

Frank W. Leib to be postmaster at Pottsville, Pa., in place of Gustavus C. Schrink. Incumbent's commission expired January 7, 1908.

John C. Tullock to be postmaster at Moores, Pa. Office became presidential April 1, 1909.

SOUTH DAKOTA.

Charles N. Curtiss to be postmaster at Wessington, S. Dak. Office became presidential October 1, 1907.

Theophilus N. Kirkpatrick to be postmaster at Letcher, S. Dak. Office became presidential January 1, 1909.

A. W. Prewitt to be postmaster at Philip, S. Dak. Office became presidential October 1, 1908.

TEXAS.

Irvin W. Baker to be postmaster at Loraine, Tex. Office became presidential January 1, 1909.

Theophilus F. Berner to be postmaster at Henrietta, Tex., in place of Theophilus F. Berner. Incumbent's commission expired January 10, 1909.

Henry L. Sands to be postmaster at Alvord, Tex., in place of Henry L. Sands. Incumbent's commission expired February 9, 1909.

J. J. Staskey to be postmaster at Bremond, Tex. Office became presidential April 1, 1909.

Lottie E. Turney to be postmaster at Smithville, Tex., in place of Kittle L. Edwards. Incumbent's commission expired January 10, 1909.

W. F. Viereck to be postmaster at Sealy, Tex., in place of Clara I. Lockwood, resigned.

WASHINGTON.

Velosco J. Knapp to be postmaster at Anacortes, Wash., in place of Velosco J. Knapp. Incumbent's commission expired February 9, 1909.

Cornelius E. Legg to be postmaster at Chewelah, Wash., in place of Charles F. Legg, deceased.

George D. C. Pruner to be postmaster at Blaine, Wash., in place of George D. C. Pruner. Incumbent's commission expired January 21, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 9, 1909.

INDIAN INSPECTOR.

Z. Lewis Dalby to be an Indian inspector.

CHIEF JUSTICE SUPREME COURT, PORTO RICO.

José Conrado Hernandez to be chief justice of the supreme court of Porto Rico.

ASSOCIATE JUSTICE SUPREME COURT, PORTO RICO.

Emilio del Toro y Cuevas to be associate justice of the supreme court of Porto Rico.

REGISTER OF THE LAND OFFICE.

Jose Gonzales to be register of the land office at Las Cruces, N. Mex.

POSTMASTERS.

CONNECTICUT.

Arthur B. Calef, at Middletown, Conn.

GEORGIA.

James F. Dever, at Rockmart, Ga.

LOUISIANA.

Edson E. Burnham, at Amite, La.

Charles W. Lyman, at Rayne, La.

NEW JERSEY.

Frank Hill, at Dumont, N. J.

PENNSYLVANIA.

John P. Thomas, at Taylor, Pa.

SOUTH DAKOTA.

Lyman J. Bates, at Lake Preston, S. Dak.

Alexander B. Coutts, at Hudson, S. Dak.

Edward O. Bromwell, at Mount Vernon, S. Dak.

Frank E. Brown, at Iroquois, S. Dak.

Allie Lee, at Ashton, S. Dak.

Joshua F. Wood, at Doland, S. Dak.

TEXAS.

Maurice C. Kelly, at Lockhart, Tex.

William L. Yanger, at Iowa Park, Tex.

WITHDRAWAL.

Executive nomination withdrawn from the Senate April 9, 1909.

Thomas Cader Powell to be United States marshal, Division No. 2, District of Alaska.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 9, 1909.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

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

QUESTION OF PRIVILEGE.

Mr. HARDY. Mr. Speaker, on page 1089 of the RECORD is shown a colloquy between Mr. CALDERHEAD and myself. When the reporter's notes were handed me I hastily added a few words to what I had said in order to make it clearer without changing its meaning; but my attention is called to the fact that the words added by me seem to make the gentleman from Kansas declare or indorse the idea of a tariff between the States, which in fact he did not, and I did not intend to represent him as doing. The fact was he simply declared that protection applied to all the States, but not between the States. Neither the gentleman from Kansas nor myself wish anything but that a true record be made, having regard to the substance and not the form, and we both wish the RECORD corrected so that it shall read as follows:

Mr. HARDY. If protection is a righteous proposition, ought it not to prevail in every locality and in favor of every State?

Mr. CALDERHEAD. It does, without question. We make no law and have made none in forty-eight years that we have been responsible—and so forth.

In other words, Mr. Speaker, my interlineation while not changing the meaning did put an erroneous inference upon the statement of the gentleman from Kansas which I did not notice at the time.

The SPEAKER. Both gentlemen concur in the correction of the RECORD?

Mr. HARDY. We agree.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that under the discretion conferred by Senate concurrent resolution No. 2, Sixty-first Congress, first session, giving authority to the Commissioners of the District of Columbia to use the Rotunda of the Capitol on the occasion of the removal of the remains of Maj. Pierre Charles l'Enfant from Digges farm, Prince George County, Md., to Arlington National Cemetery, under such supervision as may be approved by the President of the Senate and the Speaker of the House of Representatives, the Vice-President had appointed Elliott Woods, Superintendent of the Capitol Building and Grounds, to superintend the ceremonies within the Capitol.

PRESENTING A PETITION.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that I may present in the open House a petition signed, I am informed, by 250,000 citizens of Chicago and its suburbs, protesting against the duties on wearing apparel, particularly leather gloves and cotton hosiery, as reported to the House in the Payne tariff bill.

The SPEAKER. Is there objection?

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman how long it would take?

Mr. FOSS. A few moments.

Mr. PAYNE. Five minutes?

Mr. FOSS. Less than that.

Mr. PAYNE. I do not object to that if the gentleman from Pennsylvania [Mr. MOORE] is given time to make a statement.

Mr. MOORE of Pennsylvania. Mr. Speaker, I shall object unless some time is accorded to me to present statistics on the other side.

Mr. MANN. Mr. Chairman, we have three hours only in which to perfect this bill, and I object.

Mr. FOULKROD. I object, Mr. Speaker.

THE TARIFF.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1488, the tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

Mr. PAYNE. Mr. Chairman, I offer the following amendment to section 3, which is found printed in the RECORD this morning at page 1234: Under the paragraph headed "iron ore," I move to

strike out the words "basic slag, ground or unground." I will say to the committee that this is a fertilizer, and it is the intention of the committee that no fertilizer shall bear any duty, even in the maximum tariff.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Mr. Chairman, as I understood the gentleman from New York, he now offers an amendment to the amendment which he proposes to offer to section 3.

Mr. PAYNE. That was offered last night. If the gentleman will examine the Record he will see that that amendment to section 3 was offered last night and is pending. I asked to have it done in that way to dispense with the reading of it, having it printed instead in the Record.

Mr. MANN. Well, Mr. Chairman, that was the parliamentary inquiry that I was addressing to the Chair, whether that amendment was now pending before the committee.

The CHAIRMAN. The Chair understands that the gentleman from New York last night offered an amendment and asked unanimous consent that instead of having it reported from the Clerk's desk it be printed in the Record. The Clerk will now report the amendment offered by the gentleman from New York.

The clerk read as follows:

Strike out the words "basic slag, ground or unground."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. PAYNE. Mr. Chairman, under the paragraph headed "oils," last column on page 1234, I move to strike out the words "petroleum, crude or refined," and also the proviso for retaliatory duties which follows.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the words: "Petroleum, crude or refined: *Provided*, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country."

The CHAIRMAN. The question is on the amendment.

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

Mr. PAYNE. Mr. Chairman, I would like at this time, because of the confusion in which the amendment of the Committee of the Whole House has left the petroleum paragraph in the original section 1, to ask unanimous consent that the committee report that paragraph 36½ is disagreed to, that it be eliminated from the bill, and that the proviso under the free paragraph for oils, for retaliatory duties, be stricken from section 2, so that it will leave petroleum and its products upon the free list, and not have that duty of 1 per cent, according to the amendment offered and agreed to by the Committee of the Whole.

The CHAIRMAN. Is there objection?

Mr. GARDNER of Massachusetts. Mr. Chairman, before that is taken up, has not the gentleman just moved to strike out petroleum and its products and also the proviso?

Mr. PAYNE. That is in section 3. I am now asking to return for a moment to sections 1 and 2, and to leave them so that petroleum and all its products will be on the free list without any countervailing duty.

The CHAIRMAN. The gentleman asks unanimous consent, as he has stated. Is there objection?

Mr. HITCHCOCK. Mr. Chairman, reserving the right to object, I would like to understand what effect this has upon the products on the free list?

Mr. PAYNE. It puts them on the free list, where they were placed in the original bill, paraffin being mentioned by name.

Mr. HITCHCOCK. And this amendment proposes to strike out?

Mr. PAYNE. It strikes out the retaliatory provision, the countervailing duty, and leaves the products of petroleum upon the free list. That would be the effect of it.

Mr. HITCHCOCK. What is gained by this?

Mr. PAYNE. It simply gets rid of the amendment offered by the gentleman from Nebraska [Mr. NORRIS] and adopted by the committee, to put a duty of 1 per cent on petroleum and its products.

Mr. HITCHCOCK. Is this 1 per cent duty considered objectionable?

Mr. PAYNE. It strikes it out. That is the purpose of my amendment.

Mr. HITCHCOCK. Why do you want to get rid of it?

Mr. PAYNE. Because the sense of the House seems to be that petroleum should be upon the free list, and in order to conform to that and to avoid delay in the consideration of the bill, I make this request.

Mr. HITCHCOCK. I am trying to learn why the gentleman formerly favored a 99 per cent duty and now—

Mr. PAYNE. Oh, Mr. Chairman, I shall not take up any more time on the matter. If the gentleman wants to object, let him do so.

Mr. CLARK of Missouri. If this is agreed to, this settles the petroleum business, so far as we are concerned?

Mr. PAYNE. So far as the Committee of the Whole is concerned, entirely.

Mr. CLARK of Missouri. It settles it so far as the House is concerned also, does it not?

Mr. PAYNE. Yes; I hope it does.

Mr. CLARK of Missouri. So do I.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. MANN. Mr. Chairman, I offer an amendment to the amendment of the gentleman from New York.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Sec. 3. Amend the committee amendment offered by the gentleman from New York under articles enumerated in section 2, under the heading of "wood," by inserting after the word "timber" and before the word "including" the word "not," so as to read, "timber not including pulp wood."

Mr. MANN. That would be on page 1235, first column. Under an amendment offered by the committee—

Mr. PAYNE. Mr. Chairman, I have no objection to that being done. It is an oversight, or it would have been done.

Mr. MANN. I understood it was an oversight. This makes that read "not including pulp wood," so there will be no tariff on pulp wood.

Mr. PAYNE. I have no objection.

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

Mr. BARTLETT of Georgia. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

To amend the amendment by adding after the words "this act," in the last line, and before the word "shall," the following:

"And also hoop or band iron, or hoop or band steel, cut to lengths or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity;

"And bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, not bleached, dyed, colored, stained, painted, or printed, not exceeding 16 threads to the square inch, counting the warp and filling, and weighing not less than 15 ounces per square yard."

Mr. PAYNE. Mr. Chairman, I make the point of order against the amendment. It puts something on a maximum paragraph that is not germane to it. The article is not mentioned in that paragraph.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard upon the point of order?

Mr. BARTLETT of Georgia. Yes; briefly. Will the Chairman look at the amendment offered by the committee on page 1235 of the Record this morning, and he will see the following words:

There shall be levied, collected, and paid a duty of 20 per cent ad valorem; that each and every other article enumerated in section 2 of this act shall be admitted free of duty.

Now, Mr. Chairman, it is true that without this rule under which we are proceeding we could not add an amendment to the section until it is read; but the committee have brought in an amendment to section 3, which was the free list. Section 3 contained the articles upon the free list, and they specify certain particular articles which they say shall pay a certain duty of 20 per cent in addition to the maximum duty. Upon looking at page 1233, last column, you will find that—

Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated, etc.

The very language that is quoted in this amendment offered by myself is also in this amendment. And upon page 1234, last column, you will see:

Bagging for cotton, gunny cloth, and similar fabrics, suitable for covering cotton, etc.

And further on the committee are not satisfied to declare that these particular articles which were under the bill in the free list shall pay a certain duty of 20 per cent, but it winds up its amendment by declaring and enumerating certain articles in section 2 shall be upon the free list in the language which I have quoted from the amendment. Now, the subject being brought before this House by the committee amendment itself, the question of the free list, why has not the House the right to add to that free list? Now, can it be said that we have arrived at that stage when nothing remains to the House except what

the Committee on Rules or the Committee on Ways and Means sees fit to submit to it?

Invoking the rule of a few days ago of the Chairman, I desire to say that this is germane in every way because it is dealing with the free list; it is dealing with articles which are in section 2; it is dealing with the free list; it is dealing with the same subject-matter with which the committee amendment deals.

Now, it is true, Mr. Chairman, that I add two articles to the free list; but how is that different from the committee saying that each and every other article incorporated in section 2 of this act shall be put upon the free list? Shall it be said that the Committee of the Whole declares that certain enumerated articles shall go upon the free list, and that this great article, which binds the cotton of the people of the South, which levies a tax of nearly 10 cents a bale upon that great product, a product which is exported in raw condition more than any other article in the United States, which brings into this country nearly \$500,000,000 every year—and has done so for the last five years—of imports from abroad, shall not go upon the free list?

Shall the cotton farmers pay high duties and high taxes on everything they raise, on plows, and hoes, and such implements, and still have no benefit from this taxation? Mr. Chairman, it is in the interest of the producers of this great staple. These amendments will put cotton bagging and cotton ties on the free list.

Mr. PAYNE. Mr. Chairman, I make the point of order that the gentleman is discussing everything except the point of order.

The CHAIRMAN. The Chair does not care to hear the gentleman from Georgia [Mr. BARTLETT] further on the point of order, but would like to hear the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. This part of section 3 amends section 2, or refers to section 2, which is the free list under the minimum rate of duty. I do not know whether the gentleman proposes now to put these articles in free or whether with the tariff upon them. It is not germane to that paragraph.

The CHAIRMAN. The Chair desires to ask whether the articles mentioned in the amendment of the gentleman from Georgia [Mr. BARTLETT], namely, hoop or band iron, and so forth, are found in section 2?

Mr. PAYNE. They are found in section 1, and not in section 2.

The CHAIRMAN. The Chair, then, is clearly of the opinion that the amendment offered by the gentleman from Georgia is not germane.

Mr. CLAYTON. Before the Chair makes a final ruling I want to call the attention of the committee to the fact that at the instance of the ranking Democratic member of the Committee on Ways and Means [Mr. CLARK of Missouri] I prepared an amendment relating to the removal of the duty on bagging for cotton in the following words:

Strike out all of section 350, covering bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, and transfer the same to the free list.

And that I also, at his instance, prepared an amendment relating to putting cotton ties on the free list in the following language:

Strike out section 123, covering hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton, and transfer the same to the free list.

I ask further to say that these two amendments are printed in the RECORD of April 7, on page 1164, together with my remarks containing a partial summary of the facts relating to the two propositions and a brief argument in their support.

I am very glad that the able and vigilant gentleman, my friend from Georgia, has at this time offered amendments on the same subject. He has my hearty support. I hope the effort that he makes will be successful. If the amendments can not be adopted before the motion to recommit, then I hope the gentleman from Missouri will embody both amendments to which I have referred, and which are printed on page 1164 of the RECORD, in his motion to recommit the bill.

The CHAIRMAN. The Chair finds that the committee amendment offered by the gentleman from New York [Mr. PAYNE] proposes to amend section 2 of this act. The articles enumerated in the amendment offered by the gentleman from Georgia [Mr. BARTLETT] appear in the first section but not in the second section. The amendment of the gentleman from New York concludes in this language:

That each and every other article enumerated in section 2 of this act shall be admitted free of duty.

The amendment of the gentleman from Georgia adds hoop or band iron for baling cotton, as well as bagging for cotton, and so forth. None of these articles are found in section 2 at all. They are all found in section 1. In other words, it is proposed to amend section 1 by amending an amendment which relates, so far as this matter is concerned, to an entirely different section. The amendment is not germane. The point of order is sustained.

Mr. BURLESON. Mr. Chairman, I move to strike out of the amendment under consideration the words:

Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity.

Now, Mr. Chairman—

The CHAIRMAN. The Clerk will first report the amendment.

The Clerk read as follows:

Strike out the following:

"Hoop or band iron, or hoop or band steel, cut in lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton or any other commodity."

Mr. BURLESON. Mr. Chairman, as I understand it, the amendment to the amendment I have read and which I now offer is not subject to a point of order. This amendment, if adopted, will accomplish only in part what was intended to be accomplished by the amendments offered the other day by the gentleman from Alabama [Mr. CLAYTON], and which were ruled out of order. The particular amendment offered by the gentleman from New York [Mr. PAYNE] and now pending provides for a maximum and minimum clause in this bill, the maximum rate to become effective against the products of a country if any discriminations are practiced by that country against the products of this country; said maximum rate to apply only to such articles as are set forth in the pending amendment of the gentleman from New York [Mr. PAYNE], among which I find cotton ties.

Now, if this amendment I offer is adopted, the effect of it will be, and the only effect it can have will be, to relieve the cotton producer from paying the additional burdensome price for his cotton ties if the maximum clause should become operative against a country where ties are manufactured.

Mr. Chairman, the gentleman from New York the other afternoon, replying to an inquiry from this side, said that the duty on cotton ties was continued for the purpose of developing an industry in this country to manufacture cotton ties. In God's name, when will this hoary-headed infant become fully grown? Mr. Chairman, I want to direct attention to the fact that we have been growing cotton in this country for a hundred years, and it does strike me that the industry of making ties to bind the bale should by this time have been thoroughly developed.

Mr. Chairman, the truth is, this industry is more than fully grown. The hearings before the Ways and Means Committee disclose that almost the entire output of cotton ties is controlled by the United States Steel Corporation. The tariff tax on cotton ties under the present law, the Dingley law, is so high that it is prohibitive. No competition by foreign manufacturers is possible. What is the result? Ties are selling for about 95 cents per bundle, when, if this incubus could be lifted, the cotton farmer could get them for at least 25 per cent less.

Mr. Chairman, this burden should no longer be imposed on the southern cotton grower. The gentleman from New York has repeatedly said that this bill was not sectional—that the purpose of the majority members in framing it was to strip it of all sectional unfairness. Let us see if they have succeeded in that effort.

The farmers who grow wheat in the North are relieved from the burden of paying a tax upon the binding twine with which they bind their grain and on the wire with which they bale their hay, yet you continue to tax the cotton grower for his cotton ties. Therefore I ask, Why is this done, if this bill is not sectional? I do not charge you with purposely making it sectional, yet I would like to be told why you do not give the cotton producer the same relief you have for twelve years accorded the wheat grower.

Mr. Chairman, if gentlemen on the other side really desired to relieve this bill of sectional unfairness, if they wanted to accord equal, fair treatment to the people of the South with the people of the North, here was an opportunity to demonstrate that fact by giving the cotton grower of the South the same consideration they have given the wheat grower of the North by putting cotton ties on the free list.

Surely, Mr. Chairman, these gentlemen who claim to be so just and fair will not refuse the cotton grower relief from this

additional burden to be imposed on him if the maximum clause in this bill should become effective.

Mr. CLAYTON. May I interrupt the gentleman while I read a statement from Mr. W. B. Thompson, president of the New Orleans Cotton Exchange, made a few days ago? He says:

One hundred and twenty thousand dollars is the largest amount of duty on bagging for cotton received by the Government any year. Thus for maximum revenue of \$120,000 to the Government the farmer pays over a million dollars, and the bagging trust gets the difference.

Mr. BURLESON. That telegram relates to bagging for cotton. I intend later to have something to say about that, and I hope my friend from Alabama will prepare an amendment relating to bagging and offer it after my amendment is disposed of. But I desire now to direct the attention of the committee to this: For twelve years the farmers of the South have borne this unjust burden. The tariff on cotton ties under the Dingley bill being prohibitory, all competition with foreign makers is stifled, and in consequence the farmer of the South has been forced to pay an unconscionably high price for his ties.

Mr. Chairman, I now desire, following the suggestion of my friend from Alabama [Mr. CLAYTON], to direct attention to another great injustice and wrong suffered by the southern cotton grower because of the Dingley tariff law. The price he pays for jute bagging in which to wrap his cotton is far in excess of what he ought to pay. It necessitates approximately 80,000,000 yards of bagging to meet the annual requirements of the cotton planter for this purpose. The tax on cotton bagging fixed by the present law, which is continued without change in the pending bill, is so high that the maximum of importation for any one year during the life of the Dingley law has been sufficient to cover only about 20 per cent of the crop. Before the Dingley law there were a number of manufacturing establishments in this country engaged in the production of cotton bagging, but, sheltered behind this monstrous tariff, two concerns have driven all others out of business, buying up their plants, dismantling them, and selling the machinery for scrap. Since then the southern cotton farmer has been victimized year by year, exploited, and plundered by this grasping, greedy bagging trust.

Mr. Chairman, last year Mr. Roosevelt, then President of the United States, received a letter from a citizen of New York urging that bagging for cotton be placed on the free list. This letter contains some very interesting statements. It throws a flood of light on the situation, indicating just how the cotton farmer is robbed.

Hear the statement set forth in his letter, and then answer me, if cotton were grown north instead of south of Mason and Dixon's line, would this condition be allowed to continue?

Every yard of bagging used to cover the cotton crop of the United States is made by the American Manufacturing Company, 65 Wall street, and the Ludlow Manufacturing Company, at Ludlow, Mass., which concerns have the country districted, the American selling 82 per cent and the Ludlow 18 per cent, at an agreed price.

This business has been going on for many years, the two concerns in question having gradually crushed out or absorbed all others who attempted to make bagging.

They are protected by a tariff to such an extent that it keeps out the Dundee and Calcutta bagging. For it has been the rule for many years that whenever a consignment of any foreign bagging would come in, the combination (American and Ludlow) would promptly lower their prices in the market to which the foreign bagging came to a point below the cost of the foreign bagging, and would so advertise the fact and intimidate the trade as to discourage further importations.

It is a notorious fact that the American cotton bale is to-day, and has been for many years since the existence of this trust agreement, the most disreputable package which comes from any market of any commodity on earth.

The bagging is sold all the way from 3 to 4½ cents per pound, though made out of the lowest and cheapest grade of jute butts and rejections, worth in the market seven-eighths to 2 cents per pound.

It is loaded down with East River water, salt, oil, barytes, and other makeweights, and which makeweights it is estimated about cover the labor cost on the bagging.

It is made of very coarse, slazy slivers, and runs through the machines consequently at a rapid rate.

The above concerns have for many years seen to it, by maintaining the secret lobby in Washington, that the tariff on bagging is always kept up to the high-water mark, and they thereby fattened at the expense of every farmer and planter throughout the South who had a bale of cotton for market and who might otherwise present it at market in merchantable shape and at reasonable cost for his bagging.

Several years ago the American Manufacturing Company cut down its capital stock from \$3,000,000 to \$2,000,000, passing around the excess \$1,000,000, the profits on bagging for two years, to its stockholders, saying it had no use for the extra capital.

The tariff on bagging should be removed entirely, and at once this would operate to encourage competition here or enable the foreign bagging which is of a standard quality and integrity to come in.

In addition to the above combination between the American and Ludlow, they also maintain a chain of brokers or so-called "dealers" throughout the country who, though posing as independent, are in fact emissaries of these concerns, keeping them advised at all times of the conditions in the various markets regarding the status of foreign bagging, etc., and with suggestions as to "all the traffic will bear."

Mr. Chairman, I again say that we have heard repeatedly during the consideration of this bill from gentlemen on the other side that this bill was not sectional. If so, why do you

not treat the farmer of the South as you have the farmer of the North? When you consider that this great staple brings to our country every year more than \$400,000,000 in gold, serving to turn the balance of trade in our favor, it does strike me that the gentleman from New York, and gentlemen in charge of this bill, in shaping its schedules ought to be willing to put the cotton grower on the same plane with the wheat grower. The wheat grower pays no tariff tax on the particular appliances which he uses to prepare his wheat and hay for market.

Now, why should the cotton grower be compelled to pay a tariff tax on the particular appliances used by him to prepare his cotton for market? For the last twelve years, during which the wheat producer has enjoyed the benefit of free binding twine and baling wire, the cotton producer has staggered along under the burden of this unjust tax on his bagging and ties. I submit in all fairness to this committee that he ought to be relieved of this burden. The effect of the present law is simply to enable grasping monopolies to charge the cotton farmer higher prices for these hoops or bands of steel and iron, and for jute bagging, than he would otherwise have to pay. [Applause.]

Mr. Chairman, another discrimination practiced against the southern cotton producer is the continuance of the 25 per cent tax levied on arsenate of lead. I desire to submit to you a letter from Professor Herrick, of the Texas Agricultural College, showing why this should go on the free list. Yet, we are not even allowed the privilege of bringing the matter before this body for consideration, as under the special rule we are not allowed to offer an amendment to put it on the free list.

OFFICE OF STATE ENTOMOLOGIST,
TEXAS AGRICULTURAL AND MECHANICAL COLLEGE,
College Station, Tex., March 1, 1909.

Hon. ALBERT BURLESON,
House of Representatives, Washington, D. C.

MY DEAR SIR: I take the liberty of writing you regarding a matter which is of considerable importance to the cotton planters of the South, Texas and Louisiana particularly, and a matter in which I think you will take a hearty personal interest.

During the past two years a new arsenical insecticide, known as "powdered lead arsenate," has been developed. It is quite certain that this insecticide will replace Paris green for use in fighting cotton insects, particularly the cotton leaf worm and the cotton boll worm. It is barely possible that it will prove more or less effective against the boll weevil. Experiments in this direction are now being conducted, with promise of some success.

The powdered arsenate of lead is preferable to Paris green for use on cotton for the reason that it is cheaper and also for the reason that it contains no soluble arsenious oxide, while Paris green contains from 2 to 5 per cent soluble arsenious oxide. The high content of soluble arsenic in the Paris green causes it to injure and stunt cotton to which it is applied.

We understand that in the proposed revision of the tariff the committee will reduce the duty on Paris green and London purple to about 12½ to 15 per cent ad valorem, but that the tariff on powdered lead arsenate now stands at 25 per cent ad valorem. We think it would be a marked advantage to the southern cotton planters if Congress would reduce the tariff on powdered arsenate of lead to the same basis as that on Paris green and London purple. Much of the lead arsenate is manufactured abroad, and American manufacturers are certain to keep the price up so long as this high duty on the imported article remains in effect. The farmer will have to foot the bill.

In view of the usefulness to the farmer of this powdered arsenate of lead, and considering further that many of the cotton planters have already been reduced to a state of poverty by the ravages of cotton insects, particularly in Louisiana and eastern Texas, will you not make every possible effort in trying to get the committee to reduce this duty on the powdered lead arsenate?

Thanking you in advance for your kind consideration, of which I feel assured, I am,

Very respectfully, yours,

GLENN W. HERRICK,
State Entomologist.

But this appeal avails nothing; the tax is continued. A compliance with this just demand would enable the cotton grower to produce more cotton, and surely you ought to be willing to see this done, in view of the fact that the woolen schedules in this bill and under the present law are so exorbitant that the poor of America are compelled to wear cotton garments during the winter as well as the summer season. Mr. Chairman, during the life of the Dingley law the people of the South have produced 124,730,795 bales of cotton, and as a result of these discriminations which I have pointed out have been mulcted of millions and millions of dollars.

And who has been the beneficiary? Has this money they have paid gone to the Government in the way of customs dues? Not at all; but, as was shown in the telegram read a moment since by the gentleman from Alabama [Mr. CLAYTON], a few beggarly thousands have gone into the Treasury, but the great bulk has gone into the coffers of these two trusts which I have named. [Applause on the Democratic side.] Mr. Chairman, how long will such outrages be permitted? How long will the American people continue to permit the pilfering of their pockets by these protected monopolists?

In my judgment, the day of reckoning is near at hand.

The pending bill shows that the effort of the majority members of the Committee on Ways and Means to prepare a tax measure strictly along protective tariff lines has resulted in

failure. At last the pernicious and indefensible policy of protection is about to break down of its own weight.

Every thoughtful man who has carefully looked over this bill knows that it will fail to raise revenue sufficient to meet the character of appropriations the Congress from year to year has been making. It fails by approximately \$40,000,000, and the deficiency is to be met by the issuance and sale of interest-bearing certificates of indebtedness, a plan never before resorted to in the history of our country. The gentlemen who prepared the bill in effect confess it when they do that which was never before done in the history of this country, authorize, in a bill intended to raise revenue to support the Government, the issuance of bonds or certificates of indebtedness to meet the current necessities of the Government. Tell me, in the name of common sense, if you can not provide in this bill revenue sufficient for the Government's needs, how you are ever going to pay off these bonds or certificates and at the same time keep the Government going?

I do not believe that history affords a precedent for the action you are attempting. I believe you will search in vain the parliamentary proceedings of the civilized countries of the world without finding a parallel for this attempt.

Consider how ridiculous this performance really becomes. Here you are pretending to bring forward a tax measure to raise revenue to meet the expenses of the Government, and yet in the same bill, in time of peace, you authorize the issuance and sale of interest-bearing bonds or certificates of indebtedness to the extent of \$250,000,000 to meet these expenses, in the event your bill fails to produce enough revenue. If it does fail, and bonds are sold, how are you at a future time going to provide in another measure for the payment of these bonds and at the same time provide the money to meet the expenditures of a Government which is year by year requiring increasing appropriations to keep it going? This is the problem with which you are brought face to face.

So long as the Republican party is in power it is idle to talk about cutting down appropriations. The gentleman from Minnesota [Mr. TAWNEY], the chairman of the committee dealing with this subject, has pleaded without avail during two Congresses for economy, for retrenchment, for reduction of appropriations, and what has been the result? Year by year the aggregate of appropriations has mounted higher and higher until we have reached the point where, instead of having a billion-dollar Congress, we are having billion-dollar sessions of Congress.

To repeat, you can not, or will not, reduce the expenses of government. You can not draw a bill along protective lines that will raise sufficient revenue to meet these appropriations. What are you going to do about it?

The tariff beneficiaries, the trusts, are becoming more rapacious day by day. They will not be satisfied with even what they formerly admitted was reasonable (?) protection. You are compelled to acquiesce in their demands; and if you do not in every particular, the Senate leaders will.

Mr. Chairman, it does not require a prophet to foretell that when this bill finally ripens into legislative enactment it will be found that there has been no genuine revision of the tariff.

It is more probable it will bear evidence that once more there has been a complete surrender to the trusts.

The masses of the people, who have been groaning under the increased cost of living, were led to believe last fall that the necessities of life would be cheapened—that they were to receive cheaper food, cheaper clothes, cheaper boots and shoes. What answer will you make these people when, outraged by the fact that instead of the burden being lightened you have made it heavier, they demand of you to know what influence led you to their betrayal? This answer must be made and you can not avoid making it.

Mr. PAYNE. Mr. Chairman, I move that all debate on the amendment and amendments thereto be closed in fifteen minutes.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and amendments thereto be closed in fifteen minutes.

Mr. SHERLEY. I move to amend that by making it twenty-five minutes.

The CHAIRMAN. The gentleman from Kentucky moves to amend the motion by making it twenty-five minutes.

Mr. PAYNE. I will compromise on twenty minutes. We must get along with this bill.

Mr. SLAYDEN. I hope the gentleman will not insist on that. This is one of the most important parts of this bill.

Mr. PAYNE. Oh, it is not important at all.

Mr. SLAYDEN. The gentleman does not know what he is talking about.

Mr. PAYNE. The gentleman is both polite and distinguished. Mr. SLAYDEN. The gentleman from New York is neither. Mr. PAYNE. Praise from that source is praise indeed.

The CHAIRMAN. Does the gentleman from Kentucky insist on his amendment?

Mr. SHERLEY. I will accept the proposition of the gentleman from New York.

The CHAIRMAN. The gentleman from New York moves that all debate on the pending amendment and amendments thereto be closed in twenty minutes.

Mr. DAVIS. Will this preclude any other amendment?

The CHAIRMAN. Not at all; but it will preclude debate.

Mr. DAVIS. I desire to offer an amendment.

The CHAIRMAN. The gentleman may offer any number of amendments if this motion carries, but they will not be open for debate.

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

Mr. MANN. Mr. Chairman, I offered an amendment a few minutes ago, which the committee adopted. I ask unanimous consent that the action of the committee may be vacated, and that the amendment which I now send up may be considered.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the action of the committee on the paragraph referred to be vacated for the purpose indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Section 3, amend the committee amendment offered by the gentleman from New York under the articles enumerated in section 2, under the head of "Wood," by striking out, after the word "including," the words "pulp woods," and insert, after the word "planking," the words "but not including pulp woods."

Mr. PAYNE. There is no objection to that.

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

Mr. DAVIS. On page 1234 of the Record I find the following:

Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves, etc.

The Clerk read as follows:

Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves.

Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, sawed lumber, not specially provided for in this section; lumber of any sort planed or finished, planed on one side and tongued and grooved, or planed on two sides and tongued and grooved; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

Paving posts, railroad ties, and telephone, trolley, electric light, and telegraph poles of cedar or other woods.

Clapboards. The same rate of duty as prescribed by the law in force prior to the passage of this act.

The CHAIRMAN. One moment. There was an amendment pending. The gentleman from Minnesota will suspend.

Mr. BURLESON. I make the point of order that my amendment is still pending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BURLESON. Division, Mr. Chairman.

The committee divided, and there were—ayes 142, noes 157.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Minnesota [Mr. DAVIS] offers an amendment which the Clerk will report.

The Clerk read as follows:

Strike out on page 1234 of the Record amendment, first column, the words:

"Timber, hewn, sided or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves.

"Sawed boards, planks, deals, and other lumber of whitewood, sycamore, and basswood, sawed lumber, and specially provided for in this section; lumber of any sort planed or finished, planed on one side and tongued and grooved, or planed on two sides and tongued and grooved; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving.

"Paving posts, railroad ties, and telephone, trolley, electric-light, and telegraph poles of cedar or other woods.

"Clapboards. The same rate of duty as prescribed by the law in force prior to the passage of this act."

Mr. DAVIS. Mr. Chairman, just a word. My understanding of the language that has been read by the Clerk, and which I seek to strike out, is this, that if this language remains in the bill, and becomes a law, then in case any government discriminates or places any duty upon any article which we export, the Dingley rates will become operative immediately upon all

classes of material mentioned in the language which I seek to strike out. If such is the case, I would like to have the House pass upon that question and see if they desire to have the Dingley rate restored upon any classes of lumber or timber.

Mr. FORDNEY. I should like to ask just what the sense of that amendment is. I did not quite get it. Is that to put all these articles named on the free list?

Mr. DAVIS. Oh, no; it will leave the articles as they now appear in the pending bill, but in case any government should discriminate against any product, timber or otherwise, of this country, it would relieve it of the possibility of the Dingley rate being automatically enforced upon timber and the products mentioned herein.

Mr. FORDNEY. Your idea is to strike out the maximum, and that only?

Mr. DAVIS. To strike that out; that is all.

Mr. FORDNEY. I am not familiar with it, and do not understand that there is a maximum on some of these things. Therefore I am not in favor of the amendment, and I hope it will be voted down.

Mr. PAYNE. Mr. Chairman, I want to say a word right here in reference to this section. Not all the Members of the House seem to appreciate the fact that sections 1 and 2 provide minimum rates of duty, section 1 providing the duty on certain articles and section 2 providing what articles shall be upon the free list. Section 3 is for the purpose of compelling or persuading foreign countries to give us as favorable trade relations as they give any other country, and therefore the duty is raised in section 3 upon these articles enumerated in section 1 and certain articles are taken from the free list in section 2 and enumerated in section 3, and to bear a duty of 20 per cent. Now, if every gentleman is to get up here and put in an amendment providing that the articles enumerated one by one or schedule by schedule in section 3 are to be put upon the same rate of duty as in section 1, there is no use in having any section 3.

We might just as well deliver the American people bound hand and foot to the maximum tariffs which are exacted by foreign countries. But it is for the purpose of freeing our people from those maximum tariffs that we have section 3 and increasing the duty and creating a maximum tariff. Our maximum tariff does not increase the general tariff rate anywhere near to the proportion exacted by France or Germany or other countries. We have made moderate increases, generally of 20 per cent of the duty. It is not expected by the committee, and it is not expected by the American people who have taken the trouble to examine this bill, that we shall have to impose the maximum rates, because the nations of the earth will be glad to get their goods in at our minimum rates. From the very beginning everything coming from Great Britain will come in at the minimum rate, because Great Britain extends to us every trade facility that she extends to any other nation in the world. And that being so, Mr. Chairman, does any man here suppose that Germany or France is going to keep themselves and their people out of our markets by imposing an unjust rate upon us, by putting a maximum duty on imports coming from this country, or will they be swift to give us the benefit of the minimum rate, as low and as favorable as they extend to any other nation on earth? It is, Mr. Chairman, of no avail to gentlemen to come in here and offer this amendment if they are in favor, as they profess, of a maximum and minimum rate of duty. This lumber schedule, for instance, we have imposed as a maximum rate, not the actual rate of the Dingley bill, as in the first section, where we supposed there was the least possibility of any criticism upon the bill; but we have gone through these matters carefully. The bill has been published for weeks; and, Mr. Chairman, it seems to me that any fair-minded person examining this first section and this substitute is merely putting into words what is in the third section in order that there might be no misapprehension. It is no change in principle from the original section 3.

Mr. CLARK of Missouri. Why would not it be just as easy to make the rates in the Payne bill the maximum, and then trade down with the minimum, as it is to make the rates in the Payne bill and trade up?

Mr. PAYNE. That question comes pretty late. The gentlemen who framed the bill started out the other way; they started out to make a minimum rate that should be a fair rate to everybody—our people and the people abroad—and then put in a maximum rate increasing the rate of duty for trade purposes, in order that we might get every nation on the earth to give us favorable rates where we give it to them.

Mr. CLARK of Missouri. That is all very good, but the gentleman does not answer my question.

Mr. PAYNE. If the gentleman from Missouri had the other view, why has he not presented it before; what has he been doing?

Mr. CLARK of Missouri. I have been doing a great deal—

Mr. PAYNE. Why did not the gentleman make out a tariff bill with maximum rates?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SHERLEY. Mr. Chairman, those Members in favor of free lumber should be in favor of the amendment offered by the gentleman from Minnesota. Let nobody make a mistake as to that. There are plenty of items contained in the maximum rates by which we can punish foreign countries discriminating against us without punishing ourselves by putting a duty on lumber.

The effect of this amendment is simply this, that if in the House we put lumber on the free list and this amendment should carry here in the committee you will not be able, under the maximum schedule, to put a tariff back on lumber, and the American people will get some relief in the way of cheaper lumber. That is the common sense of it and the legality of the provision.

The gentleman from New York talks about it being necessary to have provisions in the maximum rates in order to prevent other countries discriminating against us. It may be, but it is not necessary to have every rate in there, and the gentleman has shown that by not putting every rate in section 3.

There are many items that are not put in the maximum section, and we who favor free lumber contend that lumber should not be one of the things put in. It is well to hit the other man if he deserves a lick, but it is well to be careful that the blow you strike does not hurt yourselves more than it hurts him. I want cheaper lumber, and this is a method toward that end. [Applause.]

Mr. BOUTELL. Mr. Chairman, the gentlemen on the other side of the House, in discussing this bill, have spoken of the words "protection," "prohibition," and "maximum rates" as though they were pure inventions of the Republican party and all made at this late day. I would like to call attention of the members of this committee to a report made to the House of Representatives by no less a Democrat than Thomas Jefferson, when, as Secretary of State, he was called upon to express his opinion in reference to the discriminations that were made against our commerce and our navigation. The report was sent to the House on December 16, 1793. It answers the very question asked by the gentleman from Missouri [Mr. CLARK]. It ought to have been added to his list of four great national documents on the tariff. Every line of it glows with the spirit of patriotic Americanism and rings with the spirit of protection.

I shall put it all in the RECORD, Mr. Chairman, as an appendix to my remarks; but before this vote is taken I wish the gentlemen on the other side to listen to these sentiments from the father of Democracy. After having outlined the discriminations that were made by other nations against our commerce, he says, among other things:

But should any nation contrary to our wishes suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties, and regulations also. Free commerce and navigation are not to be given in exchange for restrictions and vexations, nor are they likely to produce a relaxation of them.

Again he says:

The following principles, being founded in reciprocity, appear perfectly just and to offer no cause of complaint to any nation.

1. Where a nation imposes high duties on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs; first burdening or excluding those productions which they bring here in competition with our own of the same kind, selecting next such manufactures as we take from them in greatest quantity and which at the same time we could the soonest furnish to ourselves or obtain from other countries, imposing on them duties lighter at first, but heavier and heavier afterwards as other channels of supply open. Such duties, having the effect of indirect encouragement to domestic manufactures of the same kind, may induce the manufacturer to come himself into these States, where cheaper subsistence, equal laws, and a vent of his wares, free of duty, may insure him the highest profits from his skill and industry.

Again, he says:

It is true we must expect some inconvenience in practice from the establishment of discriminating duties. But in this, as in so many other cases, we are left to choose between two evils. These inconveniences are nothing when weighed against the loss of wealth and loss of force which will follow our perseverance in the plan of indiscriminate. When once it shall be perceived that we are either in the system or in the habit of giving equal advantages to those who extinguish our commerce and navigation by duties and prohibitions as to those who treat both with liberality and justice, liberality and justice will be converted by all into duties and prohibitions. It is not to the moderation and justice of others we are to trust for fair and equal access to market with our productions or for our due share in the transportation of them, but to our own means of independence and the

firm will to use them. Nor do the inconveniences of discrimination merit consideration. Not one of the nations before mentioned, perhaps not a commercial nation on earth, is without them.

Now listen, my Democratic friends, who want to return to Jeffersonian principles, and vote accordingly:

In our case one distinction alone will suffice; that is to say, between nations who favor our productions and navigation and those who do not favor them. One set of moderate duties, say the present duties for the first, and a fixed advance on these as to some articles and prohibitions as to others, for the last.

There, Mr. Chairman, is the original, historic doctrine of the maximum and minimum tariff. Let us see how many will show their approval of it by their votes on this bill. [Applause on the Republican side.]

APPENDIX.

[No. 68, first session, Third Congress.]

COMMERCIAL PRIVILEGES AND RESTRICTIONS.

Report of the Secretary of State on the privileges and restrictions on the commerce of the United States in foreign countries.

PHILADELPHIA, December 16, 1793.

SIR: According to the pleasure of the House of Representatives, expressed in their resolution of February 23, 1791, I now lay before them a report on the privileges and restrictions on the commerce of the United States in foreign countries. In order to keep the subject within those bounds which I supposed to be under the contemplation of the House, I have restrained my statements to those countries only with which we carry on a commerce of some importance, and to those articles also of our produce which are of sensible weight in the scale of our exports; and even these articles are sometimes grouped together, according to the degree of favor or restriction with which they are received in each country, and that degree expressed in general terms, without detailing the exact duty levied on each article. To have gone fully into these minutiae, would have been to copy tariffs and books of rates of the different countries, and to have hidden, under a mass of detail, those general and important truths, the extraction of which, in a simple form, I conceived would best answer the inquiries of the House, by condensing material information within those limits of time and attention, which this portion of their duties may justly claim. The plan, indeed, of minute details would have been impracticable with some countries, for want of information.

Since preparing this report, which was put into its present form in time to have been given in to the last session of Congress, alterations of the conditions of our commerce with some foreign nations have taken place—some of them independent of the war, some arising out of it.

France has proposed to enter into a new treaty of commerce with us, on liberal principles; and has, in the meantime, relaxed some of the restraints mentioned in the report. Spain has, by an ordinance of June last, established New Orleans, Pensacola, and St. Augustine, into free ports, for the vessels of friendly nations having treaties of commerce with her, provided they touch for a permit at Corubion, in Galicia, or at Alicant; and our rice is, by the same ordinance, excluded from that country. The circumstances of the war have necessarily given us freer access to the West Indian Islands, whilst they have also drawn on our navigation vexations and deprivations of the most serious nature.

To have endeavored to describe all these would have been as impracticable as useless, since the scenes would have been shifting while under description. I therefore think it best to leave the report as it was formed, being adapted to a particular point of time when things were in their settled order, that is to say, to the summer of 1792.

I have the honor to be, &c. TH: JEFFERSON.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA.

The Secretary of State, to whom was referred, by the House of Representatives, the report of a committee on the written message of the President of the United States, of the 14th of February, 1791, with instruction to report to Congress the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and the measures which he should think proper to be adopted for the improvement of the commerce and navigation of the same, has had the same under consideration, and thereupon makes the following report:

The countries with which the United States have their chief commercial intercourse are Spain, Portugal, France, Great Britain, the United Netherlands, Denmark, and Sweden, and their American possessions; and the articles of export, which constitute the basis of that commerce, with their respective amounts, are:

Breadstuff, that is to say, bread grains, meals, and bread, to the annual amount of	\$7, 649, 887
Tobacco	4, 349, 567
Rice	1, 753, 796
Wood	1, 263, 534
Salted fish	941, 696
Pot and pearl ash	839, 093
Salted meats	593, 130
Indigo	537, 879
Horses and mules	339, 753
Whale oil	252, 591
Flaxseed	236, 072
Tar, pitch, and turpentine	217, 177
Live provisions	137, 743
Ships	
Foreign goods	620, 274

To descend to articles of smaller value than these would lead into a minuteness of detail neither necessary nor useful to the present object.

The proportions of our exports which go to the nations before mentioned and to their dominions, respectively, are as follows:

Spain and its dominions	\$2, 005, 907
Portugal and its dominions	1, 283, 462
France and its dominions	4, 698, 735
Great Britain and its dominions	9, 363, 416
United Netherlands and their dominions	1, 963, 880
Denmark and its dominions	224, 415
Sweden and its dominions	47, 240

Our imports from the same countries are:

Spain and its dominions	\$335, 110
Portugal and its dominions	595, 763
France and its dominions	2, 068, 348
Great Britain and its dominions	15, 285, 428
United Netherlands and their dominions	1, 172, 692
Denmark and its dominions	351, 364
Sweden and its dominions	14, 325

These imports consist mostly of articles on which industry has been exhausted.

Our navigation depending on the same commerce will appear by the following statement of the tonnage of our own vessels entering in our ports from those several nations and their possessions in one year; that is to say, from October, 1789, to September, 1790, inclusive, as follows:

	Tons.
Spain	19, 695
Portugal	23, 576
France	116, 410
Great Britain	43, 580
United Netherlands	58, 858
Denmark	14, 655
Sweden	750

Of our commercial objects, Spain receives favorably our breadstuff, salted fish, wood, ships, tar, pitch, and turpentine. On our meals, however, as well as on those of other foreign countries, when reexported to their colonies, they have lately imposed duties of from half a dollar to \$2 the barrel, the duties being so proportioned to the current price of their own flour as that both together are to make the constant sum of \$9 per barrel.

They do not discourage our rice, pot and pearl ash, salted provisions, or whale oil; but these articles, being in small demand at their markets, are carried thither but in a small degree. Their demand for rice, however, is increasing. Neither tobacco nor indigo are received there. Our commerce is permitted with their Canary Islands, under the same conditions.

Themselves, and their colonies, are the actual consumers of what they receive from us.

Our navigation is free with the Kingdom of Spain, foreign goods being received there in our ships on the same conditions as if carried in their own, or in the vessels of the country of which such goods are the manufacture or produce.

Portugal receives favorably our grain and bread, salted fish, and other salted provisions, wood, tar, pitch, and turpentine.

For flaxseed, pot and pearl ash, though not discouraged, there is little demand.

Our ships pay 20 per cent on being sold to their subjects, and are then free bottoms.

Foreign goods (except those of the East Indies) are received on the same footing in our vessels as in their own or any others; that is to say, on general duties of from 20 to 28 per cent and, consequently, our navigation is unobstructed by them. Tobacco, rice, and meals are prohibited.

Themselves and their colonies consume what they receive from us.

These regulations extend to the Azores, Madeira, and the Cape de Verd islands; except that in these meals and rice are received freely.

France receives favorably our breadstuffs, rice, wood, pot and pearl ashes.

A duty of 5 sous the quintal, or nearly 4½ cents, is paid on our tar, pitch, and turpentine. Our whale oils pay 6 livres the quintal, and are the only foreign whale oils admitted. Our indigo pays 5 livres the quintal, their own 2½; but a difference of quality, still more than a difference of duty, prevents its seeking that market.

Salted beef is received freely for reexportation; but if for home consumption it pays 5 livres the quintal. Other salted provisions pay that duty in all cases, and salted fish is made lately to pay the prohibitory one of 20 livres the quintal.

Our ships are free to carry thither all foreign goods which may be carried in their own or any other vessels, except tobaccos not of our own growth; and they participate with theirs the exclusive carriage of our whale oils and tobaccos.

During their former government our tobacco was under a monopoly but paid no duties, and our ships were freely sold in their ports and converted into national bottoms. The first National Assembly took from our ships this privilege. They emancipated tobacco from its monopoly, but subjected it to duties of 18 livres 15 sous the quintal, carried in their own vessels, and 25 livres carried in ours, a difference more than equal to the freight of the article.

They and their colonies consume what they receive from us.

Great Britain receives our pot and pearl ashes free, whilst those of other nations pay a duty of 2 shillings and 3 pence the quintal. There is an equal distinction in favor of our bar iron; of which article, however, we do not produce enough for our own use. Woods are free from us, while they pay some small duty from other countries. Indigo and flaxseed are free from all countries. Our tar and pitch pay 11 pence sterling the barrel. From other alien countries they pay about a penny and a third more.

Our tobacco for their own consumption pays 1 shilling and 3 pence sterling the pound, custom and excise, besides heavy expenses of collection; and rice in the same case pays 7 shillings and 4 pence sterling the hundredweight; which, rendering it too dear as an article of common food, it is consequently used in very small quantity.

Our salted fish and other salted provisions, except bacon, are prohibited. Bacon and whale oils are under prohibitory duties; so are our grain, meals, and bread as to internal consumption, unless in times of such scarcity as may raise the price of wheat to 50 shillings sterling the quarter, and other grains and meals in proportion.

Our ships, though purchased and navigated by their own subjects, are not permitted to be used even in their trade with us.

While the vessels of other nations are secured by standing laws, which can not be altered but by the concurrent will of the three branches of the British Legislature, in carrying thither any produce or manufacture of the country to which they belong, which may be lawfully carried in any vessels, ours, with the same prohibition of what is foreign, are further prohibited by a standing law (12 Car. 2, 18, sect. 3) from carrying thither all and any of our own domestic productions and manufactures. A subsequent act, indeed, has authorized their Executive to permit the carriage of our own productions in our own bottoms, at its sole discretion; and the permission has been given from year to year by proclamation, but subject every moment to be withdrawn on that single will, in which event our vessels having anything on board stand

interdicted from the entry of all British ports. The disadvantage of a tenure which may be so suddenly discontinued was experienced by our merchants on a late occasion,* when an official notification that this law would be strictly enforced, gave them just apprehension for the fate of their vessels and cargoes dispatched or destined to the ports of Great Britain. The minister of that court, indeed, frankly expressed his personal conviction that the words of the order went farther than was intended, and so he afterwards officially informed us; but the embarrassments of the moment were real and great, and the possibility of their renewal lays our commerce to that country under the same species of discouragement as to other countries, where it is regulated by a single legislator; and the distinction is too remarkable not to be noticed that our navigation is excluded from the security of fixed laws, while that security is given to the navigation of others.

Our vessels pay in their ports 1 shilling and 9 pence sterling per ton light and Trinity dues more than is paid by British ships, except in the port of London, where they pay the same as British.

The greater part of what they receive from us is reexported to other countries, under the useless charges of an intermediate deposit and double voyage. From tables published in England, and composed, as is said, from the books of their custom-houses, it appears that of the indigo imported there in the years 1773, '4, '5, one-third was reexported; and from a document of authority we learn that of the rice and tobacco imported there before the war four-fifths were reexported. We are assured, indeed, that the quantities sent thither for reexportation since the war are considerably diminished, yet less so than reason and national interest would dictate. The whole of our grain is reexported when wheat is below 50 shillings the quarter, and other grains in proportion.

The United Netherlands prohibit our pickled beef and pork, meals and bread of all sorts, and lay a prohibitory duty on spirits distilled from grain.

All other of our productions are received on varied duties, which may be reckoned, on a medium, at about 3 per cent.

They consume but a small proportion of what they receive. The residue is partly forwarded for consumption in the inland parts of Europe, and partly reshipped to other maritime countries. On the latter portion they intercept between us and the consumer so much of the value as is absorbed by the charges attending an intermediate deposit.

Foreign goods, except some East India articles, are received in vessels of any nation.

Our ships may be sold and naturalized there, with exceptions of one or two privileges which somewhat lessen their value.

Denmark lays considerable duties on our tobacco and rice carried in their own vessels, and half as much more if carried in ours; but the exact amount of these duties is not perfectly known here. They lay such as amount to prohibitions on our indigo and corn.

Sweden receives favorably our grains and meals, salted provisions, indigo, and whale oil.

They subject our rice to duties of 16 mills the poundweight carried in their own vessels, and 40 per cent additional on that, or 22½ mills, carried in ours or any others. Being thus rendered too dear as an article of common food, little of it is consumed with them. They consume some of our tobaccos, which they take circuitously through Great Britain, levying heavy duties on them also; their duties of entry, town duties, and excise being \$4.34 the hundredweight if carried in their own vessels, and of 40 per cent on that additional if carried in our own or any other vessels.

They prohibit altogether our bread, fish, pot and pearl ashes, flaxseed, tar, pitch, and turpentine, wood (except oak timber and masts), and all foreign manufactures.

Under so many restrictions and prohibitions our navigation with them is reduced almost to nothing.

With our neighbors an order of things much harder presents itself. Spain and Portugal refuse to those parts of America which they govern all direct intercourse with any people but themselves. The commodities in mutual demand between them and their neighbors must be carried to be exchanged in some port of the dominant country, and the transportation between that and the subject State must be in a domestic bottom.

France, by a standing law, permits her West India possessions to receive directly our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice, and maize, and prohibits our other breadstuff; but a suspension of this prohibition having been left to the colonial legislatures, in times of scarcity it was formerly suspended occasionally, but latterly without interruption.

Our fish and salted provisions (except pork) are received in their islands under a duty of 3 colonial livres the quintal, and our vessels are as free as their own to carry our commodities thither, and to bring away rum and molasses.

Great Britain admits in her islands our vegetables, live provisions, horses, wood, tar, pitch, and turpentine, rice and breadstuff, by a proclamation of her Executive, limited always to the term of a year, but hitherto renewed from year to year. She prohibits our salted fish and other salted provisions. She does not permit our vessels to carry thither our own produce. Her vessels alone may take it from us and bring us in exchange rum, molasses, sugar, coffee, coconuts, ginger, and pimento. There are, indeed, some freedoms in the island of Dominica, but under such circumstances as to be little used by us. In the British continental colonies, and in Newfoundland, all our productions are prohibited and our vessels forbidden to enter their ports. Their governors, however, in times of distress, have power to permit a temporary importation of certain articles in their own bottoms, but not in ours.

Our citizens can not reside as merchants or factors within any of the British plantations, this being expressly prohibited by the same statute of 12 Car. 2, c. 18, commonly called the navigation act.

In the Danish American possessions a duty of 5 per cent is levied on our corn, cornmeal, rice, tobacco, wood, salted fish, indigo, horses, mules, and live stock, and 10 per cent on our flour, salted pork, and beef, tar, pitch, and turpentine.

In the American islands of the United Netherlands and Sweden our vessels and produce are received, subject to duties, not so heavy as to have been complained of; but they are heavier in the Dutch possessions on the Continent.

To sum up these restrictions, so far as they are important:

First, in Europe—

Our breadstuff is at most times under prohibitory duties in England, and considerably dutied on reexportation from Spain to her colonies.

Our tobaccos are heavily dutied in England, Sweden, and France, and prohibited in Spain and Portugal.

Our rice is heavily dutied in England and Sweden, and prohibited in Portugal.

Our fish and salted provisions are prohibited in England and under prohibitory duties in France.

Our whale oils are prohibited in England and Portugal. And our vessels are denied naturalization in England and of late in France.

Second, in the West Indies—
All intercourse is prohibited with the possessions of Spain and Portugal.

Our salted provisions and fish are prohibited by England. Our salted pork and breadstuff (except maize) are received under temporary laws only, in the dominions of France, and our salted fish pays there a weighty duty.

Third, in the article of navigation—
Our own carriage of our own tobacco is heavily dutied in Sweden and lately in France.

We can carry no article, not of our own production, to the British ports in Europe. Not even our own produce to her American possessions.

Such being the restrictions on the commerce and navigation of the United States, the question is, in what way they may best be removed, modified, or counteracted?

As to commerce, two methods occur. 1. By friendly arrangements with the several nations with whom these restrictions exist; or, 2. By the separate act of our own legislatures for countervailing their effects.

There can be no doubt but that, of these two, friendly arrangement is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world; could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the number of mankind would be increased, and their condition bettered.

Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation; since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue, by way of impost, on commerce, its freedom might be modified, in that particular, by mutual and equivalent measures, preserving it entire in all others.

Some nations, not yet ripe for free commerce in all its extent, might still be willing to mollify its restrictions and regulations for us, in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature. Our commerce is certainly of a character to entitle it to favor in most countries. The commodities we offer are either necessities of life, or materials for manufacture, or convenient subjects of revenue; and we take in exchange either manufactures when they have received the last finish of art and industry or mere luxuries. Such customers may reasonably expect welcome and friendly treatment at every market. Customers, too, whose demands, increasing with their wealth and population, must very shortly give full employment to the whole industry of any nation whatever in any line of supply they may get into the habit of calling for from it.

But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties, and regulations, it behooves us to protect our citizens, their commerce, and navigation by counter prohibitions, duties, and regulations, also. Free commerce and navigation are not to be given in exchange for restrictions and vexations, nor are they likely to produce a relaxation of them.

Our navigation involves still higher considerations. As a branch of industry it is valuable, but as a resource of defense, essential.

Its value, as a branch of industry, is enhanced by the dependence of so many other branches on it. In times of general peace it multiplies competitors for employment in transportation, and so keeps that at its proper level; and in times of war—that is to say, when those nations who may be our principal carriers shall be at war with each other, if we have not within ourselves the means of transportation our produce must be exported in belligerent vessels at the increased expense of war freight and insurance, and the articles which will not bear that must perish on our hands.

But it is as a resource of defense that our navigation will admit neither neglect nor forbearance. The position and circumstances of the United States leave them nothing to fear on their land board, and nothing to desire beyond their present rights. But on their seaboard they are open to injury, and they have there, too, a commerce which must be protected. This can only be done by possessing a respectable body of citizen-seamen, and of artists and establishments in readiness for shipbuilding.

Were the ocean, which is the common property of all, open to the industry of all, so that every person and vessel should be free to take employment wherever it could be found, the United States would certainly not set the example of appropriating to themselves, exclusively, any portion of the common stock of occupation. They would rely on the enterprise and activity of their citizens for a due participation of the benefits of the seafaring business, and for keeping the marine class of citizens equal to their object. But if particular nations grasp at undue shares, and, more especially, if they seize on the means of the United States to convert them into aliment for their own strength and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded; or it will be disarmed of its defense, its productions will lie at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce. The carriage of our own commodities, if once established in another channel, can not be resumed in the moment we may desire. If we lose the seamen and artists whom it now occupies, we lose the present means of marine defense, and time will be requisite to raise up others, when disgrace or losses shall bring to our feelings the error of having abandoned them. The materials for maintaining our due share of navigation are ours in abundance. And, as to the mode of using them, we have only to adopt the principles of those who thus put us on the defensive, or others equivalent and better fitted to our circumstances.

The following principles, being founded in reciprocity, appear perfectly just, and to offer no cause of complaint to any nation:

1. Where a nation imposes high duties on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs; first burdening or excluding those productions which they bring

here in competition with our own of the same kind; selecting next, such manufactures as we take from them in greatest quantity, and which at the same time we could the soonest furnish to ourselves or obtain from other countries; imposing on them duties, lighter at first, but heavier and heavier afterwards, as other channels of supply open. Such duties having the effect of indirect encouragement to domestic manufactures of the same kind, may induce the manufacturer to come himself into these States, where cheaper subsistence, equal laws, and a vent of his wares, free of duty, may insure him the highest profits from his skill and industry. And here, it would be in the power of the State governments to cooperate essentially, by opening the resources of encouragement which are under their control; extending them liberally to artists in those particular branches of manufacture for which their soil, climate, population, and other circumstances have matured them; and fostering the precious efforts and progress of household manufacture by some patronage suited to the nature of its objects, guided by the local informations they possess, and guarded against abuse by their presence and attentions. The oppressions on our agriculture, in foreign ports, would thus be made the occasion of relieving it from a dependence on the counsels and conduct of others, and of promoting arts, manufactures, and population at home.

2. Where a nation refuses permission to our merchants and factors to reside within certain parts of their dominions, we may, if it should be thought expedient, refuse residence to theirs in any and every part of ours, or modify their transactions.

3. Where a nation refused to receive, in our vessels, any productions but our own, we may refuse to receive, in theirs, any but their own productions. The first and second clauses of the bill reported by the committee are well conforming to effect this object.

4. Where a nation refuses to consider any vessel as ours which has not been built within our territories, we should refuse to consider as theirs any vessel not built within their territories.

5. Where a nation refuses to our vessels the carriage even of our own productions to certain countries under their domination, we might refuse to theirs of every description the carriage of the same productions to the same countries. But, as justice and good neighborhood would dictate that those who have no part in imposing the restriction on us should not be the victims of measures adopted to defeat its effect, it may be proper to confine the restriction to vessels owned or navigated by any subjects of the same dominant power other than the inhabitants of the country to which the said productions are to be carried. And to prevent all inconvenience to the said inhabitants, and to our own, by too sudden a check on the means of transportation we may continue to admit the vessels marked for future exclusion, on an advanced tonnage, and for such length of time only as may be supposed necessary to provide against that inconvenience.

The establishment of some of these principles by Great Britain, alone, has already lost us in our commerce with that country and its possessions between eight and nine hundred vessels of nearly 40,000 tons burden, according to statements from official materials in which they have confidence. This involves a proportional loss of seamen, shipwrights, and shipbuilding, and is too serious a loss to admit forbearance of some effectual remedy.

It is true, we must expect some inconvenience in practice from the establishment of discriminating duties. But in this, as in so many other cases, we are left to choose between two evils. These inconveniences are nothing, when weighed against the loss of wealth and loss of force which will follow our perseverance in the plan of indiscriminate. When once it shall be perceived that we are either in the system or in the habit of giving equal advantages to those who extinguish our commerce and navigation by duties and prohibitions as to those who treat both with liberality and justice, liberality and justice will be converted by all into duties and prohibitions. It is not to the moderation and justice of others we are to trust for fair and equal access to market with our productions, or for our due share in the transportation of them; but to our own means of independence and the firm will to use them. Nor do the inconveniences of discrimination merit consideration. Not one of the nations before mentioned, perhaps not a commercial nation on earth, is without them. In our case, one distinction alone will suffice; that is to say, between nations who favor our productions and navigation and those who do not favor them. One set of moderate duties, say the present duties, for the first, and a fixed advance on these as to some articles, and prohibitions as to others, for the last.

Still, it must be repeated that friendly arrangements are preferable with all who will come into them; and that we should carry into such arrangements all the liberality and spirit of accommodation which the nature of the case will admit.

France has, of her own accord, proposed negotiations for improving, by a new treaty, on fair and equal principles, the commercial relations of the two countries. But her internal disturbances have hitherto prevented the prosecution of them to effect, though we have had repeated assurances of a continuance of the disposition.

Proposals of friendly arrangement have been made on our part, by the present Government, to that of Great Britain, as the message states; but, being already on as good a footing in law, and a better in fact, than the most favored nation, they have not, as yet, discovered any disposition to have it meddled with.

We have no reason to conclude that friendly arrangements would be declined by the other nations with whom we have such commercial intercourse as may render them important. In the meanwhile, it would rest with the wisdom of Congress to determine whether, as to those nations, they will not surcease ex parte regulations, on the reasonable presumption that they will concur in doing whatever justice and moderation dictate should be done.

TH. JEFFERSON.

The CHAIRMAN. Debate has closed on the amendment.

The question is on the amendment offered by the gentleman from Minnesota, being an amendment to the amendment of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. DAVIS) there were—ayes 134, noes 199.

Mr. DAVIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. DAVIS and Mr. PAYNE were appointed tellers.

The House again divided; and the tellers reported—ayes 134, noes 194.

So the amendment to the amendment was rejected.

Mr. CLAYTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out the words beginning with the word "bagging" and ending with the word "act," just before the words "upon jute bagging and jute on the free list."

Mr. CLAYTON. Mr. Chairman, I will say that that is on page 1234 of to-day's RECORD, in the second column, and it seeks to remove the duty on bagging.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken.

Mr. CLAYTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. CLAYTON and Mr. PAYNE were appointed tellers.

The House again divided; and the tellers reported—ayes 130, noes 170.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from New York [Mr. PAYNE], as amended.

The question was taken, and the amendment was agreed to. Mr. CUSHMAN. Mr. Chairman, I now offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Paragraph 227, on page 62, line 8, strike out the word "fifteen" and insert in lieu thereof the word "twenty-four."

Mr. CUSHMAN. Mr. Chairman, this is an amendment which relates to the farm product of barley, and the effect of this amendment, if adopted, will be to raise the rate of tariff on barley from 15 to 24 cents a bushel. That is all I care to say, unless some gentlemen desire to ask some questions.

Mr. PERKINS. Mr. Chairman, I would like to say a word on this. This amendment certainly is a surprise. It was only yesterday that, in answer to the convincing eloquence of the chairman of the Committee on Ways and Means, showing the evident propriety and necessity that the duty on barley should not exceed 15 cents a bushel, that the majority, by adopting the views of the committee, made its obeisance to the wisdom of the chairman of that committee. This morning, after an interval of twenty-four hours, a motion is presented, not by the gentleman himself, but by one of his associates, again raising the duty to within 1 cent of the amount voted down on yesterday. I only wish to suggest to the members of the committee the argument suggested by my distinguished friend and colleague from New York, in which he said, and no one can contradict him, that the result of this duty has been to entirely destroy the barley industry of New York. My friend and my colleague alluded to the fact of the demands made upon him. They have been made upon me in like manner by the farmers of the State of New York, who say that this duty on Canadian barley, imposed with the idea of helping the farmer, has done harm to the farmer. They show that the malt houses, which are the only businesses which consume barley, have been closed as a result of this injudicious tax.

Mr. TAWNEY. Will the gentleman permit an interruption?

Mr. PERKINS. I have only five minutes.

Mr. TAWNEY. The question I desire to ask is, If this is not because they could not get the Canadian barley?

Mr. PERKINS. They closed because the production of New York barley was not enough to furnish the demand for the first-class malt, which must be made from No. 1 barley in order to produce No. 1 malt. I said that this certainly could be of no benefit to the farmer. Two things have resulted from the raising of this duty: One was that a large number of malt houses had been closed, and, therefore, the demand for barley had been diminished; another thing was that the average price of barley in Buffalo, which used to range from 60 to 70 cents, had for a period of ten years been between 40 and 50 cents.

Now, furthermore, Mr. Chairman, the House was influenced by consideration of the gentleman from Kansas, who believes that the consumption and the production of malt should cease, who claimed with pride that in all the State of Kansas no man knew what the inside of a saloon looked like and no man could drink a glass of beer. There is little reason that he should ask a duty the result of which would increase their power to sell a commodity, to wit, malt, which could only be used in the production of a thing which did harm to many. Certainly, Mr. Chairman, the law says that the receiver of stolen goods is quite as guilty as the man who steals. It does not lie in the mouth of my friend from Kansas to say that it is a pernicious thing that a glass of beer should be made or drunk and then come before this House and, try to drive, to keep out all of the barley

raisers of New York in order that he may raise in his State an article to be turned into this pernicious purpose. I hope, Mr. Chairman, that the House will still remember the arguments of the chairman of the Committee on Ways and Means, and will to-day, as it did on yesterday, vote in favor of that gentleman's argument.

Mr. HARRISON. Mr. Chairman—

Mr. PAYNE. Will my colleague yield for a moment for me to make a motion to close debate?

Mr. HARRISON. I shall only consume two or three minutes.

Mr. PAYNE. I would like to make a motion to close debate in five minutes. [Cries of "No; ten minutes!"]

Mr. PAYNE. Well, ten minutes.

The CHAIRMAN. The gentleman from New York moves to close debate on this amendment and all amendments thereto in ten minutes.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. HUBBARD of West Virginia. Division, Mr. Chairman.

The committee divided; and there were—ayes 192, noes 16. So the motion was agreed to.

Mr. HARRISON. Mr. Chairman, this is an attempt to raise the rate on barley from 15 cents a bushel to 24 cents a bushel. I am opposed to the amendment. I shall not go into the matter deeply at this moment, because the matter has been thoroughly thrashed out already in the House of Representatives.

Mr. Chairman, this is a barefaced attempt to do under the crack of the party whip what these gentlemen were unable to do in the House day before yesterday. I hope that gentlemen on that side of the Chamber who voted against such a proposition two days ago will be independent enough to retain their own judgment upon this proposition and vote down this attempt to-day.

Mr. PETERS. Mr. Chairman, the amendment which has been offered which seeks to increase from the rate of 15 cents, as recommended in the pending bill, to 24 cents the duty on barley, I wish most vehemently to protest against. In addition, I wish to protest against the bringing in at this time of this amendment. The matter has already been considered thoroughly by the Committee on Ways and Means and by the Committee of the Whole House, and the opinion of both committees is expressed in the 15-cent rate. The rate has previously been 30 cents per bushel. So far as this change in the Payne bill is a reduction, Mr. Chairman, it meets my hearty approval, and for the same reasons that this amendment should fail I should be in favor, not of raising the duty on barley, but of abolishing it entirely.

Under the Dingley bill the importations of barley in 1908 were only 11,915 bushels, valued at the paltry sum of \$6,000. The importations show a falling off from 1895, when the importations were 2,062,152 bushels. The insignificant amount of importations under the existing rate show that the 30-cent rate is practically prohibitive, and that the reduction to 15 cents might at least stimulate the importations and therefore be in the interests of the revenues of the Government.

Barley is used in a legitimate industry and one recognized in this country, the product of which is consumed by a large part of our people. It is an admitted fact that in Canada there is raised a higher quality of barley than is raised in this country. The reduction of the duty on this important staple would allow the importation and use of this higher grade, and its importation is therefore in the interest both of the revenues of the Government and the health of our people.

It can not be claimed that an increase in the rate suggested by this bill will be in the interest of the farmers of our country. On the contrary, such information as the committee has received from the representatives of the grange associations shows a strong feeling on the part of the farmers against any duty higher than 15 cents per bushel. It is important to recognize in this connection that the American farmer can not afford to buy even seed barley from Canada under the Dingley rate of 30 cents, so that the higher rate not only deprives the consumer of the best quality of article, but fails utterly to stimulate the growth of American barley. It is even argued that the 15 cents duty will not be low enough to encourage the importation of Canadian barley. I strongly urge, Mr. Chairman, that all restriction be removed from the importation of this valuable food product.

Mr. ALEXANDER of New York. Mr. Chairman, there is a humorous side to this proposition. The House on yesterday voted down a 25-cent duty on barley, and now my friend from Washington [Mr. CUSHMAN], representing the Ways and Means Committee, and in behalf of that committee, offers an amendment raising it to 24 cents without offering a single reason for so doing.

Mr. HUBBARD of West Virginia. Will the gentleman permit a question?

Mr. ALEXANDER of New York. Yes.

Mr. HUBBARD of West Virginia. Does he state that this is a committee amendment?

Mr. ALEXANDER of New York. This is a committee amendment.

Mr. HUBBARD of West Virginia. After the statements made on yesterday?

Mr. BUTLER. It only has the committee's indorsement; it does not mean anything.

Mr. ALEXANDER of New York. The gentleman from Washington [Mr. CUSHMAN] has not the temerity to present a reason for this sudden change of front. He simply said, "Change 15 to 24," and asked for a vote. There were good reasons presented yesterday showing that 15 cents was absolutely prohibitive. We have the word of the distinguished chairman of the Ways and Means Committee for that. Now, why does my friend from Washington, representing the Ways and Means Committee, ask that it be 24 cents? Why this change of front in a night? For what reason does he and his committee turn a somersault? What does he want?

Mr. MANN. Free lumber.

Mr. ALEXANDER of New York. No; he wants lumber protected. And if 15 cents on barley is prohibitive, why is he not satisfied? What joker is concealed in this amendment? What is the inducement that prompted him to do this thing? He may be satisfied to change his vote, but I challenge him to give a reason for the increase which will convince this committee that it must change its mind as expressed yesterday by an overwhelming vote.

Mr. CUSHMAN. Mr. Chairman, the gentleman complains because the rate of 15 cents will be prohibitive. If that is true, according to the gentleman's own logic, he is not injured by the raise in this bill.

Now, as a matter of fact, the existing Dingley law protects all agricultural products and, among others, the grain schedule. There was no other single cereal that was interfered with except this particular product of barley, and the men from the great West, who raise this product in their States, have come here and asked that the same measure of protection which we have granted in this bill to the gentleman's own beloved industries, be extended to this agricultural product.

Mr. ALEXANDER of New York. Will the gentleman yield for a question?

Mr. CUSHMAN. Now, then, I wonder why the gentleman did not raise his voice against the increase in the glove schedule, gloves being manufactured in his own State?

Mr. ALEXANDER of New York. Your committee gave me no opportunity if I had desired to do so.

Mr. CUSHMAN. It has been here for a number of days.

Mr. ALEXANDER of New York. I asked the gentleman if he would yield for a question.

Mr. CUSHMAN. When I get through; yes. Mr. Chairman, I do not pretend to talk for the entire committee, but I can state what my sentiments are. As I said on this floor the other day, I am a protectionist and a high protectionist, and I do not apologize for that. When I lift my voice for a high degree of protection on other articles, including manufactured articles, I am willing to extend that same degree of protection to agricultural products, and if it would relieve the gentleman's mind any, I might say that I made the motion in the committee to raise this rate on barley.

Mr. ALEXANDER of New York. Will the gentleman now yield for a question?

Mr. CUSHMAN. Yes, sir.

Mr. ALEXANDER of New York. Then I understand that your only reason for doubling the prohibitive tariff on barley is because the tariff on wheat and other agricultural products has not been increased.

Mr. CUSHMAN. Not by any sort of means.

Mr. ALEXANDER of New York. Have you any other reason? Let us have it. You have not given it yet.

Mr. CUSHMAN. The Members on the floor who have the right to speak for their constituents have pressed upon this committee the necessity, in their mind, for a further increase of the duty. Now, then, if they do not have knowledge sufficient to speak for the industries that they represent, that is their fault.

Mr. ALEXANDER of New York. But that is not a reason for doubling a duty already prohibitive. I ask the gentleman from Washington for his reason.

Mr. GRONNA. Have not the western members shown to the Ways and Means Committee that the duty of 15 cents per bushel on barley would not be prohibitive?

Mr. CUSHMAN. In my judgment it is.

Mr. ALEXANDER of New York. Then, if 15 cents is prohibitive, what is your reason for doubling it? Will the gentleman kindly tell us? Let us see how much you know about barley.

Mr. CUSHMAN. It has been insisted by gentlemen who are pressing this upon the committee that in lowering that rate from the Dingley rate we were endeavoring to favor the American brewer at the expense of the American farmer. [Applause.] Now, let us see on what side of that line you stand?

Mr. ALEXANDER of New York. I will answer the gentleman. I am speaking in the interest of the New York farmer. For the last ten years the duty on barley has cut off his privilege of securing seed from the Province of Quebec. I represent a district of 25 towns in which farmers reside, and I also speak for the farmers of my State who want barley for seed purposes.

Mr. CUSHMAN. I can see by looking at the gentleman that he is a farmer. [Laughter.]

Mr. ALEXANDER of New York. And if the gentleman had ever seen a farm, he would know more about barley.

Mr. GRONNA. I want to state to the gentleman from New York—

Mr. JAMES. Mr. Chairman, I make the point of order that the debate was to close in five minutes.

Mr. GRONNA. I want to state to the gentleman from New York that I am perfectly willing to furnish barley at the price that they can get it from Canada, and as good as they can.

The CHAIRMAN. The debate was limited to ten minutes, and the time has expired. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Several MEMBERS. Division!

The committee divided; and there were—ayes 163, noes 120.

So the amendment was agreed to.

Mr. CUSHMAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Paragraph 228, page 62, line 10, strike out the word "twenty-five" and insert thereof the word "forty."

Mr. CUSHMAN. This likewise, Mr. Chairman, refers to the subject of barley. It increases the duty on malting barley, the product of barley, from 25 cents to 40 cents per bushel.

Mr. PERKINS. For whose benefit is that?

Mr. CUSHMAN. For the benefit of the farmer.

Mr. PERKINS. How can this benefit the farmer?

Mr. CUSHMAN. It benefits the farmer through the increased price that he gets for his barley, and the malt is made out of the barley. What does the gentleman believe—that the doctrine of protection is general, but is not effective as to this?

Mr. PERKINS. It is for the benefit of those who change the barley into malt.

Mr. CUSHMAN. On the contrary, this amendment simply is for the benefit of the men who raise barley in this country, and it restores the relative rate between the barley and the malt. We have just adopted an amendment to raise the tariff on barley from 15 to 24 cents per bushel, and we ought now to adopt this amendment to raise the tariff on barley malt from 25 to 40 cents per bushel.

Mr. PARKER. I make the point of order on the parliamentary proceeding of this question that the committee voted on the subject of barley, and that having been settled by the committee, no further amendments to this section can be offered.

The CHAIRMAN. The subject having been debated, the point of order is too late.

Mr. PARKER. It was not too late when I rose.

Mr. FITZGERALD. Mr. Chairman, I am very much interested in the very peculiar situation which has arisen here. The day before yesterday the gentleman's colleague [Mr. HUMPHREY] offered an amendment to put barley on the free list. To-day the gentleman from Washington says that there is such a necessity for the protection of barley that he offers an amendment now to increase the duty from 15 to 25 cents per bushel. His colleague stated that he was anxious to have barley on the free list, in the interest of 300,000 persons in his district who used barley in their daily life. In whose interest, let me ask either of the gentlemen from Washington, is he so deeply interested that he should raise the rate of duty which the chairman of the committee himself has already confessed is prohibitive? I will watch with somewhat peculiar interest the vote upon that side of the House on the lumber schedule. [Applause.] I imagine, although I am not in the confidence of either gentleman from Washington, that not only will they vote to-day for the increased duty on lumber, but that they are tumbling over themselves to vote this concession to those who heretofore have been advocating free lumber. It illustrates,

Mr. Chairman, the agility of the gentleman from Washington. He stands on one foot to-day, in favor of free barley, and shifts to the other foot, in favor of a higher protective tariff on barley, indifferent, as a matter of fact, to what the duty will be on barley, so long as his sacred lumber interests are protected. Never before in the history of a tariff legislation has the greed of the special interests been exhibited as they are right at this time in this House. [Loud applause on the Democratic side.] The gentleman is indifferent to those who consume barley in his district, all of the people, so long as that proportion who are enriching themselves at the expense of all of the people of the country are permitted to do so under this pernicious Republican tariff.

I am delighted—if that word is still in use in this country—that the gentleman has been so frank to concede that, overnight, in response to the fresh light that has broken from the heavens, he has been able to see that his people do not need cheap bread, so long as they are able to rob all of the people in enriching themselves; and I congratulate him upon the fact that he is so successful in bringing the people of his district into the ranks of the plutocrats of the country, who are indifferent to everybody else so long as their pockets are stuffed with the earnings extracted from the poor under the operations of such a bill.

Mr. Chairman, perhaps what I have said is sufficient to illustrate that I am opposed to this amendment. I can imagine the gentleman will say that I am opposed to it because I am speaking on behalf of the brewers. But let me say to him that whenever questions affecting taxes that may concern the brewers directly come before this House, I will not attempt by any secret midnight trades to protect any particular industry or any particular class at the expense of the great mass of the American people, and I will cheerfully go on record upon any question that may be presented to the House. I hope, Mr. Chairman, that the gentleman may be disappointed to-day and that lumber will go upon the free list in spite of the efforts to keep it highly protected. [Applause.]

Mr. SULZER. Mr. Chairman, I move to amend by striking out of the Payne tariff bill sections 19, 20, and 21, which read as follows:

Sec. 19. That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States, or which, being the production or manufacture of any foreign country not contiguous to the United States, shall come into the United States from such contiguous country; but this discriminating duty shall not apply to goods, wares, or merchandise which shall be imported in vessels not of the United States entitled at the time of such importation by treaty or convention to be entered in the ports of the United States on payment of the same duties as shall then be payable on goods, wares, and merchandise imported in vessels of the United States, nor to such foreign products or manufactures as shall be imported from such contiguous countries in the usual course of strictly retail trade.

Sec. 20. That no goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

Sec. 21. That the preceding section shall not apply to vessels or goods, wares, or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

And insert in the place thereof the following:

"Sec. 19. That a rebate of duties shall be allowed and deducted on all foreign goods, wares, and merchandise to the extent of 5 per cent ad valorem in cases where the specific and ad valorem duties together amount to less than 25 per cent of the value of the articles, and to the extent of 10 per cent in cases where the specific and ad valorem duties together amount to more than 25 per cent of the wholesale value of the articles in the market of the port where the same may be brought in by a vessel of the United States.

"And in cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported, a rebate shall be allowed and deducted to the extent of 2½ per cent ad valorem in cases where the specific and ad valorem duties together amount to less than 20 per cent of the value of the articles, and to the extent of 5 per cent ad valorem in cases where the specific and ad valorem duties together amount to more than 20 per cent of the wholesale value of the articles in the market of the port where the same may be brought in by a vessel of the United States.

"Sec. 20. That no other or higher duties than those imposed as regular by law shall be levied, collected, or paid on any goods, wares, or merchandise imported direct by a vessel of the country, its colony, or possession, which produced the same, or of a country through which said merchandise is necessarily passed to reach a market; but on all goods, wares, and merchandise imported direct by a vessel not of the United States and not belonging to the country, its colony, or possession, where said goods, wares, and merchandise were produced, an additional duty of 10 per cent ad valorem shall be levied, collected, and paid; and on all goods, wares, and merchandise imported in direct by a vessel not of the United States from any country, its colony, or possession, not that of the production and original exportation of said merchandise, the additional duty as aforesaid shall be 15 per cent ad valorem.

"And in cases where no duties are imposed by law on certain goods, wares, and merchandise imported, and the same have been brought in by a vessel not of the United States direct from its own country, colony, or possession where the same were produced, there shall be levied, collected, and paid a duty of 4 per cent ad valorem; but if such goods, wares, and merchandise shall be brought direct from a country to which the importing vessel does not belong, but which was the place of production, then the duty as aforesaid shall be 8 per cent ad valorem; but if such goods, wares, and merchandise so imported be brought from a country that did not produce the same, then and in that case the duty as aforesaid shall be 12 per cent ad valorem, valued in all cases in the market of the port of entry.

"And in cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported, there shall be levied, collected, and paid full rates of duty, if the same shall be brought in by a vessel not of the United States or not of the reciprocating country from which such merchandise has been exported; or if the same, not being the growth, production, or manufacture of a country contiguous to the United States, shall be brought across the line from such country.

"And the additional duties imposed under this section shall apply also to all cases where goods, wares, and merchandise may have been transferred from a foreign vessel or land vehicle, at any place, to a vessel or land vehicle of the United States, for the purpose of convenience, or to evade the provisions of this section.

"Sec. 21. That a duty of 20 per cent ad valorem, in addition to the duties imposed by law as regular, and also to the additional duties required by the foregoing section, shall be levied, collected, and paid on all goods, wares, and merchandise imported by a vessel not of the United States from a country to which the importing vessel does not belong, unless the importation shall be the growth, production, or manufacture of a country at peace with the United States.

"That all goods, wares, and merchandise imported by a vessel not of the United States, that shall be admitted to storage in bonded warehouse with lawful tariff duties unpaid for a period exceeding five days, shall be charged and pay an additional duty of 15 per cent ad valorem, but a rebate of 5 per cent shall be allowed in all cases where such merchandise shall be reexported and cleared outward in a vessel of the United States. This section and the two preceding sections shall take effect in thirteen months after their passage."

Mr. Chairman, I urged the Ways and Means Committee when it was making up the Payne tariff-tax bill to do something for the restoration of our shipbuilding industry; to do something to recover our deep-sea trade along the lines of a graduated system of tonnage taxes on foreign ships, but I am sorry to say the committee has done absolutely nothing for these important industries. The sections I now move to strike out of the Payne bill are copied verbatim from the Dingley law, and during the twelve years they have been on the statute books they have done nothing for our merchant marine on account of the favored-nation clause in all existing treaties. If my amendment prevails, something will speedily be done to revive our languishing shipbuilding industries, restore our merchant marine, and secure for us our share of the deep-sea carrying trade of the world.

I am in favor of immediate action by Congress for the resumption of the shipping policy which prevailed under the first five Presidents of the Republic, and which brought forth and maintained the best merchant marine on the ocean without the cost of a cent to the American people. I denounce the Republican party for its willful neglect of our shipping in the foreign trade, having done nothing whatever for its revival since the civil war, except to connive at the passage of vicious subsidy bills, utterly useless for the object in view, and really in the interest of foreign nations.

I am willing to go as far as any man in this country to legislate for the restoration of the American merchant marine to all its former glory and to secure for the American people their just share of the over-seas carrying trade of the world. I know, and every man who has investigated this subject knows, that our loss of deep-sea commerce is due entirely to the iniquitous legislation and shortsighted policies of the Republicans in the National Legislature. If the American Congress would legislate intelligently regarding this subject, we could restore our merchant marine, increase our revenues, and secure nine-tenths of all our commerce on the high seas, exports and imports, without a ship subsidy and without taking a single dollar from the pockets of the taxpayers to give bounties to favored shipowners.

This whole subject is a very simple matter when reduced to an intelligent business proposition. We do not need to take a dollar out of the Treasury of the United States to revive our shipbuilding industries or restore our merchant marine. All we need to do is to legislate intelligently, repeal the restrictive laws against our deep-sea shipping now on our statute books, put in their place laws similar to the navigation laws that were enacted by the early statesmen of the country—laws that built up our merchant marine in those historic days, laws that placed our flag on the high seas and gave us nine-tenths of our entire over-seas carrying trade—and we would do it if it were not for the greed and the selfishness of the shipping trust.

Mr. Chairman, in the House of Representatives in 1794 James Madison said:

"As early as the year succeeding the peace (1784) the effect of the foreign policy (British) which began to be felt in our trade and navigation excited universal attention and inquietude. The first step thought of was an application of Congress to the States for a grant of power for a limited time to regulate our foreign commerce.

"This effort failing, the States next endeavored to effect their purpose by separate but concurrent regulations. Massachusetts opened a correspondence with Virginia and other States in order to bring about the plan. Here again the effort was abortive. Out of this experience grew the measures which terminated in the establishment of a Government competent to the regulation of our commercial interests and the vindication of our commercial rights."

The president of the Constitutional Convention was General Washington. In transmitting the Constitution to the Confederate Congress he remarked:

"The friends of our country have long seen and desired that the power of making war, peace, and treaties, that of levying money, and regulating commerce, and the corresponding executive and judicial authorities should be fully and effectually vested in the General Government of the Union."

One of the five principal objects of the "closer union" being the "uniform" protection of shipping, as thus declared, it was natural that this sentiment should be general in the convention. Every plan for a Constitution included the regulation of our commerce, by wise national laws in lieu of state statutes—unlike and conflicting. The only question raised and settled by debate was whether or not a "two-thirds vote" should be required for the passage of shipping bills. Mr. Gorham, of Massachusetts, Chairman of the Committee of the Whole, in closing the debate, submitted the ultimatum of New England as follows:

"If the Government is to be so fettered as to be unable to relieve the Eastern States, what motive can they have to join it, and thereby tie their own hands from measures which they could otherwise take for themselves? The Eastern States were not led to strengthen the Union by fear for their own safety. He deprecated the consequences of disunion, but if it should take place, it was the southern part of the continent that had the most reason to dread them. He urged the improbability of a combination against the interest of the Southern States, the different situations of the Northern and Middle States being a security against it. It was, moreover, certain that foreign ships would never be altogether excluded, especially those of nations in treaty with us."

Because of this ultimatum the motion for a two-thirds restriction was lost and the majority rule adhered to nem. con. In pursuance of this action, clause 3 of section 8 of Article I of the Constitution not only empowers, but its inclusion makes it the duty of Congress, in perpetuity, "to regulate commerce with foreign nations."

Necessarily, the several States were divested of power to continue their discriminating duties of tonnage and of tariff, either for revenue or for protection. (See sec. 10 of Art. I.) Thus was the protection of shipping given up by the States

and taken over by the General Government, on condition that the protection desired and necessary should always be given. The action of the convention was afterwards ratified by the States and the people through the adoption of the Constitution. By this adoption the States were relieved of their natural duty to protect a most important industry, and the United States, in virtue of the compact described, promised and undertook the stipulated duty with no right reserved ever to discontinue it.

Though the truth of this statement may be acknowledged, it will be well to offer some facts for its support.

The founding of our Government was not the simple thing imagined by many citizens of the present day. Thirteen sovereign States, varying greatly in territory and population, differing considerably in laws and institutions, had to be united under a general government in such a way as to merit and receive the assent of each and of all. Of necessity, the Government had to be founded in the confidence and affections of the people and be constructed so as to obtain the popular vote. Compromises had to be made on several perplexing questions, and in certain States only the utmost efforts of the friends of the Union, in the legislatures and before the people, were sufficient for its accomplishment. That we have trade regulations for ship protection provided in the Constitution is no wonder at all. The States had it and thought it vital to their commercial independence. The only object in turning it over to a general government was to increase its efficiency and to complete its power. From the debate in convention, especially from the closing speech, it is clear that the third "enumerated" power was one of the "bonds and conditions" of the Union, just as much as allowing each State—big or little—two Senators in Congress, or that reserving certain rights and spheres of government to the States, or that concerning the President's nativity, or that limiting his term of office—just as much, in fact, as any provision of a fundamental character. In fact, a charter for a national government would be incomplete without a power of industrial protection, such as that for the regulation of commerce. The first "enumerated" power—that authorizing the laying of duties on imports for revenue—contains no element for industrial protection, save as incidental. A power distinct from that of revenue, to enable the Government to exclude goods, or by duties to equalize home and foreign prices, or to cause preference for homemade articles, was deemed absolutely necessary for national development. The shipping trade is an industry that is highly susceptible of protection by tariff duties. Tonnage and tariff duties, taken together, were the means of ship protection in use by the States from 1785 to 1789. They were the means recognized in the compact, and applied by Congress in 1789. They are the only expedient, effective, and constitutional means at the command of Congress to-day. Had they been unprovided for, the Union could not have been effected.

There can be no doubt of this. Massachusetts had most shipping, but Pennsylvania, New York, Maryland, and Virginia had growing fleets in 1787 under protection of state regulations. As Mr. Gorham intimated, not one of these States would join a government unable to protect its marine, or that would protect it for a little while and then "suspend" it, as, in fact, the Federal Government did in 1828—to the gradual ruination of the vessel interest in the foreign trade. The people in this trade are now in this situation: The States can not protect their shipping, and the General Government has "suspended" its law for so doing. Had it been suspended also as to the domestic trade, that, too, would now be in a ruined state, not a vessel in building for it, but our entire water-borne commerce, an immense and vital interest, would have been placed to our detriment in the grasp of foreign nations. We would now be standing on the sea with both legs cut off, crippled for life in every part of the national body, as we are weakened in many parts now.

When the question of adopting the Constitution was before the States, no little of its merit was shown to be the power which Congress would have to regulate our foreign commerce. Madison, Hamilton, and Gouverneur Morris were eloquent on this line.

That the compact for the regulation of commerce was promptly acknowledged by Congress, through proper legislation, is a fact well known. The very first tariff bill, by Madison, contained protection not only for factories but for navigation. The first shipping regulation adopted in Committee of the Whole was that of Fitzsimmons of Pennsylvania. He moved a list of discriminating duties on Asiatic goods calculated to secure the trade of the Far East for American ships. He stated that under similar legislation by his State we were already commanding the direct commerce with China and India, and the General Government would, of course, continue the policy then so useful. On goods brought by foreign vessels or indirect

(via Europe) the duties were nearly double the rates by American ships coming direct. Before this bill was passed it was amended to provide for a drawback of 10 per cent of the duty on all goods imported in American vessels. In 1794 this provision was changed to an extra duty of 10 per cent on goods by foreign ships. A separate bill for tonnage-tax discrimination soon followed the first tariff measure, and in 1804 the tonnage discrimination was varied from 44 to 94 cents per ton.

That the President, the House, and the Senate rightly interpreted the commerce-regulating clause is indisputable. President Washington had been the presiding officer of the convention; 7 Representatives and 9 Senators, 17 in all, had been delegates. They knew perfectly well all that was intended, expressed, and implied in the "regulation of commerce." They knew also of a certainty that their duty as Members of Congress was to carry out all the compacts of the Constitution. The proceedings of the convention were not made public while any of the delegates lived, but in various debates in Congress they could direct the majority. The debate on the "Madison resolutions" brought out clearly the purpose of the third "enumerated" power. Concerning this, in his work on the "Debates of Congress," Senator Thomas H. Benton remarked as follows:

"In the House of Representatives, 1794, occurred one of the most interesting and elaborate debates which our Congress has furnished. It grew out of the clause in the Constitution conferring power 'to regulate commerce with foreign nations,' and gives the interpretation of its authors, which is wholly different in its nature, and also distinct from the power to lay and collect import duties. The latter was to raise revenue, the former to make such discriminations in trade and transportation as to protect our merchants and shipowners from the adverse regulations and devices of our rivals. While the lack of power to regulate foreign commerce was a primary defect of the Confederate Government, and the necessity for its exercise so great as to form a chief cause for creating the Federal Government, it is singular that Congress has always overlooked it, or confounded it with the impost or revenue power. Though not now exercised, it is a power which has found a need for its exercise, and will find it again."

Mr. Chairman, Senator Benton wrote shortly before the civil war, when it was quite apparent that the suspension of our ship protection would ultimately prove ruinous. He could safely predict that the commerce power would find "a need" for its exercise "again."

That this proposition is true needs little argument. One of the bonds and conditions of the Union being the encouragement and protection of navigation, and the regulation of commerce being the specific provision therefor, it follows, necessarily, that there is no other way that can be taken. If this is not the case, why was the debate in the convention confined to trade regulations? Why were not other ways alluded to? Why was a specific way laid down? Clause 3 of section 8 of Article I of the Constitution was provided in answer to the demand for "navigation laws," which are enactments concerning vessels. The power is given for specific purposes; this logically and legally precludes all other methods of ship protection. This grant of power for specific uses, vital to national integrity, industrial development, commercial independence, and strength upon the seas constituted a trust in perpetuity, and Congress has no more authority to "suspend" or discontinue its exercise than to pass a bill making a foreign prince eligible to the Presidency or to change the number of United States Senators from two to ten for the populous States. It is not loyalty to the Constitution that has destroyed our foreign-trade marine, and without honoring its compact for life-sustaining regulations our last ship is bound to perish in the course of time.

Sir, notwithstanding the ease with which we may resume the effectual protection of our shipping trade, we have those among us who accept the foreign sentiment, that we should forbear to do so and bear our ills a little longer, or, at the most, adopt a "subsidy" plan, as done abroad. I submit Congress should consider the following points:

(1) Our shipbuilding industry being essential to the survival of a marine in the foreign trade, we must return to our former policy or relinquish the sea.

(2) The equities, if any there were, in the "reciprocity conventions" for unprotection, now extant, have long since been dissipated by changes in conditions and no longer exist; the duty of the Government is, therefore, to terminate them and to resume our liberty as to ship business.

(3) The Federal Government is under a compact, more sacred than any "treaty," with the States that gave up to it their right to protect their shipping, on condition that it should do it, and fail not, through trade regulations. Congress should perform its duty, or else release the States from their obligation to

cease laying discriminating tonnage duties. (See sec. 10 of Art. I.)

(4) The Constitution—just as binding now as ever it was—confers no power to raise and appropriate money to "aid" the carrying trade or any other business. No such power has ever been pointed out as belonging to the Government. Its existence is in the States severally. Nor is it probable that they would ever consent to such an amendment of the Constitution as would be necessary to the adoption of a "ship-subsidy" policy.

Mr. Chairman, it is a fact, and a most deplorable fact, and every man who has investigated the subject knows it, that we have less registered tonnage for ocean carrying trade to-day than we had one hundred years ago. In 1806 the United States, with a population of less than 7,000,000 inhabitants, owned more registered tonnage for ocean carrying trade than the United States in 1909, with a population of over 85,000,000. The American tonnage in 1806 was over 900,000, and it is now less than 800,000, and, what is worse still, it showed an actual decrease of more than 6,000 tons last year. In 1806 American ships, flying the American flag and manned by American sailors, carried over 90 per cent of our deep-sea trade and a great part of that of all the countries of Europe. To-day we carry very little of our own trade and practically none of the other countries, notwithstanding the fact that we should be the foremost maritime power in the world. More than nine-tenths of our once great and powerful deep-sea fleet has vanished, and not one new keel for an ocean-going ship is being laid to-day on either our Atlantic or Pacific coast, while the vessels of foreign nations throng our ports and monopolize more than nine-tenths of all our import and export commerce.

In 1806 over 92 per cent of our export and import trade was carried in American bottoms; in 1906 less than 8 per cent of our imports and exports were carried in American ships. The United States pays to the owners of foreign deep-sea vessels for conveying our freight and passengers over \$200,000,000 a year, and much of this vast sum of money goes to the owners of foreign steamers which are regularly enrolled on the merchant cruiser lists of European governments, manned by naval-reserve officers and sailors, and available for immediate service against us in case of war. The British Empire has 14,800,000 tons of merchant shipping; Germany has 4,960,000 tons; France, 1,680,000; Norway, 1,460,000; and Italy, 1,280,000. The larger part of all these great deep-sea fleets is engaged in the ocean carrying trade, but the Government of the United States, which produces and exports more merchandise than any other nation on earth, has a fleet registry of deep-sea commerce of less than 800,000 tons.

Mr. Chairman, I see my time is nearly consumed and I must conclude; and in doing so I want to say that my amendment is not a makeshift. It is not a temporary expedient. It is not new. It is the plan and the policy of the fathers of the Republic, and should never have been abandoned. It is a permanent remedy, and again adopted and upon the statute books it would continue in favor for years and years to come, until the American people possessed the greatest merchant marine in all the world; and I therefore say in conclusion that from a careful study of the whole subject-matter I sincerely believe that the adoption of this amendment, in my opinion, will speedily restore our ocean carrying trade, revive our shipbuilding industries, give employment in our shipyards to thousands and thousands of men in all parts of the country, bring about an era of prosperity such as we have never known before in our shipping trade and deep-sea commerce, place our flag on ships on every ocean and in every port, and make the American sailor what he was in the historic days of the Republic—the pride of the American people and the master of the seas.

The CHAIRMAN. The time of the gentleman from New York has expired, and the amendment is out of order under the rule heretofore adopted.

Mr. SULZER. Mr. Chairman, all I want to say is that it seems to me too bad I can not get a yea-and-nay vote on this proposition; but sooner or later public opinion will compel legislation along these lines to restore the merchant marine and revive our shipbuilding industries. I ask unanimous consent to print as part of my remarks an amendment, somewhat similar to the one now offered by me, presented in the Senate on June 20, 1894, by Senator FRYE, of Maine, to the Wilson tariff bill, and his remarks thereon; also, copy of bill I have had pending in Congress for years for a revival of our merchant marine.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the request is granted.

THE FRYE AMENDMENT AND THE DEBATE IN THE SENATE JUNE 20, 1904, FOLLOWS:

Mr. FRYE. I desire to offer amendments to sections 14, 15, and 16. As the amendments have but one purpose, I shall offer them as one amendment after the three sections have been read.

The PRESIDING OFFICER. The reading of the bill will proceed.

The SECRETARY read as follows:

"SEC. 14. That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

"SEC. 15. That no goods, wares, or merchandise, unless in cases provided for by treaty, shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens or subjects of that country of which the goods are the growth, production, or manufacture, or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship or vessel, and cargo shall be liable to be seized, prosecuted, and condemned in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several revenue laws.

"SEC. 16. That the preceding section shall not apply to vessels or goods, wares or merchandise imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States."

Mr. FRYE. Mr. President, I offer the amendments which I send to the desk as one amendment, because together they effect one purpose.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. It is proposed to amend section 14 by adding thereto the following:

"Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December next."

To amend section 15 by inserting after the word "treaty," in line 2, the words:

"Hereafter made and ratified."

To amend section 16 by adding thereto the words:

"Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December, 1894."

Mr. FRYE. Mr. President, section 14 of the pending bill provides for a discriminating duty of 10 per cent on certain goods which are brought in in American bottoms. It has been a provision of the law for a great many years, but is to-day of no earthly account because we have given away every advantage we ought to derive from it by reciprocal legislation and by treaties. Undoubtedly, I suppose, the Secretary of the Treasury to-day would say that he did not know of an instance in the last five years when such provisions as those contained in this section 14 had been applicable, and there had been a discriminating duty allowed.

The pending amendments if agreed to will have this effect: To give notice to all the nations of the earth of a discriminating duty of 10 per cent in favor of all goods brought into the country in American vessels; and that notice will abrogate all treaties hitherto made which to-day stand in our way, and repeal all reciprocal legislation; and it is for the purpose of making another attempt to revive our marine on the ocean that I offer these amendments.

The fathers seemed to understand this question perfectly, and in the first tariff act ever passed in the United States, approved July 4, 1789, the following discriminating duties were imposed on teas per pound imported in American vessels:

Teas imported from China or India bore duties as follows: Bohea, 6 cents; Souchong, 10 cents; Hyson, 20 cents; other green teas, 12 cents.

Imported from Europe: Bohea, 8 cents; Souchong, 13 cents; Hyson, 26 cents; other green teas, 16 cents.

If the teas were imported in American bottoms, these duties were imposed, but if they were imported in foreign-owned and foreign-built ships, then the duties were doubled, Bohea tea being 15 cents, Souchong 22 cents, Hyson 45 cents, and other green teas 27 cents, practically doubling the duties on teas imported here in foreign bottoms. On all other goods imported from China or India in foreign ships there was a 12 per cent ad valorem duty.

The same law provided a discount of 10 per cent on all duties on other goods imported in vessels built and owned in the United States as described above.

Thus there was a discrimination of 50 per cent on all teas, and a discrimination of 10 per cent on all other goods brought into the United States in American bottoms.

But that did not quite satisfy the fathers. In the act of January 29, 1795, instead of making a discount of 10 per cent of the duties, they provided for an addition of 10 per cent to all duties on goods imported in foreign vessels, except in cases where such additional duty had been before laid.

Again, the act of March 27, 1804, imposing more specific duties on certain articles, provided for 14 per cent additional ad valorem upon importations of such articles in foreign vessels. The same act also provided that a duty of 50 cents per ton, to be denominated "light money," should be levied and collected "on all ships or vessels not of the United States, which, after the aforesaid 30th day of June next, may enter the ports of the United States."

By the act of July 20, 1789, the following duties or taxes were imposed on all vessels:

On vessels built in the United States and belonging to citizens thereof, or built abroad and owned by such citizens on May 29 of that year, 6 cents per ton.

On all vessels thereafter built in the United States belonging to foreigners, 30 cents per ton.

On all other vessels, 50 cents per ton.

United States vessels in the coasting trade to pay tonnage but once a year and foreign vessels employed in our coasting trade to pay 50 cents per ton at each entry; which was an enormous duty.

What was the trouble which made the fathers provide all these discriminating duties for American ships? It was that in 1789, when the first law was passed, we had but 124,000 tons of shipping engaged in the foreign carrying trade; we carried only 17 per cent of our imports and 30 per cent of our exports; and the wise men of that day determined that we should carry our own imports and our own exports in American-built vessels. So they passed that law. What was the effect? In 1795 we had 529,500 tons of these ships, and carried 92 per cent of our imports and 88 per cent of our exports. In 1800

we had 667,000 tons. We then carried 91 per cent of our imports and 87 per cent of our exports. In 1810 our tonnage had reached 1,000,000, and we were carrying of our imports 93 per cent and of our exports 90 per cent.

The wise men of that day had done well. They had transferred from Great Britain the carrying trade of the United States, which when they entered upon this crusade was 85 per cent, and given it to us; and we carried 93 per cent of our own, and it was done by these laws discriminating in favor of American vessels and against foreign vessels; it was done by men who believed that they ought to look out for their own household first, who loved their own country more than any other and dared legislate as this love prompted.

How much tonnage have we to-day in the foreign carrying trade? In 1810 we had 1,000,000 tons, and were carrying 93 per cent of our exports and imports. To-day we have 938,000 tons, about 100,000 tons less than we had in 1810; and to-day, instead of carrying 93 per cent, we are carrying but 12 per cent of our own exports and imports, and are paying Great Britain \$175,000,000 every year to do our own carrying trade for us.

Mr. LODGE. If it would not interrupt the Senator, I should like to ask him, in that connection, if Great Britain has not pursued by indirection the same methods—that is, by the rates on insurance at Lloyds, and by premiums on iron steamships—of discriminating in favor of her own tonnage down to the present day?

Mr. FRYE. Mr. President, the most persistent, continued effort on the part of Great Britain to prevent our vessels getting any of the carrying trade has been pursued always from the very beginning down to now. The Lloyds will rate our vessels second rate when they ought to be rated even above a first-rate British ship to-day, and the Lloyds control the entire marine insurance of the world, at any rate so far as that of Great Britain and the United States are concerned. Their companies are controlling all the marine insurance in our country, and are discriminating against our vessels.

Mr. PERKINS. It has been also shown to-day in debate that England will not permit salt to be carried from England to the East Indies from her own provinces in any other vessels except those of English build and flying the English flag.

Mr. PEPPER. Will the Senator allow me a question?

Mr. FRYE. Certainly.

Mr. PEPPER. The Senator from Maine is unquestionably as well informed upon this subject as any Member of this body. I wish he would give the Senate the benefit of his views as to how the United States can recover the lost carrying trade. What ought we to do?

Mr. FRYE. Mr. President, I have just offered an amendment to the pending bill which will beyond any manner of question, if it be adopted and the bill become a law, restore the American merchant marine to the old position it occupied in 1810.

Mr. PEPPER. I am to blame doubtless for not having heard the amendment.

Mr. FRYE. It provides a discriminating duty.

Mr. PEPPER. To what effect?

Mr. FRYE. In favor of all goods imported into the United States in American bottoms.

Mr. PEPPER. Another question, because this is a very important matter, and I hope the Senator will pardon me. Does the Senator believe that that policy would be sufficient to overcome the fact that ships, ship tackle, and shipping outfits are all regarded as property taxable under state laws? Then, further, will it not be necessary in the end for the United States in some way to relieve the shipping trade of state taxation?

Mr. FRYE. Mr. President, under the Constitution the United States can not relieve ships from state taxation; but I am happy to inform the Senator from Kansas that many of the States do now relieve them from this burden. New York does.

Mr. PEPPER. Does Pennsylvania?

Mr. FRYE. I do not know about Pennsylvania, but New York, of course, is the great important owner of ships. I think Massachusetts relieves them from taxation.

Mr. PEPPER. Another point. If the Government of the United States were to relieve American shipmasters and American ships from all other burdens except those which are necessarily thrown upon them by the difference in rates of interest on money prevailing in England and the difference in the rates of wages prevailing between the English seamen and ours, would that be sufficient to overcome the difficulty, or if we were to make ships and give them as a gift to American seamen and let them run them on the seas free of duty, free of all charges, either from the State or National Government, is there not enough of difference in the rate of interest of money in Great Britain and the United States and in wages of labor to run the American ships ashore and out of business?

Mr. FRYE. Mr. President, the Senator has opened up a pretty wide subject. The rate of interest is a small matter, and would not make any great difference. The difference in wages in the running of British and American ships is very important, I admit, and also the cost of living on board a British ship as compared with that on an American ship favors greatly Great Britain, and so of all foreign nations. But the most serious thing we have to contend with is that our ships on almost every line of the carrying trade are compelled to compete with foreign ships which are subsidized by Great Britain, Germany, France, Spain, and Italy. The result is that where it costs us to-day \$7 or \$8 a ton to carry goods, it does not cost them over \$5. They have that advantage of us, and we have no advantages to offset. We are competing openly with them, left absolutely alone and unprotected and unencouraged.

The provision which I offer is one of immense protection. I have no doubt it would revive our carrying trade upon the ocean. For twenty years I have been—

Mr. LINDSAY. I ask the Senator, with his permission, when these preferential laws in favor of American ships were repealed?

Mr. FRYE. We made treaties with Great Britain and with Sweden in 1815. We passed acts of Congress in 1817—in 1828, accepted by Great Britain in 1849—providing for reciprocity, by which all protection to our ships in the foreign trade was gradually removed and the right to again encourage by discriminating duties and tonnage taxes surrendered.

Mr. LINDSAY. I will ask the Senator, with his permission, another question, and that is, if the American shipowners did not maintain the supremacy of the American trade until about 1860?

Mr. FRYE. Just so long as the trade was carried on in wooden ships the United States could and did hold its own with the world, and that was the reason our wise fathers thought that in 1815, 1826, and 1828 they could give those privileges away, that we could compete with Great Britain even, and build ships for her. We were all right, we

thought, just as Great Britain thought when she adopted free trade. She believed that she was in condition to stand it, and whether other nations could or not she did not care.

For twenty years I have been trying to restore this American shipping interest to the place to which it is entitled. We have here as powerful a Nation as there is in the world, as rich a Nation, and more seabornd than any other. We have as good sailors and shipbuilders and as energetic men as can be found anywhere. There is no earthly reason why our flag should not be seen in every port in the wide world, as it was fifty or sixty years ago.

I am not going into the question as to what has caused our decay, because that would necessitate a speech of two hours in length, and I do not propose to delay this bill by anything of the kind. I simply wish to get a vote on this proposition to discriminate—as section 14 recognizes the principle—against all nations in favor of American ships, and give them notice a year in advance that we intend to do so, and thus restore ourselves to our former condition.

I was remarking, when the Senator from Kentucky interrupted me, that for twenty years I have been making this fight. That we have gained immensely in that time there is no doubt, in some respects. We have relieved our ships from an enormous number of burdens, amounting to millions of dollars every year. We never have been able to go the one step further and do what other nations do, put them on an equality by subsidies or by bounties. The Democratic party is committed against bounties and subsidies, but by no vote anywhere committed against a discriminating duty. There is no Democratic vote in the whole history of the country where the party is committed against such a duty. Here is section 14, which provides for a discriminating duty, which has had the vote of every Senator on this floor.

Mr. President, I believe and have always believed that the true method of revival is through discriminating duties, that the fathers were right; but I have always been restrained by these treaties. Many of our treaties have done us immense harm. The Nicaragua Canal would have been to-day built if it had not been for the Clayton-Bulwer treaty, and if that spook had not been shaken in our faces here in the Senate; and the American merchant marine would have been where England's is to-day if it had not been for the treaties we have made with those countries and our accepted reciprocal legislation. A treaty is no more sacred than a law, and I am in favor of one more trial and of the Democratic party voting for discriminating duties, they having entered upon the race this very day in section 14, which they knew meant practically nothing.

Mr. CAFFERY. I should like to ask the Senator from Maine a question. I understood him to say that down to 1860 the United States maintained her supremacy in the carrying trade because she had good ships, and because she could build those ships cheaper than England built theirs. If the conditions were changed, and if the United States could build ships as cheap if not cheaper than the English, could she not regain by that the supremacy of the seas?

Mr. FRYE. No; she could not. I did not mean to say that we retained supremacy down to 1860. We did not. I did not notice the question which the Senator asked me. We maintained our supremacy for a good many years, but not down to 1860. We began to lose very largely our carrying trade along in 1856, 1857, and 1858, and during those years lost more than at any other time except during the war.

Of course we lost more then, for reasons any Senator can comprehend. During the war we could do nothing for our marine, and after the war for six or seven years we were powerless, because our currency was so disturbed. Great Britain had commenced building the iron steamships and had invented the triple and compound engines, and all that sort of thing, and away she went out of our sight. We let her stay there. We never have in earnest tried to catch her from that day to this.

Mr. STEWART. Before 1860, by subsidizing her mail ships on the ocean, England drove the American lines off.

Mr. FRYE. Oh, yes; her whole history has been one of subsidy.

Mr. BLACKBURN. Will the Senator from Maine allow me to ask him a question?

Mr. FRYE. With pleasure.

Mr. BLACKBURN. Did I understand the Senator from Maine to say a moment ago that we lost more heavily in foreign commerce during the four years of war than ever before?

Mr. FRYE. In our carrying trade.

Mr. BLACKBURN. Does the Senator mean to exclude or include the coastwise trade?

Mr. FRYE. Exclude it.

Mr. BLACKBURN. I should like to have the figures in support of that statement. Whilst it is true that the foreign carrying trade of this country was not increased from 1861 to 1865, it is equally true that it was substantially as heavy in tonnage in 1865 as it was in 1861. It did not shrink; it simply failed to increase.

Mr. FRYE. The Senator from Kentucky, I think, does not know quite so much about this as I do. Pardon the immodesty of the remark.

Mr. BLACKBURN. I am used to that from the Senator from Maine.

Mr. FRYE. We had tonnage, but where was it? It was tied up at the wharves, because British cruisers were crossing the ocean and capturing it wherever they could lay hands on it, and we did not dare go to sea. Our ships were tonnage, but they were not carrying freight. If the Senator from Kentucky will look at the reports, he will find that we lost in the four years of war 38 per cent of the carrying trade, and we lost before the war, in from 1858 to 1860, inclusive, about 15 per cent of the carrying trade. We have been losing from that time down to last year, and last year it improved just a trifle. But the tonnage does not tell the story, as the Senator will see. We were afraid of you. We feared you would capture our ships.

Mr. BLACKBURN. There was no occasion for that.

Mr. FRYE. We were afraid you would take our men, force them into your army, and make them fight us; and so we stayed at home, at our wharves.

Mr. SQUIRE. I should like to ask the Senator from Maine a question before he yields the floor. Is it not true that one of the reasons for the failure to develop the American shipping is owing to the fact that the American people have been engaged in expending their energy and money in the great internal development of the country of the United States, by its immense railway systems? I desire to ask the Senator from Maine whether that is not a great reason for the failure to undertake exploiting the business of carrying the commerce of the world outside of the United States? Has not the enlarging of our railroad systems and methods of transportation in the United States, and the development of our far Western region been such as to occupy the capital and the energy of the people of the United States? But now, that having been done to the extent it has gone on, we are better

prepared than we have been before to undertake the business of carrying foreign commerce.

Mr. FRYE. The Senator from Washington is unquestionably right. The Senate will pardon me for not undertaking to go into these questions. I did not propose to make an argument or give a history of our decline in shipping. As the Senator understands, we are very limited in time. At some other time or on some other occasion I shall be very happy to discuss the question and go into it thoroughly. It is impossible to do it now. But the principal reason why we can not compete is that wages of foreign nations are lower than ours and that under the American flag an Italian or any other foreign sailor demands American wages. Another reason is that our sailors live 40 per cent better on board ship than any sailors on the face of the earth. Another reason is that every maritime nation on earth pays bounties or subsidies to its ships and ours pays none. We have allowed this to be done year after year without undertaking to save our own vessels except to a very limited degree two years ago in establishing a postal service.

Mr. HIGGINS. Mr. President, my extreme anxiety that the amendment of the Senator from Maine [Mr. FRYE] shall be adopted leads me to say a few words. I hope that the amendment will be considered by our friends on the other side of the Chamber as a matter apart from the general policy of the bill. I wish to call the attention of the members of the Finance Committee who sit on the other side and the Senators generally to a matter that was a great surprise to me, that the discriminating duty provided in sections 14 and 15 of the bill is no novelty. I was surprised to know that there was such a provision in the bill. But it is time honored. It has come down in our tariff statutes as an inheritance from the founders of the Government.

I presume it is the very language in which such a discriminating duty was put in the first statute of this country, and which contributed so much to the building up of our merchant marine. The language of section 14, in the first four lines, is as follows:

"That a discriminating duty of 10 per cent ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, or merchandise which shall be imported in vessels not of the United States."

The remaining provisions of the section only supplement what is said there. It was under such a provision that our merchant marine was built up to its great extent before 1856 and 1857 and the disasters of the war. Great Britain finally accepted in 1849 the legislative offer which we had made them of a treaty to abandon those discriminating duties after they had in 1846 repealed the corn laws and gone to the principle of free trade. Then for the first time she abandoned her policy of holding for herself the trade of her own colonies, and also of maintaining discriminating duties in favor of her own ships. If she had done as we did, stopped there, the conditions in that respect between the two nations would have been equal, but when she and the United States together at the same time by treaty took off the discriminating duty against the ships of the other country, respectively, Great Britain, if she did not then begin, at least kept up and maintained, and has maintained from that time to this her system of bounties. We have not done so. We have therefore been playing against loaded dice.

We on this side thoroughly understand that the Democratic party is committed in its policy against the principle of bounties, and that a vote in favor of such a policy could not be had.

My object in saying anything at all is to ask our friends on the other side of the Chamber whether they can not restore to the sections, 14 and 15, their original broad character and application by adopting the amendment of the Senator from Maine authorizing the Executive to terminate these treaties by notice, and thereby vivify these sections and restore these great means of support to our marine in the future.

If that is done, I think we will have taken by far the longest step toward the restoration of the American merchant marine. It can not be restored simply by the ability to build ships cheaper. That alone will not do it. It will scarcely contribute toward doing it. Neither can we hope to equalize the conditions between the merchant ships of the two countries by any expectation that the American sailor will accept as low wages and as poor living as the foreign sailor. As I have already said, we can not hope for a bounty to meet the subsidies of foreign nations; but here is this good old American remedy against which the Democratic party is not committed, and by which they can give a great boon to the people of the United States, in all parts and in all sections, and to our whole country.

Mr. HAWLEY. Mr. President, I wish to touch upon a single feature of this case, and to call attention to a single consideration. I hear an implied reproach to this country is that it has not its proper numerical proportion of shipping. I am not troubled about it at all. The American Nation has used its capital and put forth its power where it could be done to the very best advantage.

The Senator from Washington [Mr. Squire] has referred to this. We are not upon the ocean in our numerical proportion, because in that we are following the free-trade doctrine—that is to say, we take where we can get a thing cheapest. The carrying can be done cheaper by Norwegians and Italians and other seamen, at a third of what Americans will work for, and the men who build those foreign ships are working for about one-half or two-thirds what the American shipbuilders will work for. So the ships are cheaper, the wages are cheaper, the food and clothing given sailors are cheaper, the officers are paid figures which make you ashamed when you ask them on shipboard what they get.

What have we done? Where are we using our power and our money in that general field of commerce? We have about 171,000 miles of railway. By Poore's Manual they are worth \$11,000,000,000. The figures are beyond the capacity of the human intellect to properly grasp and appreciate. Say that our railways carry freight at twice the speed of a mercantile marine; I am told by Mulhall in his Dictionary of Statistics, by which I have just refreshed my memory, that British merchant steamships cost from £16 to £24 per ton. We will average it at \$100 a ton. The ten thousand million dollars, then, divided by \$100, gives us the money equivalent of 100,000,000 tons of shipping. Great Britain has 7,000,000 tons of shipping. Converting our railroads into shipping, we have fifteen times as much as the mercantile marine of Great Britain.

Mr. SQUIRE. In tonnage? Our railways represent in tonnage fifteen times as much and freight trains run twice as fast as the average merchant ships sail. Our railways represent practically thirty times the mercantile tonnage of Great Britain upon the seas. That is the reason we are not upon the sea with our ships; we are doing better. While we are worrying ourselves over the statistics of international commerce, much exploited and vastly magnified in importance, we are adding fifteen or eighteen millions of inhabitants to our population in

this decade, and adding within ten years past from three to ten thousand miles of railway to our splendid system.

The United States is not fooling away its time in this country, sir. We are far and away the most powerful and magnificent Nation.

Mr. SQUIRE. If the Senator from Connecticut will allow me, I will ask him whether he does not think it is about time now for us to commence to agitate the question of going into foreign commerce?

Mr. HAWLEY. I should be very glad if we had more shipping; but you can not force the American when he is making 6 per cent in one pursuit to change to another and be satisfied with 3 per cent. Our time will come, probably, to take our share of international carrying. We could have a great deal more of it now if we followed the course of other nations, notably free-trade Great Britain, and protected our shipping by bounties and otherwise. Great Britain, as I have said many times, is the most violently protective country in the world when you come to properly understand her policy. In the matter of salt, I gave an example of it in previous remarks.

Mr. LODGE. Mr. President, there always seems to be in the popular conception of this subject great confusion between the shipbuilder and the shipowner. We hear it constantly said upon the stump that we have been giving protection to our shipping for all these years and yet see the manner in which it has declined. The remedy proposed on the other side, by the free trader, is to give us free ships, to allow us to buy ships wherever we choose.

Now, the shipbuilder is one person, the shipowner is another. We have always given protection to our shipbuilders. From that follows no protection to the shipowner, and we have given no protection to the shipowner. If you were to have free ships to-morrow it would not affect the shipowner particularly, because he would still have to compete with the high protection which is given by all other countries, and particularly by England, to the shipowners of their countries. When England entered upon her policy of free ships, which was a crude and merely nominal move, most of our tonnage was in wood, and the result of her free-ship policy at that time was to transfer very largely the building of ships to this country. I think that act was passed about 1849, and by 1852 60 per cent of the new English wooden tonnage was built in this country.

The question that is involved here is a wholly different one. It has nothing to do with shipbuilding or with free ships. It is a question whether we shall give to our shipowners the same advantages that all other countries give to theirs. We do protect them in the coastwise trade, and that trade is enormous. But aside from that we give our shipowners absolutely no protection, neither subsidy, discriminating duties, nor discriminating rates of insurance as Lloyd's does, nor premiums on iron ships. We give them nothing. With the higher wages which they are obliged to pay to their seamen, they are simply driven from the sea. Here in the bill is a clause giving distinctly discriminating duties in favor of the American ship and the American shipowner.

Every man in the Senate will vote for that clause, and yet I suppose the Democratic party will decline to vote for the amendment of the Senator from Maine which alone can make that clause efficient or effective in any way. In other words, all of us, Democrats and Republicans, recognize the traditional principle of the country in that clause, and we do not allow ourselves to make it effective. The question of free ship or protected shipbuilding is one thing; the question of protecting shipbuilding is another. This involves the question whether we shall encourage our merchant marine as it has been the traditional policy of the country always to do.

The Senator from Maine [Mr. FRYE] pointed out how we began it in the beginning of our Government, and how the tonnage rose under it. After the war of 1812, which, of course, had the effect of breaking up our merchant marine very largely and breaking up our carrying trade, we returned to our old discriminating policy, and our proportion of the carrying trade rose by leaps and bounds again, just as it did after the Revolution. We had given it away by these treaties, and other countries, while they had given us the same thing by the treaties, had been very careful to provide similar discriminations for their own merchant marine by subsidies, by bounties, or by discriminations at Lloyd's, which have already been pointed out by the Senator from Maine.

Mr. President, it seems to me that when all of us are prepared to vote for the principle, we ought also to be prepared to vote for the amendment which shall make the principle effective.

Mr. STEWART. Mr. President, I like the principle of this amendment. I believe there is no party committed against it. A similar proposition, precisely the same in effect, will be found in the acts of the First Congress of the United States. It worked well then, but we gave it away by treaties. These treaties have been substantially violated. We are under no obligation in consequence of those treaties, because all of the important nations which entered into them have subsidized their carrying trade, which is a violation of the principle, and we ought to take some notice of it at least.

I think the granting of a subsidy by foreign countries to their carrying trade is a violation of the treaties which were made to abrogate this differential duty, because it is the same in principle. They having taken another mode of reaching the same result, I think it is the duty of the United States to return to the original proposition. At all events, it ought to apply it at once, without regard to notice, to those nations which have subsidized their carrying trade and subsidized their shipping, because they have violated the treaty. It is another way of getting at it.

The carrying trade is a very important matter. It is very important to the country now. It amounts to about \$200,000,000 a year, I suppose. I do not know the exact amount. We are paying now in this country a very large amount for carrying on our foreign commerce. If we are opposed to the principle of subsidies, it seems to me that we ought to return to the principle established in the First Congress of the United States, which worked well, and which we have given away by treaties of which foreign countries have taken advantage by subsidizing their lines. Our passenger ships running across the ocean a half century ago were driven off the line by British subsidies. The British have obtained and maintained control of the carrying trade, which is exceedingly important. Two hundred million dollars a year is a great drain on our people, and if it can be recovered by legitimate legislation I think it ought to be done.

No one will pretend that the fathers of the Constitution, many of whom were in the First Congress, would violate the spirit of that instrument. I think to return to the teachings of the fathers is a very good thing in many cases. I think the departure from the principles which they laid down in the beginning in the legislation they started has produced most of the calamities from which we are now suffering in many respects. If the Senator from Maine will modify his amendment so that it shall apply to all countries subsidizing the vessels con-

ducting their carrying trade it might go into effect at once. It is not in bad faith. It is bad faith in them, however, after we made treaties with them giving up the differential duty, to adopt another mode of obtaining an undue advantage. I hope the amendment will be adopted, but if it is not adopted as it is, I hope the Senator from Maine will modify it so that it shall apply to those countries which subsidize their carrying trade.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE].

Mr. CULLOM. I should be very glad to have the amendment stated again.

The PRESIDING OFFICER. The amendment will be again stated at the request of the Senator from Illinois.

The SECRETARY. At the end of section 14 add the following:

"Until after January 1, 1896, and notice of this provision shall be given all nations before the 31st day of December next."

In section 15, line 2, after the word "treaty," insert:

"Hereafter made and ratified."

At the end of section 16 add:

"Until after January 1, 1896; and notice of this provision shall be given all nations before the 31st day of December, 1894."

Mr. SHERMAN. I should like to have the sections read as they will read if amended.

Mr. FRYE. I will state to the Senator from Ohio that the amendment simply has one effect, and nothing more. It provides that the discriminating duty provided for in section 14 shall extend to all goods imported in foreign vessels, one year's notice being given for the purpose of terminating existing treaties in that regard. That is all there is to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mr. FRYE]. [Putting the question.] The yeas appear to have it. The yeas have it, and the amendment is not agreed to.

Mr. FRYE. I ask for the yeas and nays. I wish to say to the Senator from Ohio that there are very few treaties, indeed, to be affected; that the greater portion has been yielded by legislation. We enacted certain legislation which should become law when certain other nations accepted it. Great Britain accepted the final legislation in 1849, and the amendment provides a discriminating duty where no legislation or treaty prevents it.

The Senator from Ohio will not find many treaties to be affected. Then, I think it only gives notice for repealing this particular clause. After the vote has been taken, if the amendment is not adopted, and I suppose it will not be, I shall have the amendment go before the Committee on Foreign Relations.

The PRESIDING OFFICER. The Senator from Maine [Mr. FRYE] demands the yeas and nays on the amendment.

Mr. FRYE. I withdraw the request for the yeas and nays.

The PRESIDING OFFICER. The demand is withdrawn. The amendment has already been declared not adopted.

MR. SULZER'S BILL TO PROMOTE THE AMERICAN MERCHANT MARINE.

A bill to regulate commerce with foreign nations, so as to equalize the footing of American vessels with foreign, to make preference for the use of American ships in our own trade, to extend the postal service by American steamships, and to promote the commercial independence of the United States.

Be it enacted, etc., That the law relating to vessels, to the duties laid upon tonnage, and to the ocean mail service in force when this act shall be approved, be, and the same is hereby, supplemented and amended as follows:

PART I.—TONNAGE DUTIES.

SECTION 1. That all vessels not of the United States arriving at any port under the jurisdiction of the United States, after this act shall take effect, shall be liable for, and shall pay, additional, or extra tonnage duties, except as provided in section 2, for the purpose of equalizing the footing of American ships with those of other countries, whose vessels, as a rule, cost much less to build and especially to navigate, that there may be fair and equitable commerce with all countries, proper competition between our own vessels and those of the nations with whom we trade, and a chance for the survival of the marine of the United States.

DIRECT TRADE.

SEC. 2. That no vessel coming direct from her own country, its colony or possession, not stopping at a port of another country, laden with the productions of its own country, or with passengers, in excess of one-third of her burden or capacity for freight or for passengers, to be landed in the United States, shall be charged with additional or extra tonnage duty, except in cases where the country to which she belongs and whence she sailed direct, charges additional or extra tonnage duty, or an equivalent thereof, to vessels of the United States; and in such cases, if any there be, the extra duty of the vessel's country so chargeable shall be added to the extra duty of the United States under this act, and the sum so found shall be the full charge per ton for additional or extra duty to be collected; but if the country to which the vessel belongs, so laden and coming, shall hold out to its vessels by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, then, and in that case, three-fourths of the amount of the gratuity payable as aforesaid, shall be charged and collected as countervailing duty in addition to the regular and the extra duty otherwise chargeable and to be collected: *Provided, however*, That a steamer under postal contract, carrying the mails regularly, shall pay no extra tonnage taxes, unless her country charges such taxes to the mail steamers of the United States, or unless she comes indirect, or unless there be no mail steamers of the United States running to such country, in which case an equivalent of such tax shall be charged up and collected from her, as additional or countervailing duty.

Clause 1. Every vessel not of the United States that shall arrive direct from her own country, its colony or possession, in ballast, or with merchandise produced there, or with passengers, in a less proportion than one-third of her burden or capacity for freight or passengers, as aforesaid, shall pay a duty on the gross admeasurement, in addition to the regular duty imposed by law, as follows: On all vessels not exceeding 4,000 tons, 25 cents per ton; on all vessels between the sizes of 4,000 and 8,000 tons, 50 cents per ton; on all vessels between the sizes of 8,000 and 12,000 tons, 75 cents per ton; on all vessels between the sizes of 12,000 and 16,000 tons, \$1 per ton; on all vessels between 16,000 and 20,000 tons, \$1.25 cents per ton; on all vessels between the size of 20,000 tons, \$1.50 per ton.

Clause 2. But if a vessel not of the United States shall arrive direct from her own country, its colony or possession, in ballast, or with merchandise of its production, or with passengers, in a less proportion

than one-third of her burden or capacity for freight or passengers, as aforesaid, and the country of said vessel holds out to its shipowners by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, then in addition to the regular and the additional duties found as provided in clause 1, there shall be added a countervailing duty, which shall amount to one-half the additional duty provided in clause 1.

Clause 3. Surveyors of tonnage shall ascertain and certify to the collector the proportion of carrying ability or capacity occupied by passengers, by freight, and by ballast of any kind, respectively, and no vessel so laden and coming shall be discharged of cargo, except upon acceptance of the report of the surveyor by the master or agent of the vessel.

Clause 4. Every vessel coming from her own country, but bringing cargo the whole or a portion of which has been produced in another or foreign country, shall be considered as engaged in direct trade, unless nine-tenths of her cargo, in weight or value, shall be of home production, and she shall be liable to payment of duties under the provisions of section 3, according to size by tonnage admeasurement.

INDIRECT TRADE.

SEC. 3. That a discriminating tonnage duty, based upon the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States that shall arrive with merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions where the said cargo, in whole or in part, was laden, but to which country, colony, or possession said vessel or vessels do not belong, as follows:

Clause 1. On all vessels exceeding 4,000 tons, the additional duty shall be \$1.25 per ton until the 1st day of January, 1910, after which date it shall be \$1.50 per ton until the 1st day of January, 1912, after which date it shall be \$1.75 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be \$1.50 per ton until the 1st day of January, 1910, after which date it shall be \$1.75 per ton until the 1st day of January, 1912, after which date it shall be \$2 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be \$1.75 until the 1st day of January, 1910, after which date it shall be \$2 per ton until the 1st day of January, 1912, after which date it shall be \$2.50 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be \$2.25 per ton until the 1st day of January, 1910, after which date it shall be \$2.75 per ton until the 1st day of January, 1912, after which date it shall be \$3.25 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be \$3.50 per ton until the 1st day of January, 1910, after which date it shall be \$4 per ton until the 1st day of January, 1912, after which date it shall be \$5 per ton. Any vessel violating this section or refusing to pay duties under its provisions as aforesaid shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

SEC. 4. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States from countries, colonies, or possessions to which said vessel or vessels do not belong, as follows:

Clause 1. On all vessels not exceeding 4,000 tons, the additional duty shall be 75 cents per ton until the 1st day of January, 1910, after which date it shall be \$1 per ton until the 1st day of January, 1912, after which date it shall be \$1.25 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be \$1 per ton until the 1st day of January, 1910, after which date it shall be \$1.25 per ton until the 1st day of January, 1912, after which date it shall be \$1.50 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be \$1.25 per ton until the 1st day of January, 1910, after which date it shall be \$1.50 per ton until the 1st day of January, 1912, after which date it shall be \$1.75 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be \$1.50 per ton until the 1st day of January, 1910, after which date it shall be \$1.75 per ton until the 1st day of January, 1912, after which date it shall be \$2 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be \$2.50 per ton until the 1st day of January, 1910, after which date it shall be \$3 per ton until the 1st day of January, 1912, after which date it shall be \$4 per ton. Any vessel violating this section or refusing to pay duties under its provisions as aforesaid shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

SEC. 5. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from all vessels not of the United States, but of a country that holds out to its vessels by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, that shall arrive in ballast without merchandise, passengers, or mails to be landed in the United States, from countries, colonies, or possessions to which said vessel or vessels do not belong, as follows: *Provided, however*, That in no case shall the additional duty amount to less than the bounty, subsidy, or subvention actually payable by the government of the country to which the vessel belongs.

Clause 1. On all vessels not exceeding 4,000 tons, the additional duty shall be \$1 per ton until the 1st day of January, 1910, after which date it shall be \$1.25 per ton until the 1st day of January, 1912, after which date it shall be \$1.50 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be \$1.25 per ton until the 1st day of January, 1910, after which date it shall be \$1.50 per ton until the 1st day of January, 1912, after which date it shall be \$1.75 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be \$1.50 per ton until the 1st day of January, 1910, after which date it shall be \$1.75 per ton until the 1st day of January, 1912, after which date it shall be \$2 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be \$1.75 per ton until the 1st day of January, 1910, after which date it shall be \$2 per ton until the 1st day of January, 1912, after which date it shall be \$2.25 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be \$2.75 per ton until the 1st day of January, 1910,

after which date it shall be \$3.50 per ton until the 1st day of January, 1912, after which date it shall be \$5 per ton. Any vessel violating this section, or refusing to pay duties under its provisions as aforesaid, shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

Sec. 6. That a discriminating tonnage duty, based on the gross admeasurement in all cases, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel not of the United States that shall arrive from a country to which it does not belong, whether with or without cargo, passengers, or mails, but under engagement to load cargo, passengers, or mails for another country than its own, or that shall effect such engagement after arrival at a time and while there shall be one or more vessels of American registry in port listed at the custom-house as ready and offering to engage for the same or a similar voyage, as follows:

Clause 1. On all vessels not exceeding 4,000 tons, the additional duty shall be \$2 per ton until the 1st day of January, 1910, after which date it shall be \$2.25 per ton until the 1st day of January, 1912, after which date it shall be \$2.50 per ton.

Clause 2. On all vessels between the sizes of 4,000 and 8,000 tons, the additional duty shall be \$2.75 per ton until the 1st day of January, 1910, after which date it shall be \$3 per ton until the 1st day of January, 1912, after which date it shall be \$3.25 per ton.

Clause 3. On all vessels between the sizes of 8,000 and 12,000 tons, the additional duty shall be \$3 per ton until the 1st day of January, 1910, after which date it shall be \$3.50 per ton until the 1st day of January, 1912, after which date it shall be \$4 per ton.

Clause 4. On all vessels between the sizes of 12,000 and 16,000 tons, the additional duty shall be \$3.25 per ton until the 1st day of January, 1910, after which date it shall be \$3.75 per ton until the 1st day of January, 1912, after which date it shall be \$4.25 per ton.

Clause 5. On all vessels exceeding the size of 16,000 tons, the additional duty shall be \$3.50 per ton until the 1st day of January, 1910, after which date it shall be \$4 per ton until the 1st day of January, 1912, after which date it shall be \$5 per ton.

Clause 6. But if, in addition to coming as aforesaid, under engagement or making it after arrival, as above, a foreign vessel shall have held out to her by law the payment of bounty, subsidy, or subvention of some sort, whether for building or running, in consideration of making voyages like the one in question, then, and in such case, a duty of 25 per cent over and above the rate per ton stated in clauses 1, 2, 3, 4, and 5 of this section shall be levied and collected: *Provided, however*, that if there be no vessels of American register listed at the custom-house at the time of arrival, or of engagement afterwards, as ready and willing to engage for the same or a similar voyage, then tonnage duty shall be payable under section 2, or 3, or 4, according to the circumstances described therein. Any vessel violating this section or refusing to pay duties under its provisions as aforesaid shall not be permitted to load or clear with cargo in a port of the United States on penalty of seizure and confiscation.

Sec. 7. That all vessels not of the United States, running under bounty, subsidy, or subvention of some sort, arriving at the Gulf ports of the United States from the Atlantic ports, or vice versa; or arriving at the Pacific ports of the United States from the Atlantic or Gulf ports, or vice versa; or arriving at any port of the insular possessions of the United States, or vice versa, in ballast and without freight or passengers, seeking cargo, shall pay additional tonnage duties for the privilege thus enjoyed, as follows: On arrival from Atlantic or Gulf ports, or vice versa, 30 cents per ton; on arrival from Atlantic or Gulf ports to Pacific ports, or vice versa, \$1 per ton; on arrival from any port of the mainland to any port of the insular possessions of the United States, or vice versa, \$2 per ton, gross measurement in all cases. No vessel, not of the United States, shall discharge or take in cargo or passengers without a permit from the collector in each and every case. Any vessel violating this section or refusing to pay duties as aforesaid shall not be permitted or allowed by the collector to load cargo or passengers in a port of the United States.

Sec. 8. That a duty of 50 cents per ton on the gross admeasurement, in addition to the regular duty imposed on vessel tonnage by law, shall be levied and collected from every vessel that shall enter a port of the United States from a port of her own country, either with or without cargo, passengers, or mails, if she has not come direct, but has called or stopped on the way at a port of a country not her own and there, either in or off the port, has received merchandise, passengers, or mails, and the same shall be landed in the United States, unless said vessel has been built in the United States, or is owned by citizens of the United States, to the extent of 40 per cent, to be proved to the satisfaction of the collector and the district attorney of any United States court.

Sec. 9. That a tonnage duty, to be termed light tax, of 3 cents per ton on the gross admeasurement of every merchant vessel, not of the United States, that shall enter a port of the United States, shall be levied and collected, in addition to duties required by preceding sections, before clearance for sea, except in case such vessel shall clear in ballast, or may have made port in distress, or was built in the United States.

Sec. 10. That a tonnage duty, to be termed race tax, of 14 cents per ton on the gross admeasurement of every merchant vessel not of the United States, that shall enter a port of the United States and therein discharge merchandise, passengers, or mails, shall be levied and collected, in addition to the duties required by preceding sections, if such vessel, belonging to a country of Europe or America, shall be manned to an extent exceeding 10 per cent of the crew by persons belonging to any African or Asiatic country, or if said persons of the crew belong to a different race of men from the owners of such vessel.

Sec. 11. That the regular tonnage tax referred to in preceding sections shall be paid by all vessels in the foreign trade, whether American or foreign, and be hereafter collected on each and every entry at the custom-house and computed on the gross admeasurement. The present rates shall be increased from 6 cents to 10 cents per ton, and from 3 cents to 5 cents per ton, respectively. American steamers carrying mails shall pay tonnage tax but once a year.

PART 2.—EXPORT PREMIUMS.

Sec. 12. That all collections of tonnage duties and charges of every sort against vessels of every kind, whether regular, or additional, or countervailing duties, light, race, and immigrant tax, entrance and clearance fees, and permits provided by this and former acts to be levied, collected, and paid at the custom-house, and all fines, penalties, and forfeitures paid into the courts from violations of the navigation and revenue laws of the United States, this act included, shall, after the passage of this act, be set apart in the Treasury as a special fund from

which to pay, first, for the support of marine hospitals for seamen sailing in vessels of the United States; and, second, for the payment of premiums to exporters of merchandise for giving preference in the employment of vessels to those of the United States not in fact owned by themselves. No part of this fund shall be covered into the General Treasury, but the unpaid portion of it shall be carried over from year to year.

Sec. 13. That on and after fifteen months from the passage of this act there shall be paid, out of the special fund in the Treasury provided for by section 12 of this act, to the bona fide owners and exporters of merchandise the growth, production, or manufacture of the United States, to foreign countries not adjoining the United States, in vessels of the United States registered pursuant to law and not owned in fact by themselves, as follows: A premium of one-fourth of 1 per cent on the cash valuation of each shipment direct to a port not less than 65 miles from the tidal or national boundary of the mainland of the United States; and a premium of one-half of 1 per cent on the cash valuation of each shipment direct to a port not less than 400 miles from the port of departure in the United States; and a premium of three-fourths of 1 per cent on the cash valuation of each shipment direct to a port not less than 1,000 miles from the port of departure in the United States; and a premium of 1 per cent on the cash valuation of each shipment direct to a port not less than 2,000 miles from the port of departure in the United States; and a premium of 1½ per cent on the cash valuation of each shipment direct to a port not less than 3,000 miles from the port of departure in the United States; and a premium of 2 per cent on the cash valuation of each shipment direct to a port not less than 4,000 miles from the port of departure in the United States; and a premium of 2½ per cent on the cash valuation of each shipment direct to a port not less than 5,000 miles from the port of departure in the United States; and a premium of 3 per cent on the cash valuation of each shipment direct to a port not less than 6,000 miles and upward from the port of departure in the United States. These premiums to an exporter shall be payable to his order upon report of the clearance of the vessel, with a statement of the collector of the port fixing the value of the shipment, which must be sworn to by an appraiser for the United States, within ten days, according to such regulations as the Secretary of the Treasury shall prescribe, distances between ports to be determined by the Hydrographic Office of the Navy Department and stated in sea miles.

PART 3.—MAIL CARRIAGE.

Sec. 14. That the postal act approved March 3, 1891, be, and it is hereby, amended to provide and to read as follows:

Clause 1. That the Postmaster-General shall as often as once in each year advertise for informal proposals for the carriage of mails by sea in American vessels between such ports of our own and other countries as to exporters may seem advantageous. The advertisements shall be inserted four times weekly in a paper printed in Boston, New York, Philadelphia, Baltimore, New Orleans, Galveston, Norfolk, Charleston, Savannah, Mobile, San Francisco, Portland, and Seattle, describing the service as that of mail and naval vessels adapted to promote the postal, commercial, and naval interests of the United States and to subserve those of their owners as well. Proposers will state the size and speed of vessels, number of trips yearly, remuneration required, time when service could be begun, and such other particulars as may seem useful for the Government to consider.

Clause 2. That within one month after receipt of informal proposals, the Secretary of the Navy and the Postmaster-General shall together consider their contents, the wants of the navy and the needs of the postal service, and fix upon a schedule of requirements that will satisfy both interests. The Secretary of the Navy will control the plans for the vessels, and the Postmaster-General will decide upon the postal programme, and the two together shall advertise formally to let contracts for the running of the vessels required. Such advertisements shall be inserted in the same papers that called for informal proposals four times weekly, describing the route, the character of the vessels, the size and speed, the number of trips yearly, the times of sailing, and the time when the service shall begin. These requirements shall not be such that bidders can not be found. The Navy Department shall pay the cost of formal advertising. The letting of such contracts shall be the same as prescribed by law for the letting of inland mail contracts, so far as shall be applicable to vessels. Every contract must have the approval of the President, and none shall exceed the limit of thirty years; but the President may require improved service every ten years.

Clause 3. That the vessels employed under any contract made under this act shall constitute a line which shall have a sailing day or days, at most, as often as three times a week, but no line shall monopolize the carriage of mails to any foreign port.

Clause 4. That the owners of lines contracting for mail carriage may be persons or corporations, but if the latter, the contract must be with the individuals of the board of directors, who must be citizens of the United States and at all times prepared to swear that not more than 40 per cent of the capital stock of the corporation is held by aliens, and that a citizen manages the line, under penalty of forfeiture of the contract, which, in such case, the President of the United States is hereby authorized to declare. No line shall combine or consolidate with another, under the same penalty.

Clause 5. That the vessels employed under this act shall be commanded by citizens, and at least two officers and two engineers of each vessel shall also be citizens of the United States, and on each departure a portion of the crew, inclusive of firemen, shall owe allegiance to the United States, to wit: During the first year, one-eighth thereof; during the next two years, one-fifth; during the fourth and fifth years, one-fourth; during the sixth and seventh, three-tenths; during the remainder of contract time, one-third thereof. But no mail carrier shall be delayed in sailing to obtain a crew in above proportion until ten years after the passage of this act. It may be stipulated that mails may be brought from abroad, the foreign country paying for the service; also that passengers and baggage and freight may be carried both ways. After July 1, 1912, the mails shall be sent foreign by vessels of the United States and no others, without express consent of Congress; and in cases of need, when private enterprise fails to undertake or carry on the mail service at reasonable or lawful rates of remuneration, the Secretary of the Navy shall have authority, and it shall be his duty, to furnish suitable vessels of the navy in which to send mails foreign or bring them home, until the further order of Congress.

Clause 6. That all vessels in the postal service and hereafter built for it shall be prepared to receive arms for immediate use as cruisers, scouts, or transports in time of war; and in future their plans and specifications shall be agreed upon by and between the owners and the Secretary of the Navy, the strength and stability to be sufficient to carry armament required in naval service, and the materials of hull

and machinery to be such as will command the highest classification given by American inspection of vessels. And all such vessels hereafter built shall be constructed under the inspection of a naval officer detailed by the Secretary of the Navy, to whom he will report in writing the progress made monthly, whether or not the contract is being well performed, and when the trial trip may be made; and no vessel not approved by the Secretary as fulfilling the contract, as to hull and machinery, shall be accepted for the service.

Clause 7. That the compensation to be agreed upon and paid for such service as may be contracted for under this act shall be reasonable and as low as responsible bidders will perform the same, having regard to the encouragement to vessels provided by this act, to the commercial circumstances in each case, and to the rate of compensation for similar service paid by other countries. Where a bid may be deemed too high, the programme may be modified or the route readvertised, payment for services to be made at the end of each round voyage. If the contract shall fail to be fulfilled for six months, the President may declare it forfeited, and thereupon the route shall be readvertised and let to another bidder, but on no account shall the service be abandoned to other countries. Readvertising shall be done in a paper printed in Washington, D. C.

Clause 8. That upon each mail vessel the United States shall have transported, free of charge, one messenger, whose duty shall be to receive, sort, take in charge, and deliver the mails to and from the United States, and who shall be provided with suitable room for himself and for the mails.

Clause 9. That officers of the navy may volunteer for service on mail vessels, and when accepted by the contractors be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without harm to the service, and while in said employment they shall receive furlough pay from the Government and such other compensation from the contractors as may be agreed upon: *Provided*, That they shall be required to perform only such duties as pertain to the service.

Clause 10. That said vessels shall carry as cadets one American boy under 21 years of age for each 2,000 tons gross measurement, who shall be taught the duties of the service as seamen or engineers, rank as petty officers, and receive reasonable remuneration from the contractors.

Clause 11. That said vessels may be taken and used by the Government as cruisers, scouts, or transports at any time, on payment to the owners of their fair, actual value at the time of the taking, either for service by the voyage, by the month, or year, or may be purchased outright; and if there shall be a disagreement as to the rental or value, then the same shall be settled by two appraisers, one appointed by each party, they selecting the third, who shall act in case the two disagree. In the event of breaking up a line by taking its vessels, the Government shall give the contractors the time necessary to provide other vessels for carrying out their contract when opportunity offers, or the contract may be terminated by mutual consent.

Clause 12. That all vessels, not of the United States, coming with passengers from a country to which said vessels do not belong, shall pay to the collector of the port where landed an immigrant tax of 10 cents for each nautical mile of distance from port to port, for each and every passenger brought from such country, who shall be landed with his or her effects.

PART 4.—GENERAL PROVISIONS.

SEC. 15. That marine underwriters or insurance companies of all countries, in person or through agencies in the ports of the United States, may issue policies on hulls or cargoes in conformity with state regulations, where such have been made, on voyages outward or inward; but any discrimination made by them or their agents, either in the clauses of policies, in the premium rates, or effected through inspection or classification of hulls or otherwise, which shall tend to favor the employment of foreign vessels or tend to disfavor, embarrass, or inhibit the engagement of vessels of the United States, shall be deemed a misdemeanor, punishable by a fine as a penalty in a district court of the United States. Said fine for the first offense shall not exceed \$5,000 nor be less than \$3,000; for a second offense said fine shall not be less than \$10,000, and for the third offense and each one afterwards said fine shall be not less than \$15,000 nor more than \$25,000, and suits shall be prosecuted by the attorney of the court aforesaid for each and every violation of this section that may be brought to his notice. In any such suit it shall be no defense that the orders or directions of any person, or the rules and regulations of any association of underwriters, shipowners, merchants, marine surveyors, or their agents, whether citizens or aliens, or that the inspection or classification of any vessel by any person, society, or authority whatsoever, can be claimed to justify the discrimination that may have been the subject of complaint, and which is not to be justified on any grounds. A refusal to insure goods, wares, and merchandise under this act to be carried by American vessels shall forfeit the privilege of doing business in American ports, or make the parties finable as above, to be decided by the court, in a suit brought for the forfeiture of said privilege, which is to be enjoyed under this act only.

SEC. 16. That in a time of peace it shall not be lawful for any officer of the Government to receive tenders of service or to make contracts to be performed by vessels not of the United States, and in all contracts for the performance of public work it must be provided that water transportation shall be performed by vessels of the United States. And the transportation of passengers, mails, goods, wares, and merchandise between the United States, its Territories and possessions, and the ports and places of the Panama Canal Zone is hereby declared to be reserved for vessels of the United States under the coastwise laws.

SEC. 17. That in a time of war it shall not be lawful for vessels not of the United States to import or land anywhere in the United States, its Territories or possessions, any goods, wares, or merchandise, the growth, production, or manufacture of a country not at peace with the United States. And all goods, wares, and merchandise imported by a vessel not of the United States admitted to storage in bonded warehouse is hereby limited to a period of ten days, within which time the lawful duties and charges must be paid, whether entered for consumption or reexportation. In cases where minimum or reciprocity duties are imposed by law on goods, wares, and merchandise imported there shall be levied, collected, and paid full rates of duty, notwithstanding any convention, if the same shall have been brought in by a vessel not of the United States, or not of the reciprocating country from which such goods, wares, or merchandise were exported; or if the same, not being the growth, production, or manufacture of a country contiguous to the United States, shall have been brought across the line from such country.

SEC. 18. That on and after the passage of this act it shall be lawful for the space of thirty months, but no longer, for any bona fide citizen,

citizens, or domestic corporation engaged in, or intending immediately to engage in, the carriage of merchandise, mails, or passengers in the foreign trade of the United States, to import and enter at the customhouse, stating the foregoing facts under oath, for his or their own use, and that of no other person or persons in said trade, and not to be held for sale or sold to other citizens, and not to be employed in the domestic trade more than two months in the year, any vessel or vessels suitable therefor, of size not less than 2,000 tons gross, and of age not more than 5 years, and have the same duly registered as a vessel of the United States, but upon the following conditions, nevertheless, to wit, that all vessels imported in the first six months of the term of thirty months, as aforesaid, shall pay a duty of \$4 per ton gross measurement; those imported in the second six months shall pay a duty of \$5 per gross ton; those imported in the third six months shall pay a duty of \$6 per ton; those imported in the fourth six months shall pay a duty of \$7 per ton; those imported in the fifth six months shall pay a duty of \$8 per ton gross measurement, on all vessels less than 1 year old. A deduction of duty may be made on all vessels according to age beyond 1 year, to wit, of 5 per cent on those between 1 and 2 years; of 10 per cent on those between 2 and 3 years; of 15 per cent on those between 3 and 4 years; and of 20 per cent on those between 4 and 5 years of age. The Treasury Department may allow credit on duties for imported tonnage to the extent of six and twelve months' time on secured notes of owners with interest at 2 per cent per annum. And it shall be unlawful upon penalty, as for a misdemeanor, punishable by fine of not exceeding \$1,000 in a district court of the United States, for the master, owner, or agent of any foreign-built freight vessel or yacht not duly registered, enrolled, or licensed to fly the flag of the Union from or abaft of the aftermost mast, spar, or pole, except as a signal of distress.

SEC. 19. That the making or offering to make a contract for the exclusive carriage of goods, wares, or merchandise, either to or from foreign countries, conditioned partly on the shipment of same in the future by no other vessel or line of vessels, and promising or making of payment of rebates of freightage thereon, in consideration of making such contract, by an owner or agent of any vessel or line of vessels, is hereby declared a misdemeanor, punishable by fine in a district court of the United States of not less than \$3,000 or more than \$10,000 on each conviction of such owner or agent of any such offending vessel or line of vessels, and if under foreign registry such vessel or line of vessels shall not thereafter be permitted either to land or to load cargo in the United States. Where it may become known to, or suspected by, the collector of any port that rebates of freightage are offered, promised, or paid in an endeavor to engross the carriage of export or import goods, wares, or merchandise, he shall forthwith place the facts, or his information and belief, before the district attorney, who shall take proper steps to ascertain the truth and to break up the practice. And for the prevention of frauds that might be attempted under this act in indirect carrying, foreign vessels not built in the country of registry shall undergo a probation of three years before being adjudged by the collector as belonging in good faith to the country of registration, unless built in the United States.

SEC. 20. That nothing in the act to regulate commerce, approved February 4, 1887, or in the act to protect commerce against unlawful restraints and monopolies, approved July 2, 1890, or in any act amendatory of either of said acts, shall hereafter apply to the establishment of railroad rates or to the changing or publication of the same with respect to foreign commerce, if carried in vessels of the United States; or shall prohibit any agreement or reasonable act with respect to interstate transportation that is not in restraint of commerce with foreign nations or among the several States; or shall hereafter authorize fines for any violation of such acts.

SEC. 21. That after the 1st day of January, 1910, it shall be unlawful to transport merchandise that has been imported, or that is designed for export, at a less rate than is charged between the same points for the transportation of domestic interstate commerce of like character, unless carried in vessels of the United States inward or outward.

SEC. 22. That after the passage of this act it shall not be lawful for any officer of the Government to issue a register, enrollment, or license for any vessel built abroad, except such as have been captured in war and condemned as prize, or such as have been forfeited for a violation of the laws and bought at marshal's sale, or may have belonged to a country that has come under the Government of the United States, or has become entitled to registry by compliance with this act.

SEC. 23. That the regular duties of tonnage, computed on the gross admeasurement in all cases, and the usual passenger tax shall be paid alike by vessels of the United States and foreign vessels on each and every arrival, in foreign trade, when entry of vessel is made. Immigrant tax shall be paid when permit is given for the landing of passengers from vessels, not of the United States, brought from countries to which said vessels do not belong. All additional tonnage duties and the light and race tax shall be paid before lading permit is issued, but if loading be delayed, then, at least, at the end of two months from date of entrance. American vessels carrying crews of which one-eighth the number are citizens, or owe allegiance to the United States, shall have rebate of tonnage tax to the extent of 20 per cent; if one-fourth of the crew be citizens, the rebate shall be 30 per cent; if three-eighths of the crew be citizens, the rebate shall be 40 per cent; if one-half of the crew be citizens, the rebate shall be 50 per cent; if five-eighths of the crew be citizens, the rebate shall be 75 per cent; and if three-fourths of the crew be citizens, the rebate shall be 100 per cent. The United States shipping commissioner shall ascertain and certify to the collector the proportion of citizens or persons owing allegiance in each crew where rebate of tax may be demanded. Regular apprentices, as seamen or engineers, if citizens, shall count as men in computing rebate of tax. In trade to and from tropical countries, where it may not be practicable to find any but natives of such regions to fill vacancies in the crew of vessels, permits may be issued, on applications under oath of the owner or agent, by the Secretary of Commerce and Labor for one year, or while necessary, to carry a crew partly such as it may be practicable to engage in any given place. In all cases where vessels may be fined in accordance with the statutes, for infractions of law, it shall be unlawful for the Secretary of the Department to remit any portion thereof without an order of court duly recorded; and it shall also be unlawful for the Commissioner of Navigation to order refunds of tonnage taxes that have been paid to a collector without trial and judgment of the case by a court of the United States.

SEC. 24. That for twelve years from the passage of this act it shall be lawful for the judge of any district court of the United States to grant final papers of naturalization to any seaman of a country in Europe or America who can speak and read the English language on his taking the oath of allegiance prescribed by law, and swearing also that he has sailed one or more years in vessels of the United States,

naming them, and that he intends so to do in the future, naming the vessel that he will sail in next.

Sec. 25. That sections 12, 14, 15, 16, 18, 19, 20, 22, 24, and 25 of this act shall take effect upon its passage, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 17, 21, and 23 in one year and thirty days thereafter; and all acts or provisions of law in conflict herewith are hereby repealed; also any and all articles or clauses in existing maritime reciprocity conventions or in treaties, whose time fixed has expired, that are in contravention herewith, are hereby annulled and abrogated, in conformity with the stipulations and equities of said agreements and the rights of the United States; and the formal notice of the Congress of the United States is hereby given to all countries concerned that, in one year from the approval of this act by the President, all diplomatic agreements for the suspension of commercial regulations, or for the forbearance to enact them, so far as the aforesaid agreements are terminable by notice, are receded from on the part of the United States, and all enactments to carry out said agreements are by this act repealed. Any agreement, as above, not yet terminable by notice, may be observed until its term expires, but not longer.

Mr. PAYNE. I move that all debate on this amendment and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MANN. Mr. Chairman, I do not believe there is any trade or bargain between those who are in favor of a high tariff on barley and those who are in favor of free lumber, and I hope that the Members on this side of the House, as well as those on that side of the House, who have been in favor of free lumber will stand in favor of free lumber regardless of what position the House may take on the subject of barley.

Mr. Chairman, I deny that there is any trade on barley. I trace the origin of this amendment to another source. The other day the amendment was offered by my distinguished friend from Kansas [Mr. MILLER] in behalf of prohibition. It is very evident that the prohibitionists have been exceedingly busy, and the distinguished gentleman from Washington [Mr. CUSHMAN], himself an example of the way beer makes men fat [laughter], is now proposing a fresh attack upon the beer industry. I know that he would not make a trade. He is only urging that the price of malt and beer be raised in behalf of the sentiment in the country in favor of prohibition and temperance. It would be idle to suppose that the gentleman's State is interested in the subject of barley. It would be idle to suppose that he had engaged in conversation with the insurgents of the House from the districts where they raise barley concerning the tariff on lumber or even the tariff on barley. The gentleman's sole motive is a temperance motive. Sordid considerations do not affect him.

Mr. CUSHMAN rose.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Washington?

Mr. MANN. Always, with pleasure and profit.

Mr. CUSHMAN. In all seriousness, I can state to the gentleman that no Member who has talked with me in relation to this barley schedule—

Mr. MANN. That is just what I said a moment ago.

Mr. CUSHMAN (continuing). Has talked to me in reference to the lumber schedule as connected with the barley schedule.

Mr. MANN. That is what I said. The gentleman bears out my words, and I am glad to see the gentleman serious for once on the floor of the House. [Laughter.]

Mr. CUSHMAN. I am not only serious, but sober. [Laughter.]

Mr. MANN. Mr. Chairman, it is not usual for the gentleman to be serious on the floor. I hope—I know—it is not unusual for him to be sober. [Laughter.]

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Washington [Mr. CUSHMAN].

The amendment was agreed to.

Mr. GAINES. I offer the following committee amendment.

The CHAIRMAN. The gentleman from West Virginia offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Paragraph 182, on page 49, line 15, strike out the word "ferromanganese," and, in line 17, after the word "ferrosilicon," insert the words "containing more than 15 per cent of silica;" and, in line 20, after the word "valorem," change the period to a semicolon and insert after the semicolon "ferrosilicon containing not more than 15 per cent of silica, and ferromanganese, \$4 per ton."

The amendment was agreed to.

Mr. HILL. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Paragraph 138, on page 37, lines 1, 2, 3, and 4, strike out the following words:

"Rolled, cold drawn, cold hammered, blued, brightened, tempered, or polished in any way in addition to the ordinary process of hot rolling or hammering," and insert in lieu thereof "hammered, blued, brightened, tempered, polished, or treated in any way in addition to cold rolling to size."

Mr. HILL. Mr. Chairman, that amendment simply corrects an erroneous classification and puts it back to the classification in the Dingley bill.

Mr. HARRISON. And it reduces the duty.

Mr. HILL. It reduces it from what it would be if it stayed in the wrong place.

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

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Strike out section 4 and insert the following in lieu thereof:

"Sec. 4. Whenever any country, province, dependency, or colony admits each and every article imported into said country, province, dependency, or colony from the United States, or any of its possessions (except the Philippine Islands), the growth or product, in whole or in part, of the soil or industry of the United States or any of its possessions (except the Philippine Islands), upon payment thereon of duties, imposts, excises, or taxes which shall not be in excess of those levied upon like articles imported from any other country, province, dependency, or colony, and admits such articles on terms as favorable as those accorded to any article imported from any other country, province, dependency, or colony, there shall be levied, collected, and paid upon articles imported into the United States and any of its possessions (except the Philippine Islands) from such country, province, dependency, or colony, the growth or product of the soil or industry of such country, province, dependency, or colony, and whether such articles are shipped from the ports of such country, province, dependency, or colony, or from any other foreign port or ports, the rate of duty prescribed in section 1 of this act; and in like cases the articles mentioned in section 2 of this act shall be admitted free of duty.

"Whenever on or after sixty days after the passage of this act any country, province, dependency, or colony discriminates against any article imported from the United States, or any of its possessions (except the Philippine Islands), the growth or product, in whole or in part, of the soil or industry of the United States, or any of its possessions (except the Philippine Islands), by levying duties, imposts, excises, or taxes thereon in excess of those levied upon similar articles imported from any other country, province, dependency, or colony, or in any way fails to admit any article imported from the United States, or any of its possessions (except the Philippine Islands), on terms as favorable as those accorded to any article imported from, and the products of any other country, province, dependency, or colony, there shall be levied, collected, and paid upon all articles imported into the United States, or any of its possessions (except the Philippine Islands), the growth or product of the soil or industry of such country, province, dependency, or colony so discriminating against any article imported from the United States the rates of duty prescribed in section 3: *Provided however*, That these provisions for additional duties shall not apply to the cases where the preferential duties are those which are given by and between a province, dependency, colony, or the mother country only."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

Mr. GARRETT rose.

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard?

Mr. GARRETT. No; I desire to hear the gentleman from New York.

Mr. PAYNE. Mr. Chairman, I offer an amendment to that amendment.

The Clerk read as follows:

Before the word "article," in the second paragraph of the amendment, insert the word "similar," so as to read, "any similar article imported from the United States," etc.

The CHAIRMAN. The question is on the amendment to the amendment.

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

Mr. GARRETT. Mr. Chairman, this amendment as amended seems to me a repetition of words. I would like to ask the gentleman from New York what the effect of it is?

Mr. PAYNE. Due to a mistake in printing the original paragraph alluding to the United States, it said "or any territory belonging thereto." The committee substituted the words "or any of its possessions." They meant to substitute it all the way through, but in redrawing it it was left out, and this change is made to put it back again. Although the proviso was changed in the original section, it would probably except from the provision of this section concessions between the mother country and the colonies, and would not relate to those made by the colonies to the mother country and other divisions of government between themselves, and this makes it so that it excepts any relations between the mother country and any of its colonies and other forms of government, and between the colonies or other forms of government themselves belonging to the same country.

Mr. PERKINS. I notice that you have inserted the words "except the Philippine Islands." What is the object of that?

Mr. PAYNE. Because our tariff laws do not provide for importations into the Philippine Islands from foreign countries. We have a separate tariff law for such importations, which was passed three or four years ago, and so it was only fair to them to except them from the operation of this section.

Mr. LOWDEN. Mr. Chairman, I offer the following amendment to the amendment offered by the gentleman from New York, which I send to the desk. I offer to substitute the language which I send to the desk for the amendment.

The Clerk read as follows:

Whenever on or after sixty days from the passage of this act it shall appear to the satisfaction of the President that any country,

province, dependency, or colony is discriminating against any article exported from the United States, or any territory belonging thereto, the growth or product, in whole or in part, of the soil or industry of the United States or any territory belonging thereto, through the operation of duties, imposts, excises, taxes, or other restrictive measures; or that any country, province, dependency, or colony is, in effect, unfairly excluding by any means any article of commerce exported from the United States or any territory belonging thereto, he shall have the power, and it shall be his duty, to suspend by proclamation to that effect the imposition and collection of the rate of duties provided for in sections 1 and 2 of this act on such articles so exported to the United States from such country, province, dependency, or colony, and in such case and during such suspension there shall be levied, collected, and paid upon such articles so imported into the United States or any territory belonging thereto the growth or product of the soil or industry of such country, province, dependency, or colony maintaining such restrictions, the rates of duty prescribed in section 3 of this act.

Mr. MANN. Mr. Chairman, will not the gentleman modify his amendment so as to use the same proviso that the gentleman from New York did?

Mr. LOWDEN. I was going to suggest that myself. The latter clause of that amendment may be stricken out, and then the language that is used by the chairman of the committee would take the place of it in that respect.

Mr. MANN. Strike out the proviso and amend down to the proviso of the amendment offered by the gentleman from New York.

Mr. LOWDEN. That is exactly what I suggest now.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. LOWDEN. Yes.

Mr. Chairman, the amendment involves the manner in which the maximum and minimum provisions of the Payne bill are to be applied. The Payne bill, with the amendment which has just been offered by the chairman of the committee, seeks to make the maximum and minimum provisions absolutely automatic, so as to dispense with the intervention in any way of the executive department of the Government. I want to call the attention of the committee to the fact that the very purpose of the dual tariff system, which we have adopted in this country for the first time, is to give us an opportunity to negotiate with foreign countries so as to get rid of unfair discriminations, whether those discriminations are in the schedules themselves or whether in the form of sanitary or other domestic regulations. The fact is that nearly every substantial discrimination which has been directed against us during the last few years by other nations has been a discrimination which would not be overcome in any way by the adoption of the provision submitted by the chairman of the Committee on Ways and Means.

To illustrate, Germany excludes in a large degree our meat products from her markets, but the adoption of this provision would not prevent a continuance of this practice on her part, for Germany does not upon the face of her tariff treat our meat products any differently than the meat products of other countries. She permits us to ship beef carcasses to her ports just as she does Belgium and other neighboring countries. She requires in all cases that such carcasses must be shipped with the viscera of the carcasses intact and in place. The effect of this is to absolutely exclude from her markets American beef in the carcasses, for though Belgium and other neighboring countries can comply with this regulation, it is, of course, practically impossible for American meats to be shipped such a distance in this condition, they being spoiled before they reach their destination. This discrimination, which does not appear upon its face to be such, is none the less a real and prohibitive discrimination against this form of beef exports from the United States. Germany need not change this regulation or any other in order to secure for herself the minimum duties provided for in the Payne bill. Of course I shall not have time to discuss this subject with anything like thoroughness. To those who are interested, I desire to call attention to a speech which I made during the general debate upon this provision of the bill and which can be found upon page 611 of the RECORD.

My amendment authorizes the President to put the maximum rates into effect as against any foreign government whenever he is satisfied that such foreign country, in effect, discriminates against some peculiarly American product, whether such discrimination is effected by schedules, rates, sanitary, or other domestic regulations or unfairly excludes by any means any article of commerce exported from the United States. My amendment simply applies the principle contained in section 3 of the McKinley law and section 3 of the Dingley law. It puts it in the power of the President to say, in effect, that until any foreign country shall have extended us equivalent concessions, such country can not expect from us the benefits of our lowest duties. You will recall that only two years ago, when we were threatened by Germany with a trade war, President Roosevelt

had only section 3 of the Dingley law with which to avert that war. He sent a commission to Germany, and limited as was the number of articles upon which he was permitted to make concessions, he was enabled by an agreement to avert the injury threatened to American commerce.

I do hope, Mr. Chairman, the gentlemen of this committee will realize that we can not have an automatic maximum and minimum tariff which will take the place of negotiation by the executive department of the country. The world's way to trade peace is through trade agreements in which reciprocal concessions are given and received. We have declared for the principle of the dual tariff. Let us so provide for the administration of that tariff as to be able to accomplish this purpose. We can only do this by conferring upon the President the power to use the differences between our highest and lowest rates in negotiations with foreign powers.

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

Mr. LOWDEN. Yes.

Mr. SHERLEY. Does the gentleman's amendment enable the putting into effect of a given number of the schedules in the maximum list, or does it require that all of them are to be put into effect?

Mr. LOWDEN. My amendment, as submitted, requires that all of them be put into effect, if any are. I should prefer that some way be found of authorizing the President to put any or all the maximum duties into effect unless we are granted equivalent concessions by those to whom we offer our minimum rates. I have found, however, that many eminent authorities doubt our power, under the Constitution, to confer this authority upon the President. The whole question is very elaborately discussed in the case of *Field v. Clark* (143 U. S.). While I have not been persuaded that this decision is authority for the constitutional objection, I do find that it is so regarded by many eminent lawyers. I have preferred, therefore, in framing this amendment to avoid any constitutional question; because with the adoption of my amendment we would have a situation where we could begin to negotiate; where we could begin to say, "If you expect our lowest duties, do not give us tariffs and sanitary regulations that upon their face are just as good as those extended to other countries, but which in effect are directed absolutely against American exports."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. PAYNE) there were—ayes 73, noes 126.

So the amendment was rejected.

Mr. RICHARDSON. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. RICHARDSON. I want to get some information from the chairman of the Committee on Ways and Means.

Mr. PAYNE. Before I yield, Mr. Chairman, I desire to offer another amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Before the word "article" and after the word "any," in the first paragraph, insert the word "similar," so as to read, "accorded to any similar article."

The CHAIRMAN. Does the gentleman from New York now yield to the gentleman from Alabama for a question?

Mr. PAYNE. Certainly.

Mr. RICHARDSON. Mr. Chairman, I want to call the gentleman's attention for information concerning an amendment which he offered yesterday to paragraph 324, page 91, as follows:

Paragraph 324. On page 91, line 8, after the word "value," insert the following:

"And Jacquard figured goods, in the piece or otherwise, suitable for use as upholstered goods, or as draperies or covers, composed wholly or in piece value of cotton or other vegetable fiber, made in looms, dyed in the yarn."

Now, that includes the certain character of goods which I hold in my hand, and I would be very glad for the chairman to state to the committee what the increase on those cotton goods is; and I desire, in this connection, Mr. Chairman, if you please, to read the following letter while the chairman is examining these samples.

The letter is as follows:

A. L. REID & Co.,
New York, April 6, 1909.

HON. WILLIAM RICHARDSON.

DEAR SIR: The American manufacturers, who seem to be running things so successfully for the Ways and Means Committee in the House, I see by reports in paper have succeeded in introducing in paragraph 324, under cotton goods, the wording, "Jacquards, or all Jacquards, or Jacquard goods." This would put a duty of 50 per cent on all such goods as inclosed, known to the trade as "Jacquards" or "brocades," and used for women's wear.

These samples are mercerized goods, and we are now paying 4 cents a square yard on No. 325 and No. 39. It would certainly shut them out of the market if 50 per cent was asked. It would also affect bed quilts made in England and Germany, which now pay 25 per cent to 40 per cent, according to value and count. In these goods, it would, I believe, cut importations more than half. The American maker is well protected on these lines and has difficulty in filling orders. The southern mills are not afraid of any bed quilts coming from Europe at present rates.

Yours, truly,

A. L. REID & Co.,
By A. L. REID.

Mr. PAYNE. Mr. Chairman, the difficulty is, the people who sent these samples in that communication had not read the amendment that was put into the bill. That amendment does not refer to these goods in the slightest particular.

Mr. RICHARDSON. You say "Jacquards."

Mr. PAYNE. But the others are made from chenille, those are—

Mr. RICHARDSON. These are marked in his samples as "Jacquards."

Mr. PAYNE. Oh, well, the Jacquard loom is used on silk, cotton, and various other things, for various kinds of goods. My amendment does not increase the duty on those goods a penny; not a farthing.

Mr. RICHARDSON. It is no addition to the Dingley law?

Mr. PAYNE. It does not increase them at all, except a cent a yard on the mercerized goods.

Mr. RICHARDSON. Is this true? I am asking for information without reflecting upon anybody now—

Mr. PAYNE. I do not take it that way.

Mr. RICHARDSON. I know you do not. Is it not true that the Dingley schedules on cotton cloth were expected to remain the same, even up to and after the Ways and Means Committee ceased its public hearings, and that it was upon the statement of the Arkwright Club, of Boston, after the hearings closed, that these duties were increased in the Payne bill?

Mr. PAYNE. The intention was and they do remain the same, substantially, in the bill before the House as they were in the Dingley bill. The addition to this is a cent a yard, because those goods were mercerized, a process which I described to the House the other day when we had more time, and the House was satisfied that that was a proper rate of duty for the new process.

Mr. RICHARDSON. Now, under section 321, which I called to your attention last night—

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment to the amendment.

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

The CHAIRMAN. The question now is upon the amendment of the gentleman from New York as amended by his amendment.

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

Mr. PAYNE. Mr. Chairman, I offer the following amendment to the drawback section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Section 29, on page 197, between lines 10 and 11, insert the following paragraph:

"No drawback shall be allowed upon the exportation of any article manufactured or produced in whole or in part of grain raised in the United States unless such article shall have been manufactured or produced in the same city or town as the article manufactured or produced from the imported grain, and only upon such articles as are manufactured or produced from grain harvested prior to such importation: *And provided*, That the exportation shall be made within twelve months after the importation of the grain used or checked against: *Provided further*, That no drawback shall be allowed under this section upon domestic material except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture."

Mr. POU. Mr. Chairman, I offer a substitute for the section as amended—for the whole section as amended by the gentleman's amendment.

Mr. PAYNE. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. That is not in order at this time, the Chair thinks.

Mr. POU. Then I offer this amendment as an amendment to the gentleman's amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the last 19 words of the amendment, which words are as follows:

"Except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture."

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard?

Mr. POU. Mr. Chairman, I simply desire to say this: This is that famous section 29 which nobody understands, and if my amendment be adopted it eliminates domestic articles from the

drawback clause. Mr. Chairman, this is really one of the most important sections in the entire bill. If adopted as reported by the committee, it will be difficult to compute the amount it will take from the Treasury, and if adopted I venture the prediction that the day will come when gentlemen who are responsible for this radical change in existing law will regret their action.

Mr. PAYNE. That is a very insidious amendment. It might be called a "joker" if it was applied to anything else except to this section and was not offered by the gentleman from North Carolina [Mr. POU] and he was allowed to name it. It nullifies the provision of the section and prevents getting any drawback on the manufactures manufactured from material bought in this country, although, under the provision of the section, the manufacturer had imported material equal in value for manufacturing, and so forth, and paid the duty on it and manufactured the foreign material to go into the domestic trade. In other words, it restores all the evils of the present drawback law, which is so hard to execute, and renders it so difficult to manufacturers to get back the duties which they have paid. They must keep separate accounts and keep separate the manufactures made from the domestic and from the imported articles.

Mr. POU. I merely want to say that if my amendment is adopted it leaves the drawback clause exactly like it was under the Wilson bill and under the Dingley bill, and I think that is broad enough.

Mr. GARDNER of Massachusetts. Will the gentleman from New York [Mr. PAYNE] allow me to ask him two or three questions?

The CHAIRMAN. Does the gentleman yield?

Mr. PAYNE. I do.

Mr. GARDNER of Massachusetts. I would like to ask the gentleman from New York this question: A great deal of unmanufactured tobacco is imported into this country which goes into manufactures. Presumably there will be a rebate check against it. We export a great many cigarettes. Do I understand that under this amendment and under the drawback clause, the amendment which I saw in the Record this morning, that any manufacturer of cigarettes, merely by proving that the tobacco he is checking against as a matter of fact actually entered into manufacture, can go and draw from the Treasury a drawback to the amount of duty on the cigarettes?

Mr. PAYNE. If he proves that he has imported the same amount in manufacturing value of tobacco and pays the duty on it and has manufactured the imported material to go into domestic consumption, he can get back 99 per cent of the duty he has paid upon exporting either the product of what he had imported or the product of domestic tobacco.

Mr. GARDNER of Massachusetts. Now, that is the way I understood it. I ask the gentleman if there are any figures from the Ways and Means Committee showing the enormous strain that this drawback provision as drawn is going to be on the revenues of the Government? Has it occurred to the gentleman, for instance, that a great deal of unmanufactured wood, or partially manufactured wood, is imported into this country, wood of the same quality that we put into furniture and into cars—of the "same manufacturing value," which I think are the words you use in the drawback clause? Now, if the law is enacted in its present shape, and the drawback certificates taken out, every manufacturer of cars—Pullman cars, or anything else—who uses wood in manufactures will buy those certificates. They will go to the Treasury and take that money out. Moreover, is it not going to be the same thing in the case of refined sugar and crude sugar? Is not every bit of the crude sugar that comes in here going to have a drawback certificate taken out on it; and then when it is exported in the form of refined sugar, or chocolate, or confectionery, or refined molasses, is there not going to be an enormous drain on the United States Treasury under this drawback provision?

Mr. PAYNE. I want to say to my friend from Massachusetts that, as the law is to-day, if they import sugar and manufacture it into confectionery and export the confectionery, they can get a drawback of 99 per cent of the duty paid.

Mr. GARDNER of Massachusetts. If they can identify it?

Mr. PAYNE. If they can identify it. That is the present law. It has worked satisfactorily in a great many cases, but it is found to be hard work, because a factory can not keep separate the domestic sugar—to use that as an illustration—and the sugar that is imported, and they are not able to get the drawback. Now, the whole theory of this law is that we may be allowed to get raw material from abroad without paying the duty, and have our people perform the labor and the manufacturing, and sell it abroad and so get into the markets of the world.

Mr. GARDNER of Massachusetts. I understand that perfectly well. I understand, of course, the difficulty which has arisen. It has arisen in the shoe trade in getting a drawback on sole leather.

The trouble is that if the law is enacted in its present shape it will put a premium on a man getting his raw materials abroad. Of course, if it is going to add just so much to our export trade, and will allow us to import so much additional raw material and export it in manufactured form, it might be different; but I am sure you are going to put a premium on men getting their raw material abroad if you pass the clause in its present shape. What is more, you are going to cut into the revenues to an extent of which the House has no suspicion.

Mr. PAYNE. I think the gentleman's apprehensions are ill-founded in this respect, because they can not get a drawback on this raw material unless they export the manufactured article. They have to do that; and that helps the laboring men in this country. They can not export any more than there is a market for abroad.

Mr. GARDNER of Massachusetts. Can not they import and get a drawback?

Mr. PAYNE. In that case they can import and manufacture the imported goods into domestic product and sell at home, and by manufacturing our domestic raw material, so to call it, and export it, they can get the drawback; but it only gives them a drawback on what they sell abroad.

Mr. GARDNER of Massachusetts. I understand.

Mr. PAYNE. It increases these manufactures to that extent.

Mr. GARDNER of Massachusetts. Well, in default of figures to the contrary, I anticipate a tremendous draft on our revenue if this clause goes into effect unamended.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from North Carolina desires to slightly modify his amendment. Without objection, it will be considered as modified, and the Clerk will report the amendment as modified.

The Clerk read as follows:

Strike out, in the last three lines of the amendment, the words "except upon due proof that the imported material upon which the drawback is allowed has actually entered into manufacture" and insert "Which is hereby specifically excepted from the operation of this section."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken, and the amendment was rejected.

Mr. HANNA. Mr. Chairman, I offer the following amendment:

Add, after the word "grain," wherever it occurs, the words "of flaxseed."

The CHAIRMAN. Does the gentleman desire to be heard on his amendment?

Mr. GRONNA. Mr. Chairman, I want to state to the committee that this proposed amendment simply is, that wherever the word "grain" appears that "flaxseed" shall be inserted after it. Flaxseed is not considered as grain. I think it has been so decided by the courts, and that is all that this amendment of my colleague does.

The question was taken, and the Chairman announced that the amendment was rejected.

Mr. BURKE of South Dakota. I demand a division.

The CHAIRMAN. A division is demanded.

Mr. HILL. Mr. Chairman, I hope the Members will accept the amendment of the gentleman from North Dakota, and include flaxseed as grain.

The CHAIRMAN. Without objection, the Chair will again put the question.

The question was again taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amend by inserting at the end of line 10, page 195, the following proviso:

"That no drawback shall be allowed or paid on account of duties on importations of live animals."

Mr. PAYNE. What is the necessity of that? Where is the manufacture of live animals?

Mr. MONDELL. Mr. Chairman, I know that some members of the committee are of the opinion that the drawback clause does not apply and would not apply to products such as might be produced or manufactured from imported live animals, but from a careful reading of the clause it seems to me that it is clear that the drawback clause would apply. It provides that it shall apply on exportations of articles "manufactured" in the United States, either in whole or in part of imported materials. Well, canned beef is a manufactured article on which the drawback might be claimed—"or exportations of articles

'produced' in the United States." Canned meats are produced in the United States. Carcasses exported are produced in the United States, so that both canned and preserved meats and fresh meats would clearly come within the provisions of the drawback clause. The result would be this: The duty on live animals, which now largely keeps the cheap cattle of Mexico out of Texas and all the range States, would be practically abrogated, and an enormous business would be built up by the packers importing live animals into Texas, finishing them in Texas and the northern range States, canning them at Omaha and Chicago, and demanding a drawback on the exportation of their canned meats and fresh meats whether produced from the imported cattle or not.

Now, if there be any question in regard to this, surely the law ought to be made clear; and there can be no harm in the acceptance of an amendment which makes clear the view of the committee, that the drawback clause does not apply to the duties paid on importations of live animals.

Mr. STEPHENS of Texas. Will the gentleman allow me to ask him a question?

Mr. MONDELL. Certainly.

Mr. STEPHENS of Texas. I desire to ask the gentleman what is the objection to the Mexican steer being brought into the United States for the purpose of finishing them by feeding them?

Mr. MONDELL. That involves the entire question of the tariff.

Mr. STEPHENS of Texas. It would be of great benefit.

Mr. MONDELL. They can raise calves cheaper in Mexico than you can in Texas or anywhere else.

Mr. STEPHENS of Texas. I am talking about the finishing of steers.

Mr. MONDELL. I do not care to discuss the question of the tariff with the gentleman. We have a duty on cattle, which duty ought to be protective, and that duty will be wiped out and done away with in effect, and the benefit will accrue to the packers' trust, if there be any such trust; and certainly there should be no objection to the acceptance of this amendment, which makes it clear beyond all question or controversy that the drawback clause does not apply to duties paid on importations of live animals.

Mr. PAYNE. Mr. Chairman, I do not think it makes any particular difference whether this amendment is in or out.

Mr. MONDELL. Let it go in, then.

Mr. PAYNE. I do not think this section provides anything of that kind, or that it would be possible to get a drawback.

Mr. MONDELL. Then I hope the gentleman will not object.

Mr. PAYNE. If it gratifies the gentleman, I will not object.

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

Mr. VREELAND. I offer the following amendment, Mr. Chairman.

The Clerk read as follows:

Provided further, That crude petroleum and its products shall be exempt from the provisions of this section.

Mr. VREELAND. Mr. Chairman, I wish to address the House upon this proposition briefly. I offer this amendment at this time as a matter of good faith.

Mr. SHERLEY. I reserve a point of order on the amendment.

Mr. VREELAND. Representing the producers of oil in the United States, and the 60 or 70 independent refineries, I have endeavored in this House to have an ad valorem duty of 25 per cent levied upon the importation of petroleum and its products. The House has decided otherwise, and has placed oil on the free list.

No intelligent reason has been offered by any advocate of this proposition as to how it will benefit the Standard Oil Company to have a duty on oil, or to refute the claim of the producers and of the independent refiners that it is a blow struck at their interests as competitors of the Standard Oil Company. The excuse has been made upon this floor that by reason of this clause in the drawback the Standard Oil Company could bring in oil from Mexico, could export it and receive back 99 per cent of the duty paid. That proposition is true.

During my remarks in this House last week I gave notice that I should offer this amendment when the proper time arrived. During my remarks in offering the amendment day before yesterday, I again stated to the House that I should offer this exemption feature, exempting petroleum from the drawback clause when the time came to offer it upon this floor, and I do it now as a matter of good faith, and to show the sincerity of the men whom I represent in their position. Any man on this floor could have offered this amendment if I failed to do so.

This House has decided as a blow to the Standard Oil Company, as they believe, that oil shall be put upon the free list. I am not criticising the action of the House. I am not assuming that it is not intelligent, but we believe that you are simply giving the Standard Oil Company the benefits of cheap raw material, which they will use in preference to that produced in the United States. To-day the Standard Oil Company has three refineries in Mexico. You have put into their hands the power to refine that cheap Mexican oil, worth 5 or 10 cents a barrel, the greatest production ever struck on this globe, and to bring it into our market free and sell it here. You have put it into their hands to bring that crude oil from Mexico to their refineries in New York, Baltimore, and Philadelphia by ocean freight, mix it with our oils and export it, and to sell it in our markets. How can the independent refineries meet this competition? They have no refineries upon the seaboard. Their refineries are hundreds of miles inland. They would be compelled to stand the transportation by railroads in order to obtain the benefit of this free raw material.

This House might as well now proceed to attempt a blow at the sugar trust by giving them the right to bring in free raw sugar from Cuba, or by giving them the right to build refineries in Cuba to refine sugar there and to bring it into our markets free in the name of striking a blow at the American sugar trust. The only reason I have seen alleged for this action was in one of the morning papers of this city. It said that the secret of this proposition was in the by-products; that that was where the blow would be struck at the Standard Oil Company. It may interest these gentlemen to know that the Standard Oil Company refineries in Mexico within the last three months have been fully equipped with every facility for making all of the by-products that come out of crude oil, and to-day you have given them free entry into our markets.

Mr. SHERLEY. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Kentucky will state his point of order.

Mr. SHERLEY. The point of order is that the motion of the gentleman from New York is broader than the committee amendment, and therefore under the rule is not in order.

The CHAIRMAN. The Chair would ask the gentleman from Kentucky whether he does not think that instead of being broader it narrows the committee amendment?

Mr. SHERLEY. It is broader in a parliamentary sense, that it goes outside of the provision of the committee amendment.

Mr. VREELAND. I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be considered as withdrawn. The question now is upon the amendment offered by the gentleman from New York [Mr. PAYNE] as amended.

The amendment of Mr. PAYNE as amended was agreed to.

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

On page 232, section 41, strike out lines 24 and 25, and on page 236 strike out lines 1 to 5, inclusive.

Mr. STEPHENS of Texas. Mr. Chairman, I offer the following as a substitute.

The Clerk read as follows:

That (a) before any letters patent shall be issued by the United States on any article, commodity, compound, device, mechanical appliance, or machine to be protected by patent, or (b) before any copyright shall be issued by the United States on any article, musical composition, musical instrument, or device for reproducing music or musical composition, or any picture, book, pamphlet, or any other work of literature or art to be protected by copyright, to any citizen of any foreign country, the applicant for such copyright registration or patent shall pay to the United States the same amount of copyright or patent fees, and subject himself to all the laws, conditions, restrictions, rules, limitations, and regulations that are imposed by the country of said citizen or subject upon a citizen of the United States for securing copyrights or obtaining and maintaining patents or for manufacturing and selling the patented article or article copyrighted in such foreign country, and the failure on the part of the foreign patentee to comply with this law shall operate as a forfeiture and cancellation of such copyright or letters patent: *Provided*, That citizens of any foreign country having no copyright or patent laws, or having such laws, do not permit copyrights or patents to issue to citizens of this country, shall not be entitled to copyrights or patents in the United States.

Mr. CURRIER. To that, Mr. Chairman, I reserve a point of order.

Mr. PAYNE. I reserve a point of order. It is not germane.

Mr. STEPHENS of Texas. Mr. Chairman, I understand the object of this bill is to raise revenue.

The CHAIRMAN. The amendment is not debatable at present. The Chair is trying to find out how the amendment applies.

Mr. PAYNE. Mr. Chairman, the section makes provision for patents by foreign citizens in the United States. This amend-

ment proposes a whole code in regard to issuing patents and in regard to the copyright laws.

Mr. CURRIER. Mr. Chairman, this amendment applies not merely to patents but to copyrights, and under the rules of the House if any part of an amendment is subject to a point of order the whole amendment is.

Mr. STEPHENS of Texas. This amendment offered by me is broader by containing the word "copyrights," but the Chair will find that under the law copyright is carried through the statutes with patents in one general provision.

The CHAIRMAN. The amendment offered by the gentleman from New York proposes to strike out section 41. The amendment offered by the gentleman from Texas proposes as a substitute amendment to strike out section 41 and insert certain matter in lieu thereof. The original section 41 relates only to patents issued by the United States to subjects of foreign countries or, rather, to manufacture thereunder, which it makes subject to retaliatory conditions. That is the entire scope of the section. The amendment offered by the gentleman from Texas seeks to regulate the granting of patents by fixing the fees, and so forth. It controls the operation of the Patent Office, and in addition thereto applies to and regulates copyrights, which are not mentioned in the original section at all. It may be that patents and copyrights are both treated of in certain statutes heretofore enacted, but copyrights are not carried in section 41 of the bill. The point of order must be sustained. The amendment is not germane.

Mr. STEPHENS of Texas. Then I move to strike out the word "copyright" wherever it occurs and let the amendment apply to patents only.

Mr. PAYNE. I hope the gentleman's amendment will be reported.

The CHAIRMAN. The Clerk will report the amendment as modified by the gentleman from Texas.

The Clerk read as follows:

That before any letters patent shall be issued by the United States on any article, commodity, compound, device, mechanical appliance, or machine to be protected by patent, or to any citizen of any foreign country, the applicant for such patent shall pay to the United States the same amount of patent fees, and subject himself to all the laws, conditions, restrictions, rules, limitations, and regulations that are imposed by the country of said citizen or subject upon a citizen of the United States for patents or for manufacturing and selling the patented article in such foreign country, and the failure on the part of the foreign patentee to comply with this law shall operate as a forfeiture and cancellation of letters patent: *Provided*, That citizens of any foreign country having no patent laws, or, having such laws, do not permit patents to issue to citizens of this country, shall not be entitled to patents in the United States.

Mr. PAYNE. I make the same point of order, Mr. Chairman.

Mr. STEPHENS of Texas. Why, this is germane.

The CHAIRMAN. The Chair will hear the gentleman from New York, if he desires to be heard.

Mr. PAYNE. The paragraph in the bill simply relates to the working of the patents in this country after they obtain them, requiring that they shall comply with all the provisions of that country from which they apply. This amendment offered by the gentleman from Texas commences at the beginning and makes a patent law for those citizens from the beginning to the end.

Mr. CURRIER. Mr. Chairman, the paragraph in the bill refers solely to domestic manufacture of patented articles for a foreign citizen who obtains a patent here, and has no relation to anything else, and the amendment offered by the gentleman from Texas goes into the whole matter of fees.

Mr. STEPHENS of Texas. Mr. Chairman, it applies certainly to the obtaining of patents, and they could not be obtained unless fees should be paid. The foreigner never could have a patent in the United States unless it could be obtained by the payment of fees. The object of the amendment is to have reciprocity between foreign nations and the United States and to require foreigners to comply with our laws before they can obtain patents here, to give them no greater benefits or rights than we have in other countries.

The CHAIRMAN. The Chair is ready to rule. Section 41, as it appears in the bill, relates entirely to manufacturing under patents granted by the United States to foreigners. The amendment offered by the gentleman from Texas [Mr. STEPHENS] does not, in its modified form, embrace copyrights, but is still much broader than section 41 and applies to different matters.

It applies to the regulation and granting of patents by the United States. It is not confined to the manufacture of articles under such patents. It provides for the fees to be paid for patents; declares that under certain conditions no patents shall be granted at all, and that in certain cases patents previously granted by the United States shall be canceled. The Chair, therefore, thinks it not germane and sustains the point of order.

Mr. PAYNE. Mr. Chairman, I think in justice to the committee that I ought to say a word about striking out this section. It was put in by the Committee on Ways and Means after great deliberation, and to cure an evil and an abuse, which is this: Some foreign countries provide that where our citizens obtain patents there and they do not work the patents—that is, manufacture within a certain number of years—then the countries can cancel the patents. It is usually left in the power of some officer to exercise his discretion in that direction—of course, we could not under our Constitution leave that to any official in the United States—and the result is that in some foreign countries the citizens are actually advertising for a chance for foreigners to come in there, citizens of the United States, and build factories, eligible sites, and so forth, in order that they may protect their patents by working them within the four years. After we had prepared this amendment with some care and had consulted with some Members of the House who had special knowledge of the subject, we were met by a reference to a convention held in 1882 by the principal powers of the world, in which it was mutually agreed that the rights, and so forth, of patentees in patented articles—aliens—should not be discriminated against in favor of the citizens of the country in their rights obtained under the patent, and we found we could not pass this without doing something in contravention of that convention of the powers to which we had subscribed in 1887. Therefore, Mr. Chairman, we are obliged to forego this, and the only way out of it would be to make this same provision apply to all future patents issued both to citizens of our own country and to foreign citizens. Of course, we were not prepared to take that step, but it is something which I hope the Committee on Patents will work out, and that at an early date that committee will bring a bill into this House which will cure the evil.

They will find in the hearings before this committee how widespread this evil is, and I do not think the doctrine of protection could be extended in any one direction with greater good to the manufacturers of the United States and the working people of the United States than to bring some sort of order out of this confusion, providing some sort of remedy by way of retaliation, if you choose to call it so, against those foreign countries which are thus able by their laws to exercise discrimination against the people of our own country.

Mr. STEPHENS of Texas. Mr. Chairman, I will ask the gentleman if he is opposed to the reciprocity idea involved in the amendment which I propose? It means nothing at all except reciprocity. It requires them to comply with the same laws that we have to comply with.

Mr. PAYNE. I will say to the gentleman that after having devoted some time to the study of this question, I am not willing to accept the amendment, or any amendment, offered by any gentleman on the floor of the House which I have not time to even hear read intelligently because of the confusion of the House, much less to form an opinion as to whether it conflicts with that convention, which I have not before me, or whether it will work more evil than good in the way of curing this difficulty.

Mr. Chairman, I ask for a vote.

Mr. CURRIER. Mr. Chairman, I desire to say that the Committee on Patents has had this matter under consideration, and we have gone far enough to know that this proposition is utterly unworkable.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

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

Mr. PAYNE. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from New York offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Sec. 31. On page 198, line 15, after the word "correct," insert "complete and detailed," and on page 198, line 16, after the word "merchandise," insert "and of the packages, wrappings, or other coverings containing it."

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

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Sec. 11. On page 182, line 6, after the word "indicate," insert the words "the name of the maker and."

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

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the same.

The Clerk read as follows:

Sec. 27. On page 191, line 19, after the word "bond," insert the following: "to foreign countries, or to the Philippine Islands."

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

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Sec. 27. On page 191, line 25, after the word "vessel," insert the following: "Provided, That the waste material or by-products incident to the processes of manufacture in said bonded warehouse may be withdrawn for domestic consumption on the payment of duty equal to the duty which would be assessed and collected by law if such waste or by-products were imported from a foreign country."

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

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Sec. 29. On page 196, line 17, after the word "warehouse," insert the words "and bonded manufacturing warehouse."

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

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Section 37, on page 231, line 5, strike out the words "twenty-nine and thirty" and insert in lieu thereof "thirty-four, thirty-five, thirty-six, and thirty-seven."

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

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent for the Clerk to read this short letter.

The CHAIRMAN. Would it suit the gentleman's purpose to have the letter inserted in the Record?

Mr. ADAMSON. Yes.

The letter referred to is as follows:

FARM LIFE,
Chicago, April 7, 1909.

HON. WILLIAM C. ADAMSON,
Congress Hall, Washington, D. C.

DEAR SIR: I would like to call your careful attention to the inclosed editorial, which appears in the April number of Farm Life.

We have devoted a great deal of attention to this question of the lumber tariff and are convinced that the farmers are overwhelmingly in favor of free lumber, and we believe that the editorial states the argument for free lumber concisely and incontrovertibly.

In conclusion, we would warn Members of Congress against allowing themselves to be trapped into adopting a futile lumber schedule by permitting a discrimination between rough and finished lumber. Finished lumber is the only kind of lumber the individual consumer—the farmer—buys, generally speaking. To leave the duty prohibitive on finished lumber, as it is in the Payne bill, would be a revision fiasco.

Yours, very truly,

HERBERT H. BOWDEN, Editor.

Mr. PAYNE. Mr. Chairman, I also offer the following committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Sec. 33. On page 221, strike out all of lines 14 to 24, inclusive, and insert in lieu thereof the following: "no packages of manufactured tobacco, snuff, cigars, or cigarettes prescribed by law shall be permitted to have packed or attached to or connected with them, nor affixed to, branded, stamped, marked, written, or printed upon them, any paper, certificate, or instrument purporting to be or represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, or any indecent or immoral picture, representation, print, or words; and any violation of the provisions of this paragraph shall subject the offender to the penalties and punishment provided by section 3456 of the Revised Statutes."

Mr. PERKINS. Mr. Chairman, we would like to have some explanation of this.

Mr. PAYNE. I can explain it in a word if it is desired. We amended the tobacco section in order to get an increased internal-revenue tax upon cigarettes for the sake of the revenue, and in amending it we copied the whole section, making the changes which were necessary for this increased tax, and in doing so inadvertently the law, which had been repealed, was put in as the last clause of the section, and the law as it has since been amended is in the language which I have offered now as an amendment. It simply makes it conform to the present law.

Mr. MANN. You strike out the provision which had been rejected.

Mr. TAWNEY. Mr. Chairman, I would like to be heard for a moment on the amendment offered by the gentleman from New York.

I am in favor of the provision in the Payne bill as it was reported by the Committee on Ways and Means. It may have been an inadvertence, as the chairman of the committee states, that this paragraph was included, but if it was it was in the interest of the independent tobacco manufacturers of the United States as against the tobacco trust. The law, to which the gentleman from New York refers, was enacted in 1902, since which time the American tobacco trust has been using the internal-revenue law as a medium for carrying on its gift enterprises, and thereby subjecting the independent manufac-

turer, who could not afford to manufacture his tobacco, and at the same time accompanying the package with a coupon redeemable in cash or redeemable in some article of merchandise. The paragraph which the gentleman from New York [Mr. PAYNE] seeks to strike out of his own bill was enacted in the Dingley law originally.

The tobacco companies made up a case, took it to the Supreme Court of the United States, and the Supreme Court of the United States sustained that law. It was then that Congress enacted this act, approved July 1, 1902, which enables the trust to carry on its ruinous competition, as it has been doing ever since the enactment of this law.

Now, the independent tobacco manufacturers have been contending against this competition for the last six years. Many of them have been driven out of business in consequence of the use of the internal-revenue laws which the tobacco trust has been making of those laws, for the purpose of carrying on the business of selling not only the taxed article in the package, but also carrying a coupon in the form of a prize, either in cash or otherwise.

The gentleman from New York claims that the union label could not be included in the package. If that is so, which I do not understand to be the fact, it will be very easy to correct this paragraph by amending it so as to include a proviso making definite and certain the fact that the union label will not be eliminated from the package. But in the interest of the independent tobacco manufacturers of the United States, who I know have suffered in consequence of the existing law and the practice of the tobacco trust under it, I sincerely hope that this committee will not strike out this paragraph, but will allow it to remain as the committee has reported it to the House.

Mr. LARRINAGA. Mr. Chairman, if the amendment of the committee to paragraph 275, relating to the duty on pineapples, is carefully studied it will practically come to this: That the duty on a box of pineapples, having approximately the same weight as a box of oranges, will be 16 cents; while the duty on a box of oranges, having practically the same weight, will be 80 cents a box, and for a box of lemons \$1. Why this discrimination? If the oranges of Florida and California are to be protected with that duty, why should not the pineapples of Florida, Porto Rico, and the Hawaiian Islands be equally protected? Oranges are produced in trees like apples, and once the tree is in full bearing there is practically no other expense than the cost of picking them. Boxing is the same as in the case of pineapples, while these last have to be replanted every year. Why, then, should oranges and lemons be protected with a duty four and five times higher than that on pineapples? There is no reason whatever for such discrimination; and, in due justice to the pineapple producer, the duty should be at least equal to that on oranges or lemons, which is about 1 cent per pound. There is another reason why the American production of pineapples should be protected the same as the oranges. Cuba has the benefit of 20 per cent rebate on the duties on fruits. Cuba is much nearer than Porto Rico to the American markets, for these are practically within a few hours' distance and Porto Rico is 14 miles away. Cuba has all means and facilities for transportation, which is a very important and favorable circumstance in the case of the fruit industry.

Besides these facilities there are many others in favor of Cuba, such as the value of land, for while an acre of land suitable for pineapples in that island is worth from \$15 to \$40, in Porto Rico can not be bought for less than \$100 to \$150. Very little or no fertilizer is required in Cuba for the production of pineapples, which is not the case in Porto Rico. By virtue of the fact that Cuban fruit can be transported in foreign bottoms, competition is possible, and therefore cheaper rates of freight. The frequency of communications between Cuba and the American market, which practically is daily, is another very important item in the fruit business. The acreage used in the cultivation of pineapples represents already about \$1,000,000, and this in American territory, and there is no doubt that in the next few years will increase many times that figure. A comparison of the shipments from Cuba with those from Porto Rico is remarkably in favor of the latter. In 1908 Cuba shipped some 750,000 boxes of pineapples, while Porto Rico shipped only 74,091. For the year 1909 Cuba's estimated yield is 1,200,000, while Porto Rico will ship about 561,500 boxes; in 1910 Porto Rico could ship, if this industry is properly protected, about one and one-half million boxes.

As to the possibility of Porto Rico, Florida, and the Hawaiian Islands producing all the pineapples necessary for the American market, within the next three years, there can be no doubt. A single glance at the following tabulations will show this.

Capitulation of acreage now planted and yield for 1909, with estimates of increase in acreage and yield for 1910, by districts, in Porto Rico.

District.	1909.		1910.	
	Acres now planted.	Approximate number boxes.	Increase in acreage.	Approximate number boxes.
Rio Piedras.....	1,201	257,050	1,153	525,300
Pueblo Viejo.....	123	27,800	213	73,800
Vega Baja Manati and Barceloneta.....	590	114,100	766	258,700
Bayamon.....	300	62,900	515	180,550
Mayaguez-Ponce.....	500	100,000	500	200,000
Total.....	2,714	561,850	3,147	1,238,350

Now, Mr. Chairman, that the coffee industry is doomed to die, as even my amendment leaving the coffee of the poor man on the free list was voted down two days ago on the floor of this House; now that misery and starvation will stare in the face a large part of our population with the ruin of our coffee industry, I hope that Congress will be willing, at least in this infant industry of the pineapple production, to remedy in some measure, although small, the great sufferings which this tariff will inflict on the people of the island of Porto Rico.

Mr. GAINES. Mr. Chairman, I move that the debate on this paragraph be now closed.

The CHAIRMAN. The gentleman from West Virginia moves that the debate on this paragraph be now closed.

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

Mr. GARDNER of Massachusetts. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PAYNE].

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

Mr. TAWNEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAWNEY. Was the amendment of the gentleman from Massachusetts [Mr. GARDNER] offered to the paragraph or to the amendment of the gentleman from New York [Mr. PAYNE]?

Mr. GAINES. None was offered. Regular order, Mr. Chairman.

Mr. TAWNEY. Has the vote been taken on the amendment of the gentleman from New York?

The CHAIRMAN. Yes.

Mr. GARDNER of Massachusetts. I call for a division on the vote.

Mr. TAWNEY. Mr. Chairman, I want to ask for a division of the vote on the amendment offered by the gentleman from New York [Mr. PAYNE].

Mr. LOUDENSLAGER. It is too late now.

Mr. GAINES. Regular order!

Mr. TAWNEY. Mr. Chairman, in view of the fact that the gentleman from Massachusetts [Mr. GARDNER] had just offered an amendment, and nobody knew he had withdrawn it, I supposed the vote was on his amendment.

Mr. MANN. The gentleman from Massachusetts [Mr. GARDNER] did not offer an amendment. Anybody who was paying attention knew what was taking place.

The CHAIRMAN. The Chair will state the parliamentary situation. The gentleman from New York [Mr. PAYNE] offered an amendment. The gentleman from Massachusetts [Mr. GARDNER] stated that he was going to offer an amendment. He did not send it to the Clerk's desk. He did not offer it, and it was not reported. The Chair distinctly stated the question to be on the motion of the gentleman from New York [Mr. PAYNE]. Now, if the gentleman from Minnesota [Mr. TAWNEY] states that he was upon his feet and demanding a division, the Chair will recognize him now to demand a division.

Mr. TAWNEY. I was not demanding a division, because I did not know the amendment was voted on at all.

The CHAIRMAN. The Chair can not recognize a demand for division under those circumstances.

Mr. GARDNER of Massachusetts. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARDNER of Massachusetts. To demand a division.

The CHAIRMAN. It is too late to demand a division.

Mr. McCALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 221, after line 24, insert a new section to read as follows: "Sec. 333. That subdivision 9 of section 3244 of the United States Revised Statutes, as amended by section 69 of the act entitled 'An act

to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 28, 1894, is hereby further amended so as to read as follows:

"Every person whose business it is to manufacture tobacco or snuff for himself, or who employs others to manufacture tobacco or snuff, whether such manufacture be by cutting, pressing, grinding, crushing, or rubbing of any raw or leaf tobacco, or otherwise preparing raw or leaf tobacco, or manufactured or partially manufactured tobacco or snuff, or the putting up for use or consumption of scraps, waste, clippings, stems, or deposits of tobacco resulting from any process of handling tobacco, or by the working or preparation of leaf tobacco, tobacco stems, scraps, clippings, or waste, by sifting, twisting, screening, or any other process, shall be regarded as a manufacturer of tobacco: *Provided*, That unstemmed tobacco in the natural leaf and not manufactured or altered in any manner shall not be subject to any internal-revenue tax or charge of any kind whatsoever, and it shall be lawful for any person to buy and sell such unstemmed tobacco in the leaf without payment of tax of any kind: *Provided further*, That any person who sells natural-leaf tobacco to manufacturers of tobacco, snuff, or cigars shall be deemed and considered a dealer in leaf tobacco and become subject to all the provisions, rules, and regulations of subsection 6 of section 3244, United States Revised Statutes, as amended by section 14, act of March 1, 1879, and also as amended by the act of March 3, 1883, and further, shall be subject to all the provisions of section 3360, United States Revised Statutes, as amended by section 14, act of March 1, 1879, and of sections 3359 and 3391, United States Revised Statutes: *And provided further*, That farmers and growers of tobacco may sell leaf tobacco of their own growth and raising to manufacturers of tobacco, snuff, or cigars without being considered leaf dealers or manufacturers of tobacco and shall not be subject to the sections of the law and amendments thereof above named."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to. [Loud applause.]

The CHAIRMAN. The hour of 3 o'clock having arrived, the committee will now rise and report the bill to the House. [Loud applause.]

The committee accordingly rose, and the Speaker resumed the chair.

Mr. OLMSTED. Mr. Speaker, the Committee of the Whole House on the state of the Union instructs me to report that it has further considered the bill H. R. 1438, the tariff bill. While so considering it the hour of 3 o'clock having arrived, in pursuance of the resolution of the House governing its proceedings, the committee rose, and now, through its Chairman, reports to the House the said bill and sundry amendments thereto.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports from that committee the bill H. R. 1438, the tariff bill, with sundry amendments thereto. Under the terms of the special order made by the House the vote will be taken first upon the committee amendments, and the vote on the committee amendments under the order of the House will be taken in gross except upon certain specified amendments.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The committee amendment on the subject of barley and barley malt was agreed to.

The SPEAKER. But that is excepted by the special order of the House, if a separate vote is demanded.

Mr. MANN. That is what I understand; that is the reason why I directed the attention of the Chair to the fact that all committee amendments are not to be voted on in gross.

The SPEAKER. All are committee amendments save the excepted subjects contained in the special order.

Mr. MANN. I understand under the language of the special order that these special amendments are to be voted on separately, but that it requires a demand of some Members of the House to have the separate vote.

The SPEAKER. If a separate vote is demanded.

Mr. PERKINS. I wish to state—

The SPEAKER. The vote will first be taken on the amendments in gross that come under the special order and that do not require a separate vote.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. CLARK of Missouri. Yeas and nays!

The yeas and nays were ordered.

Mr. NORRIS. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORRIS. The Chair has stated that this vote is on a committee amendment?

The SPEAKER. Excepting specified subjects in the general order.

Mr. CLARK of Missouri. Is the House entitled to a separate vote on each of the amendments?

The SPEAKER. On the excepted subjects, if it is demanded. That is on the excepted subjects under the special order; and the order specifies that a vote shall be taken upon the other amendments in gross.

Mr. CLARK of Missouri. I will withdraw the demand for the yeas and nays.

The SPEAKER. Without objection, the order for the yeas and nays is vacated.

There was no objection.

Mr. CLARK of Missouri. Then the amendments pertaining to barley malt, tea, and coffee are committee amendments, as I understand it?

The SPEAKER. They are specially excepted under the order under which we have been proceeding; and the Chair is putting the question only upon those specially referred to in the order on which the vote is to be taken in gross.

The question was taken on the amendments not specified, and they were agreed to in gross.

The SPEAKER. Is a separate vote demanded on any remaining amendment?

Mr. TAWNEY. Mr. Speaker, I offer an amendment under the rule to paragraph 708, the free list. Amend paragraph 708, page 167, by inserting after the word "wood," in line 16, the following:

Sawed boards, planks, deals, and other lumber of white wood, sycamore, and bass wood, and sawed lumber, timber hewn, sided, squared, and sawed, and round timber used for spars or in building wharves.

The SPEAKER. Well, the amendment can be reported after it is ascertained on what a separate vote is demanded. Is there any other separate vote?

Mr. HENRY of Texas. I demand a separate vote on hides.

The SPEAKER. Is a separate vote demanded on tea?

Mr. FORDNEY. The only vote that you can have on that paragraph is on the amendment offered by the gentleman from Minnesota, which is not in order, as it was voted on in the committee.

The SPEAKER. The Chair is trying to ascertain on which of these amendments a separate vote is desired.

Mr. SCOTT. Mr. Speaker, I desire to ask for a separate vote on the amendment relating to hides.

Mr. SHERLEY. I ask for a separate vote on oil.

The SPEAKER. A separate vote is demanded on lumber, hides, and oil.

Mr. SHERLEY. Barley and barley malt.

The SPEAKER. Barley and barley malt.

Mr. PERKINS. Do I understand—

Mr. FORDNEY. Mr. Speaker—

The SPEAKER. As a separate vote is not demanded on the amendments known as the "tea and coffee amendments," the vote will be taken upon those two amendments in gross.

Mr. HENRY of Texas. Mr. Speaker—

Mr. POINDEXTER. A parliamentary inquiry. In view of the fact that the vote has already been taken on the amendments in gross, and you are now proceeding to take a vote upon certain separate amendments, and there are certain other separate amendments not included in the vote in gross, and not included in this demand for separate votes, what disposition is to be made of them?

The SPEAKER. The Chair is not aware of any such amendments, except the tea and coffee amendments, and those articles are included, and the Chair was about to put the question. As a separate vote was not demanded upon the tea and coffee amendments, the Chair was about to put the question on agreeing to those amendments in gross.

Mr. HENRY of Texas. Mr. Speaker, I do not want to waive the point that I wished to make a moment ago in regard to the amendment on hides. I shall also demand a separate vote on an amendment offered to that amendment by the gentleman from Alabama.

The SPEAKER. That will come later, after these two amendments are disposed of. As many as favor agreeing to the amendments indicated will say "aye," those opposed "no."

The question being taken, the amendments were agreed to.

The SPEAKER. The first vote in order upon the bill is on lumber. That is because lumber is the first paragraph that is reached in the bill, and, proceeding through the bill regularly, the vote would come upon this amendment first.

Mr. TAWNEY. Mr. Speaker, I desire to make one suggestion which will affect the vote. If the vote is taken first on the amendment to paragraph 708, which is a part of the lumber vote, that will entirely dispose of the necessity of votes on the other two amendments. For that reason, I ask that the vote be taken first on the amendment to paragraph 708, the free list.

Several MEMBERS. Regular order!

The SPEAKER. The regular order is demanded. The Clerk will report the amendment.

Mr. FORDNEY. Mr. Speaker, I insist that the amendment offered first by the gentleman from Minnesota be voted on, if I am correct in my construction of the rules of the House.

Mr. DE ARMOND. Mr. Speaker—

The SPEAKER. The Clerk will report the first amendment.

Mr. FORDNEY. I will withdraw my demand.

Mr. TAWNEY. The gentleman from Michigan has withdrawn his demand.

Mr. FORDNEY. Mr. Speaker, the gentleman from Minnesota says that if a vote on this paragraph is defeated, that will settle the question and he will not demand a vote on paragraphs 196 and 197, and no one else will, and that will end the lumber schedule if that is correct.

Mr. SABATH. The gentleman from Minnesota can not bind all the Members of the House.

Mr. FORDNEY. Then I demand the regular order.

The SPEAKER. The gentleman from Michigan demands the regular order.

Mr. JAMES. Mr. Speaker, I want to demand a separate vote on the lumber schedule on the De Armond amendment, which provides for free lumber, which was the first amendment offered in the Committee of the Whole, and the one first acted upon in the Committee of the Whole.

The SPEAKER. The first amendment that comes in order on the bill is in paragraph 197, page 54, an amendment offered by—

Mr. RANDELL of Texas. A point of order, Mr. Speaker. The SPEAKER. The Chair thinks there is no better way to submit these amendments, unless by unanimous consent, than to begin at the paragraph which comes first, and that is paragraph 197.

Mr. FITZGERALD. One ninety-six, Mr. Speaker.

The SPEAKER. The amendment that was offered to paragraph 197, first reached upon the bill, was offered by the gentleman from Minnesota [Mr. TAWNEY].

Mr. FITZGERALD. I rise to a question of order.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Was not the first Tawney amendment knocked out on a point of order? I think I can state the case as it was.

The SPEAKER. The point of order amendments are not up to the House. The House has no knowledge of them.

Mr. CLARK of Missouri. That is what I am trying to explain to the Chair. Now, the situation was that the first amendment that was offered, I offered, and the gentleman from Minnesota raised—

The SPEAKER. The Chair—

Mr. CLARK of Missouri. I should like to explain the parliamentary situation.

The SPEAKER. But the Chair desires to explain, a moment. The Chair is not presumed to know, and, in fact, does not know the exact moment of time that these various amendments were offered, but by the report of the Chairman of the Committee of the Whole House on the state of the Union, the first one of these preferred amendments under the special order is one that seems to have been offered by the gentleman from Minnesota [Mr. TAWNEY], as determined by the order of the bill, the paragraph, and the lines in the paragraph. The Chair thinks that is the proper rule to adopt.

Mr. CLARK of Missouri. I was trying to enlighten the Chair as to what happened in the Committee of the Whole.

The SPEAKER. The Chairman of the Committee of the Whole is the only one that can enlighten the House upon what was done in the Committee of the Whole.

Mr. CLARK of Missouri. The RECORD itself will show.

The SPEAKER. The Chair follows the report of the Committee of the Whole House on the state of the Union as made by its Chairman, and has not other data to guide the Chair, except that report.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I understood the Speaker to say that section 197 was the first paragraph to which an amendment was offered. There was a motion made to amend paragraph 196, which comes before 197. If the Speaker is to take the paragraphs in the order in which they occur in the bill we would have to take first the motion to strike out paragraph 196 from the bill.

The SPEAKER. There seems to be no record of the motion spoken of by the gentleman from Illinois.

Mr. MANN. There was such a motion made—defeated, it is true. Ordinarily a defeated motion would have no standing before the House, but under the special rule the fact that the motion did not prevail makes no difference, and we are still entitled to a vote.

The SPEAKER. The Chair is causing inquiry to be made at the desk, and finds no such written motion reported by the chairman of the committee.

Mr. MANN. Mr. Speaker, I think there was no written motion, but there was a motion made, and is shown by the RECORD as having been made. Of course there is no journal of it, because it was a defeated motion.

The SPEAKER. The Chair has no knowledge of any such motion.

Mr. HENRY of Texas. Mr. Speaker, a parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. HENRY of Texas. The Speaker stated that we can only receive information through the Chairman of the Committee of the Whole in regard to amendments voted upon. There were two amendments offered by the gentleman from Minnesota in the Committee of the Whole; which one of these amendments does the Speaker propose to submit?

Mr. TAWNEY. There were three amendments offered by "the gentleman from Minnesota."

Mr. HENRY of Texas. One was ruled out on a point of order made by the gentleman from New York [Mr. FITZGERALD].

Mr. TAWNEY. That was reoffered on page 1129 of the RECORD.

Mr. HENRY of Texas. The first was on page 1126.

Mr. TAWNEY. That was the first, and then the next amendment was to strike out paragraph 196, and the third amendment was to transfer the one stricken out to paragraph 808, which is the free list.

Mr. Speaker, let me state, for the information of the Chair, that when the first vote was taken—

The SPEAKER. This is an exceptional condition the House finds itself in, operating under the special rule, and the Chair will call upon the gentleman from Pennsylvania [Mr. OLMSTED], Chairman of the Committee of the Whole House on the state of the Union, to make a supplemental report, if he so desires, as to the verbal amendment that was offered by the gentleman from Minnesota.

Mr. TAWNEY. The reason it does not appear in the RECORD is because I withheld my remarks that day for revision and have not published them.

The SPEAKER. But the Chair finds it on page 1139 of the RECORD. [Laughter.]

Mr. OLMSTED. Mr. Speaker, without having examined the RECORD carefully, or without having attempted to remember all the amendments that were offered, I have a distinct recollection that the first amendment offered was by the gentleman from Missouri. It was ruled out of order.

That was to paragraph 197, and, I think, also included some other matter. Then an amendment was offered by the gentleman from Minnesota [Mr. TAWNEY], which was ruled out of order. The first amendment actually voted upon, directed to paragraph 197, was offered by the gentleman from Minnesota [Mr. TAWNEY]. Afterwards the gentleman from Minnesota made an inquiry of the Chair, whether or not amendments not offered in committee could under the special order be voted on in the House. The Chair declined to answer that question, stating that he had a distinct opinion upon it, but that it was a question to be determined by the Speaker or by the House and not in Committee of the Whole House on the state of the Union. Thereupon the gentleman from Minnesota stated that in order to preserve his rights he proposed certain other amendments, including the one striking out section 196. He did offer such an amendment, and it was not agreed to by the committee. That is why it does not appear among the amendments reported from the committee. Nevertheless it is, under the special order, entitled to be voted on in the House.

Mr. MANN. That is the first paragraph which was amended?

Mr. DE ARMOND. Mr. Speaker, the gentleman from Pennsylvania [Mr. OLMSTED] is wrong about the first vote. The first vote was on an amendment offered by myself.

The SPEAKER. The Clerk will read as follows from the RECORD, supplementing the statement of the gentleman from Pennsylvania [Mr. OLMSTED], and the Chair presumes from what he says that he refers to the entry which the Chair has found in the RECORD, and which the Clerk will read.

The Clerk read as follows:

[Page 1139 of the RECORD.]

Mr. TAWNEY. Then, in order that there may be no question about it, I will offer amendments to strike out paragraph 196 and to amend paragraph 708.

The CHAIRMAN. The Clerk will report the amendment which the gentleman from Minnesota offers.

The Clerk read as follows:

"Page 54, strike out paragraph 196, being lines 16, 17, 18, and 19."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. So far as the Chair knows, that is the first amendment in order.

Mr. OLMSTED. Mr. Speaker, it is proper to add that the first amendment actually voted upon in Committee of the Whole House on the state of the Union was an amendment offered by the gentleman from Missouri [Mr. DE ARMOND] touching paragraph 197.

Mr. MANN. Mr. Speaker, no one disputes that.

The SPEAKER. To what paragraph of the bill?

Mr. MANN. That was the paragraph 197.

The SPEAKER. Paragraph 196 will first be disposed of.

Mr. RANDELL of Texas. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. RANDELL of Texas. Mr. Speaker, under the rule we are given the list of those subjects amendments on which can be voted upon separately, regardless of the action of the Committee of the Whole House on the state of the Union. I make the point of order that hides come first in that list, lumber second, oil next, and so forth, and that the rule does not follow the order in the bill, but varies from it. I make the point of order that the order of those subjects as contained in the rule should be followed in the House in taking the vote.

The SPEAKER. The Chair has fully considered that matter, and has ruled that under this special order the vote would come in the order of the paragraph in the bill, because the special order itself upon that matter is conflicting. The first part of the special order speaks first of lumber. The latter part of the special order speaks first of hides. The Chair, after considering the whole special order, has decided to follow the order of the paragraph in the bill.

Mr. HARRISON. Mr. Speaker, can we have the amendment again reported?

The SPEAKER. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Page 54, strike out paragraph 196, being lines 16, 17, 18, and 19.

Mr. CANDLER. Mr. Speaker, may we have paragraph 196 read?

The SPEAKER. Without objection, paragraph 196 will be read.

There was no objection, and the Clerk read paragraph 196 of the bill, as follows:

196. Timber, hewn, sided, or squared otherwise than by sawing (not less than 8 inches square) and round timber used for spars or in building wharves, one-half of 1 cent per cubic foot.

The SPEAKER. The question is on the amendment to strike out paragraph 196.

The question was taken.

Mr. TAWNEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 184, nays 198, not voting 6, as follows:

YEAS—184.

Adair	Davis	Hitchcock	Martin, S. Dak.
Aiken	Dawson	Houston	Miller, Kans.
Alexander, Mo.	De Armond	Howard	Miller, Minn.
Anderson	Dent	Howell, N. J.	Moore, Tex.
Ansberry	Denver	Howland	Morgan, Okla.
Anthony	Dixon, Ind.	Hubbard, Iowa	Morrison
Ashbrook	Driscoll, D. A.	Hughes, Ga.	Moss
Barnard	Driscoll, M. E.	Hughes, N. J.	Murdock
Barnhart	Esch	Hull, Iowa	Nelson
Bartlett, Ga.	Ferris	Hull, Tenn.	Nicholls
Bartlett, Nev.	Finley	Humphreys, Miss.	Norris
Beall, Tex.	Fitzgerald	James	Nye
Boehne	Flood, Va.	Jamieson	O'Connell
Booher	Floyd, Ark.	Johnson, Ky.	Oldfield
Borland	Fornes	Johnson, S. C.	Palmer, A. M.
Burgess	Foster, Ill.	Jones	Patterson
Burke, S. Dak.	Gallagher	Joyce	Perkins
Burleson	Garner, Tex.	Keliber	Peters
Burnett	Garrett	Kendall	Pickett
Byrd	Gill, Md.	Kennedy, Iowa	Prince
Byrns	Gillespie	Kinkaid, Nebr.	Rainey
Campbell	Goldfogle	Kinkead, N. J.	Randell, Tex.
Candler	Good	Kitchin	Rauch
Cantrill	Goulden	Kopp	Reeder
Carlin	Graff	Korbly	Reid
Carter	Graham, Ill.	Küstermann	Richardson
Cary	Gronna	Latta	Riordan
Clark, Mo.	Hamill	Lawrence	Robinson
Clayton	Hamilton	Lenroot	Rothermel
Cline	Hamlin	Lindbergh	Rucker, Colo.
Collier	Hammond	Lindsay	Rucker, Mo.
Conry	Hanna	Lloyd	Sabath
Cooper, Wis.	Hardwick	Lowden	Scott
Covington	Hardy	McDermott	Shackleford
Cox, Ind.	Harrison	McHenry	Sharp
Cox, Ohio	Haugen	McKinney	Sheppard
Craig	Hay	Macon	Sherley
Cravens	Heflin	Madison	Sherwood
Creager	Helm	Maguire, Nebr.	Sims
Cullop	Henry, Tex.	Mann	Sisson
Davidson	Hinshaw	Martin, Colo.	Slayden

Smith, Iowa
Smith, Tex.
Spight
Stafford
Stanley

Steenerson
Stephens, Tex.
Sterling
Stevens, Minn.
Sulzer

Talbott
Tawney
Taylor, Colo.
Thomas, Ky.
Tou Valle

Underwood
Volstead
Wallace
Weisse
Woods, Iowa

NAYS—198.

Adamson
Alexander, N. Y.
Allen
Ames
Andrus
Austin
Barchfeld
Barclay
Bartholdt
Bates
Bell, Ga.
Bennet, N. Y.
Bennett, Ky.
Bingham
Boutell
Bowers
Bradley
Brantley
Broussard
Brownlow
Burke, Pa.
Burlleigh
Butler
Calder
Calderhead
Capron
Chapman
Clark, Fla.
Cocks, N. Y.
Cole
Cook
Cooper, Pa.
Cowles
Crumpacker
Currier
Cushman
Dalzell
Denby
Dickson, Miss.
Diekema
Dies
Dodds
Douglas
Draper
Durey
Dwight
Edwards, Ga.
Edwards, Ky.
Ellerbe
Ellis

Elvins
Englebright
Estopinal
Fairchild
Fassett
Fish
Focht
Foelker
Fordney
Foss
Foster, Vt.
Foulkrod
Fowler
Fuller
Gaines
Gardner, Mass.
Gardner, Mich.
Gardner, N. J.
Garner, Pa.
Gillett
Glass
Godwin
Goebel
Gordon
Graham, Pa.
Grant
Greene
Gregg
Griest
Griggs
Guernsey
Hamer
Hawley
Hayes
Heald
Henry, Conn.
Higgins
Hill
Hobson
Hollingsworth
Howell, Utah
Hubbard, W. Va.
Huff
Hughes, W. Va.
Humphrey, Wash.
Johnson, Ohio
Kahn
Keifer
Kennedy, Ohio
Knapp

Knowland
Kronmiller
Lafean
Lamb
Langham
Langley
Lassiter
Law
Lee
Lever
Livingston
Longworth
Lorimer
Loud
Loudenslager
Loving
Lundin
McCall
McCreary
McGuire, Okla.
McKinlay, Cal.
McKinlay, Ill.
McLachlan, Cal.
McLaughlin, Mich.
McMorran
Madden
Malby
Maynard
Mays
Millington
Mondell
Moon, Pa.
Moon, Tenn.
Moore, Pa.
Morehead
Morgan, Mo.
Morse
Mudd
Murphy
Needham
Olcott
Olmsted
Padgett
Page
Palmer, H. W.
Parker
Parsons
Payne
Pearre
Plumley

Polindexer
Pou
Pratt
Pray
Pujo
Ransdell, La.
Reynolds
Roberts
Rodenberg
Saunders
Sheffield
Simmons
Slemp
Small
Smith, Cal.
Smith, Mich.
Snapp
Southwick
Sparkman
Sperry
Sturgiss
Sulloway
Swasey
Taylor, Ala.
Taylor, Ohio
Tener
Thistlewood
Thomas, N. C.
Thomas, Ohio
Tilson
Tirrell
Townsend
Vreeland
Wanger
Washburn
Watkins
Webb
Weeks
Wheeler
Wickliffe
Wiley
Wilson, Ill.
Wilson, Pa.
Wood, N. J.
Woodard
Young, Mich.
Young, N. Y.
The Speaker

NOT VOTING—6.

Coudrey
Crow

Gill, Mo.
Rhinoek

Russell

Willett

So the amendment was rejected. [Applause.]

The SPEAKER directed that his name be called, and when it was called he answered "no." [Applause.]

The Clerk announced the following pairs:

Until further notice:

Mr. CROW with Mr. RUSSELL.

Mr. COUDREY with Mr. GILL of Missouri.

The result of the vote was announced as above recorded.

The SPEAKER. Does the gentleman from Missouri [Mr. DE ARMOND] demand a separate vote upon his amendment?

Mr. DE ARMOND. Yes.

The SPEAKER. A little later on we will come to the amendment of the gentleman from Missouri. The Clerk will report the next amendment to be voted upon.

The Clerk read as follows:

Page 54, after the figures "197," in line 20, strike out all down to and including the word "but," in line 24; also strike out the words "in addition to the rate herein provided," in line 25, page 54, and line 1, page 55, so that the paragraph will read:

"When lumber of any sort is planed or finished there shall be levied and paid for each side so planed or finished, 50 cents per thousand feet board measure; and if planed on one side and tongued and grooved, \$1 per thousand feet board measure; and if planed on two sides and tongued and grooved, \$1.50 per thousand feet board measure; and in estimating board measure under this schedule no deduction shall be made on board measure on account of planing, tonguing, and grooving."

The SPEAKER. Is a separate vote demanded upon this amendment?

Mr. TAWNEY. It is, Mr. Speaker.

Mr. JAMES. Mr. Speaker, a parliamentary inquiry. I make the point of order that the amendment of the gentleman from Missouri [Mr. DE ARMOND] was acted upon in the Committee of the Whole House before that amendment was, and that it is now in order to consider the amendment of the gentleman from Missouri.

The SPEAKER. We will come to that.

The question was taken; and the Chair announced the noes seemed to have it.

Mr. TAWNEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

Smith, Iowa	Sulloway	Tirrell	Wickliffe
Smith, Mich.	Swasey	Townsend	Wiley
Snapp	Tawney	Volstead	Wilson, Ill.
Southwick	Taylor, Ala.	Vreeland	Wilson, Pa.
Sparkman	Taylor, Ohio	Wanger	Wood, N. J.
Sperry	Tener	Washburna	Woods, Iowa
Stafford	Thistlewood	Watkins	Woodyard
Steenerson	Thomas, N. C.	Webb	Young, Mich.
Sterling	Thomas, Ohio	Weeks	Young, N. Y.
Sturgiss	Tilson	Wheeler	The Speaker

NOT VOTING—11.

Carlin	Gill, Mo.	Rhinock	Stevens, Minn.
Coudrey	Graham, Pa.	Russell	Willett
Crow	Howell, N. J.	Sisson	

So the amendment was rejected.
 The following additional pairs were announced:
 Until further notice:
 Mr. STEVENS of Minnesota with Mr. SISSON.
 Mr. HOWELL of New Jersey with Mr. RHINOCK.
 The result of the vote was then announced as above recorded.
 The SPEAKER. The next amendment is one offered by the gentleman from Michigan [Mr. FORDNEY], striking out the proviso to paragraph 197, page 55, of the bill.
 The question was taken, and the amendment was agreed to.
 Mr. CLARK of Missouri. Now, Mr. Speaker, the next amendment was mine, at the bottom of page 946 of the RECORD.
 The SPEAKER. What paragraph?
 Mr. CLARK of Missouri. Paragraph 197. The motion was to strike it out.
 The SPEAKER. Strike what out?
 Mr. CLARK of Missouri. Strike the whole paragraph out.
 The SPEAKER. Was the motion voted on?
 Mr. CLARK of Missouri. Yes; it was voted on.
 The SPEAKER. Will the gentleman please give the page of the RECORD?

Mr. CLARK of Missouri. It is at the bottom of the first column of page 946, and the vote is shown at the top of the next column: "Ayes 118, noes 157."

The SPEAKER. That is an amendment referred to by the Chairman of the Committee of the Whole House on the state of the Union, as the Chair recollects. The Clerk will report the amendment.

The Clerk read as follows:
 Strike out paragraph 197.
 The question was taken on the amendment, and the Speaker announced that the noes seemed to have it.
 Mr. CLARK of Missouri. Yeas and nays, Mr. Speaker.
 The yeas and nays were ordered.
 The question was taken; and there were—yeas 153, nays 228, not voting 7, as follows:

YEAS—153.

Adair	Davis	Hughes, Ga.	Randell, Tex.
Adamson	De Armond	Hughes, N. J.	Rauch
Aiken	Dent	Hull, Tenn.	Reeder
Alexander, Mo.	Denyer	Humphreys, Miss.	Reid
Anderson	Dixon, Ind.	James	Richardson
Ansberry	Driscoll, D. A.	Jamieson	Riordan
Anthony	Ferris	Johnson, Ky.	Robinson
Ashbrook	Finley	Johnson, S. C.	Rothermel
Barnard	Fitzgerald	Jones	Rucker, Colo.
Barnhart	Flood, Va.	Keliher	Rucker, Mo.
Bartlett, Ga.	Floyd, Ark.	Kinkaid, Nebr.	Sabath
Bartlett, Nev.	Fornes	Kinkead, N. J.	Scott
Beall, Tex.	Foster, Ill.	Kitchin	Shackleford
Bell, Ga.	Gallagher	Korbly	Sharp
Boehne	Garner, Tex.	Latta	Sheppard
Booher	Garrett	Lawrence	Sherley
Borland	Gill, Md.	Lindsay	Sherwood
Burgess	Gillespie	Lloyd	Sims
Burleson	Goldfogle	McDermott	Sisson
Burnett	Good	McHenry	Slayden
Byrd	Goulden	Macon	Smith, Tex.
Byrns	Graham, Ill.	Madison	Spight
Campbell	Gronna	Maguire, Nebr.	Stafford
Candler	Hamill	Martin, Colo.	Stanley
Cantrill	Hamlin	Moore, Tex.	Steenerson
Carlin	Hammond	Morgan, Okla.	Stephens, Tex.
Carter	Hanna	Morrison	Sterling
Clark, Mo.	Hardwick	Moss	Sulzer
Clayton	Hardy	Murdock	Talbot
Collier	Harrison	Nicholls	Taylor, Colo.
Conry	Haugen	Norris	Thomas, Ky.
Covington	Heflin	O'Connell	Tou Velle
Cox, Ind.	Helm	Oldfield	Underwood
Cox, Ohio	Henry, Tex.	Palmer, A. M.	Volstead
Craig	Hinschaw	Patterson	Wallace
Cravens	Hitchcock	Perkins	Weisse
Cullop	Houston	Peters	
Davidson	Howard	Prince	
		Rainey	

NAYS—228.

Alexander, N. Y.	Bates	Broussard	Capron
Allen	Bennet, N. Y.	Brownlow	Cary
Ames	Bennett, Ky.	Burke, Pa.	Chapman
Andrus	Bingham	Burke, S. Dak.	Clark, Fla.
Austin	Boutell	Burleigh	Cocks, N. Y.
Barchfeld	Bowers	Butler	Cole
Barclay	Bradley	Calder	Cook
Bartholdt	Brantley	Calderhead	Cooper, Pa.

Cooper, Wis.	Grant	Lorimer	Pray
Cowles	Greene	Loud	Pujo
Creager	Gregg	Loudenslager	Ransdell, La.
Crumpacker	Griest	Lovering	Reynolds
Curlier	Griggs	Lowden	Roberts
Cushman	Guernsey	Lundin	Rodenberg
Dalzell	Hamer	McCall	Saunders
Dawson	Hamilton	McCreary	Sheffield
Denby	Hawley	McGuire, Okla.	Simmons
Dickson, Miss.	Hayes	McKinlay, Cal.	Siemp
Diekema	Heald	McKinley, Ill.	Small
Dies	Henry, Conn.	McKinley	Smith, Cal.
Dodds	Higgins	McLachlan, Cal.	Smith, Iowa
Douglas	Hill	McLaughlin, Mich.	Smith, Mich.
Draper	Hobson	McMorran	Snapp
Driscoll, M. E.	Hollingsworth	Madden	Southwick
Durey	Howell, N. J.	Malby	Sparkman
Dwight	Howell, Utah	Mann	Sperry
Edwards, Ga.	Howland	Martin, S. Dak.	Stevens, Minn.
Edwards, Ky.	Hubbard, Iowa	Maynard	Sturgiss
Ellerbe	Hubbard, W. Va.	Mays	Sulloway
Ellis	Huff	Miller, Kans.	Swasey
Elvins	Hughes, W. Va.	Miller, Minn.	Tawney
Englebright	Hull, Iowa	Millington	Taylor, Ala.
Esch	Humphrey, Wash.	Mondell	Taylor, Ohio
Estopinal	Johnson, Ohio	Moon, Pa.	Tener
Fairchild	Joyce	Moon, Tenn.	Thistlewood
Fassett	Kahn	Moore, Pa.	Thomas, N. C.
Fish	Kelifer	Morehead	Thomas, Ohio
Focht	Kendall	Morgan, Mo.	Tilson
Foelker	Kennedy, Iowa	Morse	Tirrell
Fordney	Kennedy, Ohio	Murphy	Townsend
Foss	Knapp	Needham	Vreeland
Foster, Vt.	Knowland	Nelson	Wanger
Foulrod	Kopp	Nye	Washburn
Fowler	Kronmiller	Olcott	Watkins
Fuller	Küstermann	Olmsted	Webb
Gaines	Lafean	Padgett	Weeks
Gardner, Mass.	Lamb	Page	Wheeler
Gardner, Mich.	Langham	Palmer, H. W.	Wickliffe
Gardner, N. J.	Langley	Parker	Wiley
Garner, Pa.	Lassiter	Parsons	Wilson, Ill.
Gillett	Law	Payne	Wilson, Pa.
Glass	Lee	Pearre	Wood, N. J.
Godwin	Lenroot	Pickett	Woods, Iowa
Goebel	Lever	Plunley	Woodyard
Gordon	Lindbergh	Poindexter	Young, Mich.
Graff	Livingston	Pou	Young, N. Y.
Graham, Pa.	Longworth	Pratt	The Speaker

NOT VOTING—7.

Coudrey	Gill, Mo.	Rhinock	Willett
Crow	Mudd	Russell	

So the amendment was rejected.
 The Clerk announced the following additional pair:
 Until further notice:
 Mr. MUDD with Mr. RHINOCK.
 The result of the vote was announced as above recorded.
 The SPEAKER. Is an additional vote called for?
 Mr. TAWNEY. A parliamentary inquiry, Mr. Speaker.
 The SPEAKER. The gentleman will state it.
 Mr. TAWNEY. Is it the intention of the Speaker to consider the amendments in the order of the paragraphs or in the order in which the amendments were offered?
 The SPEAKER. In the order of the paragraphs.
 Mr. TAWNEY. Mr. Speaker, it has been suggested by gentlemen here that I ask unanimous consent, in order to finish the lumber schedule, that the vote be taken at this time on the amendment to paragraph 708.
 The SPEAKER. The gentleman asks unanimous consent that the vote may be taken on the amendment to paragraph 708. Is there objection?
 There was no objection.
 The Clerk read as follows:
 708. Wood: Sawed boards, planks, deals and other lumber of white wood, sycamore and bass wood and sawed lumber, timber hewn, sided, squared or sawed and round timber used for spars or in building wharves, logs and round unmanufactured timber, including pulp woods, firewood, handle bolts, shingle bolts, gun blocks for gunstocks rough hewn or sawed or planed on one side, hop poles, ship timber and ship planking; all of the foregoing not specially provided for in sections 1 and 2 of this act.
 The SPEAKER. The motion is to strike out paragraph 708 and to insert what has been read.
 Mr. FITZGERALD. Mr. Speaker, a parliamentary inquiry. Is the effect of this amendment to put upon the free list the articles enumerated in the paragraph read?
 Mr. LANGLEY. That is not a parliamentary inquiry. It is a legal inquiry.
 The SPEAKER. The Chair is informed that would be the effect of it.
 Mr. TAWNEY. I did not hear the gentleman's question.
 Mr. FITZGERALD. Is the effect of this amendment to put the articles enumerated on the free list?
 Mr. TAWNEY. It is. The effect is to transfer the articles mentioned from the dutiable list to the free list.
 The question being taken, the Speaker announced that the noes appeared to have it.
 Mr. TAWNEY and Mr. COOPER of Wisconsin demanded the yeas and nays.

The yeas and nays were ordered. The question was taken; and there were—yeas 181, nays 200, not voting 7, as follows:

YEAS—181.

Adair	Driscoll, D. A.	James	Peters
Aiken	Driscoll, M. E.	Jameson	Pickett
Alexander, Mo.	Esch	Johnson, Ky.	Prince
Anderson	Ferris	Johnson, S. C.	Rainey
Ansberry	Finley	Joyce	Randell, Tex.
Anthony	Fitzgerald	Keliher	Rauch
Ashbrook	Floyd, Va.	Kendall	Reeder
Barnard	Floyd, Ark.	Kennedy, Iowa	Reid
Barnhart	Fornes	Kinkaid, Nebr.	Richardson
Bartlett, Ga.	Foster, Ill.	Kinkead, N. J.	Riordan
Bartlett, Nev.	Gallagher	Kitchin	Robinson
Beall, Tex.	Garner, Tex.	Kopp	Rothermel
Boehne	Garrett	Korbly	Rucker, Colo.
Booher	Gill, Md.	Latta	Rucker, Mo.
Borland	Gillespie	Lawrence	Sabath
Burgess	Goldfogle	Lenroot	Scott
Burke, S. Dak.	Good	Lindbergh	Shackelford
Burleson	Goulden	Lindsay	Sharp
Burnett	Graham, Ill.	Lloyd	Sheppard
Byrd	Gronna	Lowden	Sherley
Byrns	Hamill	McDermott	Sherwood
Campbell	Hamilton	McHenry	Sims
Candler	Hamlin	McKinney	Sisson
Cantrill	Hammond	Macon	Slayden
Carlin	Hanna	Madison	Smith, Iowa
Carter	Hardwick	Maguire, Nebr.	Smith, Tex.
Cary	Hardy	Mann	Splight
Clark, Mo.	Harrison	Martin, S. Dak.	Stafford
Clayton	Haugen	Martin, S. Dak.	Steenerson
Cline	Hay	Miller, Kans.	Stephens, Tex.
Collier	Hefflin	Miller, Minn.	Sterling
Conry	Helm	Moore, Tex.	Stevens, Minn.
Cooper, Wis.	Henry, Tex.	Morgan, Okla.	Sulzer
Covington	Hinshaw	Morrison	Talbot
Cox, Ind.	Hitchcock	Moss	Tawney
Cox, Ohio	Houston	Murdock	Taylor, Colo.
Craig	Howard	Nelson	Thomas, Ky.
Cravens	Howell, N. J.	Nicholls	Tou Velle
Cullop	Hubbard, Iowa	Nye	Underwood
Davidson	Hughes, Ga.	O'Connell	Volstead
Davis	Hughes, N. J.	Oldfield	Wallace
Dawson	Hull, Iowa	Palmer, A. M.	Welise
De Armond	Hull, Tenn.	Patterson	Woods, Iowa
Dent	Humphreys, Miss.	Perkins	
Denver			
Dixon, Ind.			

NAYS—200.

Adamson	Ellis	Knapp	Pearre
Alexander, N. Y.	Elvins	Knowland	Plumley
Allen	Englebright	Kronmiller	Poindexter
Ames	Estopinal	Kuermann	Pou
Andrus	Fairchild	Lafean	Pratt
Austin	Fassett	Lamb	Fray
Barchfeld	Fish	Langham	Fujo
Barclay	Focht	Langley	Ransdell, La.
Bartholdt	Foelker	Lassiter	Reynolds
Bates	Fordney	Law	Roberts
Bell, Ga.	Foss	Lee	Rodenberg
Bennet, N. Y.	Foster, Vt.	Lever	Saunders
Bennett, Ky.	Foulkrod	Livingston	Sheffield
Bingham	Fowler	Longworth	Simmons
Boutell	Fuller	Lorimer	Slemp
Bowers	Gaines	Loud	Small
Bradley	Gardner, Mass.	Loudenslager	Smith, Cal.
Brantley	Gardner, Mich.	Loving	Smith, Mich.
Broussard	Gardner, N. J.	Lundin	Snapp
Brownlow	Garner, Pa.	McCall	Southwick
Burke, Pa.	Gillett	McCreary	Sparkman
Burleigh	Glass	McGuire, Okla.	Sperry
Butler	Godwin	McKinley, Cal.	Sturgiss
Calder	Goebel	McKinley, Ill.	Sulloway
Calderhead	Gordon	McLachlan, Cal.	Swasey
Capron	Graham, Pa.	McLaughlin, Mich.	Taylor, Ala.
Chapman	Grant	McMorran	Taylor, Ohio
Clark, Fla.	Greene	Madden	Tener
Cocks, N. Y.	Gregg	Malby	Thistlewood
Cole	Griest	Maynard	Thomas, N. C.
Cook	Griggs	Mays	Thomas, Ohio
Cooper, Pa.	Guernsey	Millington	Tilson
Cowles	Hamer	Mondell	Tirrell
Creager	Hawley	Moon, Pa.	Townsend
Crumpacker	Hayes	Moon, Tenn.	Vreeland
Currier	Heald	Moore, Pa.	Wanger
Cushman	Henry, Conn.	Morehead	Washburn
Dalzell	Higgins	Morgan, Mo.	Watkins
Denby	Hill	Morse	Webb
Dickson, Miss.	Hobson	Mudd	Weeks
Diekema	Hollingsworth	Murphy	Wheeler
Dies	Howell, Utah	Needham	Wickliffe
Dodds	Hubbard, W. Va.	Olcott	Wiley
Douglas	Huff	Olmsted	Wilson, Ill.
Draper	Hughes, W. Va.	Padgett	Wilson, Pa.
Durey	Humphrey, Wash.	Page	Wood, N. J.
Dwight	Johnson, Ohio	Palmer, H. W.	Woodyard
Edwards, Ga.	Kahn	Parker	Young, Mich.
Edwards, Ky.	Keifer	Parsons	Young, N. Y.
Ellerbe	Kennedy, Ohio	Payne	The Speaker

NOT VOTING—7.

Coudrey	Gill, Mo.	Russell	Willett
Crow	Rhinock	Stanley	

See the amendment was rejected. Mr. STANLEY. Mr. Speaker, how am I recorded? The SPEAKER. The gentleman is not recorded.

Mr. STANLEY. I wish to say that if I had been in my seat I would have voted "aye."

Mr. LANGLEY. I am glad the gentleman was not in his seat. [Laughter.]

The result of the vote was then announced as above recorded. The SPEAKER. The Clerk will report the next amendment. Mr. HENRY of Texas. Mr. Speaker, I ask unanimous consent that the amendments be now taken up in the order in which they were offered in the committee.

Mr. PAYNE. The regular order.

The SPEAKER. The gentleman from New York demands the regular order, and the Clerk will report the next amendment.

The Clerk read as follows:

Page 62, line 8, strike out the word "fifteen" and insert in lieu thereof the word "twenty-four," so that it will read: "227. Barley, 24 cents per bushel of 48 pounds."

Same page, line 10, strike out the word "twenty-five" and insert in lieu thereof the word "forty," so that it will read: "Barley malt, 40 cents per bushel of 34 pounds."

The SPEAKER. The question is on agreeing to the amendment.

Mr. PERKINS and Mr. HARRISON called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 186, answered "present" 1, not voting 7, as follows:

YEAS—194.

Allen	Englebright	Kendall	Palmer, H. W.
Andrus	Esch	Kennedy, Iowa	Payne
Anthony	Estopinal	Kennedy, Ohio	Pearre
Ashbrook	Fairchild	Kinkaid, Nebr.	Pickett
Austin	Fassett	Knowland	Plumley
Barchfeld	Focht	Kopp	Poindexter
Barnard	Fordney	Kronmiller	Pratt
Barnhart	Foss	Kuermann	Pray
Bartholdt	Poster, Vt.	Langham	Prince
Bates	Foulkrod	Langley	Pujo
Bennett, Ky.	Fowler	Latta	Reeder
Bingham	Fuller	Lawrence	Roberts
Boutell	Gaines	Lenroot	Rodenberg
Bradley	Gardner, Mass.	Lindbergh	Rucker, Colo.
Broussard	Gardner, N. J.	Longworth	Scott
Brownlow	Garner, Pa.	Lorimer	Sheffield
Burke, Pa.	Garner, Tex.	Loud	Slemp
Burleigh	Gillett	Loudenslager	Smith, Cal.
Burnett	Goebel	Loving	Smith, Iowa
Calderhead	Good	Lowden	Smith, Mich.
Campbell	Graft	Lundin	Snapp
Capron	Graham, Pa.	McCall	Sperry
Cary	Grant	McCreary	Stafford
Chapman	Greene	McGuire, Okla.	Steenerson
Cocks, N. Y.	Griest	McKinley, Cal.	Sterling
Cole	Gronna	McKinley, Ill.	Stevens, Minn.
Cook	Guernsey	McKinney	Sulloway
Cooper, Wis.	Hamer	McLachlan, Cal.	Swasey
Cowles	Hamilton	McLaughlin, Mich.	Tawney
Creager	Hammond	McMorran	Taylor, Colo.
Crumpacker	Hanna	Madden	Tener
Currier	Haugen	Martin, S. Dak.	Thistlewood
Cushman	Hawley	Miller, Kans.	Thomas, Ohio
Dalzell	Hayes	Miller, Minn.	Tilson
Davidson	Henry, Conn.	Millington	Tirrell
Davis	Higgins	Mondell	Tou Velle
Dawson	Hill	Moon, Pa.	Townsend
Denby	Hinshaw	Moore, Pa.	Volstead
Denver	Hollingsworth	Morehead	Vreeland
Diekema	Howell, N. J.	Morgan, Mo.	Washburn
Dodds	Howell, Utah	Morgan, Okla.	Weeks
Douglas	Hubbard, Iowa	Morrison	Wickliffe
Draper	Huff	Murphy	Wiley
Durey	Hull, Iowa	Murdock	Wood, N. J.
Dwight	Humphrey, Wash.	Needham	Woods, Iowa
Edwards, Ky.	Johnson, Ohio	Nelson	Young, Mich.
Ellis	Keifer	Norris	The Speaker
Elvins	Keifer	Nye	
		Olmsted	

NAYS—186.

Adair	Cantrill	Fish	Heald
Adamson	Carter	Fitzgerald	Hefflin
Aiken	Clark, Fla.	Floyd, Va.	Helm
Alexander, Mo.	Clark, Mo.	Floyd, Ark.	Henry, Tex.
Alexander, N. Y.	Clayton	Foelker	Hitchcock
Ames	Cline	Fornes	Hobson
Anderson	Collier	Foster, Ill.	Houston
Ansberry	Conry	Gallagher	Howard
Barclay	Cooper, Pa.	Gardner, Mich.	Howland
Bartlett, Ga.	Covington	Garrett	Hubbard, W. Va.
Bartlett, Nev.	Cox, Ind.	Gill, Md.	Hughes, Ga.
Beall, Tex.	Cox, Ohio	Gillespie	Hughes, N. J.
Bell, Ga.	Craig	Glass	Hughes, W. Va.
Bennet, N. Y.	Cravens	Godwin	Hull, Tenn.
Boehne	Cullop	Goldfogle	Humphreys, Miss.
Booher	De Armond	Gordon	James
Borland	Dent	Goulden	Jameson
Bowers	Dickson, Miss.	Graham, Ill.	Johnson, Ky.
Brantley	Dies	Gregg	Johnson, S. C.
Burgess	Dixon, Ind.	Griggs	Jones
Burleson	Driscoll, D. A.	Hamill	Keliher
Byrd	Driscoll, M. E.	Hamlin	Kinkead, N. J.
Byrns	Edwards, Ga.	Hardwick	Kitchin
Calder	Ellerbe	Harmon	Knapp
Candler	Ferris	Harrison	Korbly
	Finley	Hay	Lafean

Lamb	Mudd	Richardson	Stanley
Lassiter	Murphy	Riordan	Stephens, Tex.
Law	Nicholls	Robinson	Sturgiss
Lee	O'Connell	Rothermel	Sulzer
Lever	Olcott	Rucker, Mo.	Talbot
Lindsay	Oldfield	Sabath	Taylor, Ala.
Livingston	Padgett	Saunders	Taylor, Ohio
Lloyd	Page	Shackelford	Thomas, Ky.
McDermott	Palmer, A. M.	Sharp	Thomas, N. C.
McHenry	Parker	Sheppard	Underwood
Macon	Parsons	Sherley	Wallace
Madden	Patterson	Sherwood	Wanger
Maguire, Nebr.	Perkins	Simmons	Watkins
Malby	Peters	Sims	Webb
Mann	Pou	Sisson	Wheeler
Martin, Colo.	Rainey	Slayden	Wilson, Ill.
Maynard	Randell, Tex.	Small	Wilson, Pa.
Mays	Ransdell, La.	Smith, Tex.	Woodyard
Moon, Tenn.	Rauch	Southwick	Young, N. Y.
Moore, Tex.	Reid	Sparkman	
Moss	Reynolds	Spight	

ANSWERED "PRESENT"—1.

Weisse

NOT VOTING—7.

Carlin	Crow	Rhlnock	Willett
Coudrey	Gill, Mo.	Russell	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

Page 136, after line 14, insert as a new paragraph, to be numbered 447½:

"447½. Hides of cattle, raw or uncured, whether dry salted or pickled, 10 per cent ad valorem."

Mr. UNDERWOOD. Mr. Speaker, I now ask the Clerk to report the amendment that I offered to that amendment.

The SPEAKER. The Clerk has not the amendment to which the gentleman refers, the Chair is informed.

Mr. HENRY of Texas. Mr. Speaker, it is on page 949 of the RECORD. This is the language used by Mr. UNDERWOOD:

Mr. Chairman, I offer the following amendment: Add, after the word "hides," the words "weighing more than 1 pound."

Mr. DALZELL. Mr. Speaker, I would make the point of order against that that it is not subject to a vote under the terms of the rule.

Mr. HENRY of Texas. Well, it was voted on in the Committee of the Whole.

Mr. DALZELL. I do not care if it was. It is not a committee amendment, and it is not an amendment provided for in the rule.

Mr. HENRY of Texas. It was an amendment to the amendment of the gentleman from Kansas, and the committee voted upon it and we have the right to vote upon it now.

Mr. UNDERWOOD. Mr. Speaker, I desire to be heard on the point of order made by the gentleman from Pennsylvania.

The SPEAKER. The Chair will ask the gentleman from Pennsylvania to state his point of order.

Mr. DALZELL. Mr. Speaker, the point of order is that this amendment is not a committee amendment and is not an amendment provided for in the rule. In the first place, I contend that the amendment offered by the gentleman from Alabama was not in order at the time it was offered—talk about a skin weighing a pound being a hide!

The SPEAKER. Almost anything sensible or not sensible under the terms of the special order, which was offered as an amendment and disposed of, seems to be in order. The Clerk will read the amendment to the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Add, after the word "hides," the words "weighing more than 1 pound."

The SPEAKER. The question is on the amendment to the amendment.

Mr. UNDERWOOD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 225, answered "present" 1, not voting 14, as follows:

YEAS—147.

Adair	Bowers	Carter	Dies
Adamson	Brantley	Clayton	Dixon, Ind.
Aiken	Broussard	Collier	Edwards, Ga.
Alexander, Mo.	Brownlow	Cowles	Edwards, Ky.
Anthony	Burgess	Cox, Ind.	Ellerbe
Ashbrook	Burke, S. Dak.	Craig	Elvins
Austin	Burleson	Cravens	Estopinal
Bartlett, Nev.	Burnett	Cullop	Ferris
Beall, Tex.	Byrd	Davis	Finley
Bell, Ga.	Byrns	Dawson	Flood, Va.
Boehne	Campbell	Dent	Garner, Tex.
Booher	Candler	Denver	Gillespie
Borland	Cantrill	Dickson, Miss.	Godwin

Good	Jamieson	Miller, Kans.	Saunders
Gordon	Johnson, Ky.	Mondell	Scott
Graff	Johnson, Ohio	Moore, Tex.	Sheppard
Graham, Ill.	Kendall	Murdock	Sisson
Gregg	Kennedy, Iowa	Murphy	Slyden
Griggs	Kinkaid, Nebr.	Nelson	Slomp
Gronna	Kopp	Norris	Small
Hamer	Latta	Oldfield	Smith, Iowa
Hamlin	Lee	Page	Smith, Tex.
Hammond	Lenroot	Pickett	Spight
Hanna	Lever	Poindexter	Stephens, Tex.
Hardy	Lindbergh	Pou	Sterling
Haugen	Livingston	Pratt	Taylor, Ala.
Heflin	Lloyd	Pray	Taylor, Colo.
Henry, Tex.	Lorimer	Prince	Thistlewood
Hinsbaw	Loudenslager	Pujo	Thomas, N. C.
Hitchcock	Lowden	Randell, Tex.	Thomas, Ohio
Hobson	McDermott	Ransdell, La.	Tou Velle
Hollingsworth	McKinney	Rauch	Underwood
Howell, Utah	Macon	Reeder	Volstead
Hubbard, Iowa	Madison	Richardson	Webb
Hubbard, W. Va.	Maguire, Nebr.	Rodenberg	Wickliffe
Hull, Iowa	Martin, Colo.	Rucker, Colo.	Woods, Iowa
Humphreys, Miss.	Martin, S. Dak.	Rucker, Mo.	

NAYS—225.

Alexander, N. Y.	Fish	Kennedy, Ohio	Pearre
Allen	Fitzgerald	Kinthead, N. J.	Perkins
Ames	Floyd, Ark.	Kitchin	Peters
Anderson	Focht	Knapp	Plumley
Andrus	Foelker	Knoland	Ralney
Ansberry	Fordney	Korbly	Reid
Barchfeld	Fornes	Kronmiller	Reynolds
Barclay	Foss	Küstermann	Riordan
Barnard	Foster, Ill.	Lafean	Roberts
Barnhart	Foster, Vt.	Lamb	Robinson
Bartholdt	Foulkrod	Langham	Rothermel
Bartlett, Ga.	Fowler	Langley	Sabath
Bates	Fuller	Lassiter	Shackelford
Bennet, N. Y.	Gaines	Law	Sharp
Bennett, Ky.	Gallagher	Lawrence	Sheffield
Bingham	Gardner, Mass.	Lindsay	Sherley
Boutell	Gardner, Mich.	Longworth	Simmons
Bradley	Gardner, N. J.	Loud	Sims
Burke, Pa.	Garner, Pa.	Loverling	Smith, Cal.
Burleigh	Garrett	Lundin	Smith, Mich.
Butler	Gill, Md.	McCall	Snapp
Calder	Gillett	McCreary	Southwick
Calderhead	Glass	McGuire, Okla.	Sparkman
Capron	Goebel	McHenry	Sperry
Cary	Goldfogle	McKinlay, Cal.	Stafford
Chapman	Goulden	McKinley, Ill.	Stanley
Clark, Fla.	Graham, Pa.	McLachlan, Cal.	Steenerson
Clark, Mo.	Greene	McLaughlin, Mich.	Stevens, Minn.
Cline	Griest	McMorran	Sturgiss
Cocks, N. Y.	Guernsey	Madden	Sulloway
Cole	Hamill	Malby	Sulzer
Conry	Hamilton	Mann	Swasey
Cook	Hardwick	Maynard	Talbot
Cooper, Pa.	Harrison	Miller, Minn.	Tawney
Cooper, Wis.	Hawley	Millington	Taylor, Ohio
Covington	Hay	Moon, Pa.	Tener
Cox, Ohio	Hayes	Moon, Tenn.	Thomas, Ky.
Creager	Head	Moore, Pa.	Tilson
Craumpacker	Helm	Morehead	Tirrell
Currier	Henry, Conn.	Morgan, Mo.	Townsend
Cushman	Higgins	Morgan, Okla.	Vreeland
Dalzell	Hill	Morrison	Wallace
Davidson	Houston	Morse	Wanger
De Armond	Howard	Mudd	Washburn
Denby	Howell, N. J.	Needham	Watkins
Diekema	Howland	Nicholls	Weeks
Dodds	Huff	Nye	Weisse
Douglas	Hughes, Ga.	O'Connell	Wheeler
Draper	Hughes, N. J.	Olcott	Wilcy
Driscoll, D. A.	Hughes, W. Va.	Olmsted	Wilson, Ill.
Driscoll, M. E.	Hull, Tenn.	Padgett	Wilson, Pa.
Durey	Humphrey, Wash.	Palmer, A. M.	Wood, N. J.
Dwight	James	Palmer, H. W.	Woodyard
Englebright	Joyce	Parker	Young, N. Y.
Esch	Kahn	Parsons	
Fairchild	Keifer	Patterson	
Fassett	Kelher	Payne	

ANSWERED "PRESENT"—1.

Moss

NOT VOTING—14.

Carlin	Gill, Mo.	Mays	Willett
Coudrey	Grant	Rhlnock	Young, Mich.
Crow	Johnson, S. C.	Russell	
Ellis	Jones	Sherwood	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. YOUNG of Michigan with Mr. JONES.

Mr. GRANT with Mr. JOHNSON of South Carolina.

Mr. ELLIS with Mr. CARLIN.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore (Mr. CAPRON). The question is now on the amendment proposed by the gentleman from Kansas, which the Clerk will report.

Mr. ROBERTS. Mr. Speaker, let us have the amendment again reported.

The Clerk read as follows:

Amendment offered by Mr. SCOTT: Page 136, after line 14, insert as a new paragraph to be numbered 447½:

"447½. Hides of cattle, raw or uncured, whether dried, salted, or pickled, 10 per cent ad valorem."

The SPEAKER pro tempore. The question is upon the amendment.

Mr. WEISSE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WEISSE. That amendment, as I understand it, is 25 pounds dry or green. Is that what it says? [Cries of "Regular order!"]

Mr. SABATH. Mr. Speaker, what is the amendment?

The SPEAKER pro tempore. Does the gentleman desire to have the amendment again reported?

Mr. SABATH. Yes.

The SPEAKER pro tempore. Without objection, the amendment will be again reported. [Cries of "Regular order!"]

The SPEAKER pro tempore. Regular order is demanded.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. SCOTT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 103, nays, 274, answered "present" 2, not voting 9, as follows:

YEAS—103.

Adair	Englebright	Kinkaid, Nebr.	Prince
Anthony	Gardner, N. J.	Kopp	Pujo
Austin	Garner, Tex.	Lenroot	Randell, Tex.
Bartlett, Nev.	Good	Lindbergh	Reeder
Beall, Tex.	Gordon	Lorimer	Rodenberg
Bennet, N. Y.	Graft	Loudenslager	Rucker, Colo.
Bennett, Ky.	Grant	Lowden	Scott
Borland	Gregg	McDermott	Sheppard
Brantley	Gronna	McGuire, Okla.	Slayden
Broussard	Hamer	McKinley, Ill.	Slemp
Burgess	Hamlin	McKinney	Smith, Iowa
Burke, S. Dak.	Hammond	McLachlan, Cal.	Smith, Tex.
Burleson	Hanna	McMorran	Steenerson
Burnett	Hardy	Madison	Stephens, Tex.
Campbell	Haugen	Martin, Colo.	Sterling
Chapman	Henry, Tex.	Martin, S. Dak.	Sturgiss
Cole	Hinshaw	Miller, Kans.	Taylor, Ala.
Cowles	Hollingsworth	Mondell	Taylor, Colo.
Cox, Ind.	Howell, Utah	Moore, Tex.	Thistlewood
Creager	Hubbard, Iowa	Morgan, Okla.	Volstead
Davis	Hubbard, W. Va.	Murdock	Wanger
Dawson	Hull, Iowa	Norris	Wood, N. J.
Dies	Johnson, Ohio	Pearre	Woods, Iowa
Edwards, Ky.	Keifer	Pickett	Woodyard
Ellis	Kendall	Poindexter	The Speaker
Elvins	Kennedy, Iowa	Pray	

NAYS—274.

Adamson	De Armond	Hardwick	McCreary
Aiken	Denby	Harrison	McHenry
Alexander, Mo.	Dent	Hawley	McKinlay, Cal.
Alexander, N. Y.	Denver	Hay	McLaughlin, Mich.
Allen	Dickson, Miss	Hayes	Macon
Ames	Diekema	Heald	Madden
Anderson	Dixon, Ind.	Heflin	Maguire, Nebr.
Andrus	Dodds	Helm	Malby
Ansberry	Douglas	Henry, Conn.	Mann
Ashbrook	Draper	Higgins	Maynard
Barchfeld	Driscoll, D. A.	Hill	Mays
Barclay	Driscoll, M. E.	Hitchcock	Miller, Minn.
Barnard	Durey	Hobson	Millington
Barnhart	Dwight	Houston	Moore, Pa.
Bartlett	Edwards, Ga.	Howard	Moon, Tenn.
Bartlett, Ga.	Ellerbe	Howell, N. J.	Moore, Pa.
Bates	Esch	Howland	Morehead
Bell, Ga.	Estopinal	Huff	Morgan, Mo.
Bingham	Fairchild	Hughes, Ga.	Morrison
Boehne	Fassett	Hughes, N. J.	Morse
Booher	Ferris	Hughes, W. Va.	Mudd
Boutell	Finley	Hull, Tenn.	Murphy
Bowers	Fish	Humphrey, Wash.	Nedham
Bradley	Fitzgerald	Humphreys, Miss.	Nelson
Brownlow	Flood, Va.	James	Nicholls
Burke, Pa.	Floyd, Ark.	Jamleson	Nye
Burleigh	Focht	Johnson, Ky.	O'Connell
Butler	Foelker	Johnson, S. C.	Olcott
Byrd	Fordney	Jones	Oldfield
Byrns	Fornes	Joyce	Padgett
Calder	Foss	Kahn	Page
Calderhead	Foster, Ill.	Kelher	Palmer, A. M.
Candler	Foster, Vt.	Kennedy, Ohio	Palmer, H. W.
Cantrill	Foulkrod	Kinkead, N. J.	Parker
Capron	Fowler	Kitchin	Parson
Carlin	Fuller	Knapp	Patterson
Carter	Gaines	Knowland	Payne
Cary	Gallagher	Korbly	Perkins
Clark, Fla.	Gardner, Mass.	Kronmiller	Peters
Clark, Mo.	Gardner, Mich.	Kuftermann	Plumley
Clayton	Garner, Pa.	Lafean	Pou
Cline	Garrett	Lamb	Pratt
Cocks, N. Y.	Gill, Md.	Langham	Rainey
Collier	Gillespie	Langley	Ransdell, La.
Conry	Gillett	Lassiter	Rauch
Cook	Glass	Latta	Reid
Cooper, Pa.	Godwin	Law	Reynolds
Cooper, Wis.	Goebel	Lawrence	Richardson
Covington	Goldfogle	Lee	Riordan
Cox, Ohio	Goulden	Lever	Roberts
Craig	Graham, Ill.	Lindsay	Robinson
Cravens	Graham, Pa.	Livingston	Rothermel
Crumpacker	Greene	Lloyd	Rucker, Mo.
Cullop	Griest	Longworth	Sabath
Currier	Griggs	Loud	Saunders
Cushman	Guernsey	Lovering	Shackleford
Dalzell	Hamill	Lundin	Sharp
Davidson	Hamilton	McCall	Sheffield

Sherley	Sperry	Thomas, N. C.	Weeks
Sherwood	Stafford	Thomas, Ohio	Weisse
Simmons	Stanley	Tilson	Wheeler
Sims	Stevens, Minn.	Tirrell	Wickliffe
Sisson	Sulloway	Tou Velle	Wiley
Small	Swasey	Townsend	Wilson, Ill.
Smith, Cal.	Talbot	Vreeland	Wilson, Pa.
Smith, Mich.	Tawney	Wallace	Young, Mich.
Snapp	Taylor, Ohio	Washburn	Young, N. Y.
Southwick	Tener	Watkins	
Sparkman	Thomas, Ky.	Webb	

ANSWERED "PRESENT"—2.

Moss Olmsted

NOT VOTING—9.

Coudrey	Rhinock	Spight	Underwood
Crow	Russell	Sulzer	Willett
Gill, Mo.			

So the amendment was rejected.

Mr. SULZER. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. SULZER. In the negative?

The SPEAKER. The gentleman from New York is not recorded.

Mr. SULZER. I wish to vote "no," Mr. Speaker.

The SPEAKER. Well, but was the gentleman present when his name was called?

Mr. SULZER. I just came in now.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

Mr. TALBOTT. Mr. Speaker, I offered an amendment yesterday to reduce the duty on pineapples—paragraph 275. I would like to know if it is in order now to ask for a ye-and-nay vote on that proposition? Under the ruling of the Chair I think I am entitled to it.

The SPEAKER. The amendment is not privileged under the order of the House.

The question is on the engrossment and third reading of the bill.

Mr. CLARK of Missouri. Mr. Speaker, is there not a coal oil amendment?

The SPEAKER. The Chair is informed that there is not.

Mr. DALZELL. Mr. Speaker, by unanimous consent crude oil and its products were put on the free list.

Mr. CLARK of Missouri. I know; but I would like to have a roll call on it.

Mr. DALZELL. Does the gentleman want to amend that?

Mr. CLARK of Missouri. No; I do not want to amend it. I want a roll call on the Payne amendment, and on that I ask for the yeas and nays.

The SPEAKER. The Chair will ascertain from the report.

Mr. NORRIS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORRIS. Inasmuch as the vote in the Committee of the Whole was on the oil proposition, and has not been voted upon by the House, it would not be in the bill if we did not vote on it. We have taken no vote on that; and, no matter whether it is by unanimous consent or how, we must take a vote here or it will not be in the bill.

Mr. PAYNE. Mr. Speaker, the whole history is not in the Record. A vote was taken several days ago on the motion of the gentleman from Nebraska [Mr. NORRIS] to put oil at a duty of 1 per cent, as well as the products, and the proviso was stricken out of the paragraph. This morning, by unanimous consent, on my motion, the committee authorized the chairman to report an amendment to the bill striking out section 36½, which was voted in the other day, and also to strike out the proviso in the free list, leaving petroleum and all its products on the free list. That was the amendment.

Mr. CLARK of Missouri. That is what I want to vote on.

Mr. OLMSTED. That is correct, Mr. Speaker, and that is one of the amendments reported by the chairman to the House.

The SPEAKER. Now, then, the recommendation of the committee is that the Norris amendment should be stricken out, and that the proviso on page 159 be stricken out.

Mr. NORRIS. That was stricken out, Mr. Speaker, by my amendment.

The SPEAKER. Precisely. Now, then, the House wants to agree or disagree.

Mr. NORRIS. That is the idea exactly. That is what I was trying to impress upon the Chair.

The SPEAKER. Without objection, the vote will be taken upon both propositions at the same time.

Mr. CLARK of Missouri. The oil provision is in there, in section 3, as placed in the Record this morning, and that is what I think the gentleman from Nebraska [Mr. NORRIS] amended by his motion.

Mr. NORRIS. I think the Speaker stated the proposition correctly.

Mr. CLARK of Missouri. I wanted a vote on the Payne amendment. That swallows up the Norris amendment.

Mr. NORRIS. I agree with the gentleman from Missouri that the vote here should be on the Payne amendment. That covers and includes the whole matter.

The SPEAKER. But both amendments have to be disposed of. It is the recommendation coming from the Committee of the Whole House to strike out the matter which was inserted by the Norris amendment.

Mr. HITCHCOCK. Mr. Speaker—

Mr. CLARK of Missouri. Mr. Speaker—

Mr. HITCHCOCK. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. One moment.

Mr. MANN. Mr. Speaker, in order that we may have the record correct, as I understand the matter, the other day the Committee of the Whole adopted an amendment striking out the proviso where oil comes in the free list, inserting a provision as section 36½ with 1 per cent duty. Yesterday the gentleman from New York offered an amendment to the amendment to the section carrying it and the countervailing proposition with it.

This morning he asked unanimous consent to strike out that part of the section providing for the countervailing duty on oil and to strike out section 36½, so that oil would be on the free list on the maximum and also on the free list under section 2.

Mr. BURLESON. Petroleum and its products.

Mr. MANN. He also asked at the same time that it be removed to the place in this bill where these things are properly included, so that a vote upon the Payne amendment would cover the entire proposition.

Mr. NORRIS. It strikes me that would cover the whole proposition.

Mr. DALZELL. I would like to ask the gentleman from Missouri if what he wants is not that we should have a roll call on the last Payne amendment, putting oil on the free list?

Mr. CLARK of Missouri. That is it.

Mr. BURLESON. Oil and its products.

Mr. DALZELL. That is all the gentleman is asking for.

Mr. UNDERWOOD. Let the amendment be reported, and then we will know.

Mr. OLMSTED. That is the Payne proposition?

Mr. NORRIS. The Payne amendment that offers to amend section 3 is not now before the House. As I understand the parliamentary situation, that was disposed of with the proviso in the committee amendment; and the only amendment that is now before the House is the Payne amendment with reference to the provision on page 150 of the bill, which strikes out the proviso and puts oil and its products on the free list.

The SPEAKER. The difficulty arises from the multiplicity of amendments reported by the Chairman of the Committee of the Whole House on the state of the Union. The Chair is just trying to find what the report was; that is all. As near as the Chair has been able to ascertain, the amendment striking out the proviso to paragraph 637, on page 150, leaves oil and its products on the free list.

Mr. NORRIS. That is the amendment of the gentleman from New York.

The SPEAKER. That is the amendment offered by the gentleman from New York. And the amendment of the gentleman, which was amended in the Committee of the Whole House, making the duty 1 cent was stricken out by unanimous consent. So that his amendment and that amendment are parliamentary as if they never existed; and the vote is to be taken upon the motion to strike out the proviso. If the House should concur in the recommendation of the committee, it would accomplish—

Mr. NORRIS. I think, Mr. Speaker, that is practically the parliamentary situation.

The SPEAKER. The question is on striking out the proviso.

Mr. UNDERWOOD. Let the amendment be reported.

Mr. KELLER. We have to vote on the question of putting petroleum on the free list.

The SPEAKER. It was on the free list in the bill. The proviso is the countervailing duty. If the gentleman desires, it will be read.

Mr. FINLEY. I ask that it be read.

Mr. GAINES. I ask for order, Mr. Speaker; it is impossible to understand what is being done on account of the number of gentlemen down in front.

The SPEAKER. The Clerk will read the proviso that is to be stricken out.

The Clerk read as follows:

Strike out of paragraph 637 the following proviso: "Provided, That if there be imported into the United States crude petroleum, or the products of crude petroleum produced in any country which imposes a duty on petroleum or its products exported from the United States, there shall in such cases be levied, paid, and collected a duty upon said crude petroleum or its products so imported equal to the duty imposed by such country."

Mr. BURLESON. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURLESON. In order to accomplish what the gentleman's amendment sought to do, ought not there to be inserted, in line 20, after the word "crude," "and the products thereof?"

Mr. NORRIS. I think that was included in the amendment.

Mr. PAYNE. There is no such proposition before the House. Petroleum is on the free list.

Mr. POINDEXTER. Mr. Speaker, the language which the gentleman from Texas desires to retain is already incorporated in the words "petroleum, crude or refined." They will be left on the free list.

The SPEAKER. The question is on striking out the proviso, which has been read.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 322, nays 47, answered "present" 1, not voting 18, as follows:

YEAS—322.

Adair	Diekema	Hill	Morgan, Mo.
Adamson	Dies	Hinshaw	Morgan, Okla.
Aiken	Dixon, Ind.	Hitchcock	Morrison
Alexander, Mo.	Hobbs	Hobson	Morse
Allen	Douglas	Houston	Moss
Ames	Draper	Howard	Mudd
Anderson	Driscoll, D. A.	Howell, N. J.	Murdock
Ansberry	Driscoll, M. E.	Howland	Murphy
Anthony	Durey	Hubbard, Iowa	Nelson
Ashbrook	Dwight	Hughes, Ga.	Nicholls
Barnard	Edwards, Ga.	Hughes, N. J.	Norris
Barnhart	Ellerbe	Hull, Iowa.	Nye
Bartholdt	Ellis	Hull, Tenn.	O'Connell
Bartlett, Ga.	Elvins	Humphrey, Wash.	Oldfield
Bartlett, Nev.	Esch	Humphreys, Miss.	Olcott
Beall, Tex.	Estopinal	James	Olmsted
Bell, Ga.	Fairchild	Jameson	Padgett
Bennet, N. Y.	Fassett	Johnson, Ky.	Page
Bingham	Ferris	Johnson, S. C.	Palmer, A. M.
Boehne	Finley	Jones	Parker
Booher	Fish	Joyce	Parsons
Borland	Fitzgerald	Kelfer	Patterson
Boutell	Flood, Va.	Kelher	Payne
Bowers	Floyd, Ark.	Kendall	Pearre
Bradley	Focht	Kennedy, Iowa	Perkins
Brantley	Foelker	Kennedy, Ohio	Peters
Broussard	Fordney	Kinkaid, Neb.	Pickett
Brownlow	Fornes	Kinkead, N. J.	Plumley
Burgess	Foss	Kitchin	PoinDEXTER
Burke, S. Dak.	Poster, Ill.	Knapp	Pou
Burleigh	Poster, Vt.	Kopp	Pratt
Burleson	Foulkrod	Korby	Pray
Burnett	Fowler	Kronmiller	Prines
Butler	Fuller	Kuftermann	Pujo
Byrd	Gallagher	Lafan	Rainey
Byrns	Gardner, Mass.	Lamb	Randell, Tex.
Calder	Gardner, Mich.	Lassiter	Ransdell, La.
Calderhead	Garner, Pa.	Latta	Rauch
Campbell	Garner, Tex.	Law	Reeder
Candler	Garrett	Lawrence	Reid
Cantrill	Gill, Md.	Lee	Reynolds
Capron	Gillespie	Lenroot	Richardson
Carlin	Gillett	Lindbergh	Riordan
Carter	Glass	Lindsay	Roberts
Cary	Godwin	Livingston	Robinson
Chapman	Goldfogle	Lloyd	Rodenberg
Clark, Fla.	Good	Longworth	Rothermel
Clark, Mo.	Gordon	Loud	Rucker, Colo.
Clayton	Goulden	Loudenslager	Rucker, Mo.
Cline	Graff	Loving	Sabath
Cocks, N. Y.	Graham, Ill.	Lowden	Saunders
Collier	Greene	Lundin	Shackleford
Conry	Gregg	McCall	Sharp
Cook	Grlest	McDermott	Sheffield
Cooper, Pa.	Griggs	McHenry	Sheppard
Cooper, Wis.	Gronna	McKinley, Ill.	Sherley
Covington	Guernsey	McKinney	Sherwood
Cowles	Hamer	McLaughlin, Mich.	Simmons
Cox, Ind.	Hamill	McMorran	Sims
Cox, Ohio	Hamilton	Macon	Sisson
Craig	Hamlin	Madden	Slayden
Cravens	Hammond	Madison	Slomp
Crumpacker	Hanna	Maguire, Nebr.	Small
Cullo	Hardwick	Martin, Colo.	Smith, Iowa
Currier	Hardy	Martin, S. Dak.	Smith, Mich.
Cushman	Harrison	Maynard	Smith, Tex.
Davidson	Haugen	Mays	Snapp
Davis	Hawley	Miller, Kans.	Sparkman
Dawson	Hay	Miller, Minn.	Splight
De Armond	Heald	Millington	Stafford
Denby	Heflin	Moon, Tenn.	Stanley
Dent	Helm	Moore, Pa.	Steenerson
Denver	Henry, Tex.	Moore, Tex.	Stephens, Tex.
Dickson, Miss.	Higgins	Morehead	Sulloway

Sulzer	Thomas, Ky.	Wallace	Wilson, Ill.
Talbot	Thomas, N. C.	Wanger	Wilson, Pa.
Tavney	Tilson	Watkins	Wood, N. J.
Taylor, Ala.	Tirrell	Webb	Woods, Iowa
Taylor, Colo.	Tou Velle	Weisse	Young, N. Y.
Taylor, Ohio	Townsend	Wickliffe	
Thistlewood	Underwood	Wiley	

NAYS—47.

Alexander, N. Y.	Englebright	Kahn	Southwick
Andrus	Gaines	Knowland	Sturgiss
Austin	Goebel	Langham	Tener
Barchfeld	Graham, Pa.	Langley	Thomas, Ohio
Barelay	Grant	Lorimer	Vreeland
Bates	Hayes	McCreary	Washburn
Bennett, Ky.	Hollingsworth	McKinlay, Cal.	Weeks
Burke, Pa.	Howell, Utah	McLachlan, Cal.	Wheeler
Cole	Hubbard, W. Va.	Mann	Woodyard
Creager	Huff	Mondell	Young, Mich.
Dalzell	Hughes, W. Va.	Moon, Pa.	The Speaker
Edwards, Ky.	Johnson, Ohio	Needham	

ANSWERED "PRESENT"—1.

Lever

NOT VOTING—18.

Coudrey	McGuire, Okla.	Scott	Swasey
Crow	Malby	Smith, Cal.	Volstead
Gardner, N. J.	Palmer, H. W.	Sperry	Willitt
Gill, Mo.	Rhinock	Sterling	
Henry, Conn.	Russell	Stevens, Minn.	

So the amendment was agreed to.

The Clerk announced the following additional pair:

For the remainder of this day:

Mr. SCOTT with Mr. LEVER.

Mr. LEVER. Mr. Speaker, I desire to know if the gentleman from Kansas [Mr. SCOTT] has voted.

The SPEAKER. He has not.

Mr. LEVER. Then I desire to change my vote from "aye" to "present."

The SPEAKER. The Clerk will call my name.

The Clerk called the Speaker's name, and he voted in the negative.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Was there not an amendment offered by the gentleman from New York [Mr. PAYNE] which in specific terms put petroleum and its products on the free list? I do not understand that the words "and its products" are in any amendment which we have voted on in the House.

The SPEAKER. The amendments are disposed of that were reported to the House.

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

Mr. LINDBERGH. Mr. Speaker—

Mr. CLARK of Missouri. Mr. Speaker—

Mr. LINDBERGH. I move to recommit the bill with the following instructions—

The SPEAKER. The Chair will recognize the gentleman from Missouri.

Mr. CLARK of Missouri. I offer a motion to recommit, and want to ask the Speaker a parliamentary question before he puts that motion. Does the rule as adopted carry the previous question with it, or do I have to move the previous question, under the rule we are operating under?

Mr. PAYNE. I am entitled to recognition after he gets through, and I will move the previous question, if he makes the motion I expect him to make.

Mr. CLARK of Missouri. I will make the motion myself.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. I wish to inquire under what rule of practice in the House the gentleman from Missouri seeks recognition for the purpose of making a motion to recommit?

Mr. CLARK of Missouri. It has been that way for years.

The SPEAKER. Under the new rule adopted at the beginning of the session, popularly known as the "Fitzgerald amendment." [Laughter and applause.]

Mr. MURDOCK. Mr. Speaker, a parliamentary inquiry, and in good faith.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. The gentleman from Minnesota asked for recognition under the new rule. Was not he entitled to it?

The SPEAKER. The Chair in carrying out the new rule lately adopted feels that in fairness, following a fair construction of the rule, the gentleman from Missouri, a member of the minority of the Committee on Ways and Means, the leading opponent to the bill, should be recognized for the purpose of

making the motion to recommit. [Applause.] And therefore the Chair recognizes the gentleman from Missouri [Mr. CLARK].

Mr. MURDOCK. Another parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MURDOCK. I wish to call the Speaker's attention to the fact that the Fitzgerald amendment, or the new rule, does not specify a member of the minority as the one opposed to the bill.

The SPEAKER. The Clerk will read the rule.

The Clerk read as follows:

Amend Rule XVI by adding at the end of paragraph 4: "After the previous question shall have been ordered on the passage of the bill or joint resolution, one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution."

The SPEAKER. Now, the Chair, in fairness, as the Chair seeks to be in the construction of the rule, recognizes the gentleman at the head of the minority on the Ways and Means Committee and the leading opponent to the bill.

Mr. CLARK of Missouri. Mr. Speaker, I move the resolution to recommit and the previous question upon it.

The SPEAKER. The gentleman is recognized just as far as the rule empowers him.

Mr. CLARK of Missouri. I will modify that by moving to adopt the resolution to recommit.

The SPEAKER. The gentleman from Missouri moves to recommit. The Clerk will report the resolution.

Mr. PAYNE. Mr. Speaker, I call for order.

The SPEAKER. The Chair believes that gentlemen should all be seated and that we should have complete order, for the reason, among others, that there is no debate upon the motion to recommit, and therefore the Chair desires to hear and believes that every other Member should also listen.

The Clerk read as follows:

Resolved, That the bill H. R. 1438 be recommitted to the Committee on Ways and Means with instructions to amend the bill as hereinafter specified and report the same back to the House at as early a date as practicable:

First. Amend by reducing the duties carried by the bill to revenue rates, so as to raise the maximum of revenue with the minimum of burden of taxation upon the masses of the American people, so adjusting the rates of duty as to deal fairly with both producer and consumer, with due regard to the needs of the Government.

Second. Amend by making the rates of duty named in the bill the maximum rates, and provide for minimum rates below the said maximum rates that may be allowed foreign countries for like concessions on their part.

Third. Amend section 19 by providing that the discriminating duty of 10 per cent ad valorem therein provided for to be imposed on goods, wares, and merchandise imported in vessels not of the United States shall be so amended as to provide for a rebate of 10 per cent ad valorem of the duties provided for in the bill on all imports entering our ports from foreign countries in vessels of the United States in place of the discriminating duties now provided for in said section.

Fourth. Amend by inserting a new paragraph in said bill that will provide for a graduated tax to be levied on incomes.

Fifth. Amend as follows: Strike out all of section 350, covering bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton, composed of single yarns made of jute, jute butts, or hemp, and transfer the same to the free list.

Sixth. Amend as follows: Strike out section 123, covering hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or any other preparation, with or without buckles or fastenings, for baling cotton, and transfer same to the free list.

Seventh. Amend by placing leather, harness, boots, shoes, and all other products of leather on the free list.

Eighth. Amend by placing articles entering into competition with trust-controlled products upon the free list.

Ninth. Amend by placing cocoa, or cacao, crude and fiber, leaves and shells of, on the free list.

Tenth. Amend section 23 by providing that vessels built in foreign countries, when purchased by citizens of the United States for use in the ocean carrying trade, may be given American registry under rules and regulations, providing the same shall be officered by American citizens.

Eleventh. Amend by cutting out all increases made in the Payne bill on hosiery and gloves, so as to materially decrease instead of materially increasing the Dingley law rates.

Twelfth. Amend by placing all agricultural implements on the free list.

Thirteenth. Amend by adding the following paragraph:

"Whenever the President of the United States shall be satisfied that the price of any commodity or article of merchandise has been enhanced in consequence of any monopoly or trust in the United States, he shall issue his proclamation suspending the collection of all customs duties or import taxes on like articles of merchandise or commodities brought from foreign countries. Such suspension shall continue as long as such enhancement in price of such commodity or article of merchandise exists and until revoked by the President."

Fourteenth. Amend by reducing and adjusting rates in all schedules so that the duties shall not exceed the difference in the cost of labor in America and abroad and shall be upon a basis to produce increased revenue for the Government and competitive prices for the American consumer.

Mr. PAYNE. Mr. Speaker, I move the previous question on the motion made by the gentleman from Missouri.

The previous question was ordered.

The SPEAKER. As many as are in favor of the motion made by the gentleman from Missouri will say "aye."

Mr. CLARK of Missouri. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 162, nays 218, answered "present" 1, not voting 7, as follows:

YEAS—162.

Adair, Dickson, Miss., Hughes, N. J., Ransdell, La.
Adamson, Dies, Hull, Tenn., Rauch
Aiken, Dixon, Ind., Humphreys, Miss., Reid
Alexander, Mo., Driscoll, D. A., James, Richardson
Anderson, Edwards, Ga., Jamieson, Riordan
Ansberry, Ellerbe, Johnson, Ky., Robison
Ashbrook, Ferris, Johnson, S. C., Rothermel
Barnhart, Finley, Jones, Rucker, Colo.
Bartlett, Ga., Fitzgerald, Kellher, Rucker, Mo.
Bartlett, Nev., Flood, Va., Kinkead, N. J., Sabath
Beall, Tex., Floyd, Ark., Kitchin, Saunders
Bell, Ga., Fornes, Korbly, Shackleford
Boehne, Foster, Ill., Lamb, Sharp
Booher, Gallagher, Lassiter, Sheppard
Borland, Garner, Tex., Latta, Sherley
Bowers, Garrett, Lee, Sherwood
Brantley, Gill, Md., Lindsay, Sims
Burgess, Gillespie, Livingston, Sisson
Burlinson, Glass, Lloyd, Slayden
Burnett, Godwin, McDermott, Small
Byrd, Goldfogle, McHenry, Smith, Tex.
Byrns, Gordon, Macon, Sparkman
Candler, Goulden, Maguire, Nebr., Spight
Cantrill, Graham, Ill., Martin, Colo., Stanley
Carlin, Gregg, Maynard, Stephens, Tex.
Carter, Griggs, Mays, Sulzer
Clark, Fla., Hamill, Moon, Tenn., Talbott
Clark, Mo., Hammond, Moore, Tex., Taylor, Ala.
Clayton, Hardwick, Morrison, Taylor, Colo.
Cline, Hardy, Moss, Thomas, Ky.
Collier, Harrison, Nicholls, Thomas, N. C.
Conry, O'Connell, Tou Velle
Covington, Oldfield, Underwood
Cox, Ind., Padgett, Wallace
Cox, Ohio, Helm, Watkins
Craig, Henry, Tex., Palmer, A. M., Webb
Cravens, Hitchcock, Patterson, Weiss
Cullop, Hobson, Peters, Wickliffe
De Armond, Houston, Pou, Wilson, Pa.
Dent, Howard, Rainey
Denver, Hughes, Ga., Randell, Tex.

NAYS—218.

Alexander, N. Y., Estopinal, Kinkaid, Nebr., Parsons
Allen, Fairchild, Knapp, Payne
Ames, Fassett, Knowland, Pearre
Andrus, Fish, Kopp, Perkins
Anthony, Focht, Kronmiller, Plumley
Austin, Foelker, Kuestermann, Poindexter
Barchfeld, Fordney, Lafean, Pratt
Barclay, Foss, Langham, Pray
Barnard, Foster, Vt., Law, Prince
Bartholdt, Foulkrod, Lawrence, Pujo
Bates, Fuller, Lenroot, Reeder
Bennet, N. Y., Gaines, Lindbergh, Reynolds
Bennett, Ky., Gardner, Mass., Longworth, Roberts
Bingham, Gardner, Mich., Lorimer, Rodenberg
Boutell, Gardner, N. J., Loud, Sheffield
Bradley, Garner, Pa., Loudenslager, Simmons
Broussard, Gillett, Lovering, Siemp
Brownlow, Goebel, Lowden, Smith, Cal.
Burke, Pa., Good, Lundin, Smith, Iowa
Burke, S. Dak., Graff, McCall, Smith, Mich.
Burlleigh, Graham, Pa., McCreary, Snapp
Butler, Grant, McGuire, Okla., Southwick
Calder, Greene, McKinlay, Cal., Stafford
Calderhead, Griest, McKinley, Ill., Steenerson
Campbell, Gronna, McClachlan, Cal., Sterling
Capron, Guernsey, Hamer, Stevens, Minn.
Cary, Chapman, Hamilton, McMorran, Sturgiss
Cocks, N. Y., Hanna, Madden, Sulloway
Cole, Haugen, Madison, Swasey
Cook, Hawley, Malby, Tawney
Cooper, Pa., Hayes, Mann, Taylor, Ohio
Cooper, Wis., Heald, Martin, S. Dak., Tener
Cowles, Henry, Conn., Miller, Kans., Thistlewood
Creager, Higgins, Milling, Thomas, Ohio
Crumpacker, Hill, Millington, Tirrell
Currier, Hinshaw, Mondell, Townsend
Cushman, Dalzell, Hollingsworth, Moon, Pa.
Dalzell, Davidson, Howell, N. J., Moore, Pa.
Davidson, Davis, Howland, Morehead, Volstead
Davis, Dawson, Hubland, Morgan, Mo., Vreeland
Dawson, Denby, Hubbard, Iowa, Morgan, Okla., Wanger
Denby, Dickema, Hubbard, W. Va., Morse, Washburn
Dodd, Huff, Mudd, Weeks
Douglas, Hughes, W. Va., Murdock, Wheeler
Draper, Hull, Iowa, Murphy, Wiley
Driscoll, M. E., Humphrey, Wash., Needham, Wilson, Ill.
Durey, Johnson, Ohio, Nelson, Wood, N. J.
Dwight, Joyce, Norris, Woods, Iowa
Edwards, Ky., Kahn, Nye, Woodward, Young, Mich.
Ellis, Keifer, Olcott, Young, N. Y.
Elvins, Kendall, Olmsted, The Speaker
Englebright, Kennedy, Iowa, Palmer, H. W.
Esch, Kennedy, Ohio, Parker

ANSWERED "PRESENT"—1.

Lever

NOT VOTING—7.

Coudrey, Gill, Mo., Russell
Crow, Rhinock, Scott, Willett

So the motion to recommit was rejected. The result of the vote was announced as above recorded.

The SPEAKER. The question now is upon the passage of the bill.

Mr. PAYNE. And upon that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 161, answered "present" 1, not voting 9, as follows:

YEAS—217.

Alexander, N. Y., Fairchild, Knapp, Payne
Allen, Fassett, Knowland, Pearre
Ames, Fish, Kopp, Perkins
Andrus, Focht, Kronmiller, Pickett
Anthony, Foelker, Kuestermann, Plumley
Barchfeld, Fordney, Lafean, Poindexter
Barclay, Foss, Langham, Pratt
Barnard, Foster, Vt., Langley, Pray
Bartholdt, Foulkrod, Law, Prince
Bates, Fowler, Lawrence, Pujo
Bennet, N. Y., Fuller, Lenroot, Reeder
Bennett, Ky., Gaines, Lindbergh, Reynolds
Bingham, Gardner, Mass., Longworth, Roberts
Boutell, Gardner, Mich., Lorimer, Rodenberg
Bradley, Gardner, N. J., Loud, Sheffield
Broussard, Garner, Pa., Loudenslager, Simmons
Brownlow, Gillett, Lovering, Siemp
Burke, Pa., Goebel, Lowden, Smith, Cal.
Burke, S. Dak., Good, Lundin, Smith, Iowa
Burlleigh, Graff, McCall, Smith, Mich.
Calder, Graham, Pa., McCreary, Snapp
Calderhead, Grant, McGuire, Okla., Southwick
Campbell, Greene, McKinlay, Cal., Stafford
Capron, Griest, McKinley, Ill., Steenerson
Cary, Gronna, McClachlan, Cal., Sterling
Chapman, Guernsey, Hamer, Stevens, Minn.
Cocks, N. Y., Hamilton, McMorran, Sturgiss
Cole, Hanna, Madden, Sulloway
Cook, Haugen, Madison, Swasey
Cooper, Pa., Hawley, Malby, Tawney
Cooper, Wis., Hayes, Mann, Taylor, Ohio
Cowles, Heald, Martin, S. Dak., Tener
Creager, Henry, Conn., Miller, Kans., Thistlewood
Crumpacker, Higgins, Milling, Thomas, Ohio
Currier, Hill, Millington, Tirrell
Cushman, Hinshaw, Mondell, Townsend
Dalzell, Hollingsworth, Moon, Pa.
Davidson, Davidson, Howell, N. J., Moore, Pa.
Davis, Dawson, Hubland, Morgan, Mo., Vreeland
Dawson, Denby, Hubbard, Iowa, Morgan, Okla., Wanger
Denby, Dickema, Hubbard, W. Va., Morse, Washburn
Dodd, Huff, Mudd, Weeks
Douglas, Hughes, W. Va., Murdock, Wheeler
Draper, Hull, Iowa, Murphy, Wiley
Driscoll, M. E., Humphrey, Wash., Needham, Wilson, Ill.
Durey, Johnson, Ohio, Nelson, Wood, N. J.
Dwight, Joyce, Norris, Woods, Iowa
Edwards, Ky., Kahn, Nye, Woodward, Young, Mich.
Ellis, Keifer, Olcott, Young, N. Y.
Elvins, Kendall, Olmsted, The Speaker
Englebright, Kennedy, Iowa, Palmer, H. W.
Esch, Kennedy, Ohio, Parker

NAYS—161.

Denver, Hughes, Ga., Ransdell, La.
Adamson, Dickson, Miss., Hughes, N. J., Rauch
Aiken, Dies, Hull, Tenn., Reid
Alexander, Mo., Dixon, Ind., Humphreys, Miss., Richardson
Anderson, Driscoll, D. A., James, Riordan
Ansberry, Edwards, Ga., Jamieson, Robison
Ashbrook, Ellerbe, Johnson, Ky., Rothermel
Austin, Ferris, Johnson, S. C., Rucker, Colo.
Barnhart, Finley, Jones, Rucker, Mo.
Bartlett, Ga., Fitzgerald, Kellher, Sabath
Bartlett, Nev., Flood, Va., Kinkead, N. J., Saunders
Beall, Tex., Floyd, Ark., Kitchin, Shackleford
Bell, Ga., Fornes, Korbly, Sharp
Boehne, Foster, Ill., Lamb, Sheppard
Booher, Gallagher, Lassiter, Sherley
Borland, Garner, Tex., Latta, Sherwood
Bowers, Garrett, Lee, Sherwood
Brantley, Gill, Md., Livingston, Sims
Burgess, Gillespie, Lloyd, Sisson
Burlinson, Glass, McDermott, Slayden
Burnett, Godwin, McDermott, Small
Byrd, Goldfogle, McHenry, Smith, Tex.
Byrns, Gordon, Macon, Sparkman
Candler, Goulden, Maguire, Nebr., Spight
Cantrill, Graham, Ill., Martin, Colo., Stanley
Carlin, Gregg, Maynard, Stephens, Tex.
Carter, Griggs, Mays, Sulzer
Clark, Fla., Hamill, Moon, Tenn., Talbott
Clark, Mo., Hammond, Moore, Tex., Taylor, Ala.
Clayton, Hardwick, Morrison, Taylor, Colo.
Cline, Nichols, Thomas, Ky., Thomas, Colo.
Collier, Hardy, Thomas, N. C., Thomas, N. C.
Conry, Harrison, O'Connell, Tou Velle
Covington, Oldfield, Underwood
Cox, Ind., Padgett, Wallace
Cox, Ohio, Helm, Watkins
Craig, Henry, Tex., Palmer, A. M., Webb
Cravens, Hitchcock, Patterson, Weiss
Cullop, Hobson, Peters, Wickliffe
De Armond, Houston, Pou, Wilson, Pa.
Dent, Howard, Rainey, Wilson, Pa.
Randell, Tex.

ANSWERED "PRESENT"—1.

Lever

NOT VOTING—9.

Coudrey Lindsay Russell Sperry
Crow Rhinock Scott Willett
Gill, Mo.

So the bill was passed.

The Speaker directed that his name be called; and when it was called, he answered "aye," as above recorded.

The following additional pair was announced:

Mr. LEVER with Mr. SCOTT.

Mr. STANLEY. Mr. Speaker, how is Mr. SCOTT recorded on this roll? I wish to vote "present," because I am paired with Mr. SCOTT.

The SPEAKER. Mr. SCOTT is recorded as voting "present."

Mr. STANLEY. I now understand that Mr. LEVER is paired with Mr. SCOTT.

Mr. LEVER. I have a pair with Mr. SCOTT.

Mr. STANLEY. Then, Mr. Speaker, I desire to vote "no."

The result of the vote was then announced, as above recorded. [Loud and continued applause.]

On motion of Mr. PAYNE, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for a print of the bill, 1,200 copies, as it passed the House, and that in the printing the numbering of the paragraphs and sections be preserved.

The SPEAKER. Is there objection?

Mr. FINLEY. Will that put them in the document room?

Mr. PAYNE. I do not know where they will go.

Mr. FINLEY. I think they should go to the folding room. The gentleman ought to know; for if they go to the document room, Members will not get them. I move to amend by directing that they go to the folding room.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. CLARK of Missouri. If the gentleman from New York says they shall go to the folding room—

Mr. PAYNE. I am told they will go to the folding room.

Mr. CLARK of Missouri. All right.

The SPEAKER. The Chair hears no objection.

LEAVE OF ABSENCE.

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

To Mr. MOON of Tennessee, indefinitely, on account of important business.

To Mr. JOHNSON of South Carolina, indefinitely, on account of important business.

To Mr. FINLEY, indefinitely, on account of business.

To Mr. MOSS, indefinitely, on account of important business.

DAYS OF MEETING.

Mr. DALZELL. Mr. Speaker, I offer the following resolution and move its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 58.

Resolved, That until further ordered the House shall meet only on Mondays and Thursdays of each week.

Mr. DALZELL. Mr. Speaker, it is perfectly manifest that the House has no business to do, and will not have any business at all until some report is made from the Senate. It will be perfectly useless to have all the Members of the House come up here day by day simply for the purpose of adjourning. The incidental business that we may likely be called upon to do can be done on Mondays and Thursdays, and if this resolution be passed by a quorum, and we certainly have a quorum here now, we will be relieved from the necessity of coming up every day to the House and agreeing to a motion to adjourn. The resolution is identical in terms with the one that was adopted in the Fifty-fifth Congress after the passage of the Dingley law when it went to the Senate.

Mr. CLARK of Missouri. Mr. Speaker, the only objection I have to it—I am not going to object—is that it is unconstitutional, as the House can not adjourn but three days at a time, and if the House will give unanimous consent for me to print some remarks on that subject I will not weary myself or the House with them now.

Mr. DALZELL. Mr. Speaker, I am sure they will. [Laughter and applause.]

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

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

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move when the House adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move the House do now adjourn. The motion was agreed to.

Accordingly (at 8 o'clock and 20 minutes p. m.) the House adjourned until Monday, April 12, 1909, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of St. Andrews Bay, Florida (H. Doc. No. 12), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL of Tennessee: A bill (H. R. 6854) for the erection of a public building at Dayton, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6855) for the erection of a public building at Gallatin, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6856) making appropriation for the construction and equipment of a Weather Bureau observatory on Crab Orchard Mountain, Cumberland County, Tenn.—to the Committee on Agriculture.

Also, a bill (H. R. 6857) authorizing the Secretary of War to supervise the erection of monuments and markers and locate the route of "the great stage road," also known as the "Walton road"—to the Committee on the Library.

By Mr. SIMMONS: A bill (H. R. 6858) for the erection of a public building at Batavia, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. AUSTIN: A bill (H. R. 6859) to authorize the Secretary of War to commence and complete the locking and damming of the Clinch River, in Tennessee, above Kingston and to Walkers Ford, and in accordance with the plan heretofore adopted—to the Committee on Rivers and Harbors.

By Mr. CAMERON: A bill (H. R. 6860) to amend section 2, chapter 1159, United States Statutes at Large, volume 32, part 1, page 405, and for other purposes—to the Committee on the Territories.

By Mr. BURKE of South Dakota: A bill (H. R. 6861) granting a condemned cannon to John A. Dix Post, Grand Army of the Republic, of Highmore, S. Dak.—to the Committee on Military Affairs.

By Mr. STERLING: A bill (H. R. 6862) for permanent consular improvement and commercial enlargement—to the Committee on Foreign Affairs.

By Mr. GRIEST: A bill (H. R. 6863) to amend a provision in the "Act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1882, and for other purposes," approved March 1, 1881—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: A bill (H. R. 6864) to levy and collect a tax on the gross receipts of all corporations, firms, or persons doing an interstate business—to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: A bill (H. R. 6865) to provide for the greater security of life and property on navigable waters, for the inspection of vessels, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. WALLACE: A bill (H. R. 6866) to extend the time for the construction of a bridge across the Ouachita River at or near Camden, Ark.—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: A bill (H. R. 6867) to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River—to the Committee on Interstate and Foreign Commerce.

By Mr. LORIMER: Resolution (H. Res. 56) providing additional compensation for the assistant foreman of the folding room—to the Committee on Accounts.

By Mr. LUNDIN: Resolution (H. Res. 57) authorizing the Speaker to appoint a select committee to make an investigation concerning old-age insurance—to the Committee on Rules.

By Mr. BURLEIGH: Memorial of the legislature of Maine, against the passage of any law by Congress imposing any tax on succession of inheritances—to the Committee on Ways and Means.

Also, memorial of the legislature of Maine, in favor of the enactment of a law creating a volunteer retired list—to the Committee on Military Affairs.

By Mr. HIGGINS: Memorial of the legislature of Connecticut, concerning reservation of inheritance tax for state revenue—to the Committee on Ways and Means.

By Mr. SPERRY: Memorial of the legislature of Connecticut, favoring a change in the date of the inauguration of the President and Vice-President—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, memorial of the legislature of the State of Connecticut, favoring the reservation of inheritance tax for state revenue—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. AIKEN: A bill (H. R. 6868) for the relief of R. Smith Bailey—to the Committee on War Claims.

By Mr. ASHBROOK: A bill (H. R. 6869) granting an increase of pension to Rachel A. Johnson—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 6870) granting an increase of pension to Leopold Bertsche—to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 6871) granting an increase of pension to Christopher G. Bollman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6872) granting an increase of pension to Henry R. Tobias—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6873) granting an increase of pension to David Copley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6874) granting an increase of pension to Phillip Wolfenberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6875) granting an increase of pension to John M. Dorland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6876) granting an increase of pension to John W. Bentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6877) granting an increase of pension to Albert G. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6878) granting an increase of pension to William Shively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6879) granting an increase of pension to Henry H. Weirick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6880) granting an increase of pension to Alfred Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6881) granting an increase of pension to Peter Spangler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6882) for the relief of William H. Richard—to the Committee on War Claims.

Also, a bill (H. R. 6883) to remove the charge of desertion from the military record of George W. Dunlap and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 6884) for the relief of Edward Cahalan, and the heirs of Milton C. Espey, Edmund P. Wilcox, and Hampton L. Lee, deceased—to the Committee on War Claims.

By Mr. BENNET of New York: A bill (H. R. 6885) to reimburse the Gore-Duggan Engineering Company—to the Committee on Claims.

Also, a bill (H. R. 6886) granting an increase of pension to Terence N. Foley—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 6887) granting an increase of pension to John R. Carrol—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6888) granting an increase of pension to Richard A. Wood—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 6889) granting a pension to Newell Wolcott—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 6890) granting an increase of pension to Reubin Alred—to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 6891) granting a pension to Horatio M. Jones—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 6892) for the relief of Mrs. M. A. Turner—to the Committee on War Claims.

Also, a bill (H. R. 6893) for the relief of the estate of Sandford Humphrey, deceased—to the Committee on War Claims.

By Mr. CARY: A bill (H. R. 6894) granting an increase of pension to Eugene Foot—to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 6895) granting an increase of pension to Martin A. Didion—to the Committee on Invalid Pensions.

By Mr. COX of Indiana: A bill (H. R. 6896) granting an

increase of pension to William Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6897) granting an increase of pension to John J. Alles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6898) granting a pension to Thomas Finney—to the Committee on Pensions.

Also, a bill (H. R. 6899) granting a pension to Thomas J. D. Pinnick—to the Committee on Pensions.

By Mr. CRAVENS: A bill (H. R. 6900) for the relief of the estate of Leroy Noble—to the Committee on War Claims.

By Mr. CREAGER: A bill (H. R. 6901) to provide for the honorable discharge of Platoff Bush—to the Committee on Military Affairs.

By Mr. DENVER: A bill (H. R. 6902) granting an increase of pension to William H. Few—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6903) granting an increase of pension to David Gough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6904) granting an increase of pension to James W. McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6905) granting an increase of pension to Phillip P. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6906) granting an increase of pension to Hill C. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6907) granting an increase of pension to Elijah Cowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6908) granting an increase of pension to Thomas L. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6909) granting an increase of pension to Frank L. Dunlap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6910) granting an increase of pension to William H. Everhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6911) granting an increase of pension to Alexander Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6912) granting an increase of pension to William J. Srofe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6913) granting an increase of pension to Samuel N. Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6914) granting an increase of pension to Silas W. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6915) granting an increase of pension to Henry Babb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6916) granting an increase of pension to George W. Brookover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6917) granting an increase of pension to James Gaines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6918) granting an increase of pension to John Hiett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6919) granting an increase of pension to John N. McCollough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6920) granting an increase of pension to John W. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6921) granting an increase of pension to Mahlon C. Sween—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6922) granting an increase of pension to John Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6923) granting an increase of pension to Tilghman R. Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6924) granting an increase of pension to Mark D. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6925) granting a pension to Murray R. Marshall—to the Committee on Pensions.

Also, a bill (H. R. 6926) granting a pension to Samuel Wolf—to the Committee on Pensions.

Also, a bill (H. R. 6927) granting a pension to James I. Taylor—to the Committee on Pensions.

Also, a bill (H. R. 6928) granting a pension to Daniel E. Bavis—to the Committee on Invalid Pensions.

By Mr. ELVINS: A bill (H. R. 6929) granting an increase of pension to Franklin Cozine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6930) granting an increase of pension to Joseph S. Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6931) granting an increase of pension to Daniel Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6932) for the relief of David F. Ragsdale—to the Committee on War Claims.

Also, a bill (H. R. 6933) for the relief of the heirs of Willis Potter, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6934) to remove the charge of desertion from the military record of Isaac H. Zolman—to the Committee on Military Affairs.

By Mr. FISH: A bill (H. R. 6935) for the relief of the Merchants' National Bank of Poughkeepsie, N. Y.—to the Committee on Claims.

By Mr. GRAFF: A bill (H. R. 6936) granting an increase of pension to William T. Boyd—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 6937) granting a pension to Almon Shibley—to the Committee on Pensions.

Also, a bill (H. R. 6938) to correct the military record of Peter Kenney—to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 6939) granting a pension to Francis W. Leeper—to the Committee on Pensions.

By Mr. HUGHES of Georgia: A bill (H. R. 6940) granting an increase of pension to William Carl—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 6941) granting an increase of pension to Milford Clemons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6942) granting an increase of pension to William W. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6943) granting an increase of pension to Louis M. Starring—to the Committee on Pensions.

Also, a bill (H. R. 6944) granting an increase of pension to Leonard W. Massey—to the Committee on Pensions.

Also, a bill (H. R. 6945) granting a pension to William Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6946) for the relief of M. J. Julian, of Putnam County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6947) for the relief of John Beasley, of Rhea County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6948) for the relief of the legal representatives of Z. Tate & Son—to the Committee on War Claims.

Also, a bill (H. R. 6949) for the relief of the legal representatives of Joseph Chipman—to the Committee on War Claims.

Also, a bill (H. R. 6950) granting pay to heirs of Tyre Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6951) for the relief of R. C. M. Cunningham and W. H. Cunningham, executors of the estate of Elvina Cunningham, deceased—to the Committee on War Claims.

By Mr. JOHNSON of Ohio: A bill (H. R. 6952) granting an increase of pension to John Dufour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6953) granting an increase of pension to Samuel Ewing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6954) granting a pension to Helen Canterbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6955) granting a pension to Barbara Trago—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6956) granting a pension to Lillie B. Dieterich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6957) granting a pension to Julia A. Dawley—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 6958) granting an increase of pension to Andrew T. Moonert, alias William Mayfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6959) granting an increase of pension to James M. Merritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6960) granting an increase of pension to Allen W. Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6961) granting an increase of pension to John Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6962) to remove the charge of desertion from the military record of Theodore Reichel—to the Committee on Military Affairs.

Also, a bill (H. R. 6963) to remove the charge of desertion from the military record of Lorenzo F. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 6964) to remove the charge of desertion from the military record of John C. Whittin—to the Committee on Military Affairs.

By Mr. LOVERING: A bill (H. R. 6965) granting an increase of pension to Oliver A. White—to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 6966) to remove the charge of desertion against James M. Neal—to the Committee on Military Affairs.

Also, a bill (H. R. 6967) to remove the charge of desertion from the military record of Richard Dove and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 6968) granting a pension to Ara A. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6969) granting a pension to William E. Woodward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6970) granting an increase of pension to Edward Hall Dell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6971) granting an increase of pension to James J. Spence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6972) granting an increase of pension to James R. Hooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6973) granting an increase of pension to Ephraim C. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6974) granting an increase of pension to Joel Cokely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6975) granting an increase of pension to John P. Hardin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6976) granting an increase of pension to Sidney Clarke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6977) for the relief of James B. Houston—to the Committee on War Claims.

By Mr. MORRISON: A bill (H. R. 6978) granting a pension to Angelina L. Swaim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6979) granting an increase of pension to Catherine L. Willis—to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 6980) granting an increase of pension to William Henry Hyde—to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 6981) granting an increase of pension to Daniel D. Mann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6982) granting an increase of pension to William N. Ash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6983) granting an increase of pension to William I. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6984) granting an increase of pension to Abraham G. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6985) granting an increase of pension to Montville Benjamin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6986) granting an increase of pension to William Francis Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6987) granting an increase of pension to Thomas W. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6988) granting an increase of pension to James Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6989) granting an increase of pension to Catherine Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6990) granting an increase of pension to Miles P. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6991) granting an increase of pension to Edgar Durfee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6992) granting an increase of pension to H. F. Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6993) granting an increase of pension to Samuel W. Dunham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6994) granting an increase of pension to C. Feckenschner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6995) granting an increase of pension to T. W. Gilbey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6996) granting an increase of pension to George W. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6997) granting an increase of pension to Martha Harrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6998) granting an increase of pension to Robert Hawthorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6999) granting an increase of pension to Andrew W. Holliday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7000) granting an increase of pension to Nelson Huxley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7001) granting an increase of pension to Deloss Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7002) granting an increase of pension to Samuel B. Hendricks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7003) granting an increase of pension to Oscar Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7004) granting an increase of pension to Paul C. G. Itself—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7005) granting an increase of pension to Isaac H. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7006) granting an increase of pension to Edward H. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7007) granting an increase of pension to Esther Lake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7008) granting an increase of pension to Edward Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7009) granting an increase of pension to Jennet F. Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7010) granting an increase of pension to Henry P. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7011) granting an increase of pension to James McCurdy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7012) granting an increase of pension to George W. Nicholson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7013) granting an increase of pension to William W. Pentlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7014) granting an increase of pension to John D. Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7015) granting an increase of pension to Horace A. Rexford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7016) granting an increase of pension to George Shiebel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7017) granting an increase of pension to C. H. Sedgwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7018) granting an increase of pension to Alfred Tichurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7019) granting an increase of pension to Elizabeth E. Ten Eyck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7020) granting an increase of pension to Benjamin F. Tift—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7021) granting an increase of pension to Albert A. Ingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7022) granting an increase of pension to Charles Van Horn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7023) granting an increase of pension to Julia Nolen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7024) granting an increase of pension to Peter Wager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7025) granting an increase of pension to John Wilkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7026) granting an increase of pension to Isaac Wadsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7027) granting an increase of pension to Jerome C. Walton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7028) granting an increase of pension to R. C. Worthington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7029) granting an increase of pension to John Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7030) granting an increase of pension to Mary Smith Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7031) granting an increase of pension to Katie Weschke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7032) granting an increase of pension to Frank Chase—to the Committee on Pensions.

Also, a bill (H. R. 7033) granting an increase of pension to John B. Hanna—to the Committee on Pensions.

Also, a bill (H. R. 7034) granting an increase of pension to Samuel C. Parker—to the Committee on Pensions.

Also, a bill (H. R. 7035) granting an increase of pension to Charles L. Randall—to the Committee on Pensions.

Also, a bill (H. R. 7036) granting a pension to Oliver S. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7037) granting a pension to Charles N. Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7038) granting a pension to Lyman A. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7039) granting a pension to William L. Coryell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7040) granting a pension to Emory Denton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7041) granting a pension to William I. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7042) granting a pension to Morgan Gulick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7043) granting a pension to Lizzie J. Hoadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7044) granting a pension to James R. Huton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7045) granting a pension to Edward C. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7046) granting a pension to Theodore Pack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7047) granting a pension to J. C. Predmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7048) granting a pension to Albert Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7049) granting a pension to Oscar J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7050) granting a pension to William A. Sperl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7051) granting a pension to Milon Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7052) granting a pension to Orren Wakeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7053) granting a pension to William Daniels—to the Committee on Pensions.

Also, a bill (H. R. 7054) to correct the military record of Daniel D. Mann—to the Committee on Military Affairs.

Also, a bill (H. R. 7055) to correct the military record of George W. Barnes—to the Committee on Military Affairs.

Also, a bill (H. R. 7056) to correct the military record of William H. Barrett—to the Committee on Military Affairs.

Also, a bill (H. R. 7057) to correct the military record of Henry Berry—to the Committee on Military Affairs.

Also, a bill (H. R. 7058) to correct the military record of John Burke—to the Committee on Military Affairs.

Also, a bill (H. R. 7059) to correct the military record of Horace Clapp—to the Committee on Military Affairs.

Also, a bill (H. R. 7060) to correct the military record of Thomas Eagan—to the Committee on Military Affairs.

Also, a bill (H. R. 7061) to correct the military record of Edwin Horton—to the Committee on Military Affairs.

Also, a bill (H. R. 7062) to correct the military record of Henry P. Kinney—to the Committee on Military Affairs.

Also, a bill (H. R. 7063) to correct the military record of J. H. Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 7064) to correct the military record of George W. Leaming—to the Committee on Military Affairs.

Also, a bill (H. R. 7065) to correct the military record of William Manning—to the Committee on Military Affairs.

Also, a bill (H. R. 7066) to correct the military record of George L. Patterson—to the Committee on Military Affairs.

Also, a bill (H. R. 7067) to correct the military record of Charles E. Potter—to the Committee on Military Affairs.

Also, a bill (H. R. 7068) to correct the military record of Clark G. Russell—to the Committee on Military Affairs.

Also, a bill (H. R. 7069) to correct the military record of Jefferson Vinton—to the Committee on Military Affairs.

By Mr. STURGISS: A bill (H. R. 7070) granting an increase of pension to Santford S. Liller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7071) granting an increase of pension to Perry Metheny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7072) granting an increase of pension to Samuel Gould—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 7073) granting a pension to Jacob Both—to the Committee on Invalid Pensions.

By Mr. WICKERSHAM: A bill (H. R. 7074) granting an increase of pension to John Burk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7075) granting an increase of pension to Anthony Brown—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 7076) granting an increase of pension to Lemuel Thornell—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 7077) granting an increase of pension to William H. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7078) granting an increase of pension to Charles H. Kendall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7079) granting an increase of pension to Emily W. Tilley—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 7080) granting an increase of pension to John W. Stephens—to the Committee on Invalid Pensions.

By Mr. HOBSON: A bill (H. R. 7081) granting a pension to W. W. Harris—to the Committee on Invalid Pensions.

By Mr. JAMIESON: A bill (H. R. 7082) granting an increase of pension to Leander Blair—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 7083) granting an increase of pension to Reuben Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7084) granting an increase of pension to Orson Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7085) granting a pension to Mary J. Prentice—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By the SPEAKER: Memorial of Rockford Mitten and Hosiery Company, Nelson Knitting Company, Burson Knitting Company, and Forest City Knitting Company, praying for an increase of the duty on hosiery as provided in the Payne bill—to the Committee on Ways and Means.

By Mr. AIKEN: Petition of citizens of the Third Congressional District of South Carolina, favoring a national highways commission—to the Committee on Ways and Means.

By Mr. ANDERSON: Petition of R. J. Cristy Company, of Fremont, Ohio, opposing duty on cold-rolled strip steel—to the Committee on Ways and Means.

Also, petition of Sterling Emery Wheel Company, of Tiffin, Ohio, requesting corundum on free list—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers, of Columbus, Ohio, in favor of shoes on free list—to the Committee on Ways and Means.

Also, petition of Fostoria Glass Specialty Company, of Fostoria, Ohio, against proposed duty on red lead and lithorage—to the Committee on Ways and Means.

By Mr. ANSBERRY: Petition of Hide and Leather Association, for placing hides on the free list—to the Committee on Ways and Means.

By Mr. ASHBROOK: Paper to accompany bill for relief of Peter Everly and Rachel A. Johnson—to the Committee on Invalid Pensions.

By Mr. AUSTIN: Petition of employees of Rockwood Mills, at Rockwood, Tenn., for retention of paragraphs 325, 326, and 327 of the tariff bill—to the Committee on Ways and Means.

By Mr. BARCHFELD: Petition of Joseph Horne & Co., against increase of duty on toys—to the Committee on Ways and Means.

By Mr. BENNET of New York: Papers to accompany bill for the relief of Gore, Meenan & Co., engineering company—to the Committee on Claims.

Also, papers to accompany bill for the relief of Terence V. Foley—to the Committee on Invalid Pensions.

By Mr. BINGHAM: Petition of citizens of Philadelphia, Pa., through the Grocers and Importers' Exchange, opposing duty on tea and coffee—to the Committee on Ways and Means.

By Mr. BROUSSARD: Petition of Maison Blanche Company and others, against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of Rumford (Me.) Local, No. 9, Brotherhood of Paper Makers, opposing reduction on print paper—to the Committee on Ways and Means.

By Mr. CALDER: Petition of Southwick Manufacturing Company and others, of Philadelphia, against reduction of duty on whiting and Paris white—to the Committee on Ways and Means.

Also, petition of Lyons Brothers, of Baltimore, against increase of duty on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of W. J. Butterfield, of New York, favoring tax on tea—to the Committee on Ways and Means.

Also, petition of the Florsheimer Shoe Company, against further reduction of tariff on shoes—to the Committee on Ways and Means.

Also, petition of International Brotherhood of Paper Makers, against reduction of tariff on paper—to the Committee on Ways and Means.

Also, petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Schifflisticker Union, No. 12768, of American Federation of Labor, of New York, favoring increase of tariff on lower grades of embroidery goods—to the Committee on Ways and Means.

Also, petition of F. D. Mott, favoring a duty on tea—to the Committee on Ways and Means.

Also, petition of George W. Bayliss, against a duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Needham & Vallon, against a duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Edward Smith & Co., against a duty on china nut oil—to the Committee on Ways and Means.

Also, petition of Hawley & Hoops, against a duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of W. E. Dwinill, with criticism on Mr. FORDNEY's lumber speech—to the Committee on Ways and Means.

Also, petition of Harry T. Stuart, favoring increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of the New York Cordage Company, against a duty on hemp rope—to the Committee on Ways and Means.

Also, petition of National Lumber Manufacturers' Association, against decrease of duty on lumber—to the Committee on Ways and Means.

Also, petition of Seaboard Trading Company, favoring reduction of duty on salt fish—to the Committee on Ways and Means.

Also, petition of Clay Tobacco Pipe Makers' Union of the United States, for increase of duty on clay pipes—to the Committee on Ways and Means.

Also, petition of D. Auerbach & Sons, against a duty on cocoa beans—to the Committee on Ways and Means.

Also, petition of Butler Brothers, against increase of duty on toys—to the Committee on Ways and Means.

Also, petition of citizens of the Eleventh Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of common council, city of Troy, against reduction of tariff on collars and cuffs—to the Committee on Ways and Means.

Also, petition of committee of manufacturers of blueprint paper, against increase of duty on blueprint paper—to the Committee on Ways and Means.

Also, petition of sundry citizens of the Sixth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CAPRON: Petitions of members of the Tabernacle Methodist Episcopal Church, of Providence; First Baptist Church of Hope Valley; Women's Christian Temperance Union of Trenton; Women's Christian Temperance Union of Washington; Second Presbyterian Church of Providence; and Broadway Baptist Church, all of the State of Rhode Island, favoring bill regulating shipment of liquors into prohibition territory—to the Committee on Interstate and Foreign Commerce.

Also, petition of R. H. Gladding Dry Goods Company, of Providence, R. I., against increase of duty on gloves and hosiery—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of William H. Carter and Charles H. Kendall—to the Committee on Invalid Pensions.

By Mr. CARLIN: Paper to accompany bill for relief of estate of Sandford Humphrey—to the Committee on War Claims.

By Mr. CARY: Petition of the F. H. Bressler Company, of Milwaukee, Wis., favoring placing art works on the free list—to the Committee on Ways and Means.

Also, petition of sundry citizens of the Fourth Congressional District of Wisconsin, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. CONRY: Petition of citizens of the Twelfth Congressional District of New York, opposing tax on tea or coffee—to the Committee on Ways and Means.

Also, petition of Lithographic International Protective and Beneficial Association, of Jersey City, for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Dubois Watch Company, of Brooklyn, N. Y., favoring tariff on watches—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Porto Rico, favoring tariff on coffee—to the Committee on Ways and Means.

Also, petitions of Wallace & Co., Hawley & Hoops, J. H. Booker, and Dryden & Palmer, all of New York City, against a duty on cocoa—to the Committee on Ways and Means.

Also, petition of Ernest J. King and 40 other lithographers of New York City, favoring increased duties on all supplies relative to trade—to the Committee on Ways and Means.

Also, petition of Business Men's Association of South Norwalk, Conn., favoring free raw printing material—to the Committee on Ways and Means.

Also, petition of Paul Taylor Brown Company, of New York City, for increased duty on canned fruits—to the Committee on Ways and Means.

Also, petitions of E. D. McCordley, Kreuser & Brown, and 40 other lithographers, of New York City, for protection—to the Committee on Ways and Means.

Also, petition of Roessler & Hasslacker Chemical Company, of New York City, against reduction of tariff on cyanide of sodium—to the Committee on Ways and Means.

Also, petition of Oronogo Circle Mining Company, favoring increased tariff on zinc ore—to the Committee on Ways and Means.

Also, petition of the Roessler & Hasslacker Chemical Company, of New York City, favoring increased duty on cyanide of sodium—to the Committee on Ways and Means.

Also, petition of Industrial Agent, of Niagara Falls, N. Y., protesting against reduction of duty on lumber—to the Committee on Ways and Means.

Also, petition of Jed, Frye & Co., of New York City, favoring reduction of duty on salt and pickled fish—to the Committee on Ways and Means.

Also, petition of Knickerbocker Chocolate Company, of New York City, against duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Metal Stamping Company, of New York City, favoring reduction of duty on manufactured metal goods—to the Committee on Ways and Means.

Also, petition of C. R. Robertson, of Baltimore, Md., favoring reduction of duty on aluminum—to the Committee on Ways and Means.

Also, petition of E. & J. Burke Company, of New York City,

for increased duty on malt liquors—to the Committee on Ways and Means.

Also, petition of Metal Stamping Company, of New York City, for reduction of duty on metal goods—to the Committee on Ways and Means.

Also, petition of New England Dry Goods Association, of Boston, Mass., against increased duty on gloves and hosiery—to the Committee on Ways and Means.

Also, petition of the Casein Manufacturing Company, of New York City, for increase of duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of Charles Zoller Company, of New York City, for reduction of duty on oils, varnishes, etc.—to the Committee on Ways and Means.

Also, petition of Lyon Brothers & Co., of Baltimore, Md., favoring tariff equalization on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of Industrial Agent, of Niagara Falls, N. Y., against reduction of duty on pulp—to the Committee on Ways and Means.

Also, petition of New York State members of the American Paper and Pulp Association, against reduction of duty on paper—to the Committee on Ways and Means.

Also, petition of Yellow Pine Manufacturers' Association, against removal of tax on lumber—to the Committee on Ways and Means.

Also, petition of Cattle Raisers' Association of Texas, for retention of duty on hides and cattle—to the Committee on Ways and Means.

Also, petition of Standard Trading Company, of New York City, against increased duty on packed fish—to the Committee on Ways and Means.

Also, petition of Felix Solomon & Co., of New York City, against reduction of duty on paper—to the Committee on Ways and Means.

Also, petition of journeymen mechanical embroiderers of New York, against increase of duty on hosiery—to the Committee on Ways and Means.

Also, petition of salt and packed fish dealers of New York City, against increase of duty on salt fish—to the Committee on Ways and Means.

Also, petition of Lemon, Bache & Co., of New York City, against increase of duty on glass—to the Committee on Ways and Means.

Also, petition of the Hampden Watch Company, of Canton, Ohio, for increase of duty on watches—to the Committee on Ways and Means.

Also, petition of Leggerman Brothers, of New York City, against duty on chicory—to the Committee on Ways and Means.

Also, petition of Materne & Hess, of New York City, against duty on spices and lentils—to the Committee on Ways and Means.

Also, petition of manufacturers of artificial marble, against increased tariff on Keene's cement—to the Committee on Ways and Means.

Also, petition of National Tea and Coffee Association, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of Standard Varnish Works, of New York City, against a duty on Chinese nut oil—to the Committee on Ways and Means.

Also, petition of E. Smith & Co., of New York City, against a duty on Chinese nut oil—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of New York City, against increase of duty on toys—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Watertown, N. Y., favoring existing tariff on paper—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers Shoe Company, of Columbus, Ohio, favoring shoes on free list—to the Committee on Ways and Means.

Also, petition of Benter Brothers, of New York City, favoring specific duty on matting—to the Committee on Ways and Means.

Also, petition of American Plate Glass Company, of Kane, Pa., favoring protection on glass—to the Committee on Ways and Means.

Also, petition of L. C. Gillespie & Sons, of New York City, favoring Chinese nut oil on free list—to the Committee on Ways and Means.

Also, petition of M. J. Florsheimer, favoring free hides—to the Committee on Ways and Means.

By Mr. COOK: Petition of Philadelphia Quartz Company, favoring retention of present duty on silicate of soda—to the Committee on Ways and Means.

Also, petition of Keystone Blue Paper Company, favoring decrease of duty on blueprint paper—to the Committee on Ways and Means.

Also, petition of John D. Glass, for retention of sulphate of ammonia on the free list—to the Committee on Ways and Means.

By Mr. COX: Petition of Otto Fambach and others, for increase of duty on post cards—to the Committee on Ways and Means.

By Mr. DODDS: Petition of sundry citizens of the Eleventh Congressional District of Michigan, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. DRAPER: Petition of Everett F. Jonnson and others, for increase of duty on post cards—to the Committee on Ways and Means.

By Mr. DANIEL A. DRISCOLL: Petition of sundry citizens of the Thirty-fifth Congressional District of New York, against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of wholesale grocers of New York City, for free sugar—to the Committee on Ways and Means.

Also, petition of the Courier, Times, and Enquirer, of Buffalo, N. Y., for free pulp—to the Committee on Ways and Means.

Also, petition of T. B. Shipley, for reduction of tariff on cotton—to the Committee on Ways and Means.

Also, petition of Charles F. Hubbs Company, of New York City, against increase of duty on paper—to the Committee on Ways and Means.

Also, petition of Butler Brothers, of New York City, against increase of duty on toys—to the Committee on Ways and Means.

Also, petition of Buffalo (N. Y.) Oil, Paint, and Varnish Company, for placing Chinese nut oil on free list—to the Committee on Ways and Means.

Also, petition of John Stroottman Shoe Company, of Buffalo, N. Y., for free hides—to the Committee on Ways and Means.

Also, petition of J. E. Rhodes & Sons, of New York City, for free hides—to the Committee on Ways and Means.

Also, petition of common council of Troy, N. Y., against reduction of duty on collars and cuffs—to the Committee on Ways and Means.

Also, petition of Alabama Marble Company, against reduction of tariff on marble—to the Committee on Ways and Means.

Also, petition of Yale Hat Stores, against increase of duty on hats—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Buffalo, N. Y., favoring free malt—to the Committee on Ways and Means.

Also, petition of Larkin & Co., of Buffalo, N. Y., against tariff on wools for carpets—to the Committee on Ways and Means.

Also, petition of Wolfe Brothers' Shoe Company, of Columbus, Ohio, favoring placing shoes on free list—to the Committee on Ways and Means.

Also, petition of Dietzer Sale Lithograph Company, of Buffalo, N. Y., for protection for lithographic products—to the Committee on Ways and Means.

Also, petition of Theodore Hofeller & Co., of Buffalo, N. Y., favoring placing used rubber on the free list—to the Committee on Ways and Means.

Also, petition of Local No. 7, Cigar Makers' Union, of Buffalo, N. Y., against free cigars from Philippines—to the Committee on Ways and Means.

Also, petition of the Butler Company, of Buffalo, N. Y., favoring free coffee—to the Committee on Ways and Means.

Also, petition of Sprague, Warner & Co., of Chicago, Ill., favoring free coffee—to the Committee on Ways and Means.

Also, petition of M. J. Bernhard, of Buffalo, N. Y., favoring free lumber—to the Committee on Ways and Means.

Also, petitions of Burt-Lindler Company and Menker Candy Company, of Buffalo, N. Y., favoring free cocoa—to the Committee on Ways and Means.

Also, petitions of Hawley & Hoops and J. H. Barker & Co., of New York City, favoring free cocoa—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of sundry citizens of New York State, opposing tax on sugar—to the Committee on Ways and Means.

By Mr. ENGLEBRIGHT: Petition of A. C. Schlesenger, of Oakland, Cal., opposing reduction of duty on nails, etc.—to the Committee on Ways and Means.

Also, petition of H. Hutchison and others, opposing duty on lithographic products—to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens of Monroe County, Wis., against a duty on tea and coffee and other necessities—to the Committee on Ways and Means.

By Mr. FORNES: Petition of Hide and Leather Association of New York and vicinity, for removal of duty on hides—to the Committee on Ways and Means.

By Mr. FOSTER of Vermont: Petition of Hon. H. F. Brigham and 5 other citizens of Vermont, for removal of duty on sugar—to the Committee on Ways and Means.

By Mr. FULLER: Memorial of house of representatives of the Illinois state legislature, in favor of a just and equitable duty on zinc ore—to the Committee on Ways and Means.

Also, petition of the Merchant Marine League of the United States, in favor of a ship subsidy—to the Committee on the Merchant Marine and Fisheries.

Also, petition of John J. Stangeland, of Fairfield, Ill., concerning the proposed duty on oils, roots, seeds, etc.—to the Committee on Ways and Means.

Also, petition of the Rockford Seed Company, of Rockford, Ill., concerning the proposed duty on vegetable seeds, bulbs, etc.—to the Committee on Ways and Means.

Also, petition of J. E. Broadie, C. G. McGlashan, J. T. Peters, V. R. Anderson, M. S. Brown, H. C. Porter, and D. B. Hutchins, directors of Rockford Merchants and Business Men's Association, of Rockford, Ill., in favor of reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of the Florsheim Shoe Company, of Chicago, Ill., in favor of placing hides on free list—to the Committee on Ways and Means.

Also, petition of Armstrong Paint and Varnish Company, of Chicago, Ill., concerning proposed duty on Chinese nut or wood oil—to the Committee on Ways and Means.

Also, petition of L. B. Duffey, of De Kalb, Ill., concerning the proposed duty on coffee and tea—to the Committee on Ways and Means.

Also, petition of manufacturers of blueprint papers of New York, concerning the proposed tariff on blueprint paper—to the Committee on Ways and Means.

Also, petition of Fred Biffar, of Chicago, Ill., for reduction of tariff on prime cartridge shells—to the Committee on Ways and Means.

Also, petition of Pasteur Vaccine Company, of Chicago, Ill., concerning the tariff on biological products—to the Committee on Ways and Means.

Also, petition of H. J. Pulling, of Chicago, Ill., favoring reduction of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Edward Hines Lumber Company, of Chicago, Ill., for greater protection on lumber—to the Committee on Ways and Means.

Also, petition of Lemon, Bache & Co., of New York City, concerning proposed duty on plate glass—to the Committee on Ways and Means.

Also, petition of Coalfield Company, of Coal City, Ill., against a higher duty on hosiery and gloves—to the Committee on Ways and Means.

Also, petition of Lyon & Co., of Baltimore, Md., against increase of duty on oilcloth and linoleum—to the Committee on Ways and Means.

Also, petition of American Sheep Breeder, of Chicago, Ill., against reduction of tariff on wool—to the Committee on Ways and Means.

Also, petition of Charles H. Hulburd, president Elgin National Watch Company, against reduction of the tariff on watches—to the Committee on Ways and Means.

Also, petition of citizens of Kangley, Ill., against a duty on tea and coffee—to the Committee on Ways and Means.

Also, petition of S. P. Wetherill Company, of Philadelphia, Pa., for removal of coppers from the free list—to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Milwaukee, Wis., against reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. GRIEST: Petition of Pennsylvania cigar and tobacco dealers and manufacturers, opposing the free importations of Philippine cigars—to the Committee on Ways and Means.

Also, petition of Lancaster Dry Goods Association, against the proposed increase of duty on gloves and hosiery—to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of Siver Gulleckson and 31 others, of Ihlen, Minn., against reduction on barley—to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of North Dakota, against reduction of the duty on barley—to the Committee on Ways and Means.

By Mr. HAYES: Petition of Thomas Matthews and 86 other citizens of San Jose and Santa Clara, Cal., favoring an effective exclusion law against all Asiatics excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. HOLLINGSWORTH: Paper to accompany bill for relief of Francis W. Leeper—to the Committee on Pensions.

By Mr. JOYCE: Petition of Local Branch No. 55, of United Brotherhood of Leather Workers, of Marietta, Ohio, against return of Mexican refugees to Mexico—to the Committee on Foreign Affairs.

By Mr. KAHN: Petition of P. H. Pettinger and 10 other residents of San Francisco, Cal., favoring a reduction of duty on sugar—to the Committee on Ways and Means.

By Mr. KELIHER: Petition of Hide and Leather Association, of New York, favoring free hides—to the Committee on Ways and Means.

By Mr. KINKEAD of New Jersey: Petition of citizens of the Ninth Congressional District of New Jersey, against a duty on tea and coffee—to the Committee on Ways and Means.

By Mr. LENROOT: Paper to accompany bill for relief of George W. Jenkins, alias Henry H. Seymour (H. R. 6762)—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of the Commercial Club of St. Cloud, Minn., against any reduction of duty on rough or manufactured granite—to the Committee on Ways and Means.

Also, petition of the Woman's Club of Onigum, Minn., against a duty on leather gloves and cotton hose—to the Committee on Ways and Means.

Also, petition of citizens of Brandon, Minn., and vicinity, against reduction of duty on barley—to the Committee on Ways and Means.

Also, petition of the Commercial Club of Brainerd, Minn., against removal of duty on iron ore—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of the New York City Federation of Women's Clubs, against the proposed duty on kid gloves and hosiery—to the Committee on Ways and Means.

Also, petition of the Hide and Leather Association of New York, favoring hides being placed on the free list—to the Committee on Ways and Means.

Also, petition of Mr. Louis Winkler, of Fonda, N. Y., against the proposed duty on essential oils, drugs, roots, seeds, barks, gums, etc., and kinds of spices—to the Committee on Ways and Means.

Also, petition of D. Auerbach & Sons, of New York, against any duty on crude cocoa—to the Committee on Ways and Means.

By Mr. McKINNEY: Memorial of house of representatives of the legislature of Illinois, for a duty on zinc ore—to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Nebraska, opposing duty on tea and coffee—to the Committee on Ways and Means.

By Mr. MILLINGTON: Petition of W. B. Wilcox, of Utica, N. Y., against removal of duty on watches, watch cases, etc.—to the Committee on Ways and Means.

By Mr. PAYNE: Petition of Rushville (N. Y.) Grange, No. 1137, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. STERLING: Resolutions by house of representatives of Illinois, requesting duty on zinc—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Hide and Leather Association of New York City and vicinity, in favor of removal of duty on hides—to the Committee on Ways and Means.

Also, petition of Fred J. Wright, editor Farm and Stock, in favor of free lumber—to the Committee on Ways and Means.

Also, petition of C. T. Chamberlain, secretary of Knickerbocker Chocolate Company, in favor of removal of duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Charles Zoller Company, against reduction of duty on spirit varnishes—to the Committee on Ways and Means.

Also, petition of Casein Manufacturing Company, of New York City, for a duty on casein and lactarene—to the Committee on Ways and Means.

Also, petition of J. J. Bonneau Company, of New York City, against a duty on cabinet woods in the log—to the Committee on Ways and Means.

Also, petition of Frederick Huhn, of New York City, for increase of duty on lithographic products—to the Committee on Ways and Means.

Also, petition of Antiseptic Toothpick Company, relative to tariff on toothpicks—to the Committee on Ways and Means.

Also, petition of Standard Varnish Works, for placing Chinese nut oil on the free list—to the Committee on Ways and Means.

Also, petition of Dubois Watch Case Company, against reduction of tariff on watches—to the Committee on Ways and Means.

Also, petition of L. C. Gillespie & Sons, for placing Chinese nut oil on the free list—to the Committee on Ways and Means.

Also, petition of Beckwith-Chandler Company, for placing Chinese nut oil on the free list—to the Committee on Ways and Means.

Also, petition of A. Wittnauer Company, against increased duty on watches—to the Committee on Ways and Means.

Also, petition of National Wholesale Dry Goods Association, for reduction of duty on oilcloths and linoleum—to the Committee on Ways and Means.

Also, petition of D. Anerbach & Sons, against the duty on crude cocoa—to the Committee on Ways and Means.

Also, petition of Farm Life, for free lumber—to the Committee on Ways and Means.

By Mr. THISTLEWOOD: Petition of Cairo Retail Grocers and Butchers' Association, opposing tax on oleomargarine—to the Committee on Ways and Means.

Also, resolutions of legislature of Illinois, urging tariff on zinc—to the Committee on Ways and Means.

By Mr. WEISSE: Petition of citizens of Fond du Lac, Wis., opposing duty on tea and coffee—to the Committee on Ways and Means.

SENATE.

SATURDAY, April 10, 1909.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington.

On request of Mr. KEAN, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

The VICE-PRESIDENT. Without objection, the Journal is approved.

THE TARIFF.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, in which it requested the concurrence of the Senate.

Mr. ALDRICH. I ask that the bill from the House be laid before the Senate.

The bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, was read twice by its title.

Mr. ALDRICH. I ask that the bill be referred to the Committee on Finance and printed, and that 2,000 extra copies be printed for the use of the Senate document room.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Rhode Island? No objection is heard, and it is so ordered.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of sundry manufacturers of gloves of New York City, N. Y., praying for the imposition of a high rate of duty on all gloves imported into the United States, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of New York, Massachusetts, Connecticut, Indiana, Illinois, Pennsylvania, Wisconsin, Michigan, Ohio, Minnesota, Rhode Island, Nebraska, Georgia, Iowa, New Jersey, and Texas, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented the petition of Cornelius Kahlen and George Staber, of New York City, N. Y., praying that a duty not to exceed 25 per cent ad valorem be placed on imitation onion-skin paper, calendared or uncalendared, which was referred to the Committee on Finance.

Mr. CULLOM presented a memorial of the League of Cook County Women's Clubs, of Illinois, remonstrating against the duties to be assessed under the new tariff bill, known as the "Payne bill," upon articles of wearing apparel, particularly leather gloves and cotton hosiery, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Crab Orchard, Chicago, Assumption, Monmouth, Wyand, Carpenter, Mount Vernon, Jacksonville, Kangley, Ladd, Streater, and Freeport, all in the State of Illinois, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented a memorial of the Business Men's Association of Jacksonville, Ill., remonstrating against the proposed increase of the duty on hosiery and gloves, which was referred to the Committee on Finance.

He also presented a memorial of the Live Stock Exchange of Chicago, Ill., remonstrating against the repeal of the duty on hides, which was referred to the Committee on Finance.

Mr. SHIVELY presented petitions of Local Lodges Nos. 625, 805, 471, 365, 826, 245, 500, 796, 143, 768, 1012, 446, and 576, of Hartford City, Huntington, Wabash, Peru, Bedford, Muncie, Valparaiso, Bluffton, Lafayette, Portland, Goshen, Tipton,

Bloomington, and Noblesville, all of the Benevolent and Protective Order of Elks, in the State of Indiana, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. FRYE presented petitions of sundry citizens of Augusta, Manchester, Hallowell, Auburn, and Lewiston, all in the State of Maine, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

Mr. LODGE presented petitions of sundry citizens of Ware and Lawrence, in the State of Massachusetts, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Boston, Attleboro, Chelsea, Chestnut Hill, Holliston, Milford, Malden, New Bedford, Pittsfield, Stoneham, Upton, Holyoke, Lowell, Chicopee, Natick, Quincy, Somerville, Cambridge, Worcester, South Yarmouth, East Bridgewater, North Raynham, Fall River, Lawrence, Mansfield, Springfield, Chicopee Falls, Athol, Provincetown, Brookline, Haverhill, Everett, Hanover, Westfield, Baldwinville, West Medford, East Wareham, Revere, Cliftondale, Rockport, Medford, Brockton, Nantucket, Lynn, Sharon, Palmer, Clinton, Fitchburg, Pigeon Cove, East Taunton, Orange, Indian Orchard, Salem, Ayers Village, North Andover, Concord, Yarmouth, Cheshire, Kingston, Ipswich, Dalton, Greenfield, Webster, Walpole, Newburyport, Peabody, Foxboro, North Attleboro, Newtonville, Taunton, Leominster, Barnstable, and North Adams, all in the State of Massachusetts, praying for the repeal of the duty on tea, which were referred to the Committee on Finance.

Mr. BURKETT presented a petition of Local Lodge No. 604, Benevolent and Protective Order of Elks, of Grand Island, Nebr., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Commercial Club of Omaha, Nebr., praying that an appropriation of \$500,000,000 be made for the improvement of the inland waterways of the country, which was referred to the Committee on Commerce.

Mr. STEPHENSON presented a petition of Printing Pressmen's Local Union No. 7, American Federation of Labor, of Milwaukee, Wis., praying for an increase of duty on post cards, which was referred to the Committee on Finance.

Mr. DOLLIVER presented petitions of sundry citizens of Vinton, Iowa, praying for a reduction of the duty on dry goods, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Emmetsburg, Dubuque, Gleedco, and Waukon, all in the State of Iowa, praying for a reduction of the duty on raw and refined sugars, which were referred to the Committee on Finance.

He also presented petitions of Local Lodges Nos. 418, 290, 407, 428, 563, 531, of Charles City, Waterloo, Perry, Le Mars, Boone, and Council Bluffs, all of the Benevolent and Protective Order of Elks, in the State of Iowa, praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Woman's Club of Council Bluffs, Iowa, praying for the passage of the so-called "children's bureau" bill, which was referred to the Committee on Education and Labor.

He also presented a petition of the Jobbers and Manufacturers' Association of Fort Dodge, Iowa, praying for the enactment of legislation granting to the shipper the right to route his own freight, and also granting to the Interstate Commerce Commission the power to stop, in its discretion, advances of rates, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Clinton, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. BROWN presented a petition of Local Lodge No. 604, Benevolent and Protective Order of Elks, of Grand Island, Nebr., praying for the enactment of legislation to create a national reserve in the State of Wyoming for the care and maintenance of the American elk, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SMITH of Michigan presented a memorial of sundry citizens of Allenville, Mich., and a memorial of sundry citizens of Holland, Mich., remonstrating against the imposition of a duty