calling them "raw materials." The Finance Committee has gone so far as to put oil on the free list; coal is in suspense; and the duty on lumber is reduced 50 per cent in the bill, and the most violent free trader as to lumber, coal, and oil I have ever known is a leading member of the committee from the State of North Dakota [Mr. McCUMBER]. I hope I do not do him any injustice when I make this statement. These two powerful elements in the Senate shake hands across the chasm that divides them on everything else and seem to agree as to the products of West Virginia. What is to be the outcome I do not know. West Virginia, it appears, can not get the relief she deserves from the Finance Committee, and I know in her distress she can not get sympathy from the "progressives."

The Senator from North Dakota argues that because a product is not long-lived its life ought to be prolonged by putting it on the free list. Timber, he says, can not last long; and as a remedy to prolong its life, it should not have a duty, should not be protected, no matter what becomes of the people who own timber lands, or the money they have invested, of their mills and plants, of their homes and means of making a living, and of the wage-earners employed in the lumber industry. No matter what the injustice may be, his aim is to prolong the life of timber, even if he destroys the lumber industry; but he does not fail, however, to vote the highest duties on the products of his State, even if they should be short-lived. He seems to be the author of his own peculiar theory as to putting some prod-

ucts on the free list because they are short-lived and can never be reproduced when once exhausted. I am sure he will remain the undisputed author of this new and strange doctrine; no one will want to take the honor from him. I have recently gone over all of the great writers on political economy, Jevons, Ricardo, John Stuart Mill, Walker, Adam Smith, and others, and none hints at such a theory or notion as that advanced by the Senator from North Dakota.

Mr. President, I agree fully with what the Senator from Idaho [Mr. BORAH] stated in reply to the remarks of the Senator from North Dakota, when he said that protection is either a principle or not. Protection can not be a great cardinal principle, an important national policy, and at the same time be local and distributed around in spots. I do not wish to offend the Senator from North Dakota, but he seems to favor protection in spots. He is what may be termed a "spotted protectionist." He is for high duties on all the products of his State and no duties or protection on many of the products of other States.

Now, let us see what duties the Finance Committee has reported on farm products in the pending bill. The committee increases the duty 5 cents a bushel on oats. That is about 20 per cent increase. North Dakota raises oats, and yet the Senator is a revisionist downward when he comes to the products of my State; not only downward, but downward clear out of sight, until he reaches the free list. The Senator and the committee put 5 cents a bushel more on wheat, an increase of 25 or 30 per cent, and increases the duty on rye to 100 per cent. The duty on buckwheat is increased 5 cents a bushel, again a 25 per cent advance. Rice is the only product of the South that gets an increased duty, a raise from 1½ to 2 cents per pound.

The duty on corn is increased from 15 to 20 cents a bushel, and no nation on earth can compete with us in corn, nor does any nation wish to do so. I can not understand what the committee meant by advancing the duty on corn, nor on wheat, rye, and barley.

Mr. ALDRICH. Mr. President, will the Senator allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I do.

Mr. ALDRICH. Is the Senator from West Virginia opposing these increases on agricultural products?

Mr. ELKINS. Not at all. I am not opposing them in any way. All I ask is, that the distinguished Senator will put a fair duty on the products of West Virginia, which are worth just as much—yes, more in many localities—and entitled to the same consideration. All I desire is that the Finance Committee be just, fair, and consistent. This is all I ask for West Virginia at the hands of the committee; nothing more; no discrimination against our products.

Mr. ALDRICH. Is the Senator from West Virginia trying to make a trade with me or with the Senator from North Dakota [Mr. McCUMBER]?

Mr. ELKINS. I had rather trade with the chairman of the committee, the Senator from Rhode Island. [Laughter.] He can deliver more, and I think West Virginia would get better treatment from him.

Mr. McCUMBER. The Senator from West Virginia has already got very much the best of me in the trade. I have voted for protection on about a dozen articles in my State; but in looking over this bill I find I have voted for protection for about 300 articles in his State. Therefore, for the few—eight or ten—in my own State the Senator has got about 300 in these schedules. So I do not think the Senator can complain very much.

Mr. ELKINS. If you have left out one product not highly protected in your State, tell me. I will give you plenty of time.

Mr. McCUMBER. That does not answer the question. I say that I have voted for three or four hundred articles for your State, while I have taken but eight or ten for myself.

Mr. ELKINS. We have not three or four hundred protected articles in West Virginia. The Senator is mistaken.

Mr. McCUMBER. If the Senator will allow me to take the bill and go over the items with him—

Mr. ELKINS. I am not through with the Senator yet.

Mr. BAILEY. Will the Senator from West Virginia permit me to interrupt him a moment?

Mr. ELKINS. I want to say why I had rather trade with the Senator from Rhode Island [Mr. ALDRICH] than with the Senator from North Dakota [Mr. McCUMBER].

Mr. BAILEY. Because the Senator from Rhode Island can deliver the goods. I know why. [Laughter.]

Mr. ELKINS. Yes, Mr. President, he can. But I must go on.

Mr. BAILEY. But I wanted—

Mr. ELKINS. I want to say that the Senator from Rhode Island is broad, liberal, and a fair protectionist; he does not confine protection to the products of his own State, but he is handicapped on his committee. He can not always get the products protected which he desires. He is liberal, and generally fair, but he is influenced by his environment. No man can emancipate himself from the influence of his colleagues, and I greatly fear at the solicitation of my friend from North Dakota and other members of his committee he has consented to a partial injustice in dealing with the products of West Virginia.

Mr. BAILEY. Will the Senator from West Virginia yield to me?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Texas?

Mr. ELKINS. Yes.

Mr. BAILEY. I just wanted to direct the attention of the country to the fact that, after all, his principle of protection is mere bargain and trade in application.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I do.

Mr. ALDRICH. I think that will be more or less apparent on both sides of the Chamber before this lumber schedule is disposed of.

Mr. ELKINS. I want to get the "progressives" and the Finance Committee together long enough to vote some of the products of West Virginia on the dutiable list, and not allow her leading products to go on the free list.

Mr. BAILEY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Texas?

Mr. ELKINS. I do.

Mr. BAILEY. I thought, perhaps, we might reach an agreement. Responding to the suggestion of the Senator from Rhode Island [Mr. ALDRICH], I would be delighted to vote for a duty on every article on the dutiable list, even 10 per cent higher than the present duty on lumber is; and we can on this side agree to vote on this bill on next Monday morning, if you will construct it on that principle.

Mr. ELKINS. We would like—

Mr. ALDRICH. Mr. President, we have heard—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. ELKINS. I do.

Mr. ALDRICH. We have heard that suggestion on several occasions.

Mr. BAILEY. But never acted on it.

Mr. ALDRICH. I have responded once, and I will make the same response again, that 10 per cent is now supposed to be protection on lumber by its friends; and whatever rate is a protective rate and gives to our industries fair treatment, whether it be 10, 20, 30, 40, or any other per cent, I am for; but I am afraid that the Senator from Texas is not.

Mr. BAILEY. The Senator from Texas will vote for 10, 12, 15, or 20 per cent duty on any article, except the common necessities of life, that will put revenue into the Treasury of the Government. That is my position.

Mr. ELKINS. I think the Senator from Texas is more liberal than the Finance Committee is toward lumber, and I thank him for it. He does not want to see the products of the South put on the free list while products of other States are highly protected.

Mr. BAILEY. I am not more liberal, but more just.

Mr. ELKINS. I will not discuss this question just now. I am trying to reach the mind of the chairman of the Finance Committee and convince him he has not done justice to lumber, oil, and coal in the pending bill.

But let us see what the Finance Committee has done besides what I have stated. I do not understand how a committee broadly for protection can single out a lot of products in one State and advance the duty on them from 25 to 100 per cent when not one of them needs such an advance, either from the standpoint of revenue or protection, and when there is little or no importation of any of these products. I find 100 per cent duty on rye. Think of that! My friend from North Dakota seems to have had influence enough with the other "progressives" on the committee in framing the bill to secure high protection on all the products of his State, and then comes into the Senate and makes free-trade speeches as to products of West Virginia and the South.

Now, as to lemons and oranges. Away over on the Pacific the great State of California, an empire, lies like a ribbon on the

edge of the Republic, 3,000 miles distant. California fares well in the pending bill. The duty on lemons is advanced 50 per cent, besides all of her citrus fruits, berries, prunes, olives, and raisins are highly protected. Further down in the bill I find hay has a duty of \$4 a ton, which shuts out hay from Canada. I suppose hay is sacred; corn is sacred; rye, wheat, barley are all sacred, but lumber and the investments in lumber are not sacred. A man who has an investment in a lumber mill or in oil or in coal gets scant consideration at the hands of the committee.

Mr. CURTIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Kansas?

Mr. ELKINS. I do.

Mr. CURTIS. Does the distinguished Senator from West Virginia not believe that his industries have been protected to a greater extent than have the farming interests of this country?

Mr. ELKINS. No; I know they have not been.

Mr. CURTIS. Have not your industries all been built up under the protective system?

Mr. ELKINS. They have; but that is not what I am complaining about. What I object to is that the Finance Committee wants to cut down the leading products of West Virginia and put them on the free list.

Mr. CURTIS. Your industries have been built up by protection.

Mr. ELKINS. Surely; I fully agree with the Senator. We built them up under protection given the country under the Morrill, McKinley, and Dingley bills.

Mr. CURTIS. And are you objecting to giving the farmers protection on hay and other farm products?

Mr. ELKINS. Not at all. I will vote with the Senator for the amplest protection on hay, corn, and all the products of his State, with pleasure; but I want to say here that if there is to be protection, I want it all along the line for all American products competing with foreign products. I do not want a duty of 50 to 100 per cent in some States on some products, and the products of my State placed on the free list. I have made no objection to the protective rates in the bill, and I have voted uniformly with the committee on all their amendments. My contention is not against protecting all American products, but I do not want discrimination against the products of my State, and I do not think the committee has done West Virginia products quite justice.

Mr. President, do you find long-staple cotton on the dutiable list? Do you find a duty on any cotton, much less advancing the duty 25 to 100 per cent? One hundred and seventy-eight thousand bales of long-staple cotton were imported last year into the United States. Severe competition, and no hint of a duty—not even 5 per cent. Is this fair? I appeal to the Senate whether, in making a great bill under a national policy to which the Republican party is committed, is it fair, just, or right? Long-staple cotton and all cotton is an agricultural product as much as hay, corn, wheat, rye, barley, and all other agricultural products highly protected. Why protect these and keep cotton on the free list?

Mr. ALDRICH. I am not sure whether the Senator is addressing his criticism to the committee or to the Senator from North Dakota.

Mr. ELKINS. Both.

Mr. ALDRICH. The committee have not reported any provision for free lumber.

Mr. ELKINS. A 50 per cent reduction is getting uncomfortably close to it.

Mr. ALDRICH. Is it?

Mr. ELKINS. Do not go any further, I beg of the committee. I think it has gone too far, and I become alarmed when a leading member of the committee appeals again and again that lumber be placed on the free list.

Mr. ALDRICH. If the Senator—

Mr. ELKINS. If you are apologizing for that, I will yield.

Mr. ALDRICH. If the Senator is talking about free lumber, the committee have not reported in favor of free lumber; and while the Senator from North Dakota [Mr. McCUMBER], a member of the committee, will vote for free lumber, I think he is the only member of the committee who will do so.

Mr. ELKINS. I will tell the Senator what the Finance Committee has done. West Virginia products were in the low-duty class in the Dingley bill. Lumber was protected at about 12 per cent ad valorem—only \$2 on a thousand feet. Fifteen million dollars of American money went out of this country to pay for lumber under that duty. In the face of this the committee reduced the duty to 5 or 6 per cent ad valorem, yet I know the chairman is a good protectionist.

Mr. ALDRICH. Mr. President, of all the important items which have been passed upon in this bill, nine-tenths of them

in number are items in which the State of West Virginia is very much interested—

Mr. ELKINS. I do not agree with the Senator. West Virginia is not interested in producing one-third of the articles in the bill.

Mr. ALDRICH (continuing). With duties ranging from 60 to over 100 per cent. So I would suggest to the Senator that I think it would be better taste and better judgment on his part to talk about the lumber schedule without reference to what his State has received in the paragraphs of the bill that have already been passed upon.

Mr. ELKINS. It might be better judgment if the distinguished Senator objects; but there is no question about the taste in this discussion. As to matters of taste we learned long ago from the ancients "De gustibus non disputandum est." This is good philosophy, even in these modern days. That may be Choctaw, I will say to the Senator from Rhode Island, if he wants to know what it is. [Laughter.]

Mr. President, I do not mean to make any complaint whatever against the chairman of the Finance Committee. I know he is a protectionist and wants to be just and fair; and whatever infirmities possess him and are apparent in him in the conduct of this great transaction of framing a tariff bill they are not due to what he feels, but are due to his surroundings. He can not help this great disparity in the schedules, some enjoying high duties and others none. I know what he means by "West Virginia products." I know we have greater products than lumber. I have named them. We have iron, steel, glass, and many other products, and I may say with our deposits of coal, oil, and gas, our water power, and our great advantages in reaching the markets east and west, one day West Virginia will rival Pennsylvania and New England in mills and manufacturing plants. This is her sure and certain destiny.

Mr. President, according to a table I have, the products covered by a duty and are protected may be divided into three classes. The first, running from 50 per cent to 270 per cent, may be called the "high-duty class." The medium class is from 25 per cent to 50 per cent, and the low-duty class is from 5 or 6 to 25 per cent ad valorem. Unfortunately, West Virginia products already fall in the low-duty class.

West Virginia has not been too ambitious as to her products. She was willing to remain in the low-duty class. She did not ask an advance in duties or more protection. If it is found necessary to reduce duties, why select products already in the lowest class of the dutiable list? Why not reduce on products enjoying a duty from 50 to 170 per cent, such as sugar, woolen and cotton goods, gloves, and many others?

Mr. President, in the pending bill oil is put on the free list, we do not know where coal is yet, but I am hopeful about it. We do know that the duty on lumber has been cut in two, reduced 50 per cent, and we know that the duty on steel has been considerably reduced. Five or 10 per cent off the high-duty class would have been only a slight reduction on single articles, but the aggregate would have been considerable.

Mr. President, we ought to decide in making this bill one thing that has disturbed the country since Hancock's time, and that is whether the tariff is national or local in principle and application, whether in making a tariff there should be fair dealing and no discrimination. I believe a majority of the people of this country have so often declared in favor of a protective policy as a principle that it ought to be adhered to in making a tariff bill. I believe all American products competing with products from abroad in our home markets ought to have some measure of protection, some share in the distribution of duties, and I think this rule, if adhered to, would satisfy fair-minded people and all good protectionists.

The Government requires the raising of sufficient revenue, if duties should be justly and fairly distributed, to protect every American industry needing protection. I think the chairman of the Finance Committee will agree to this. The free list should not be increased by putting on it American products competing with foreign products; but rather there should be placed a duty on all foreign products that compete with American products, the rates to be fixed according to the conditions and the rule laid down in the Republican platform. I will be perfectly willing, so far as the products of West Virginia are concerned, to do that. We do not ask high protection or high duties; we are willing to be left in the low-duty class, but object to putting any of the West Virginia products on the free list or reducing the already low duties now laid upon them.

I believe the average duties of 45 per cent in the pending bill could and should be reduced by reducing the duties on highly protected products and putting more duty, low or high, as the case may be, on all foreign products competing with American products. That would be a just, fair, and equitable revision of the tariff, such as promised in the Republican platform and in the speeches made by President Taft before and since the cam-

paign. I want to adhere precisely to that rule, principle, or policy in making this tariff. In other words, I want to treat as nearly as may be all American products alike. I mean in the matter of affording some protection. I do not mean all alike as to rates. Tariff rates should be adjusted according to labor conditions and the difference between the cost of labor here and abroad. One thing above all others, in making the present tariff bill, we must protect American wage-earners in their wages and employment against foreign labor.

As I have said, under the Dingley bill the rates of duty on the products of West Virginia were fair, though in the lowest class. We had a duty of \$2 a thousand feet on lumber—that is, about 12 per cent; on coal we had 67 cents per ton, and a countervailing duty on petroleum and its products, which afforded protection. Under the Payne bill the duty on lumber is reduced 50 per cent; the Finance Committee has not yet reported the duty on coal, but it places oil on the free list and concurs in the reduction of 50 per cent on lumber.

I am trying to get justice for my State and its products, and I desire to be just to the chairman of the Finance Committee in all I say and ask.

Mr. President, putting a low duty on some of the products of West Virginia and putting others on the free list is an unjust discrimination. I am proud to stand by, defend, and be loyal to my people and my State and their interests here and elsewhere. There are no better and no more patriotic people in the wide world. Why should these products I have just named be discriminated against? Human beings, good and worthy citizens, are engaged in the business of owning and managing these great industries in my State and in other States; wages are paid; capital is invested; employment furnished to thousands of good people, and whole communities are built up and around the production, sale, and transportation of coal, oil, and lumber. Must these great industries be stricken down or impaired while sugar, tobacco, shoes, cutlery, gloves, cotton and woolen goods, and many other products enjoy protective duties ranging from 50 to 200 per cent? From the standpoint of revision of the tariff downward such an adjustment would not be fair, and from the standpoint of a fair and equitable revision it would not be just. West Virginia products can not stand any reduction of duty, while the products I have named can.

There is another suggestion I wish to make. If there is to be a general reduction of duties, I am willing that the products of my State and section, although they are in the low-duty class, should stand their fair share of reduction with the products of other States; but I am not willing that they should be reduced at the rate of 50 per cent and others put on the free list when there is no corresponding reduction in the duty on highly protected products of other States and sections. Coal, oil, iron, steel, and lumber constitute 80 per cent of the manufactured products of West Virginia.

To better illustrate my position, a farmer, a coal operator, a timber owner with his sawmill, and the owner of a woolen mill are all located near the Canadian border doing business, their industries having been in active operation for many years. Each has all of his capital invested, employing labor, paying wages, each making reasonable profits, educating his family, and all being good citizens.

The products of all four industries, however, compete in our market with products of like industries in Canada, and all enjoy some degree of protection under the Dingley bill and are prosperous. Now, I wish to ask if, in revising the tariff, it is just and fair to continue high duties and ample protection on the woolen manufacturer's products and on the farmer's products and levy a low duty, or none at all, on the coal operator's coal and the timber owner's lumber?

Under these circumstances the coal operator and lumber producer would be greatly injured if the duties were taken off their industries or if they should be greatly reduced. So far as the coal operator and the timber owner are concerned, this would not be revision, but destruction.

Is this fair? These people live there together. They are honest people, and good citizens, and have all their money invested, and, say what you please, if you let Canadian lumber in free or reduce this duty, it will destroy or impair the lumber industries of the United States as far as Canadian lumber can be hauled by rail cheaper than our lumber can be hauled.

I know it will be in the interest of the people of the State of the Senator from North Dakota to have free lumber in a sense. Locally it would, and so far as his State is concerned; but we are making a tariff bill not for one State or its products, but for the whole country. The American people believe in protection. How can we ever make a tariff bill if we levy duties on the products of a dozen or so States and deny protection to the products of other States? This will not do; this is the narrow and selfish view, and will not work.



Mr. McCUMBER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from North Dakota?

Mr. ELKINS. Yes.

Mr. McCUMBER. I appreciate the fact that during the last forty or fifty years of protection the people of my State and of the Northwestern States generally have, year in and year out, never surrendered the banner of the protective policy, and they have been growing immensely wealthy and have produced millionaires upon millionaires, while the poor people in West Virginia, with their coal and their iron and their thousands of manufacturing industries, have all become very, very much pauperized. Now, as I look at the happy countenance of the Senator from West Virginia, I can hardly believe that he is one of those who has suffered so very much from a protective duty that has so benefited the northwestern section and from which the Senator from West Virginia has received no benefit whatever. [Laughter.] I think, Mr. President, if the Senator will allow me, he will find that we have stood by protection about as long and about as often as even the people of West Virginia, even when we were getting the benefit only indirectly.

I want the Senator to understand that the Senator from North Dakota, in his own State and in all the Northwestern States, has been preaching protection for a good many years. While we could not show directly to our farming constituents that they got the direct benefit, we could show them that by building up the great industries of the East, by seeing every smokestack sending up volumes of smoke, like a prayer of incense rising to the skies and prayers of thankfulness for Republican policy, we got our benefit; but at the same time the Senator must recognize—I am not going to take the Senator's time, but he has alluded very often to me—the Senator must recognize that every one of these smokestacks is an argument, when it is alive, for protection, and that every man that is working under it preaches most eloquently for that policy.

We have stood by you upon all of those matters. We have stood by you when lumber advanced from \$12 per thousand up to \$40, and we never said a word about it; but when you wanted to get it up to \$50 or \$60, and exhaust the entire lumber supply of the country in a very few years, then we said—and our people, I think, said correctly—that is not an object that ought to be further protected.

Mr. ELKINS. Mr. President, the value of lumber has not reached such a price as that which the Senator states. Twenty dollars a thousand feet for rough lumber is the prevailing retail price—the price at the mills is much less—and there is no use talking about it being forty or fifty dollars per thousand.

Mr. President, I said nothing about what the Senator and his people have done in the past. So far as I know, he and they have been good protectionists. What I complain about is the Senator's present position as a member of the Finance Committee, which is while protecting all the products of his State he wants to put the leading products of West Virginia on the free list. In this bill the farmers have hay, wheat, barley, and all agricultural products highly protected. They are making money, and I am glad of it. Our coal and lumber operators buy their hay and buy their wheat, meat, and corn, all highly protected, while the Senator urgently pleads to put the products of West Virginia on the free list. In the past the Senator from North Dakota and others of like mind may have been good protectionists, but are they now, when they ask that important American products competing with foreign products shall go on the free list because, as I believe, their States do not produce them?

Mr. McCUMBER. I think, Mr. President, if the Senator will allow me—

Mr. ELKINS. I hope the Senator will not make a speech in asking a question.

Mr. McCUMBER. I think one-half the farmers of my State will trade their entire farms for what the Senator from West Virginia himself owns as a single individual—

Mr. ELKINS. Mr. President, this personal reference to me—

Mr. McCUMBER (continuing). So I do not think they have become so very rich, and I do not think the Senator from West Virginia has become so very poor.

Mr. ELKINS. Mr. President, the Senator is in error as to his statement about exchanging half the farms of his State for what I own in West Virginia. I do not know how to meet this except to say what I own in West Virginia is greatly exaggerated, and the value of a few farms would cover it; but I am glad to say nearly all I own in the world is in West Virginia, and I am proud of it. It is a great State to live in and invest in, but I stand here not for my own interests, but the general good and interests of the entire State and her people. I must, and will, defend both and see that they have justice.

Mr. President, there is no use saying anything to divert attention from the main point in this debate. I know it hurts when a protest is made against injustice and discrimination, and I sympathize with the Senator from North Dakota in the unpleasant and unfortunate position in which he finds himself in trying to be a protectionist in his State and a free trader in my State, as to its products.

Mr. McCUMBER. The Senator never wasted his sympathy more than he does in a case of this kind.

Mr. ELKINS. He is appealing to prejudice when he talks about the millionaires of West Virginia. We will have neither millionaires, nor wages, nor industries of any kind if our products are put on the free list. West Virginia does not produce millionaires, but produces lumber, coal, iron, and oil—great products needing protection. She has nothing artificial. [Laughter.] I am sure I do the Senator no injustice when I say that next to being an able Senator, as he is, from his State he would like to be a millionaire. Being a millionaire is a disease that is catching—I mean everybody is standing around trying to catch the disease.

Mr. President, the coal operator makes only 15 cents on a ton of coal, and the Senator makes 30 cents a bushel on his barley, wheat, and other agricultural products due to the protection. I know he does not like to hear this. We make little on our products, while our capital invested is enormous.

Mr. McCUMBER. If the Senator would multiply it, I would like it better.

Mr. ELKINS. I sympathize with the farmers all over the country. Protection gives them our home market, the best in the world. I am not opposing a duty on farm products. I am a protectionist. I want duties on all foreign products competing with American products high enough to keep our home markets for our own people and high enough to protect our wage-earners against the low wages of foreign labor. I am not willing to destroy or impair, even in the slightest degree, the industries of any State. I want them all to have a fair chance and prosper.

Mr. SCOTT. Will my colleague allow me?

Mr. ELKINS. Yes.

Mr. SCOTT. You are going to vote for all these?

Mr. ELKINS. Every one of them, whenever the chairman of the Committee on Finance brings them before the Senate for a vote. [Laughter.] I do wish Senators would vote the same way on the products of West Virginia.

Mr. SCOTT. That is, we are loyal.

Mr. ELKINS. We are loyal, but the Senator from North Dakota is not loyal to the broad principle of protection—surely not in its application. The Senator does not need this protection on his farm products, except it may be, possibly, on hay and on cattle. He should not ask it, and in the same breath ask coal, oil, and lumber to be put on the free list.

Mr. SMITH of Michigan. Mr. President—

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Michigan?

Mr. ELKINS. For a question.

Mr. SMITH of Michigan. I would like to suggest to the Senator from West Virginia that, while they may need this tariff on hay, when the Wilson bill was the law of the land they had their hay on their farms; they did not have any market for it.

Mr. ELKINS. Yes. I thank the Senator from Michigan. I remember well under the Wilson bill—because our mills and mines were closed—the farmers' hay remained in the field unused.

Mr. President, I will now take up seriatim the arguments made by the free traders of the Senate on lumber. I do not like the idea of calling Republicans free traders; but I am bound to do so, especially when they are on the Finance Committee and ask that important competing American products go on the free list.

Let us look at the history of this matter of duties on lumber. I want to give a brief review of the lumber industry for a long time back. The Senator from North Dakota talked several hours on this question, and his speech was very able and very entertaining.

ALWAYS A DUTY ON LUMBER EXCEPT UNDER WILSON LAW.

Mr. President, from 1846 until now, more than sixty years, there has been a duty on lumber, except under the Wilson law, which provided for free lumber, and we had it for a period of three years when the Democrats had every department of the Government. If the Republicans had controlled every department of the Government, lumber would not have been on the free list; but under the Wilson law not only every industry of the United States was disastrously affected, but lumber especially. Ninety per cent of the mills of West Virginia were closed, shut down, and the grass grew in the roads leading to the mills until we got relief under the Dingley bill. It is now proposed by the

Finance Committee to reduce the rate on lumber, already in the low-duty class, as I said before, and increase the duty on other products manufactured in other States and parts of the country.

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

Mr. ELKINS. Just a question.

Mr. McCUMBER. I want to ask the Senator if, during that period of what he calls "free trade in lumber," there was any particular increase in the lumber importations from Canada?

Mr. ELKINS. Mr. President, the Senator does not know the history of the lumber industry in this country or he would not have asked this question.

Mr. McCUMBER. I want to ask whether there was any, because—

Mr. ELKINS. Absolutely, yes; an enormous quantity of lumber was imported.

Mr. McCUMBER. There has been an increase since then.

Mr. ELKINS. An increase, yes; both during and since the Wilson law.

Mr. McCUMBER. Not as much was imported then as we import now.

Mr. ELKINS. This country has expanded during the fifteen years that have elapsed since then. I will tell him that the lumber from the northern part of West Virginia that formerly reached New York and New England was driven out of these sections by the Wilson law and our mills shut down.

Mr. McCUMBER. The point that I was making—

Mr. ELKINS. I am making this speech; or I am trying to, at least.

Mr. McCUMBER. I do not know; I thought the Senator was talking to me. Will the Senator allow one question?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from North Dakota?

Mr. ELKINS. Yes; this time.

Mr. McCUMBER. Very well. I think the Senator will find that while it is true that the mills in his State and a great many of those elsewhere in the United States were closed, all other mills were closed as well and there was no money in the country to buy lumber.

Mr. ELKINS. Especially, however, was the lumber industry prostrated.

Mr. SCOTT. I will ask the Senator from North Dakota whether there was not at that time an export duty on lumber from Canada, and whether that was not the reason it did not come in?

Mr. ELKINS. It came in even with an export duty.

If the Senator will give me his attention, I will state that last year we imported, in round numbers, 782,000,000 feet of lumber, valued at \$15,000,000, or about \$19 a thousand. The revenue derived from this source was only \$2,230,000. From this it would seem that the \$2 duty cut very little figure. Think of fifteen millions of American money going out of this country to buy foreign timber, when we had so much timber standing untouched in our forests, giving employment to foreign mills and foreign wage-earners! Think of the \$2,000,000 revenue, and that much timber saved from being cut in our forests being our only return for the \$15,000,000 paid in gold to the lumbermen of Canada.

Is the present duty so high that it keeps out lumber? Not at all. If the duty on lumber had been as high relatively as on other articles, it would have been \$5 a thousand on lumber. This might have prevented another recurrence of sending \$15,000,000 of American money out of the country to buy products we have at home.

People can not limit themselves to the products of their own States and their own wishes in making a tariff. The various sections of this country are too closely connected for that. The South can not go forward in the industrial race of the Nation unless she has the same opportunities and enjoys the same advantages as other sections. She can not make the race handicapped with her products on the free list and the products of other sections enjoying high protection. If her finished and manufactured products are on the free list, or bear only a very low duty, while others are highly protected, she can not achieve the prosperity and progress to which she is entitled. She would not have a fair chance; she would stand still while other sections would grow and move forward.

The Canadian importers bought this lumber, paid the duty, and made money. If they had not made money they would not have imported the lumber. They made money. The duty on lumber ought to be \$4 or \$5 a thousand feet, if you put it on the same basis as woolen or cotton goods, wheat, rye, or barley. It ought to be \$10 a thousand feet to keep pace with the highly protected products of the Eastern States.

Mr. President, last year we sold to Canada 782,000,000 feet of lumber—not much when we consider that one State alone, Washington, has 800,000,000,000 feet of standing lumber.

I am mistaken about the standing timber in the State of Washington. I should have said the Pacific coast States—Washington, California, Oregon, Idaho, and Montana—have, according to the best estimates, 1,400,000,000,000 feet of standing timber. We cut 40,000,000,000 feet a year. With the present annual production, it would take thirty-six years to exhaust the timber of these States if you did not touch another stick of timber in the country. The Senator from North Dakota [Mr. McCUMBER] must permit a Senator from a lumber State to know something about these statistics and figures. The Senator has a sort of hallucination—I will not say "hysteria"—about the exhaustion of timber. I am astonished when he has this spasm of apprehension about saving the forests. I want to save his barley and wheat as much as he does, but they will give out long before lumber gives out. Your soil will become poor and exhausted, as other soils have. There is no denying these facts.

Mr. McCUMBER. I understand that the Senator does not want interruptions.

Mr. ELKINS. I am glad to answer questions from so amiable a person as the Senator from North Dakota.

Mr. McCUMBER. If the Senator asks the question of me, I will answer it; but I do not want to interrupt the Senator.

Mr. ELKINS. The Senator had three hours for his speech, and he has made these statements.

It will take more than thirty-six years' consumption, according to some statisticians, to exhaust the lumber of the Pacific Coast States, cutting 40,000,000,000 feet a year, our present production. We have the second crop in some States, and in Maine we have the second and third crops. We can with care and attention prolong the life of this industry, without ruining it by letting foreigners come here and enjoy it as we do. According to the theory of the Senator, let the lumber industry live; it is virile and vigorous now. But if we let in lumber free to compete with the lumber of the United States, the man who has only a few hundred acres of timber, while he can go on with the industry, and it will last longer, he will make nothing. How is his family to live? How is the man himself to live? How is he to pay wages? It simply drives him out of business, because if a man can not make anything in his business he will give it up. It is true the timber on the few hundred acres will last until the foreign timber gives out. The life of the timber would be prolonged, it is true; meantime the owner of the timber would be ruined. The Senator seems to be reckless on this branch of the subject.

#### EXTENT AND IMPORTANCE OF THE LUMBER INDUSTRY.

There is invested in the lumber industry in the United States \$600,000,000 of just as good money as is invested in the Senator's farms. I do not mean all of this for the Senator from North Dakota. I am addressing myself to him because he is a leading and conspicuous member of the Finance Committee—a protection committee, too. There are 30,000 sawmills operated and from 600,000 to 700,000 men employed, on whose labor 3,500,000 people depend. That is an enormous industry, an enormous investment.

I do not say that free lumber would affect all the people owning lumber in the same way, not at all. Free lumber would destroy these industries on the Canadian border to the extent of millions of dollars; and generally it would have the effect of lowering the price of lumber all over the country. Mexican lumber would come into the Southern States, and Canadian lumber from the North. That is the effect it would have on the lumber business world.

If the price of a commodity is reduced, wages must come down. The best form of distributing wealth known to society thus far is through the payment of wages; if business is good, wages are good, then the distribution of wealth is greater. We know how to accumulate money, but we have not learned how to distribute it wisely and in the best way that it should be distributed. Let us maintain good wages and not break down the best means for the distribution of wealth we have learned thus far, founded in justice, by breaking down our home industries.

The retail price of lumber varies from seventeen to twenty dollars per thousand feet. For the last two years it has been much lower. The Senator has repeatedly stated, and I believe other Senators have also said, that it is forty or fifty dollars per thousand feet. The latter figures refer to planed lumber and some fine or hard woods, but they are all too high, even for retail prices. All the machinery, tools, implements, and appliances connected with or used in the making of lumber are highly protected and most expensive. The Senator voted for a duty on every one of these things; yet he wants to make lumber free.

I assert, Mr. President, that there is no such thing as a lumber trust or lumber combination. I have heard of one man up in the Northwest—Mr. Weyerhaeuser—who is said to have bought up all the timber in his section of the country. He has

not bought it all, I am sure. From what I hear he is simply a sort of individual walking trust by himself; and everyone else has the same right that he has to buy timber lands. I dare say the Senator and his constituents would buy them, too, if they could.

There are about 50 timber holdings in the United States that exceed 1,000,000,000 feet of stumpage. Timber holdings are general, and as honestly held as farm lands.

In transportation, lumber stands third in railroad tonnage in the United States. Lowering the duty on lumber, or impairing the industry in any way, will have the effect of closing many mills. I do not say it will close all the mills, but it will close many of them. It will also reduce wages and reduce the volume of business on the railroads and in the country. All this should be prevented, and can be by maintaining the present duty of \$2 a thousand feet, or, better, increasing it to \$4, to keep pace with present duties on many articles.

If the standing timber were confined to Pennsylvania, New Jersey, New York, and New England, and lumber protected as the manufactured products of those States, I am sure the duty would be double what it is now, or \$4 per 1,000 feet. I make this statement after reading the schedules. Look at the protection the people of those sections and States enjoy on their principal products. I vote for that protection. I am making no war on it. But why should the committee deny us protection on our products?

If all the forests could be assembled in one place in the East and Northwest, what protection lumber would have! And we would vote for it. It makes some difference just where a product is raised or grown as to the share of protection it gets.

Timber lands are at this moment being bought in Canada and Mexico and held for a reduction of the duty on lumber, or its being placed on the free list. There is an organized force at work here, I am told, composed of the agents of railroad owners and the owners of foreign timber lands, to keep the duty off lumber in the present tariff, although lumber has been protected for more than sixty years. So far as I can learn, the importers and American owners of timber lands in Canada are most clamorous for free lumber.

I will give one example to support what I say; I could cite others: The Mexico Transportation Company (Limited), organized under the laws of Great Britain, with a capital of \$40,000,000—a company organized under the laws of a foreign country, with foreign capital—has commenced the construction of a railroad to timber lands it has purchased in Mexico, about 300 miles from El Paso. These timber lands bear good pine lumber. They cost the purchasers, I am told, only about \$1 an acre. They will cut from 4,000 to 5,000 feet per acre. This company has already acquired 2,700,000 acres of these lands. The estimate of the timber now standing is 8,000,000,000 feet, which is ready to be shipped into the United States as soon as the railroad can be built.

This company took the action in respect to building the railroad to which I have referred, notwithstanding the duty of \$2 a thousand on lumber. They bought this tract of land, fully recognizing the duty. If the duty is taken off, of course they will make that much more. I suppose that is what these Senators want—to let this foreign company thrive and grow fat at our expense and break down our industries. These are able men, wise men, and they put \$40,000,000 in building a railroad and buying these lands to ship lumber to the United States, knowing what return they were going to get; and yet there are Senators willing to give them our home markets.

Mr. President, as a general proposition free lumber would reduce the earnings of American railroads; it would reduce wages in the United States; it would break down industries that live on lumber. We should keep our home market for lumber the same as we do for other products and not open it to foreign lumber. I can not name a product of the State represented so ably here by my distinguished friend the Senator from Massachusetts [Mr. Lodge] that does not enjoy a reasonable—I may say, a high—degree of protection, if it competes with a foreign product. I say "reasonable," although many people think it is unreasonable. I vote for it, however. I do not say the Senator is going to vote for free lumber. I do not charge him with that. I am merely illustrating. But there is not a thing Massachusetts produces that has not high protection if it competes with foreign products.

#### LUMBER IN THE SOUTH.

Mr. President, I have given in a brief way the general outlines of the lumber industry in the United States. Let us now look at the lumber industry in the South, and I invite the attention of southern Senators to what I am about to say. Next to cotton, lumber is the chief industry of the South. It brings annually to the South \$100,000,000. It is a good friend—a great friend.

The people of the South agree with me—and I belong to the South—in having no apprehension about its giving out. We are not afraid of its giving out in this generation or in ten generations. It is the most important factor in southern industry. It continues the year around. Cotton comes in once a year, and then the business is over for the next six months. The lumber business, however, is a continuing one, and it is doing more to help the South than any other industry.

The South should not be indifferent to the striking down of its second largest industry, when other sections enjoy high duties. The South has to fear Mexico; the Northwestern and New England States have to fear Canada in the lumber industry.

I wish the Republican party could learn, and learn now, in making this bill, to treat the people of the South, in the matter of protection to their industries, as fairly and justly as it treats other sections. I think we would have more Republicans down South if we did. We may not think we need them, but I think the time is coming when we will need them perhaps to take the place of free traders elsewhere.

Let us give the South the same protection on their products other sections enjoy. I do not mean necessarily to the same extent; I mean the same kind of protection that is given to other sections of the country. I do not want a duty of 50 or 100 per cent on lumber. We can get along without it. But merely because we can get along with a slight duty, do not deny us the little that we have.

The South has power in this Chamber to-day, if it would unite, to write into this bill reasonable protection on all her industries, the same as other sections of the Union enjoy. It seems to me Senators should stand together in a common cause to bring about this result. By refusing to do this they will only render aid to the States wanting lumber free and wanting all other products highly protected.

The South can not prosper equally with other sections of the country if what she produces and manufactures is put on the free list or only a very low duty imposed. Under such conditions she would be obliged to sell her products at low prices and pay high prices for what she consumes.

#### LUMBER IN WEST VIRGINIA.

Take the State of West Virginia: There are about 1,900 sawmills in the State of West Virginia, with a capital invested of \$20,000,000. That is all good, hard money, just the same as is invested in the farm lands and in the products of New England, New Jersey, and Pennsylvania. It is not "stage money," but real money. And now the Senator says: "Well, let that capital be impaired; that does not make any difference. That does not affect North Dakota."

There are about 1,500 sawmills in operation in West Virginia, with a capital of \$20,000,000; about 15,000 men are employed; the wages paid are about \$3,700,000 annually. The value of the product last year was about \$20,000,000.

West Virginia is one of the great timber States of the Union. Seventy-three per cent of its area is covered with timber, and to reduce the present duty from \$2 to \$1 would work a great injustice to this most important industry, the third in importance in the State. We have tried free lumber, and know the disastrous results. We have had all the experience we want or need with free lumber.

A reduction of \$1 in the duty would open some of our markets to Canada, close a great many sawmills, reduce the value of timber lands, number of men employed and their wages, and would diminish the transportation of lumber over our railroads.

These are far-reaching and serious results, and yet some Senators contemplate them with the most complacent indifference. "High duties on everything North Dakota produces, and no duty on what West Virginia produces;" that seems to be the motto of the Senator from North Dakota and Senators who sympathize with him.

West Virginia has had experience with free lumber. In 1894, under the Wilson bill, 90 per cent of the mills of West Virginia were closed, grass grew in the roads leading to them, and Canada took most of the lumber trade West Virginia had as far south as New York City.

Before the passage of the Wilson bill there were two large elevators built in New York City with lumber from West Virginia for the New York Central Railroad.

I am sorry I do not see present the distinguished Senator from New York who then presided over that great railroad with so much ability. After the Wilson bill was passed, two were built of Canadian lumber. Do you want any greater illustration of the effect of free lumber? Free lumber will take the trade away from us as far south as Pittsburg.

The Senator from North Dakota is alarmed at the advancing price of lumber. I will show him later on wages have increased much more. He is not alarmed because of the advance in meat,

hay, wheat, and barley and other products of his State. They may advance in price, and the poor people who are struggling to get them may suffer, but these products need protection to keep up the price. Let them advance, but great industries like lumber, oil, coal, and iron should take care of themselves and not advance in price.

The advancing price applies equally to other products. New York was once a wheat-producing State. Forty or fifty years ago it shipped flour West. Now it produces but little wheat, the soil having become exhausted. You can not renew it. If it could be done it would have been done in New York and Ohio. New York now gets all of her wheat and flour from the West. Yet the Finance Committee, and especially the Senator from North Dakota, demands long and loud that the wheat, barley, and rye of his State have the highest duties.

How much has the duty of \$2 a thousand to do with the high price of lumber? If the price is going sky high, as the Senator said in his able speech the other day, \$2 did not prevent \$15,000,000 of our money going into Canada to buy Canadian lumber. The importer would pay the duty and go on importing. If we are going to get lumber up to \$50 a thousand, as the Senator says, Canada will pay the duty and flood the country. So his argument answers itself.

Mr. President, I think, with proper attention to tree planting, we may reforest the country largely and preserve our forests, at least as long as free-trade Senators can preserve the soil of their States.

I will not detain the Senate much longer. I desire to give some figures with respect to the lumber industry—cost of producing lumber, wages paid here and in Canada.

In the tariff hearings before the Ways and Means Committee of the House, on page 3162, the following appears:

Taking the Forest Service report of the output of lumber, lath, and shingles, as distinct from the other manufactures of wood, and which are not under discussion in this brief, and reducing lath and shingles to board measure, the value of the 1907 lumber output, on the basis of \$15 per M feet, f. o. b. mills, was \$630,735,000. As compared with other commodities it is as follows:

	Value.
Lumber products, 1907	\$630,735,000
Wheat, 1908	546,827,000
Cotton, 1907	640,311,538
Wool, 1907	129,410,942

I may add: Hay, \$744,000,000; corn, \$1,616,000,000. Hay is highly protected in order to protect the farmers of the North-west, and I am glad of it, though this adds to the cost of the hay the lumberman and coal operator of West Virginia buy.

Mr. BACON. I wish to say to the Senator that the unprotected article of cotton, which he has just mentioned, is worth more than \$640,000,000. With its by-products—that is, the seed—it is \$800,000,000.

Mr. ELKINS. Eight hundred million dollars. I accept that correction. The Senator is right.

I will name the value of the crops of Minnesota, Nebraska, Kansas, North Dakota, and South Dakota for last year:

Value of all crops (including corn, wheat, oats, barley, rye, buckwheat, rice, and Kaffir corn).

Minnesota	\$113,092,602
Nebraska	92,056,580
Kansas	112,684,696
North Dakota	53,928,010
South Dakota	44,069,331
Total	415,831,219

These five States want free lumber. It is to their interest, in a local sense, to have lumber free; but shall we, who have other things to protect, vote this high protection for their products and pay it out of our own pockets, while they vote against a duty on our products?

Think of the annual products of lumber being one-third more in value than the agricultural products of the five States I have named, all enjoying high protection!

Mr. SIMMONS. Mr. President—  
The PRESIDING OFFICER (Mr. Dixon in the chair). Does the Senator from West Virginia yield to the Senator from North Carolina?

Mr. ELKINS. Certainly.  
Mr. SIMMONS. I want to ask the Senator what were the figures as to the annual product of hay?

Mr. ELKINS. Seven hundred and forty-four million dollars last year.

Mr. SIMMONS. What is the amount of the protection?  
Mr. ELKINS. Four dollars a ton.

Mr. SIMMONS. Does Canada raise much hay?  
Mr. ELKINS. Yes, sir; she does; and she is a rival of all these States. That is the reason they have the duty of \$4 on a ton of hay.

Mr. SIMMONS. I desire to state to the Senator that we buy probably one-third of all the hay we use in my State—and I think that is true of the South—from the West; and year

before last I think timothy hay of the West sold in the town in which I live for \$26 a ton.

Mr. ELKINS. That is right. We buy hay from the North-western States to supply the horses used in the mines and the lumber industries of my State and for use in the camps. We are glad to do it. There is no objection to it. But I can not conceive why that section is opposed to protecting our products modestly. Twelve per cent ad valorem is all we ask, and they get 20 per cent increase in addition to an existing high duty on all their products.

The value of the following products applies to 1906:

Coal at mouth of mine	\$513,079,899
Lumber	621,151,388
Petroleum	\$92,444,735
Natural gas	46,873,932
	139,318,667

I said there was no trust or combination in lumber. I read from the House hearings.

[Page 3183, Tariff Hearings. From brief of D. E. Skinner and others representing the Pacific coast lumber and timber interests and 190,000 wage-earners.]

DIVERSITY OF INTEREST MAKES LUMBER COMBINATIONS IMPOSSIBLE.  
Combinations or trusts are only possible where the raw material entering into an article can be controlled. In the case of the lumber business of the United States this is an impossibility, for the sufficient reason that the number of firms, corporations, and individuals engaged in the manufacture of lumber aggregated, according to the last census, in excess of 43,000, and the number of sawmills aggregated 28,850. Just stop and analyze for a moment the utter absurdity of attempting to bring into anything like a combination 43,000 men, representing 28,500 different mills. The average man who has ever tried to get even his neighbor in the same line of trade to act with him in any legitimate form of policy or respect fair trade ethics will realize at once the weakness of this statement regarding combinations among lumbermen. So much for the producer of lumber.

Distribution of mills.  
There are 28,850 saw and shingle mills in the United States, according to the United States Census and Forest Service Bulletin "Forest Products, No. 2," issued November 18, 1908. These are as follows:

New York	2,185
Pennsylvania	2,131
North Carolina	1,668
Virginia	1,652
Kentucky	1,451
Arkansas	1,146
Tennessee	1,104
West Virginia	1,044
Washington	1,036
Indiana	999
Ohio	987
Maine	927
Missouri	916
Michigan	906
Alabama	892
Mississippi	823
Georgia	788
Wisconsin	778
Texas	673
Oregon	644
Vermont	612
New Hampshire	544
Louisiana	531
Massachusetts	518
Illinois	499
Minnesota	429
South Carolina	365
California	321
Florida	302
Idaho	247
Connecticut	236
Colorado	230
New Jersey	166
Montana	130
Oklahoma	129
Delaware	106
Iowa	100
Utah	80
Wyoming	73
South Dakota	64
New Mexico	52
Rhode Island	41
Arizona	12
All other States	6
Total	28,850

The foregoing proves that the lumber-manufacturing industry is in so many hands that its control by a trust is impossible.

The production of these mills in 1907 amounted to 40,256,154,000 feet of lumber, 3,663,602,000 laths, and 11,824,475,000 shingles. At the present time this product bears 12 per cent duty, which is practically a revenue-producing duty and not a protective tariff, and hence should not be reduced.

AS IT AFFECTS THE PACIFIC COAST.  
The output of the Pacific coast States during the year 1907 was as follows:

State.	Number mills.	Lumber.		
		Feet.	Pieces.	Pieces.
Washington	1,309	3,777,606,000	430,791,000	6,886,542,000
Oregon	644	1,635,563,000	281,000,000	300,000,000
California	321	1,345,943,000	90,000,000	707,421,000
Idaho	247	513,788,000	65,000,000	-----
Montana	130	343,814,000	10,000,000	-----
Total	2,651	7,616,714,000	876,791,000	7,898,963,000

The estimated amount of stumpage in these States is 1,400,000,000,000 feet, which at the present rate of output would require ninety-three years to exhaust. In other words, owing to the rapid growth of timber on the Pacific coast, another crop of timber will be ready for harvest before the present crop is garnered. In fact, there are localities in the State of Washington where a second crop is now being cut, the first being harvested in 1853. It may also be stated that the standing timber has been greatly underestimated. It is safe to say that the standing timber on the Pacific coast is nearer 1,400,000,000,000 feet than 800,000,000,000 feet.

There is a second crop of timber coming on in a great many of the Pacific States, also in other States.

There are many reasons why Canada can undersell the United States. Taxation is one; transportation is another; lower wages another. The excessive taxation of American mills and American lands helps the Canadian producer. One can go to Canada and get a lease, according to the House hearings, and pay rental, and when he stops cutting, that is the end of the business. When Americans owning lands stop cutting, they own the lands and have to continue paying taxes.

Mr. President, there is another feature about Canadian lumber. Much of it reaches the United States by water. From the Georgian Bay country, through the streams and rivers flowing into Lake Superior, they can bring down the lumber for \$1.75 a thousand and reach all the great markets, whereas we pay from \$10 to \$12 by rail when it is moved within 800 or 900 miles of Chicago and other cities on the Lakes and from the South or the Pacific coast.

The amount of lumber imported into this country from Canada has increased extensively both in volume and value per thousand feet, as the table below will show:

Importations of lumber from Canada.

Year.	Feet.	Value.	Per thousand.
1892.....	663,226,000	\$7,540,700	\$11.37
1893.....	742,351,000	8,217,331	11.06
1894.....	514,461,000	6,134,204	11.92
1895.....	600,790,000	6,859,078	11.41
1896.....	786,001,000	8,503,641	10.82
1897.....	883,770,000	9,073,312	10.26
1898.....	353,134,000	3,499,569	9.91
1899.....	423,720,000	4,186,664	9.88
1900.....	680,069,000	7,464,208	10.27
1901.....	490,570,000	6,343,826	12.93
1902.....	664,751,000	9,288,970	13.88
1903.....	719,135,000	10,569,066	14.69
1904.....	586,459,000	8,744,393	14.91
1905.....	705,396,000	10,726,273	15.20
1906.....	944,275,000	14,592,634	15.45
1907.....	924,863,000	15,867,631	17.15
1908.....	782,789,000	14,989,179	19.14

There has been an increase in wages. I want to give the figures: Comparative average wages paid by pine sawmills of Wisconsin, Minnesota, and Michigan.

	1895.	1898.	1900.	1902.	1904.	1906.	1908.
Foremen.....	\$3.19	\$3.85	\$4.50	\$5.00	\$6.00	\$7.00	\$6.50
Millwrights.....	2.55	2.88	3.50	3.75	3.80	4.00	3.25
Engineers.....	2.55	2.80	3.50	3.50	4.00	4.50	4.00
Sawyers.....	3.50	4.50	5.25	5.50	6.00	6.50	6.00
Setters.....	2.25	2.50	2.75	2.80	2.85	2.90	2.75
Edger men.....	2.25	2.50	2.75	2.80	2.85	2.90	2.75
Trimmer men.....	2.00	2.50	2.60	2.60	2.75	2.80	2.50
Graders.....	2.25	2.50	3.00	3.00	3.25	3.25	2.50
Tallymen.....	2.00	2.25	2.25	2.40	2.50	2.60	2.25
Filers.....	1.55	1.75	1.90	2.00	2.15	2.25	2.15
Blacksmiths.....	2.00	2.50	3.00	3.00	3.09	3.25	2.75
Laborers.....	1.25	1.75	1.80	1.85	1.90	2.00	1.75
Sorters.....	1.50	1.80	1.90	2.00	2.25	2.50	1.95
Boom men.....	1.50	1.65	2.00	2.15	2.25	2.50	2.25

Lumber has increased from 30 to 60 per cent in the last ten years, I admit, but wages in the lumber industry in the United States have increased much more.

Here is a comparison of wages in Canada and the Pacific coast States:

WAGES.

Brief of D. E. Skinner et al., representing Pacific coast lumber interests before the Ways and Means Committee of the House. Comparison of wages, Canada and Pacific coast States.

Following are average daily wages on Puget Sound, in the State of Washington, and in western British Columbia:

	Puget Sound.	British Columbia.
Circular sawyers.....	\$4.77	\$4.00
Edger men.....	3.01	3.00
Setters.....	2.71	2.75
Circular filers.....	4.80	4.00
Planer foreman.....	3.63	3.75
Planer hands.....	2.28	2.00
Tallymen.....	2.66	2.25
Engineers.....	3.20	3.50
Firemen.....	2.40	2.00
Common labor (white).....	1.97	1.85
Average.....	3.14	2.91

Oriental common labor in British Columbia, 80 cents to \$1.50.

In a mill cutting 100,000 feet of lumber per day 25 men are skilled and 75 unskilled. On the basis of white labor the British Columbia lumber manufacturer still has the advantage in the cost of labor over his American competitor. In the case of oriental labor, which predominates in British Columbia saw and shingle mills, the advantage is pronounced. The wages of the 75 Orientals, at an average of \$1.15 per day, would be \$86.25, while the wages of 75 American unskilled laborers would be \$169.75. It will be conceded, perhaps, that this item alone would enable the British Columbia lumber manufacturer to undersell his American competitor, provided the duty be removed.

The foregoing statement of wages for Puget Sound was compiled from reports received from over 100 sawmills. The British Columbia statement is from the Reliable Labor Agency, of Vancouver, British Columbia, and is included in Exhibit B. (See Exhibit B.) Covering the cost of labor in eastern British Columbia—a section covered in the testimony of Mr. Lynch—the affidavit of Mr. F. D. Becker, of Seattle, Wash., may throw some light. This is included in Exhibit C.

I have here a statement showing the difference in wages paid in Maine and Canada, right across the border, and it is 30 to 40 per cent higher in Maine than Canada. I will insert this also:

Col. Albert Clarke, of Boston, Mass., furnishes statement of Canadian and Maine lumber labor cost.

DECEMBER 7, 1908.

HON. SERENO E. PAYNE,  
Chairman Committee on Ways and Means,  
Washington, D. C.

SIR: In my statement of Friday evening, November 20, I promised to furnish figures of the wages in lumber mills and forests in the State of Maine and in Canada. In compliance therewith I give figures furnished to me by Mr. James W. Parker, treasurer of the St. John Lumber Company, of Portland, Me., and a table of the wages of similar employees in the Province of Quebec and in the mills of J. R. Booth, of Ottawa, Ontario.

In Maine:	
Setters.....	\$2.50
Doggers.....	2.00
Sawyers.....	5.50
Edgers.....	3.00
Common labor.....	1.50 to 1.75
Carpenters.....	2.00
Teamsters.....	1.75
Filers.....	4.00 to 6.00
In Canada:	
Setters.....	1.50
Carriage riders.....	1.25
Sawyers.....	1.75 to 2.00
Edgers.....	1.50 to 1.66
Common labor.....	.70 to .90
Carpenters.....	1.00
Horse teamsters.....	.90
Filers.....	1.75 to 2.00

In Maine the wages paid in the woods in the winter of 1907-8 were \$26 to \$35 per month and board—the \$35 being paid to teamsters and choppers. Wages are lower this winter, because so much labor is out of work. They range from \$24 to \$30.

In Canada the wages in the woods ranged from \$8 to \$18 per month and board during the winter of 1897.

As to the cost of the lumber in building a house, Senators speak as if lumber were nearly all the cost that goes into a house. It is but a small percentage of the cost of a house. I have two exhibits here, taken from the hearings in the House, in which lumber was \$821, including everything, in a house costing \$9,000; \$637 in a house that cost \$4,564.

EXHIBIT 1.—JULY, 1908.

Estimated cost of six-apartment building, Benton street, Portland, Oreg.:

Excavating and concrete.....	\$795.00
Plumbing.....	1,320.00
Painting.....	398.00
Plastering.....	582.00
Brickwork.....	158.00
Tin work.....	88.00
Roof.....	138.00
Millwork (90 per cent labor).....	982.00
Hardware, paper, and nails.....	198.60
Insurance and permit.....	11.30
Cartage.....	8.00
Electrical work.....	182.00
Window and door frames.....	197.00
Tile work.....	94.00
Heating plant.....	1,383.00
Lumber, 48,000 feet.....	624.90
Carpenter work.....	1,872.00
Total.....	9,031.80

EXHIBIT 2.—AUGUST, 1907.

Estimated cost of eight-room residence, East Seventh and Broadway streets, Portland, Oreg.:

Excavating and concrete.....	\$420.00
Plastering and brickwork.....	430.00
Plumbing.....	470.00
Painting.....	235.00
Millwork (90 per cent labor).....	535.00
Electrical work.....	65.00
Tin work.....	80.00
Heating plant.....	480.00
Hardware, paper, and nails.....	95.00
Permit, insurance, and cartage.....	16.00
Shingles, 22,000.....	63.80
Tile work.....	85.00
Window and door frames.....	56.00
Lumber, 28,000 feet.....	518.50
Carpenter work.....	1,015.00
Total.....	4,564.30

From this it appears the cost of lumber in building a house is only from 8 to 12 per cent.

There is another thing which must be considered. There are substitutes for lumber—glass and cement are being used extensively. Cement is protected 25½ per cent, and a good many concrete houses are going up. In the mining regions of West Virginia, we have had under consideration, and serious consideration, the question whether we would not take cement and glass and make a durable house, and in the end it would be cheaper than making it out of lumber.

The effect of removing the duty, according to the hearings of the House, would be most disastrous. I will ask that the following extract from these hearings be inserted as part of my remarks:

The removal or the material reduction of the existing tariff would only enable those who operate under Canadian timber licenses to flood the American markets with their low-grade product to the detriment of both American labor and employers, without benefiting the average consumer, who would be obliged to pay as much for the ordinary grades of lumber he purchases as he does at present.

It would prevent the American manufacturer from utilizing the raw product to as close an extent as he now does; hence would increase the waste in our forests. It would hasten the destruction of the Canadian forests and would reduce the revenue of our Government.

The wages paid in the Pacific States only last year were \$127,000,000, and those are the States which would be most seriously affected.

Another argument for free lumber is, it would help the conservation of the timber in our forests. In taking this position Senators insist that we put the burden of conservation on the individual, by denying him protection, when the State ought to bear the burden of conservation. All States, all governments, should reforest and conserve their natural products and should pay the expense out of the treasury and not punish the individual by imposing the burden on him. Now, are we to make the industry unprofitable in order to conserve the forests? Suppose that were to apply to everything else. But the moment you make the lumber industry unprofitable for the purpose of conservation or any other purpose it will be abandoned. But why single out one industry? This theory or argument simply means confiscation.

Mr. President, England is about to adopt a policy of reforestation. The Government proposes to select 9,000,000 acres for this purpose. The present chancellor of the British exchequer, Mr. Lloyd George, has approved of a plan which will involve the expenditure of about £400,000,000, but at the end of a certain number of years, I think eighty years, the Government will get back £562,000,000. This will give employment, if carried out, to 200,000 persons.

Germany gives employment, I believe, to 200,000 people in restoring her forests. She does not put the expense of conservation on the individual, but on the Government. I will ask to insert in the Record an editorial on this subject from the Washington Post.

The editorial referred to is in part as follows:

#### A ROYAL COMMISSION.

It recommends the carrying out of a national scheme of afforestation, the acquiring by the state of 9,000,000 acres of land for that purpose, and the planting of 150,000 acres yearly, the total outlay at the end of a rotation term of eighty years being estimated at £400,000,000. As a set-off to this prodigious outlay, the opinion of the commission is that the value of the property would in the eighty-first year be £562,075,000. The reason given by the commission for dealing annually with one-sixtieth instead of one-eighth of the land to be planted on a rotation of eighty years is that "the 'unemployed' problem is so insistent on receiving public attention as to justify some departure from the theoretical ideal"—a statement which is in itself highly significant.

Whatever may be thought of the budget proposals of the present chancellor of the British exchequer, Mr. Lloyd George—and some of them are sensational, if not revolutionary—it is to his credit that, though faced by a deficit of £15,762,000 and by an unprecedentedly heavy naval expenditure, at which, in his own words, the taxpayers will absolutely shudder, he has yet had the courage to grapple with this problem and to propose a remedy. He does not, it is true, go the whole way with the royal commission; but at least he has made a beginning.

Under his scheme, as outlined in his five-hour speech, the resources of the country are to be systematically developed, reforestation is to be promoted by a tax out of public funds, and a new forestry department is to be created for the United Kingdom. The figures he employed make out an unanswerable case. In Germany, out of a total area of 133,000,000 acres, 34,000,000, or about 25 per cent, are wooded; in France, out of 130,000,000 acres, the percentage is 17; in Belgium, out of 7,208,000 acres, the figure is also 17 per cent; while in the United Kingdom, out of 77,000,000 acres, only 3,000,000, or 4 per cent, are under wood. In Germany, in 1906, £8,000,000 were paid annually in salaries for the formation, administration, and preservation of forests, representing the maintenance of about 200,000 families, or about 1,000,000 souls; and in working up the raw material yielded by the forests wages were earned annually to the amount of £30,000,000, maintaining about 600,000 families, or 3,000,000 souls. In the United Kingdom, on the other hand, the number of people directly employed in forest work is only 16,000. The contrast is so striking as to need no comment. The proceedings of the forestry department of Great Britain and Ireland will be followed everywhere with the greatest interest.

Statistics show the following interesting facts:

Lumber and lumber products:	
Value of product.....	\$580,022,000
Wages paid.....	\$183,021,000
Wage-earners' share.....	per cent. 32
Average duty, Senate bill.....	do. 5-6

Can any other schedule in the pending bill make any such showing, wages 32 per cent, while the duty is 5 to 6 per cent? The duty is generally much larger than wages.

Mr. President, all that I ask is that in this national policy of protection West Virginia and the South have a fair show. We are already in the low-duty class and we are satisfied to remain there. We do not want our products to be put on the free list nor the duties reduced. They ought not to be reduced in fairness. I appeal to a Republican Senate and a Congress committed to protection, for fairness and justice in the framing of a tariff bill so far as the leading products of West Virginia are concerned.

Mr. SCOTT. Mr. President, I merely desire to add a word to what my colleague has said, and very ably said, indeed, in regard to the South.

I am sorry there are not a few more of my Republican colleagues in the Senate Chamber. I desired to call their attention to the fact that in the dark days of the civil war, when a certain portion of the country was trying to make it appear that the war was a failure, when that great and good man, one of the greatest, I think, that the world has ever produced, President Lincoln, was almost ready to throw up his hands in despair, when gold was at a great premium, when an election was to be held in the fall, it was thought in all probability that the next Congress of the United States would be Democratic and that the policy of the country and the policy of President Lincoln would not be upheld for the lack of means to support the army, that it was the border Southern States which came to the rescue and upheld the hands of President Lincoln and made it possible for him to carry that war to a successful termination. Notwithstanding that many of the great Republican States like Massachusetts, New York, and Pennsylvania failed to elect a united Republican delegation then, the States of Delaware and Maryland, the States of West Virginia, Kentucky, and Missouri sent enough Republican Members to Congress in that election to save this country from the disgrace of having to ask the soldiers of the Republic who were offering up their lives to go without their pay and of having the war declared a failure.

Mr. President, we of the border States ask for nothing more than we are willing to give to any other State in this Union. I am willing to vote for a tariff that is fair and right to every section of the country, whether we produce any of the articles in my State or in the Southland. The southern people are not selfish; they are a generous people; they are warm-hearted; and they only ask for themselves what they are willing to give to others. I hope when it comes to lumber, coal, and oil, and when it comes to other articles for which we are asking only a fair protection in the great bill that is before the Senate, the South, not particularly West Virginia, but the entire South, will be taken care of; and I predict, as I did a few days ago, that the time is not far distant when the greatest protectionists, the most earnest advocates of the principle of protection, will come from the so-called "Southern States." I ask in fairness and candor, and, as I stated before, on the same line that we are willing to give to others, to the farmer, and to the mechanic, and to the laborer, that the same measure may be meted out to us.

I ask the chairman in charge of the bill if it is in order to offer an amendment?

Mr. ALDRICH. There is an amendment pending to the paragraph.

Mr. SCOTT. While I have the floor, I wish to call the attention of the Senate to the fact that brier wood, laurel, and such like woods were put on the free list by the Senate committee. In the House there was a duty of 25 per cent placed on these woods. If the committee will restore to the present bill the 25 per cent rate that was in the House bill, we can go on in this country and make pipes. We have the wood and the laurel root growing along the entire length of the Allegheny Mountains. But, owing to the competition of cheap German labor, that industry has virtually gone out of existence. This [exhibiting] is a sample of the laurel root that is grown all along the Allegheny Mountains. If the committee will restore the rate the House gave us, 25 per cent, we can build up in this country a great industry in making the so-called "brier-root" or "laurel-root" pipes. This [exhibiting] is an imported pipe, made from the wood of Italy or some other foreign country, and I hold in my other hand [exhibiting] a pipe made out of laurel root and laurel wood in this country. Of course the wood of these pipes is stained. We can make just as good pipes here, and it will

build up an industry that will give employment to hundreds and thousands of men. Certainly that is in the line of the policy of protection. When the pending amendment is out of the road, I shall offer an amendment to restore the rate fixed by the House.

Mr. CLAPP. Mr. President, I would suggest the want of a quorum at this time.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The Secretary will call the roll.

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

Aldrich	Clapp	Frazier	Penrose
Bailey	Clark, Wyo.	Frye	Perkins
Bankhead	Clay	Guggenheim	Piles
Beveridge	Crane	Heyburn	Root
Borah	Crawford	Hughes	Scott
Bourne	Cullom	Johnson, N. Dak.	Smith, Md.
Brandegee	Cummins	Jones	Smith, Mich.
Bristow	Daniel	Kean	Smoot
Brown	Depew	La Follette	Stephenson
Bulkeley	Dick	McCumber	Sutherland
Burkett	Dillingham	Money	Tallaferro
Burnham	Dixon	Newlands	Tillman
Burrows	Elkins	Oliver	Warner
Burton	Fletcher	Overman	Warren
Carter	Flint	Page	Wetmore
Chamberlain	Foster	Paynter	

The PRESIDING OFFICER. Sixty-three Senators having answered to their names, a quorum of the Senate is present.

Mr. HEYBURN. Mr. President, I am actuated to speak upon this occasion only by the representation that at least one question of prime importance affecting the lumber schedule will be voted upon before the schedule is laid aside. I am not fond of talking in anticipation of possible questions that may arise hereafter. I want to feel that there is an interest, or that I can create one, before I undertake to discuss questions of political or economical importance.

The lumber business is the second largest business in the United States. It interests more people than any other business in the United States, because it interests every man, woman, and child who has a home and who must be a consumer of lumber. Homes are made of lumber. The great forests were intended for a permanent protection to the human family from the discomforts of life. If I believed as the Senator from North Dakota [Mr. McCUMBER] has expressed himself, I would be in mortal terror for fear that the human family would freeze to death at some time. But an industry that produces 7,000,000,000 feet of lumber west of the Rocky Mountains is not to be lightly considered by those who live east of the Rocky Mountains. An industry that west of the Rocky Mountains has 3,000 sawmills in operation, of the minimum value of \$60,000,000 in investment, is an industry entitled to the first consideration. An industry that pays \$130,000,000 in wages every year in the United States for the support of the people of the East as well as the West is an industry not to be lightly considered. Of the \$130,000,000 paid in wages west of the Rocky Mountains in the lumber business, two-thirds of it finds its way East. It goes to buy the cotton and the wool and the cloth and the furniture and utensils and everything that goes to make up the accumulated necessities of the household. It buys the product of your mines. In our camp there is more than \$6,000,000 in machinery, mined and forged and cast in the foundries and the mines of the East or the Middle West, and the East has been paid for it. The tools that are used in these forests amount to millions of dollars. They came from the East. We make none west of the Rocky Mountains. New England shoes that are worn come from the East. We make none of them west of the Rocky Mountains. I say this in order that we may not fail to comprehend that this is not a western question that can be divorced from the consideration of those questions that interest the East. Turn 130,000 men out of employment in the West, what effect does it have upon the prosperity of the East? They cease to buy your products; they cease to send to you their products; and you have to find two things—another market for your products and another place to buy your necessities.

The Senator from Virginia [Mr. DANIEL] propounded the interrogatory as to what is protection, and asked for a definition of it. I had it in mind, without interrupting the Senator at that time, to reply that protection is the imposition of those duties and conditions that put the foreign competitor under a strain in our market, and whether that strain is light or great is the question for consideration in adjusting these duties. No duty is protective that does not put the competitor under that handicap. It is based upon the same principles that govern us in our household. We see to it in the household that the family eats at the first table, and the casual stranger takes chances after the family is fed. That rule is just as old as the human race. It was the rule of the old patriarchs. In

the early dawn of government the first government was the patriarchal form, where the head of it said:

We will look first to the interest of the family, and then we will cast our vision abroad to include those next entitled to consideration.

That is the rule of the American people. That is the rule of nations. That is the reason why the Nation exists. Otherwise we need no Constitution; we need no geographical lines; we roam the world, as the Arab roams the desert, selecting to-day and to-morrow and at another time the choice of location.

Mr. President, this Nation grew directly out of the necessity for the establishment of a protective tariff. As I said earlier in the discussion of this question, in a moment when I had the floor, the first necessity for the call of the convention that made the Constitution grew out of a dispute as to the right of inter-trade between Virginia and Maryland. They agreed to submit it to Alexander Hamilton, and he took it under consideration, in order that he might advise them. It resulted in the calling of a convention. At the time the call was issued no one ever dreamed that they were going to make a Constitution at all. Not half the members went there with the knowledge that they were called together for the purpose of making a Constitution of the United States. The idea developed out of the necessity that arose from the discussion of the question. It was a progressive necessity, becoming more imminent, more pressing, every day, until finally they said, "Well, the old foundation found in the Articles of Confederation is no longer sufficient; we must make a Constitution;" and they made it.

I am not going to wander off into the field of history or reminiscence, except only to ask you to bear in mind that the best evidence of the intention of men who act in an assembly is to be gathered from the acts of the men when the assembly is broken up. The Constitutional Convention, in making the Constitution, provided for the legislative branch of the Government and gave it its powers. What was the first thing that they did? The presumption is that the first thing they did was the thing of first necessity, in their judgment. They passed a protective tariff act, and they named it in its title and specified in its text that it was for the purpose of affording protection in the field of competition between this, then new, country, and the outside world. In other words, it for the first time spread the table for the American people. That bill was signed on the 4th of July by President Washington, and it was the first act of the First Congress of the United States.

There is an indication of the intention and the purpose expressed by those who made the Government that it was bound to consider, and we can not disregard it. Had they told you otherwise at another time, you would have reproached them with the fact that we are going to take your act in judgment rather than your statement. They expressed the principle of a protective and discriminative tariff in that bill. They did not leave it to doubt. They enumerated, practically and substantially, the same classes of items that we enumerate to-day. They enumerated the items that we are to-day considering with reference to their relation to the tariff question, as to whether their production involves a competitive idea or whether it is something that we may treat merely as a revenue-producing item, or whether it is something that should come in free.

At that time the population was scattered sparsely along the Atlantic coast. When the Constitution was made that portion which constitutes the real Government of this country to-day territorially did not even belong to the United States. The people knew nothing of its resources or its possibilities as to its natural state or its future population.

When I listened to the argument of the Senator from North Dakota I thought of an idea some writer gave me at one time by inquiring what must have been the condition of Adam's mind when he first saw the sun go down; in other words, the idea of a man that as soon as reverses meet him feels that there is no possible redemption, no possible hereafter. He sees a man cut a tree, and he throws up his hands with horror and says, "The tree has gone; I shall never see it again; and what am I going to do for trees?" while right at his back and all around him nature is renewing herself with the seasons and with the decades and with the centuries—new geology, new growth of everything.

I am not so constituted, and I doubt if there are many so constituted, as to lose faith in the ability of the God that governs, to perpetuate the great instruments of the universe in all of its branches.

Why, the Senator complains that water runs downhill; he complains that the earth is washed from the crests of the mountains into the valleys. He would rather have all the soil which constitutes the fertile valley of the Potomac River upon the mountain tops; he would rather have the soil of the Ohio, the Mississippi, the Platte, the Missouri, and the Arkansas valleys up at the head of the streams, in the crags of the mountains,

and the beds of those valleys exposed as they were when they were created; for those valleys grew, and they were slower in growth than the great forests of which the Senator despairs so much. History shows us the effect of this process at the mouth of the Tigris and the Euphrates rivers, which at one time debouched into the Persian Gulf, 50 miles above, and to-day are one river, with a new country as large as the State of Massachusetts. It did not exist in those old times when the patriarch Abraham and his cotemporaries were wandering over that country, a new country that came down from the mountains, a storehouse laboratory, where nature makes her soil and furnishes the great valleys and plains that constitute the great fertile, producing States of the Union. Would you keep it up on the mountains? Right here, within a mile of the Union Depot, you can see, on a small scale, the thing of which the Senator complains, transpiring right here under the shadow of the Capitol—great gullies washed out of these mountains which, when I first remember them, were fertile tobacco fields, and they are now abandoned farms being washed into gullies that, with their environments, correspond with the great rivers of the West; yet Congress, sitting within half an hour's ride of them, does not feel exercised over it.

Why should we, in discussing this economic question relative to the tariff, attempt to divert the minds of others by a discussion of these processes of nature that have been going on from the beginning of time and will go on forever? Merely draw the parallel between the things at home that we do not think it worth while to give a moment's attention to and those things that, because they are far away, form the basis of very charming fairy stories.

Mr. President, the question is, from a business standpoint, shall we retain the existing duty on lumber? The solution of that can only be found in a consideration of the relations which the lumber industry to-day and to-morrow, viewed in the light of yesterday, and the judgment and wisdom that grows out of it, may shed upon the question. Lumber in the State of Idaho of what I shall call the "standard grade"—and I shall discuss the question from that standpoint—costs us something like \$25.50 a thousand on the cars at the market. I have heard much talk here about the cost of lumber. Sometimes it was stated very high and sometimes very low, as it seemed to fit the circumstances—and I say that without any intention to reflect upon those who stated it—but I am speaking from the concrete situation.

Idaho—and I will take that State for a text—cuts about 600,000,000 feet of lumber every year. We have about 3,000 logging camps. We have \$20,000,000 invested in plants. I mean by that the milling plants and the timber plants that correspond to them. We pay \$20,000,000 in wages in Idaho in the lumber business. We pay it to men who within thirty days have distributed it into the channels of industry. They have paid it to the grocer who bought his coffee from the man who bought it from the New York coffee house, who bought his flour from the mills that ground the wheat of the Dakotas as well as of Idaho. They have spent it for the beef that comes to us sometimes from our own market and sometimes from Chicago; they have spent it for clothing that was made in the South or in the North or in the East, and there you get your distribution of it. Shut it off, as you did in 1896, when I saw every mill stand still for three years in that Northwest, and I saw the men who should have been employed and earning wages go into other fields of labor seeking wages, with the result only of depressing wages, as competition always does. I saw them transformed from consumers to men who neither produced nor consumed.

I have heard much of the consumer's interest here; that he was to be considered. The only real, Simon Pure consumers I know are Members of Congress in the two Houses, because they do not do much but consume. [Laughter.] I do not know what they could be credited with producing. Seriously speaking, however, out in the great world the producer is a consumer, and the consumer is a producer. The men in our mines produce the ores and consume the fruits of the soil and of the loom in fair and equal proportion. It may do for a stampede cry in a political campaign to undertake to align the people in columns, and say, "this represents the consumers" and "that the producers," and then attempt to antagonize them and have a battle royal. This, however, is not a political campaign. This is going on in the Senate of the United States. It is the performance of the duties of government which rest upon us. There ought to be no political alignment upon these questions of economics; but there is, and there always will be. There was in the First Congress, and there will be in all future Congresses.

Mr. President, it was stated time and again in the convention that discussed the adoption of the Constitution that it was contemplated from the beginning that the expenses of the Govern-

ment should be paid from the receipts at the ports of the United States and that every other source of revenue that was to be used, or might be used, for that purpose was only to be used in case of necessity; that the rule was that we were to collect the moneys necessary to pay the expenses in the ports. Because of that, and in order to clear the financial deck, every State was deprived of that power, which is one of the few powers that the States were deprived of, so far as financial or economical questions were concerned. The States were deprived of the power to levy any duty, because the Government realized the necessity of having no rival in that field for the collection of revenue. That is the foundation principle of this Government. Every presumption is in favor of it, and none against it. Every presumption is against raising revenue in any other way than by duties collected in the ports and internal revenues, which are in the nature of fines levied upon certain industries within our own country. The States may do neither. The Government has the sole right.

On these other mooted questions, the income tax and the inheritance tax, the Government has no exclusive right at all. It reserves to itself no exclusive right to collect or derive revenue from those sources, but gave the right to the States to enjoy that exercise, reserving to itself only that which every Government must reserve against the hour of direst need—the right in the hour of necessity to resort to those means—and the Government should never resort to them except where it has first exhausted the sources of revenue contemplated and provided for by the Constitution of the United States.

The reason that we ask the retention of the present duty on lumber is because under that law, with a knowledge of its existence, with the presumption that the law will never be changed, which is a fair presumption in every case, we have builded up a great industry, not for our own aggrandizement, but, primarily, in order to afford a livelihood for those who engage in it, and secondarily, to supply the demands of the country with the necessary lumber.

We builded first, before we sent you any of it, the great cities on the Pacific slope; we builded the great cities of Seattle, Tacoma, San Francisco, Portland, Spokane, and all that great line of cities. They took hundreds of thousands and millions of feet of lumber to build them.

Mr. CULLOM. And Los Angeles.

Mr. HEYBURN. Yes; Los Angeles. Not only that, we built the cities through Montana and some in the Dakotas with our lumber. They could not, however, have builded them without borrowing from a neighbor nation had it not been for our production. Did you borrow it from a neighbor? To what purpose? Would you transfer the wages represented by our exports last year to Canada? When money goes abroad in that way it never comes back; it never finds its way back into the channels of American business or commerce. Would you have sent the \$1,825,000, represented by the Canadian lumber in wages that came in last year—and last year was an off-year product of something like \$300,000,000—would you have sent those wages to Canada?

For what? To gain an advantage for the consumer of that lumber? You would gain none, because the foreign market is like a seesaw—you put another weight on our end of the board, and their end goes up higher; you take the weight off of our end, and their end goes down lower; that is all. They do not allow any possible margin of profit to escape them. If they found that they had not competition in this country to hold them down with the tariff on it, they would raise their prices.

They can cut lumber, in round figures, for a dollar a thousand less at any time in Canada than we can cut it; and in many parts of British Columbia they can cut it for two dollars and a half less than we can. We have got to strike averages in making a bill of this kind, and I want the average to be high enough to protect all classes; I want it to be high enough to protect the man who can pretty near compete with them, and I want it high enough to protect the man who can not compete with them at all except for the tariff.

Of course, there are some industries that thrive in this country, because of the especial circumstances that surround them, without any duties at all. Take lead ores, for instance. I know of ores that need no duty, because of the peculiar rich and favorable conditions that surround them; but then we can not adjust our duties to individual cases of that kind; otherwise we would drive out the people who really need protection. So it is with the lumber schedule. One cent on the wrong side of the balance sheet means bankruptcy as much as would a dollar. It is a question of whether or not the enterprises can live and pay their bills. A boarding-house keeper with a \$12 board bill can put them in the hands of a receiver as quickly as an overdrawn bank account. We have now in the hands



of a receiver one of the biggest lumber concerns that ever came to Idaho. When the panic came on they had a very large stock of lumber on hand, and they could not carry it. Like other business men, of course, they carried a line of financial credit in order to sustain their great business. When the financial panic came, the banks were no longer open to them and they were thrown into the hands of a receiver, and are there to-day. They have one of the most magnificent plants in the United States, with every modern improvement and facility for making lumber.

Mr. President, I find the acoustic properties of this room are much better when there is a larger attendance, and I would suggest that there is hardly enough to make a cushion for my voice.

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

The PRESIDENT pro tempore. The absence of a quorum being suggested, the Secretary will call the roll.

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

Aldrich	Clark, Wyo.	Gore	Perkins
Bacon	Clay	Guggenheim	Piles
Bailey	Crane	Hale	Rayner
Beveridge	Crawford	Heyburn	Root
Bourne	Cullom	Hughes	Scott
Brandegee	Cummins	Johnson, N. Dak.	Smith, Md.
Bristow	Curtis	Jones	Smith, Mich.
Brown	Daniel	McCumber	Smoot
Burkett	Dillingham	McEnery	Sutherland
Burnham	Elkins	Money	Warner
Burrows	Fletcher	Nelson	Warren
Burton	Flint	Oliver	Wetmore
Carter	Foster	Overman	
Chamberlain	Frazier	Page	
Clapp	Frye	Paynter	

The PRESIDENT pro tempore. Fifty-seven Senators have answered to their names. There is a quorum present.

Mr. HEYBURN. Mr. President, it is not my intention, under the circumstances, to attempt to conclude my remarks upon this question this afternoon. I think it would be unprofitable and unwise to do so. I will, however, before yielding the floor call the attention of the Senate to some expressions of sentiment and statements of facts from Idaho on this question. I have a telegram here from the manager of the largest lumber mill in the world—and that is saying a great deal—dated April 23, addressed to myself in response to an inquiry for facts. He says:

Hon. W. B. HEYBURN,  
Washington, D. C.:

About 20,000 men directly engaged in production of lumber in Idaho, with average wage \$3.10 per day. There are many more indirectly dependent on lumber operations. No oriental labor employed in lumbering in our State.

WM. DEARY.

William Deary is the manager of that company.

I have a telegram from one of the most considerable railroad owners and operators and mill and lumber men in the United States—I do not mean in regard to railroads, but certainly one of the large operators in the Northwest, who has built whole lines of railroad there that are operating. He is interested in some of the largest lumbering enterprises in that country. This telegram is dated the 1st of May, and is addressed to myself.

SPOKANE, WASH., May 1, 1909.

Senator W. B. HEYBURN,  
Washington, D. C.:

It will please me very much to have you do all you can to retain the present tariff on lumber; the manufacturers are having all they can do to keep their mills going and employees at work under present conditions. If there is a deduction in tariff, matters will be in bad shape.

F. A. BLACKWELL.

Here is another one I received yesterday from Sand Point. There are two very large plants at Sand Point, among the largest lumber plants of the country:

SAND POINT, IDAHO, May 20, 1909.

Hon. W. B. HEYBURN,  
Senate Chamber, Washington, D. C.

Trust you will do everything possible to secure \$2 duty on lumber. Lumber industry even under existing tariff is in a deplorable condition.

T. J. HUMBERD.

They are in the lumber business, and it means a great deal to this country that they are in the lumber business. If they were not, then I am afraid the Senator from North Dakota and myself and others might have to go out and whipsaw our own lumber, as I have had to do in my life, in order to make a house to live in. I wonder if the Senator ever whipsawed any lumber? You take an 80-pound saw upon a scaffold, roll the log upon it, and there is one man up above and one man down in the pit, and one man pulls the saw up and the other pulls it down, and the sawdust is thrown down the neck of the man underneath; and they keep that up. I have paid \$120 a thousand feet for whipsawed lumber, and I have never begrudged the price, because I knew I would not want to saw it myself

for that amount. So we will not reproach a man because he has built a large modern mill and is supplying us with the lumber for our houses free from burdens of that kind.

Another telegram from the Potlatch Company:

About 20,000 men directly engaged.

That is the telegram the confirmation of which I read. He revises his figures in that telegram. He says:

Collective distribution of wages and supplies, \$10,000,000. The other figures stand.

That is, the figures in this telegram stand. That is a correction of figures that were not consistent, and about which I further inquired.

I have another telegram here to which that correction applies:

Eight big mills cut, 1908, 264,000,000. Expect to cut 310,000,000, 1909. Value said 8 plants, \$5,000,000. One hundred and twenty-two smaller plants cut approximately 250,000,000, 1908. Expect to cut 1909, 350,000,000 feet. Value said plants, \$12,000,000.

That is, the value of these lesser plants.

Working capital all mills—

That is, the mills enumerated here—

\$20,000,000. Distribution wages: To laborers, \$10,000,000; to farmers, supplies to feed men, \$5,500,000.

He merges those items because they deduct the supplies they furnish the men from the wages of the men. They pay them \$3.10 a day, and charge them up with a reasonable amount for board, which is not complained of.

To feed horses—

The stock employed in the hauling and dragging of these logs in the woods—

\$3,000,000 annually. Reduction transportation charges imperative, instead of tariff reduction, to reduce price lumber to consumers and still protect wage-earners and farmers of our State.

I have other telegrams here about the methods and the cost of dressing this lumber, tonguing and grooving it, and those other processes. When I take up the subject again I shall briefly treat of them.

I want to say right here that the charge, direct or implied, of vandalism in the forests has no foundation whatever. No man ever cut a tree for his own amusement, except, perhaps, that great English statesman, of whom it is said that he went out every morning and cut down a tree before breakfast. But men do not go to the frontier in those forests and cut trees for their own amusement. They do not cut them unless somebody wants them cut, and is ready to buy them and make use of them. Lumber is not cut or manufactured to rot on the ground. When it is cut and manufactured, it is done to build cities and towns and homes and barns and fences and railroads—to substitute civilization for the hollow silence that rested in that country and in those forests when I first knew them.

Mr. President, I think I shall suspend for to-day when I have called attention to the fact that was referred to by the Senator from Minnesota and the Senator from North Dakota in regard to the great waste of lumber from fires. I felt somewhat curious about that. We have in our State a fire-protection patrol and board which is part of the organization of the state government. They have statistics, and those statistics somewhat surprised me. I sent for them, and this is the response:

In Idaho we have a fire patrol, covering the dry season in the timber, independent of the Forestry Service. It is maintained under the law of the State. It covers the forests of north Idaho.

I will say that there are 20,000,000 acres of forest reserves in Idaho; so some of the little patches of timber land elsewhere would probably lose their importance when compared with those great fields.

There are nine associations operating together—

That is, nine subdivisions of this forestry fire patrol—

The law provides that the state board of land commissioners shall divide the State into fire districts, with due consideration as to the forest area. A chief fire warden is appointed by the board for each district, and each chief warden appoints as many deputies as are found necessary.

This is the method of this State of "vandals" that you have heard held up here by the Forestry Service, which has asked you to provide protection against them, almost to incarcerate them, for fear they would destroy the timber on the public lands of the State they love so well, where they have made their homes. That is the way they organize.

The wardens patrol the districts under orders of the chief warden during the fire season. The object is to detect the fires in their incipient stage and put them out—

Not to report on them to Washington, and telegraph for orders; but when they detect fires, it is their duty to put them out—

And when not able to handle them alone, to get help and control them. These wardens under the law are state appointees, and have police power to make arrests without warrants, and can compel assistance to control the fire when required.

Each member of the association—

That is, each of these men that form the association—is assessed on his acreage—

His acreage of timber lands—to pay the costs, and the State is assessed on the same basis.

That is done because the State has large ownership of lands that are scattered all through these timber areas.

The officers of the association are elected yearly, and serve without remuneration.

These are the "vandals" of Idaho!

The associations forming this association during 1908 were as follows—

This is an interesting column—

The Coeur d'Alene Fire Association; 14 members, 23 patrolmen; 358,060 acres; cost—

This was cash paid out in the year 1908—  
\$26,548.98.

That is the district in which I am so fortunate as to live.

The Clearwater Association, whose territory adjoins this, has 9 members, 27 patrolmen, and an acreage of 268,790 acres. Cost during 1908, \$7,312.09.

Adjoining that is the Potlatch Association. Number of members, 10; patrolmen, 10; acreage, 314,068 acres; cost, \$9,738.36.

Pend d'Oreille: That is the one from which the telegram from Mr. Humbird came to-day. I am sorry I have not here, and I can not state them offhand, the figures which will enable me to give the investment in mills in that district. It is a good many millions of dollars. This is the Pend d'Oreille district. It has 17 members—that is, there are 17 associations of lumbermen there that join together. It has 15 patrolmen, and covers 300,840 acres. During the year 1908 it spent \$8,870 in putting out these fires.

To summarize, I will state that the fire associations that cover the timber lands of north Idaho expended, in 1908, \$52,469.43 in putting out fires; and they spent it out of their own pockets, because they are assessed according to their acreage to pay that money—these "vandals" of Idaho!

Thirty townships covered by the Coeur d'Alene Association are within the limits of the Coeur d'Alene and Palouse Forest Reserves, and are supposed to be protected by the Forestry Service of the Government; but a large item of the expense of the association is the care of this territory within the forest reservation.

That is a nice story to read and reflect upon in view of what we have heard here about the necessity for the Forestry Service, with its chief telling the people in his annual report that we owe the safety of our timber lands and of the Government's property to the watchful care over the forest reserves of the Forestry Service. And yet we find the people in Idaho, at their own expense, putting out these fires and saving this timber.

During the year 1908 the Clearwater Association handled 15 fires, built 2 miles of wagon road—

That is, this association that I have spoken of, that covers 268,790 acres of land. They—

Handled 15 fires, built 2 miles of wagon road, 19 miles of new trail, and opened up 40 miles of old trail. The fires in this district were started—

How do you suppose?—  
by lightning.

Every one of the 15 fires in that district last year was started by lightning. Yet we are told here with horror of the carelessness of the frontiersman and of the homeseeker in starting fires and burning up the Government's forest lands. Last year there were 15 fires in that district of over 250,000 acres, and every one of them was started by lightning.

I can appreciate this. I have lived in those mountains for more than a quarter of a century. I sat on my porch one evening about 5 o'clock and saw a bolt of lightning strike a dead tree just across the gulch from me and set it on fire. It started a fire that it took hours to put out. When the lightning struck that tree, which was dead and partly rotten, it threw the fragments of the tree over an area of perhaps an acre. Each separate firebrand started a new fire for itself. On more than a dozen occasions in my experience in those great forests I have seen the lightning start the fires, and the poor prospector and immigrant is charged with doing it. And yet every one of the fires in that district last year was started by lightning.

In 1908 the Coeur d'Alene Association handled 80 fires—

That is a neighboring one—

57 of which were controlled by the patrolmen alone. Fifty of these fires were started by lightning.

I will tell you how the others were started directly.

The Pend d'Oreille Association in 1908 handled 130 fires, 105 of which were handled by the patrolmen alone.

Very few of the fires in this district were set by lightning, the railroad engines and section crews being the greater source of danger. One-half of the limits of this association are within the Government's

reserves and supposed to be adequately protected by the Forestry Service, but the timber owners find it necessary to expend these large sums of money and at least three months of sleepless vigilance in order to safeguard their own and the government property, for it is necessary for them to protect the property of others, in many cases, in order to protect their own. Much has been said by and for the Government and its methods as to its endeavor to protect the forests from fire, but if its methods had been as faithful to fighting fires in timber as they have been in fighting them in camp or the press of the country, the timber owners would not have to spend so much money in the forest reserves. As a sample of the efficiency—

I am taking this from the official report—

As a sample of the efficiency of the government patrol, there is herewith included a portion of the Clearwater Association's report for the years 1905, 1906, 1907, and 1908:

"In 1905 there was fire on the reserve, which started at a point, French Mountain, in 36-6 E, and ran east 11 miles. This fire was approximately 11 miles long and 3 miles wide. During the year 1905 we never had the pleasure of seeing a forest ranger."

The report of this association gives numerous instances similar to the above.

One of its members told me he saw the forestry ranger, supposed to take charge of this question, and told him, at the forks of the St. Joe River, of the existence of the fire, about 13 miles away, and he was about 10 miles from the nearest point where he could communicate with the outside world; and the forestry officer said: "I will go down and report it to Washington." The gentleman said he gathered up some men in the timber and went up, and he had been fighting the fire three days and had it under control when the forestry officer came again, and he said he had been ordered to inspect and report the condition. That is the cooperation.

But I am not here to indict the service. I am here only to give these official facts.

Mr. President, I think, with the permission of the Senate, I will suspend my remarks for the afternoon, with the privilege of resuming them when the Senate is again in session and this paragraph is under consideration. I have dealt largely with the general and preliminary questions. I desire to present some specific facts controlling the question as to the advisability of retaining the present duty.

Mr. McCUMBER. Mr. President, I understand the Senator in charge of the bill is desirous of an early adjournment this afternoon, and I will take not to exceed five minutes in replying very briefly to some of the arguments that have been given here in defense of the retention of the duty upon the lumber imported into this country.

Mr. President, I have not heard one single, solitary statement here to show that a reduction of tariff on lumber would destroy the business of a single mill in the United States.

Mr. HEYBURN. I will give you some.

Mr. McCUMBER. I have heard the argument that the lumber interest is not doing so well to-day as it was a year ago, or prior to the little financial flurry that we had in 1907. I have not heard any argument that demonstrates that a reduction of the tariff will necessarily reduce the price of lumber, and I think I have established clearly by the figures I have given that it will not reduce the price; that all we can hope for it is that it will prevent the price from mounting too high and too rapidly.

Mr. President, the Senator from West Virginia [Mr. ELKINS], who is not in his seat, adduced two or three arguments in favor of the retention of the present duty. But when you simmer them down and get at the foundation of them, the only arguments that he made were that inasmuch as I have been in favor of placing a duty upon the farm products of my State, therefore he should have a duty upon the products of his State, and especially upon lumber and iron and coal and oil.

I have never been laboring under the idea that this was the rule by which we determined whether or not an article should go upon the dutiable list. I supposed we took into consideration, first, whether the article itself needed protection and, second, whether the protection was for the best interests of the American people; and if it can be established to my satisfaction, first, that the lumber industry does need the protection; secondly, that that protection would ultimately result in benefits to the American people, not immediately, not to-day, but at least for a few years in the future, I should certainly vote for a protective duty.

I can see a vast difference between those articles which we produce month after month reproduced again and again, and which we can go on producing indefinitely without exhausting anything, and those articles the supply of which, in the very nature of things, can not last more than a very few years—resources which we should retain for the best interests of the American people just as long as it is possible to retain them.

Mr. President, the Senator from West Virginia constantly alluded to the higher prices of farm products, and again and again he stated, substantially, that I was satisfied so long as beef kept

advancing, so long as the price of agricultural products kept advancing, although his people might be starving for those articles; that I had no heart for them.

It is probably proper to diverge for just one moment at this time and analyze honestly and fairly the condition of the American farmer, and I do not care whether it is on the plains of the Dakotas, in the hills and dales of Maine, or wherever it may be, and let us see whether we are reaping all the benefits of this tariff and whether the poor laborers in the mills are suffering as the result.

I want to tell the Senator from Idaho and the Senator from West Virginia that every article which is produced upon the farm to-day requires more expended energy for the value of the product than any other article produced on the American Continent, and I can establish that beyond any possibility of doubt. Mr. President, I can appreciate the difference between the farmer who rises at 4 or 5 o'clock in the morning, keeps on with his work continuously until 9 or 10 o'clock at night, and the laborer in the mines or mills of West Virginia, receiving his \$3 or \$4 or \$5 a day for eight hours of labor. I have compared the work of the laborers upon the great public buildings with the labor on our farms. Before the chime of the hour of 4 o'clock had died upon the listening ear, I have seen the uplifted hammer fall, with the nail half driven in its course, the hoisted mortar dry in the hod, while the sun was still high in the heavens.

God knows I want to see the laborer paid good wages for his services. I believe the best interests of this country demand that the value of labor shall go higher and higher as the years go on. I believe that the very best interests of this country will be subserved when the child of the laborer can sit side by side with the child of the owner of great mills in any of the great universities of this country. I know it can not be done in one moment; I know that the struggle to reach that condition will require a great many years; but I believe the time is coming when labor will reap the legitimate proportion of the value of the things it produces. But I want to see my farming community equally well served.

What is the farmer on the plains of North Dakota and South Dakota and in Maine doing when your laborer here stops work in your mills at 4 o'clock in the afternoon? I can see him out on the prairies, the beads of sweat trickling down his sunburnt face, with at least six or seven hours of hard labor to be accomplished before his tired limbs can rest. I want to measure the value of the product of his labor with the value of the labor of the constituents of the Senator from West Virginia, who has accused me of wanting to injure his people for the benefit of my own. I can establish to the satisfaction of the Senator or any other man upon the face of the earth that we put in more hours of labor, five times over, to produce a dollar's worth of property than any laborer in any mill in his State.

Mr. HEYBURN. Mr. President—

Mr. McCUMBER. I yield to the Senator.

Mr. HEYBURN. I wish to make a suggestion to the Senator from North Dakota as a further reply. What is the man thinking about when he quits work in the lumber woods at the mill? He is just thinking, How am I going to sell this product I am working on, and who is going to buy it?

Mr. McCUMBER. I have gone over that matter. If I agreed with the Senator that the great forests of this country were inexhaustible, if I believed that all the government experts who have measured every acre of the timber land in this country were falsifiers or did not know anything about the subject, if I believed that we could raise, as the Senator from Idaho thinks, merchantable timber in ten or fifteen or twenty years, if I believed that we were reforesting all of our vast timber lands as rapidly as he believes we are doing, I probably would be just as high a lumber protectionist as he is. But as I travel from Minneapolis to Duluth, a distance, I think, of about 120 miles—is it not, I will ask the Senator from Minnesota?

Mr. NELSON. Yes.

Mr. McCUMBER. As far as I can see, where there was once one great pine forest we can see nothing but burnt stumps; and as I travel over that great State of Minnesota, which forty years ago had one-third at least of its acreage in those mighty forests, and now look upon it to-day, nearly all of that a black, burned, destroyed district, I ask the Senator from Idaho if he can tell us where we have reforested that section of the country. I have gone through sections of Idaho. I have gone through those valleys. I know something about them. As you look out from the train window upon the mountain side you still see the old black stumps, and you do not see anything else. As I went through Oregon a few years ago I drove along one of the great rivers of that State and for miles and miles along the valley, as I looked up the mountain side there was nothing but the same fire-devastated districts. There was not even a

shrub left that you might cling to to help you in ascending it. Yet we are told that they are still reforesting.

Mr. President, the \$4,000,000 appropriated by Congress last year to reforest what was destroyed is an answer to the claim that we are reforesting about as rapidly as we are deforesting the country.

I was going to tell the Senator from West Virginia [Mr. ELKINS] something about the cost of the production of things upon the farm, when these farmers and their wives and their children are working sixteen hours a day. The Senator from West Virginia forgets that the farmer spends two-thirds of his working life before he is the owner of his farm and before he owns the capital which he invests in his business. Now, let us take any one of his products as an illustration. Take the product of wheat, that the Senator is complaining about. As I have said, two-thirds of the farmer's working life is given to hard labor before he earns and owns his farm. Then what? He must plow it and he must harrow it several times, and then he must seed it, and then he must care for it prior to harvest, and then he must harvest it, he must cut it, he must bind it, he must pick it up two or three times and put it back when the wind scatters it over the field, he must set it out to dry whenever there has been a heavy rain, he must then stack it, he must hire his men and thrash it, and finally he must haul it to the mill. That represents the farmer's labor upon that wheat.

We will suppose, for instance, that he gets on an average, as he has got lately out in my section of the country, say, 90 cents a bushel for that wheat. What becomes of it? It now leaves his hands. Then there is the expense of transporting it to the mill, which is certainly not above 10 per cent; the grinding of it by the miller; the sending of it to the baker; and the baker making it into bread and selling that bread for 5 cents a loaf. The baker receives about \$4 a bushel for that grain. The farmer receives about 90 cents. The amount of expended labor upon that bushel of wheat by the farmer is four times the amount of labor expended upon it after it leaves his hands and is converted into bread. Yet by the time it leaves the baker it is four times as valuable as it was when it left the hands of the farmer.

I can give you another illustration that will probably be still more startling than that.

Mr. SCOTT. Mr. President, will the Senator allow me? I do not want the Senator to use up all his energy in talking to me. I believe it was my colleague who had the colloquy with him. I have spent as many hard days on a farm perhaps as the Senator from North Dakota. I know all about the hours of the farmer. I have put the harness on horses before daylight and hitched up before breakfast. I know all about it. The Senator need read me no lecture about farming.

Mr. McCUMBER. I know the Senator knows all about farming. I referred, of course, to the Senator's colleague, who was speaking upon this subject.

But I want to give you another illustration. Here is the farmer. Two-thirds of his life, I say, is spent in earning his farm at the present prices of farm lands anywhere in the United States. He raises a bushel of tomatoes, for instance. Let us make a little calculation on that. You will find that he has got to plow the land. He has then got to harrow it. He has then got to plant his seed. He has then got to sow it. He has then got to water those vines. He must then keep the bugs off of them. He must then gather his tomatoes and then haul them to market from 1 to 10 miles. What does he get for them at some seasons of the year? Sometimes as low as 25 cents a bushel. I have known them to be that cheap.

Now, I will follow that same 25-cent bushel of tomatoes into your restaurant right down here where the Senators take their meals, and I will see what they pay for them then. It passes through the wholesaler, possibly also the retailer, to the restaurant. Let us see the rapid advance in price the moment other labor operates upon them. You will pay 25 cents for one of those tomatoes down here in the restaurant when it is sliced. There are about 300 tomatoes in a farmer's bushel, because they are always well heaped up and they are good, honest bushels. The farmer gets 25 cents for that bushel. Then the restaurant man gets 25 cents apiece, or \$75, for that same bushel!

That is not all, Mr. President. If the farmer is well enough off to go into that restaurant, he will pay the value of 300 tomatoes for the privilege of eating one that he has raised. And he will not stop there. He will have to go into his pockets, if he is going to be treated nicely, and give the colored waiter who serves him another quarter, another 300 tomatoes, for slicing that one. There is a little illustration of the difference between the value of his labor that is put upon a given article before it leaves the farm and the value of the labor that operates upon that product after it leaves the farmer's hands.

So it is with every other product of the farm. I am not satisfied to allow anyone to say here that our farmers are getting rich and we are wanting to put things upon the free list so that we will grind down somebody else. I could tell the Senator from West Virginia, if he were here, that we raise more wheat than anything else in our State, and when he goes down to this same restaurant he does not pay a cent for his bread. It is so cheap that they give it away the same as they give away water. They do not even charge for the butter that goes on it that is raised by the farmer. There is the farmer's labor and his product, the staff of life served in almost every restaurant in the United States absolutely free, because it is of such insignificant value.

I want to say, before I close, one word upon the tariffs that are placed upon the farmer's products. If I can not demonstrate when we reach that schedule that every one of the products on which I have asked a tariff to be levied should be levied upon it, then I am willing that it should be reduced.

But I know something about the conditions of the Northwest to-day. I know the growing conditions of our Canadian border line for 2,000 miles. I know some of the conditions that will confront us before another ten years shall elapse, and I am going to guard the interests of those people for the next ten years. Why? Because before the expiration of that time we will not be exporting one bushel of wheat from the United States. Then we will have the direct benefit of that tariff. I know how we are going to be received on the other side of this question just as soon as that condition arises. Then the cry will go up over this country for free food. I know what the farmers, who have stood by you during years of hardship to build up your industries, will meet, because I have observed it in every other country—as in Great Britain, where the laborer said, "We demand cheaper food," and the tariff went off food products.

When we get that condition, Mr. President, I hope to see the farmers in my section as thoroughly organized as the labor unions are to-day; and if they are organized, I will tell you, you are going to have a pretty difficult task in cutting down the duties upon breadstuffs for the benefit of anybody upon the face of the earth.

Mr. President, I have talked, perhaps, a little longer than I intended to do in the closing of this matter, but I want to say just one word in reference to the forests, in answer to the Senator from Idaho. He says that these forests were intended by the Almighty for the permanent use of the people. Well, Mr. President, if they were so intended, then I must say that the will of the Almighty has been signally frustrated by the rapacity of His children, because, as I look over the country, we are not going to keep them for the future; we are not going to protect them for the permanent interest of the American people, but they will be out of existence in about thirty years, as can be demonstrated with mathematical accuracy, even after allowing for the annual growth of those same products.

The Senator thinks that these are inexhaustible, I know. But, Mr. President, the Senator from Idaho differs from every man in government employ who has carefully measured the amount of timber there is in the United States, who has carefully calculated the consumption in the United States, and who has carefully estimated reproduction. Those experts say we will practically exhaust our forests within the next thirty years, at the present rate of consumption.

The Senator said another thing—that I was in favor of keeping the soil upon these mountain sides. I judge from the argument of the Senator from Idaho that he is in favor of running the soil down to the ocean. He thinks we need the floods, that we may bring the soil down from the mountain side to resoil the farms in the valley.

Mr. President, has any farm ever received any benefit from the soil from the mountain side? I would keep it there. The Senator from Idaho would send it all into the ocean, because there is where it does go. I would rather have it upon the mountain sides as a retained soil for the benefit of future conservation than to despoil those mountain sides to-day and denude the timber lands and have, as a result of that, the destruction of both forest and farm.

Mr. SCOTT. Mr. President, I am very sorry that my colleague [Mr. ELKINS] was not present in order to defend himself against the very earnest and, at least, very energetic talk of my friend from North Dakota.

I was surprised at many of the illustrations he gave. They were so thoroughly ridiculous that I was surprised the Senator would make them. For instance, in quoting the price of a tomato, he does not think it is necessary for the man who keeps a restaurant to have tablecloths, knives and forks, dishes—which are often broken—napkins, and servants in order to serve

the tomato. I could go on indefinitely, but the Senate is not here to listen to a discussion of that kind, and I will turn it over to my colleague, who, I have no doubt, will reply.

Mr. McCUMBER. I want the Senator to understand that the farmer has to have hoes, pitchforks, machinery, horses, and all those things just as well as the restaurant keeper needs spoons, and so forth.

Mr. President, I was simply attempting to illustrate how rapidly the value of the product advanced just as soon as it left the farmer's hands, not for the purpose of criticising these men, but for the purpose of showing that labor employed in any other industry receives far greater remuneration for a given number of hours than on the farm; and I think I have established that.

Mr. SCOTT. There is no one, I think, who will say that I have not always been willing and perfectly anxious to do the farmer justice. He is the hardest working man, I think, in the country; he labors longer hours. I have been there, and I know of the life myself. I do not know whether the Senator from North Dakota ever labored on a farm, but I myself have. I want to say, Mr. President, I am in favor of protecting the farmer and everything he produces, everything that grows, the same as I am in favor of protecting the man who is engaged in manufacturing or in any other pursuit in this country.

Mr. President, who is suffering to-day? Is it the farmer? In conversation with a hotel keeper in southern California, whom I have known for years, who runs one of the finest winter resorts in that southern climate, he told me that in the last two or three years he has missed the eastern man, the manufacturer, the merchant, the banker, but his house has been overrun with the farmer, with his wife and his children; that they all have plenty of money, and his rooms were not too good nor his table too expensive for any of them. I was very glad, indeed, to hear it. So the depressed and downtrodden farmer in the last few years has certainly had an equal advantage with those of us who have been engaged in manufacturing.

#### 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 five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, May 24, 1909, at 10 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate May 22, 1909.*

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

Charles B. Elliott, of Minnesota, vice Charles A. Willard, to be effective upon the date of the resignation of the latter.

#### RECEIVER OF PUBLIC MONEYS.

George H. Kimball, of Eureka, Cal., to be receiver of public moneys at Eureka, vice Daniel J. Foley, deceased.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate May 22, 1909.*

#### ASSISTANT TREASURER.

Oscar L. Whitelaw to be assistant treasurer of the United States at St. Louis, Mo.

#### INDIAN INSPECTOR.

Ernest P. Holcombe to be an Indian inspector.

#### RECEIVER OF PUBLIC MONEYS.

Charles C. Hoag to be receiver of public moneys at Woodward, Okla.

#### POSTMASTERS.

##### NORTH CAROLINA.

Jesse C. Randall, at Bryson City, N. C.

##### OHIO.

Peter Schatzman, at Glendale, Ohio.

Charles J. Tiffany, at Clyde, Ohio.

Mathias Tolson, at Salineville, Ohio.

##### OREGON.

Benjamin P. Cornelius, at Hillsboro, Oreg.

F. O. Minor, at Bend, Oreg.

##### PENNSYLVANIA.

Jesse Ehrhart, at Dallastown, Pa.

Howell P. Williams, at McDonald, Pa.