

POSTMASTERS.  
CONNECTICUT.

James T. Murray, Thompsonville.

MINNESOTA.

W. W. Belden, Caledonia.

NORTH CAROLINA.

A. C. Hughes, Apex.

O. A. Snipes, Rocky Mount.

OKLAHOMA.

J. N. Kimberlin, Altus.

OREGON.

W. A. Delzell, Klamath Falls.

TEXAS.

C. A. Howard, Bronson.

Mrs. Jesse O. Wheeler, Brownsville.

WASHINGTON.

R. B. Smith, Prescott.

WYOMING.

Mary E. Hurst, Greybull.

SENATE.

THURSDAY, October 2, 1913.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 99. An act to fix the times and places of holding district courts for the district of Arizona; and

S. 2254. An act to amend chapter 1, section 18, of the Judicial Code.

MEMORIALS.

Mr. JONES. I have received a telegram, in connection with those which I presented on yesterday, from J. W. Clise, of Seattle, Wash., in regard to the tax on rentals, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table and to be printed in the RECORD, as follows:

SEATTLE, WASH., October 1, 1913.

Hon. WESLEY L. JONES,  
United States Senate, Washington, D. C.:

We sincerely protest tariff bill provision income tax that tax on rent be deducted and paid by lessee. Property should be sufficient security any tax. Respectfully urge you to oppose same.

J. W. CLISE.

Mr. POINDEXTER presented a memorial of John Barlow Camp No. 6, United Spanish War Veterans, Department of Washington and Alaska, of Vancouver, Wash., remonstrating against the proposed change in the design of the American flag, which was referred to the Committee on Military Affairs.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. OVERMAN. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 7898) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1913, and for other purposes, and I submit a report (No. 116) thereon. I give notice that I shall call up the bill at the earliest practicable moment after the disposition of the conference report on the tariff bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

ANGELO ALBANO.

Mr. SHIVELY, from the Committee on Foreign Relations, to which was referred the bill (H. R. 7384) to authorize the payment of an indemnity to the Italian Government for the killing of Angelo Albano, an Italian subject, reported it without amendment and submitted a report (No. 118) thereon.

PROTECTION OF AMERICAN SEAMEN.

Mr. FLETCHER. I am directed by the Committee on Commerce to make the following report, which I ask may be read. The Secretary read the report (No. 117), as follows:

The committee, upon consideration of S. 4, S. 2221, and S. 136, reports favorably S. 136, with the statement that in the judgment of the committee action should not be taken on the measure until the regular session next December. The committee is moved to this opinion largely by reason of the fact that the International Conference on

Safety at Sea will be held in London beginning November 12 next, and it would be advisable to have the results of that conference before taking final action on this bill.

The VICE PRESIDENT. The bill (S. 136) will be placed on the calendar, and it will be postponed until the regular session of Congress.

Mr. LA FOLLETTE. Mr. President, my attention was diverted for a moment. Is that a report from a committee upon a bill?

The VICE PRESIDENT. It is, and a request on the part of the committee that the bill be not taken up until the regular session.

Mr. LA FOLLETTE. May I inquire what is the number of the bill?

The VICE PRESIDENT. The bill will be read by title.

The SECRETARY. A bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. LA FOLLETTE. I must interpose an objection to the bill being laid aside for the session.

The VICE PRESIDENT. The bill will go to the calendar, then.

Mr. LA FOLLETTE. Let it go to the calendar, to be taken up in order.

The VICE PRESIDENT. The bill will go to the calendar.

MONONGAHELA RIVER (W. VA.) BRIDGE.

Mr. SHEPPARD. I report sundry bridge bills from the Committee on Commerce. The bills are in the usual form, and I shall ask for their immediate consideration.

First, from the Committee on Commerce, I report back favorably without amendment the bill (H. R. 6582) to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

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

TUG FORK OF BIG SANDY RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6378) to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

BEAUFORT RIVER (S. C.) BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 7472) authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

BLACK RIVER (ARK.) BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 7470) to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

LITTLE RIVER BRIDGE, ARKANSAS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 7469) to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

TENNESSEE RIVER BRIDGE AT CHATTANOOGA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 6635) to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

MISSISSIPPI RIVER BRIDGE, AITKIN COUNTY, MINN.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 1985) to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

WHITE RIVER BRIDGE AT NEWPORT, ARK.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 5891) authorizing the construction of a bridge across White River, at Newport, Ark., and I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

RED LAKE RIVER BRIDGE, MINN.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 1681) to extend the time for constructing a bridge across the Red Lake River, in township 153 north, range 40 west, in Red Lake County, Minn., and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

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

BILLS INTRODUCED.

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

By Mr. SHIVELY:

A bill (S. 3175) to authorize the county of Miami, State of Indiana, to construct a bridge across the Wabash River, in Miami County, Ind.; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 3176) to increase the limit of cost of the public building at Bangor, Me.; to the Committee on Public Buildings and Grounds.

A bill (S. 3177) granting an increase of pension to Rodney Jones (with accompanying papers); and

A bill (S. 3178) granting an increase of pension to Ella M. Bragg (with accompanying papers); to the Committee on Pensions.

By Mr. SAULSBURY:

A bill (S. 3179) to increase the limit of cost of the public building at Smyrna, Del.; to the Committee on Public Buildings and Grounds.

By Mr. HUGHES:

A bill (S. 3180) to prohibit the payment of claims against the United States to public administrators, except in certain instances; to the Committee on the Judiciary.

A bill (S. 3181) granting a pension to John E. Tevendale; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 3182) granting an increase of pension to Sarah E. Frazier; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 3183) providing for the reimbursement of certain persons and organizations for damage to and destruction of their property in a riot in the city of Seattle, Wash.; to the Committee on Claims.

By Mr. COLT:

A bill (S. 3184) granting an increase of pension to Phebe A. Lewis (with accompanying papers);

A bill (S. 3185) granting an increase of pension to Abby T. McCarthy (with accompanying papers);

A bill (S. 3186) granting a pension to Laura F. Lawton (with accompanying papers); and

A bill (S. 3187) granting a pension to Isabella A. Trask (with accompanying papers); to the Committee on Pensions.

By Mr. TILLMAN:

A bill (S. 3188) to provide for the appointment of a district judge, a district attorney, and a marshal for the western judicial district of South Carolina; to the Committee on the Judiciary.

AMENDMENT TO THE DEFICIENCY APPROPRIATION BILL.

Mr. WEEKS submitted an amendment authorizing the Secretary of the Treasury to consider, adjudicate, and pay, under the act of Congress approved July 27, 1912, the claim of any trust company, banks, bankers, or similar institutions for the refund of taxes erroneously assessed or illegally collected under the war-revenue act of June 13, 1898, etc., intended to be proposed by him to the urgent deficiency appropriation bill, which was ordered to lie on the table and to be printed.

DEVELOPMENT AND IMPROVEMENT OF WATERWAYS.

Mr. ASHURST. On the 15th day of last month I spoke in the Senate regarding the Newlands river-regulation bill, to wit, Senate bill 2739. I ask unanimous consent to incorporate in the RECORD a letter upon this subject which I have received from Hon. J. J. Sanders, who is one of the ablest writers and most profound thinkers in the State of Arizona.

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

FLORENCE, ARIZ., September 23, 1913.

Hon. HENRY F. ASHURST, Washington, D. C.

DEAR SIR: I have just read your great effort in favor of the Newlands river bill. It is a practical proposition that will be fully demonstrated within the next decade. Every drop of water that falls in Arizona from the clouds, every drop of water that bubbles from her springs, should be conserved for power and irrigating purposes. The swirling waters of the Colorado River will yet yield its millions of amperes for the driving of machinery and its waters for the reclamation of the desert. Then, and not till then, shall Arizona come into its own. Some characterize this great proposition embodied in the Newlands bill as the dream of a visionary. All the great things that man has ever done were at one time characterized as the dreams of visionaries. Have we not seen Morse ridiculed on the very floor where you now stand in the United States Senate Chamber; have we not seen Fulton ridiculed in the great city of New York; and, to come to the present, have we not seen the Wright brothers ridiculed by their fellow citizens of Dayton, Ohio? Then, again, we have seen the great city of Dayton taking a holiday to honor them when they made their great dream come true—when they had done what man had claimed for thousands of years could not be done.

The reclamation of desert lands is a simple mathematical and financial proposition for the Government of this country. Land that is now practically worthless would become very valuable with the life-giving waters turned on for irrigation.

With best wishes, I am,

Sincerely yours,

J. J. SANDERS.

THE COMMERCE COURT (S. DOC. NO. 203).

Mr. BRYAN. I ask to have printed as a Senate document an article by Hon. R. F. BROUSSARD, of Louisiana, on the United States Commerce Court.

The VICE PRESIDENT. Without objection, the request of the Senator from Florida will be complied with.

SAN FRANCISCO WATER SUPPLY.

Mr. PITTMAN. I ask unanimous consent that the Senate proceed to the consideration of House bill 7207, being Order of Business 94 on the calendar.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent for the present consideration of House bill 7207.

Mr. PENROSE. Let it be read for the information of the Senate, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

The SECRETARY. A bill (H. R. 7207) granting to the city and county of San Francisco certain rights of way in, over, and through certain public lands, the Yosemite National Park, and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes.

Mr. BORAH. Mr. President, is that what is known as the Hetch Hetchy bill?

Mr. PITTMAN. It is.

Mr. BORAH. The Senator asks unanimous consent to consider it at this time?

The VICE PRESIDENT. Yes.

Mr. PITTMAN. I have made that request.

Mr. BORAH. I have no objection to taking up the bill, but if there is going to be consideration of the other matter, which it was supposed we would take up to-day, we will not be able to dispose of it.

Mr. SIMMONS. I rather consented that the Senator from Nevada might call up this measure provided there would be no discussion of it, but if there is to be any debate, I must insist on its going over.

Mr. PITTMAN. I was not aware that there would be any debate. Of course, if there is going to be debate on the matter, I would not think for one moment of asking for its present consideration this morning.

Mr. BORAH. I do not know that there will be any extended debate, but there are a number of things in the bill which will undoubtedly call for explanations, and so forth, and I presume it would be likely to lead to some debate. Although I am not indicating that I propose to debate it at length, there are a number of things in the bill which I would like to know more about before I vote on it than I know now. I do not, however, desire to delay its consideration unnecessarily.

Mr. SIMMONS. I hope the Senator from Nevada under those conditions will withdraw his request.

Mr. PITTMAN. Very well; I withdraw the request for present consideration.

#### THE TARIFF—CONFERENCE REPORT.

Mr. SIMMONS. Mr. President, I desire to call up for consideration a privileged report, being the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum. It seems to me we ought to have a quorum when this report is considered.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Hollis	Norris	Smith, Ariz.
Bacon	Hughes	O'Gorman	Smith, Ga.
Borah	Jackson	Overman	Smith, Md.
Bradley	James	Penrose	Smith, Mich.
Brandeggee	Johnson	Perkins	Smith, S. C.
Bristow	Jones	Pittman	Swanson
Bryan	Kern	Poindexter	Thomas
Burton	La Follette	Pomerene	Thompson
Chamberlain	Lane	Ransdell	Thornton
Clarke, Ark.	Lea	Saulsbury	Tillman
Colt	McLean	Shafroth	Vardaman
Fletcher	Martin, Va.	Sheppard	Walsh
Gore	Martine, N. J.	Shields	Weeks
Gronna	Myers	Shively	Williams
Hitchcock	Nelson	Simmons	

Mr. WEEKS. I wish to state that my colleague [Mr. LODGE] is unavoidably absent from the Senate on account of illness, and that the junior Senator from Illinois [Mr. SHERMAN] is also absent on account of business.

Mr. SMITH of Michigan. I desire to announce that my colleague [Mr. TOWNSEND] is absent on official business.

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

Mr. PENROSE. I should like to ask the chairman of the Finance Committee whether it is his intention to have the report of the conference committee read to the Senate?

Mr. SIMMONS. Does the Senator ask whether it is the purpose to have the report read?

Mr. PENROSE. Yes, sir. I am making an inquiry as to what is the view of the chairman of the committee in relation to the reading of the conference report.

Mr. SIMMONS. It is customary, I think, to read the conference report.

Mr. PENROSE. Then we should proceed now with the reading of the report, I take it.

Mr. SIMMONS. That would be first in order.

Mr. PENROSE. Yes.

The VICE PRESIDENT. The Chair-lays before the Senate a message from the House of Representatives, which will be read.

The Secretary read as follows:

*Resolved.* That the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 3321) entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes."

Mr. NORRIS. Mr. President, I should like to inquire of the Senator from North Carolina whether he expects to secure a vote on the conference report to-day?

Mr. SIMMONS. I will say to the Senator from Nebraska that that is my hope and my expectation.

Mr. NORRIS. Could the Senator ascertain by request, if he sees fit to take that course, whether that could be done? There are one or two of us who would like to be away if the vote is not to be taken during the afternoon.

Mr. SIMMONS. I should be very glad to have unanimous consent that we vote this afternoon, say, at not later than 6 o'clock.

Mr. NORRIS. If the debate is to go over and the vote to be taken after to-day, and that could be ascertained, it would accommodate two or three Senators.

Mr. SIMMONS. I will now, as I had intended to do a little later, ask unanimous consent that we vote upon the conference report and the Clarke amendment, so called, not later than 6 o'clock this afternoon.

The VICE PRESIDENT. Is there objection?

Mr. POINDEXTER. Mr. President, I object.

The VICE PRESIDENT. Objection is made.

Mr. KERN. Mr. President, we on this side of the Chamber are unable to hear the colloquy which is going on.

Mr. SIMMONS. I was simply asking unanimous consent that the vote be taken on the conference report not later than 6 o'clock this afternoon.

The VICE PRESIDENT. To which the Senator from Washington [Mr. POINDEXTER] objects.

Mr. PENROSE. I think if the chairman of the committee will make his request later in the day perhaps he can get consent. It is a little early yet.

Mr. SIMMONS. I will say to the Senator from Pennsylvania that I had intended to postpone making the request, but, upon the suggestion of a Senator, I thought I would make it at this time. I inquire of the Senator from Washington if he would consent to a later hour to-day for taking the vote, say, before we adjourn to-night?

Mr. POINDEXTER. Mr. President, one reason that I have for making the objection is that there are Senators who, I am informed, desire to debate the conference report, and some of them are not even present at this time. I would suggest that the Senator reserve his request.

Mr. SIMMONS. I withdraw the suggestion if that is the case.

Mr. NORRIS. I should like to inquire of the Senator from North Carolina if he expects the Senate to remain in session until we vote on the conference report?

Mr. SIMMONS. If there is any possibility of securing a vote to-night, I shall expect the Senate to remain in session.

Mr. NORRIS. Would the Senator be willing, if an agreement could be reached by which we could vote to-morrow, to have an hour determined now?

Mr. SIMMONS. I think not at this time.

Mr. NORRIS. The Senator from North Carolina would not want to make a request now to vote at some hour to-morrow?

Mr. SIMMONS. No; I would not. I am exceedingly anxious to get through with this matter to-day or to-night, if possible.

Mr. BURTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Ohio will state his parliamentary inquiry.

Mr. BURTON. I desire to ask at what stage of the proceedings a point of order should be raised on this conference report—whether when the particular paragraph is reached or at the beginning of the reading?

The VICE PRESIDENT. The Chair thinks a point of order may be raised at any time.

Mr. BURTON. I desire to give notice, then, that I shall raise a point of order when paragraph 116 is reached.

Mr. PENROSE. And I give similar notice that I shall raise a point of order when amendment 241 is reached.

The VICE PRESIDENT. The Senator from North Carolina has submitted a conference report, which the Secretary will read.

The Secretary proceeded to read the report, and read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3321) "to reduce tariff duties and to provide revenue for the Government, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 25, 31, 34, 42, 44, 45, 46, 50, 51, 52, 53, 54, 55, 68, 80, 81, 82, 83, 86, 99, 100, 101, 102, 115, 116, 117, 129, 133, 137, 138, 143, 147, 152, 158, 172, 176, 177, 183, 188, 189, 190, 192, 200, 205, 206, 208, 209, 219, 220, 227, 231, 235, 243, 248, 249, 250, 251, 253, 257, 258, 262, 263, 267, 272, 273, 274, 281, 282, 283, 284, 285, 289, 290, 291, 305, 306, 307, 308, 313, 329, 332, 333, 336, 340, 348, 359, 360, 362, 366, 372, 388, 396, 399, 400, 401, 402, 403, 404, 405, 408, 409, 413, 414, 418, 419, 420, 433, 437, 444, 445, 448, 452, 463, 474, 475, 487, 488, 493, 496, 501, 508, 524, 544, 565, 573, 574, 593, 594, 595, 596, 606, 612, 613, 614, 615, 618, 619, 620, 621, 622, 623, 633, 640, 645, 647, 650, 652, 662, 663, and 666.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 29, 30, 32, 33, 35, 36, 37, 38, 39, 40, 47, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 84, 85, 89, 90, 91, 92, 93, 94, 98, 104, 105, 106, 108, 109, 110, 111, 112, 113, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 130, 131,

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 669, 670, 671, 672, 673, 674, 675, and 676; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Strike out the numeral "7" and insert in lieu thereof the numeral "6"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "12"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "10"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert on page 16 of the bill, line 5, after the word "refined," the following: "and chlorate of,"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, after the word "pound," where it first occurs, strike out the comma and the words "and not above 75 cents per pound"; in lines 4 and 5 of the matter inserted by said amendment, after the word "valorem," strike out the semicolon and the following: "valued above 75 cents per pound, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not specially provided for in this section,"; and the Senate agree to the same.

Mr. PENROSE. I suggest that when the Secretary mentions an amendment he also, if possible, mention the page of the bill on which the amendment occurs. That will facilitate following the reading.

The VICE PRESIDENT. It is only possible for the Secretary to read the report as it is printed.

Mr. PENROSE. Then if the Secretary would not proceed quite so fast, we could perhaps turn the pages.

The Secretary resumed the reading of the conference report and read as follows:

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert, on page 21 of the bill, line 14, after the word "valorem," the following: "manufactures of carbon not specially provided for in this section, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: After the word "for" of the matter inserted by said amendment insert the following: "in this section"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: On page 26 of the bill, line 9, after the word "enamel" and the comma insert the following: "not specially provided for in this section,"; and the Senate agree to the same.

Mr. BRISTOW. Mr. President, does that amendment refer to page 26 of the bill which we have before us?

The VICE PRESIDENT. The Chair is unable to give any information on that matter.

Mr. PENROSE. Perhaps the chairman of the committee can give the information.

Mr. SHIVELY. It refers to the bill as it passed the House.

Mr. BRISTOW. But the amendment just referred to by the Secretary states that it occurred on page 26, line 9, while in the bill which we find on our desks there was no change made by the Senate in the provision of the House bill on that page and line. What section is it, please?

The VICE PRESIDENT. The Chair is unable to give any information in reply to these questions.

Mr. BRISTOW. Somebody ought to be able to give the information.

Mr. SIMMONS. I will state to the Senator, so that there may be no confusion about what bill this report refers to, that the report refers always to the bill as it passed the House, and not to the bill as it passed the Senate or to any subsequent print. Lines are referred to frequently, but the reference is not to the lines in the engrossed bill, but to the number of the line in the paragraph with which the particular item in the report is dealing.

Mr. BRISTOW. The reading is simply a farce, then, is it not, so far as any information to the Senate goes?

The VICE PRESIDENT. The Chair desires to make a suggestion. It seems that Senators ought to have some bill whereby they can follow the reading of the conference report and ascertain what was done by the conferees. If we can find copies of that bill, they will be distributed to Senators.

Mr. BRISTOW. That is the reason I made the inquiry. In looking at the page and line indicated by the Secretary I see that no amendment is there, and so we have no way whatever of knowing what the amendment is, what it refers to, or anything about it.

Mr. PENROSE. Mr. President, I understand this report refers to what is called the blue print, which is on the desk?

Mr. SIMMONS. Called what?

Mr. PENROSE. Refers to what is called the blue print of the bill, which is in the possession of the Secretary.

Mr. SIMMONS. That is the engrossed bill of the House.

Mr. PENROSE. Is that blue-print bill in its paging and paragraphing the same as the bill which we have on our desks?

Mr. SIMMONS. It is in its paragraphs; yes. The same paragraphs are mentioned.

Mr. PENROSE. Is it identical?

Mr. SIMMONS. I do not know about the numbering of the pages; I can not say as to that.

Mr. PENROSE. I think we ought to insist upon having this matter go over until we can get the print referred to in the conference report.

Mr. SIMMONS. Mr. President, I am not willing that that should be done.

Mr. PENROSE. The reading is a farce the way it is going on.

Mr. SIMMONS. The way by which to compare the report with the bill is by taking the engrossed bill of the House and following that. What I meant to say to the Senator a little while ago was that the lines of that bill as printed may be misleading because the report refers to the lines in the paragraphs of that bill; it refers to the lines following the amendment, counting from the beginning of the amendment down.

The VICE PRESIDENT. May the Chair make an inquiry of the Senator from North Carolina? When the bill came originally from the House, that was the engrossed bill from the House, was it not?

Mr. SIMMONS. Yes.

The VICE PRESIDENT. Were not copies of that bill printed at once for the use of the Senate, and does not this report refer to that bill as then printed?

Mr. SIMMONS. Surely, Mr. President.

The VICE PRESIDENT. Then can not Senators be supplied by the pages or the Sergeant at Arms or somebody else with the original print of the House bill?

Mr. PENROSE. That is it.

The VICE PRESIDENT. It seems to the Chair that would clear up the situation and enable Senators to follow the bill. The Chair desires to say that if we had the House print of House bill 3321, it would be perfectly easy to follow the conference report. The Sergeant at Arms says this bill is on every Senator's desk, marked "Conference print."

Mr. BRISTOW. That is what we were trying to follow. Will the Secretary please read the last amendment and see where we come out?

The SECRETARY (reading):

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows:

On page 26 of the bill, line 9, after the word "enamel" and the comma, insert the following: "not specially provided for in this section"; and the Senate agree to the same.

Mr. BRISTOW. That is paragraph 98, on page 29 of the bill that we have. The Secretary read it as page 26, line 9. Amendment No. 64 in the printed bill is in paragraph 98, on page 29. This interlineation comes after the word "enamel," as read by the Secretary. There is some confusion, some mistake, in this print. All I want is to be able to find what the Secretary refers to when he announces the amendments.

The VICE PRESIDENT. It is quite evident that that is a misprint, and should be "page 29."

Mr. BRANDEGEE. Mr. President, is it so that in the conference print that lies upon the desks of Senators the changes

made by the committee of conference are indicated only by footnotes and are not carried into the text of the print at all? For instance, I am led to ask that question because I see at the bottom of page 29, corresponding to a numeral "1" which appears at the end of the word "enamel," in line 5 of that page, the following statement:

Conference inserted the words "not specially provided for in this section."

My inquiry is to ascertain whether the so-called conference print tells what the report of the conference committee is only by these annotations made, I suppose, in the printing department.

In other words, are we to accept this report on some footnotes made by parties unknown to us, or is the report to be printed under authority of the committee?

Mr. SIMMONS. The bill as amended by the conference committee is printed. If the Senator has not a copy of it on his desk, he ought to have one on his desk.

Mr. BRANDEGEE. Will the Senator from North Carolina be kind enough to tell me under what date the perfected report purports to be printed?

Mr. SIMMONS. It was printed, I think, on the 29th of September.

Mr. BRANDEGEE. I have that print in my hands, Mr. President. That is the document from which I have been reading.

Mr. SIMMONS. Of course the Senator understands that to make everything perfectly clear in a bill, print it as you will, is a difficult matter. If the Senator will take the footnotes he refers to, and will then take the conference report, he will have no difficulty, I think, in ascertaining exactly what the conferees have done.

Mr. BRANDEGEE. I assumed that if the text of the conference report were followed out, and if a Senator should sit down with a lead pencil and interline in the proper places what the conference report says, he could pick it out for himself.

Mr. SIMMONS. This bill is printed just as every other conference bill has been printed.

Mr. PENROSE. Oh, no; it is not.

Mr. BRANDEGEE. That is a matter about which I would not be competent to speak, because I have never been on the Committee on Finance; but the Senator from Pennsylvania, as I understand, says that is not the case.

Mr. PENROSE. Will the Senator from Connecticut permit me a moment?

Mr. BRANDEGEE. Certainly.

Mr. PENROSE. Mr. President, this reading is a farce. We have reached the fiftieth amendment, and I doubt whether there is a minority Senator who knows anything about any amendment which has been read by the Secretary. It has been a physical impossibility to follow this measure as it is being proceeded with in the Senate after a very long period of secret conference by the majority in perfecting it.

Mr. SIMMONS. Mr. President—

Mr. PENROSE. If the Senator will wait one moment, we are acting on a conference print. I maintain that the Senate is entitled to have its own print, and I refer the Chair to page 28 of the Rules of the Senate, paragraph 3:

Every bill and joint resolution introduced on leave or reported from a committee, and all bills and joint resolutions received from the House of Representatives, and all reports of committees shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

Senators have on their desks only the bill as it was printed in the House of Representatives and the bill as it was printed for the use of the conference committee. These two bills differ in paging, in lining, and in general arrangement. Some Senators have one bill and some have the other. Before the bill is proceeded with I think the Senate is entitled to have a print of its own, which will be accurate in its dovetailing in with the references made in the report.

Mr. SIMMONS. Mr. President, the bill in all particulars is the same as it passed the House, with the amendments of the Senate and with the action of the conference committee. Whether that bill was printed by an order of one body or by an order of the other body is immaterial; the matter is identically the same.

Mr. PENROSE. I should like to make an inquiry of the Senator. Is it usual for the Senate to consider the House print of a bill?

Mr. SIMMONS. We are not considering the bill; we are considering the conference report. The bill is not before the Senate. The only thing before the Senate is the conference report. The bill is merely to enable Senators to understand the report. That is its purpose and its office, and nothing else.

Mr. PENROSE. Surely the bill is part of the report. The bill is reported with amendments.

Mr. SIMMONS. The Senator finds on his desk a bill which was ordered to be printed by the House of Representatives. It is the House bill as engrossed and as amended by the Senate, and as agreed to by the conference committee. The Senator makes the point that therefore the whole thing is in a state of confusion, when as a matter of fact the two bills are identical. If the bill were to be printed by the Senate, this bill just as it is printed now and as it is on the desks of Senators, would be printed, line for line, without any change whatsoever in punctuation.

We are not considering that bill. That bill is not before the Senate at all. What is before the Senate is the conference report, which is to be read from the desk. The Secretary is not reading this bill from the desk. The Secretary is not reading the eliminations and the interlineations in this bill. This bill contains in it, necessarily, the Senate amendments that were rejected, either by the recession of the Senate or by the agreement of the House to disagree to the Senate amendments.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. Just a moment. That is not what is under consideration before the Senate. The thing that is under consideration before the Senate, and the only thing under consideration before the Senate, is the report of the conference committee. The only purpose of having this bill here at all, the only purpose of having it printed in this way, is to enable Senators easily to locate these amendments and ascertain what they are. There is no difficulty about the matter.

Mr. SMITH of Michigan. Mr. President—

Mr. SIMMONS. I wish the Senator would let me finish my statement; then I will yield.

Mr. SMITH of Michigan. Certainly; but I wish to ask a question for information.

Mr. SIMMONS. There is no difficulty about the matter. Here are 150 amendments that were made by the Senate and receded from by the Senate conferees. The report refers to the numbers of the amendments as printed in the bill. All that Senators have to do is to turn to the amendments made by the Senate. A conference print of the bill is just as good for that purpose as a Senate print of the bill. Senators will simply have to refer to the number of the amendment made by the Senate. That has been printed also. Here it is upon the desk of every Senator.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question.

Mr. SIMMONS. Pardon me a moment. There is also an official copy of the bill that gives the exact language of the amendments of the Senate. As I say, Senators will only have to refer to the bill to determine what each one of these 150 amendments is.

Then the House receded from its disagreement to four hundred and odd of these amendments. They are referred to by number.

When you get to those where there was a disagreement on the part of the House with an amendment and an agreement by the Senate conferees to the amendment, the conference report explains the character of the amendment.

Mr. SMITH of Michigan. Now will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Michigan?

Mr. SIMMONS. I do.

Mr. SMITH of Michigan. I should like to ask the Senator from North Carolina where Senators will find the amendment reported by the conference committee after the word "enamel" in amendment No. 64 to House bill 3321? An amendment has been made, after the word "enamel," as follows:

Not specially provided for in this section.

Where do we find that anywhere except in the report which the Secretary is reading?

Mr. SIMMONS. I will ask the Senator to call that matter to my attention later.

Mr. SMITH of Michigan. But we are right upon it now.

The VICE PRESIDENT. The Chair will answer that question. It is found on page 29 of the conference report print. The Chair interfered for the purpose of enabling Senators to get the information they want; but it must be perfectly apparent that it can be obtained by reading the conference report.

Mr. SMITH of Michigan. The Chair refers to the footnote?

The VICE PRESIDENT. The footnote.

Mr. SMITH of Michigan. On page 29?

The VICE PRESIDENT. On page 29.

Mr. BRANDEGEE. Mr. President, if I may be allowed to interpolate a suggestion here, it seems to me that this is the situation: The report of the conference committee, for instance, on page 3, in speaking of the very amendment which the Senator from Michigan is discussing, states as follows, midway of the page:

On page 26 of the bill, line 9, after the word "enamel"—

And so forth.

The Senator from North Carolina, in his explanation, stated that there was an official copy of the bill, which the conference committee was considering. I assume that is the House bill as it came to the Senate.

Mr. SIMMONS. Yes.

Mr. BRANDEGEE. If Senators will examine the House bill, which was passed by the House on May 8, as certified by its Clerk, they will find, on page 26, line 9, the matter in controversy, which is now, under the conference print, taken care of in Senate amendment No. 64, on page 29. So the only way that a Senator in the consideration of the 150 amendments, more or less, contained in this conference report can locate the amendment and see what change has been made by the conference committee is to take the report of the conference committee and get an old copy of the House bill passed by the House on May 8 and turn to the page there, as indicated in the report; then get a copy of the conference print and turn to the Senate amendment, by its number, and see how the Senate amendment, as described by its number, compares with the provision of the House bill as referred to in the Senate report, and see what the change is. A Senator must do that before he can vote intelligently upon these amendments. I think I have stated the case as it stands.

Mr. SIMMONS. Mr. President, in the official engrossed bill I find, on page 29, line 9, after the word "enamel," and the comma:

Insert the following: "not specially provided for in this section."

I find in the conference print here that the note with reference to the action of the conference committee is to insert the words "not specially provided for in this section."

Mr. SMITH of Michigan. No one can hear the Senator.

Mr. SIMMONS. I can not hear myself; there is so much confusion.

The VICE PRESIDENT. There must be order in the Senate of the United States, or the proceedings will stop.

Mr. SIMMONS. I suggest that the reading of the report proceed, and if gentlemen want to make technical objections that they take note of them and present them after the report has been read.

Mr. PENROSE. I want to find out distinctly from the chairman of the Finance Committee whether he denies to the Senate a Senate print of the bill.

Mr. SIMMONS. Mr. President, I will state to the Senator that the print that has been put on the desks of Senators, the House print, by order of the House, is identical with the print of the conference committee, and I do not think it is necessary to have any other print of the bill.

Mr. PENROSE. The Senator from Connecticut has just shown that it is not identical in connection with one particular amendment.

Mr. SIMMONS. I say it is identical with the print of the conference committee, and it is a correct statement of what the House and Senate conferees did.

Mr. PENROSE. I do not dispute the fact that both bills have the same contents in them, but I do deny that they are the same bills in paging and arrangement and that they agree as documents to be referred to. For the first time in the history of the United States we are proceeding in the Senate with legislation on a copy of a House bill printed as long ago as May 8, with no information as to whether it is a final print or whether it is a copy of the bill finally acted on, and without any bill printed for the use of the Senate accompanying the report of the conference committee, and in accordance with the rules of the Senate.

Over 400 changes have been made in the House bill in absolutely secret conference. The minority conferees might just as well have been in China as to have been upon that conference committee. On Monday the bill was reported to the full conference. The minority have had only since Monday to examine this measure, and that opportunity has been accompanied by documents which are not accurate as documents of reference in connection with the report.

Now, here is a matter of the greatest concern to the American people. The minority only asks for a brief opportunity intelligently to consider it. There is no desire whatever to filibuster on this measure or to delay it a single moment, but the Senate is certainly entitled to orderly procedure in accordance with the

precedents of the Senate. In the 16 years that I have been a Member of this body I have never known the Senate of the United States to proceed to the consideration of a measure upon a print of the House of Representatives. The rule distinctly states that every report of a committee shall be printed, including the bill, for the use of the Senate.

Mr. SMITH of Georgia. It does not say "including the bill."

Mr. PENROSE. I think that is the inference.

Mr. SMITH of Georgia. Time after time during the last session reports of conference committees have come in here upon large appropriation bills without any reprint of the bill.

Mr. PENROSE. By unanimous consent.

Mr. SMITH of Georgia. Without any unanimous consent.

Mr. PENROSE. It is frequently dispensed with by unanimous consent, and we all know how most of us surrender our prerogatives in connection with large appropriations. But here is a bill affecting vitally the industries of America that in all human probability will be on the statute books for four years, and the minority are certainly entitled to orderly procedure and an opportunity for enlightenment.

I call the attention of the Chair to page 28, paragraph 3, of Rule XXIX.

The VICE PRESIDENT. The Chair thinks everything has been done that that paragraph requires.

Mr. PENROSE. Does the Chair think that this bill has been printed for the use of the Senate?

The VICE PRESIDENT. The Chair states that it appears from the record that the bill as received from the House of Representatives was printed and is here, and the Chair is informed that the report of the conference committee was printed and is here, and the Chair does not see anything else in the rule that is required to be printed.

Mr. PENROSE. If the Chair will pardon a colloquy from the floor, might I ask the Chair whether it is usual or orderly to legislate on a House print of a bill in the Senate?

The VICE PRESIDENT. Of that the Chair is not aware, but since the Chair has been here that is just the way legislation has taken place.

Mr. PENROSE. The Chair thinks the Senate must proceed to legislate on a copy of the House bill, printed by a body over which we have no jurisdiction?

The VICE PRESIDENT. The Chair did not say, for the Chair does not know, whether the Senate will do it. The Senate has done it.

Mr. PENROSE. I do not recall that it has ever been done in the history of the Senate of the United States. If there is a precedent, I should like to hear it.

Mr. SIMMONS. If the Senator will pardon me, I should like to make a suggestion. This conference report is not a House print, nor is it a Senate print. It is a report of the two Houses, and it can be printed in either House. The other House can certainly print it for the purpose of enlightening the Senate and that the Senate may understand it.

Mr. PENROSE. It is true in its inception it is a combined effort of the conferees of both branches, but after it gets into this body it becomes separated again and we sit here as an independent and sovereign legislative branch to consider it. To ask us to pass on a matter of this momentous consequence on the print of a coordinate body over which we have no jurisdiction is one of the most preposterous parliamentary doctrines ever enunciated in the history of the Anglo-Saxon race.

The VICE PRESIDENT. The Chair would be very much inclined to rule with the Senator from Pennsylvania, regardless of the rule of the Senate, if it were not perfectly apparent that from the conference print of House bill 3321 there is not the slightest difficulty in the world in ascertaining what the conference report is.

Mr. PENROSE. The House receded on 460 amendments and the Senate on 155. That shows the extensive and complicated character of these changes.

Mr. President, I think I speak for a large number of the minority when I say that we are unable to consider intelligently and properly this report without a Senate print in the accuracy of which we can have confidence, so far as the references in the report are concerned. I therefore ask unanimous consent that this report shall go over until a Senate print can be had which will bear the recommendation of the conferees on the part of the Senate.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent—

Mr. SIMMONS. Mr. President, of course I must object. I want to say in this connection that since I have been here and from a reading of the history of former conference reports, certainly not in recent years, certainly not during the last 25 years, I do not think the majority party has ever given the same length of time for the examination and consideration of a con-

ference report that the minority have been given in connection with this conference report.

This conference print has been here, and Senators have been sending to me for it, and I have invariably furnished them with a copy of the bill and the conference report as printed. They have had since last Sunday morning. To-day is Thursday. Since Sunday this conference print of the bill has been at their service. This makes the fourth week day that Senators have had for the purpose of examining it and comparing and considering it. My recollection of tariff bills heretofore is that almost immediately, before the minority had any opportunity to consider the report of the conference committee at all, the bills have been taken up, and they have been forced into an immediate discussion of them.

Mr. PENROSE. Mr. President, I have the floor; and on that point I would ask the Senator whether he would be curious enough to inquire of the clerks whether the tariff bill four years ago was not printed for the use of the Senate, together with the report of the conferees?

Mr. SIMMONS. I do not know whether it was or not. I have not inquired. I do not think it is material whether the bill as reported is printed by the other House or by this House. We have the House print, and that, I contend, is amply sufficient.

Mr. PENROSE. I make the statement, and I challenge contradiction, that no report of a conference or other committee was ever made to the Senate in the history of this body that was not printed at the request of an individual Senator and did not go over until such printing could be had. If there is any such case in the records, I would be glad to have it produced.

There is no other term to designate this method of parliamentary procedure than a slipshod method and an utter disregard of all legislative proprieties. It is true that the minority have had ample leisure to consider this bill, but it has been the leisure of reflection and of ignorance, without any accurate knowledge until the last moment or any information as to the details of this measure, while the majority was sitting behind closed doors in caucus or in conference. It has been leisure, Mr. President. It has been most irksome to all of us. Even during these last few days we have been held in anxious expectation while the Democratic Senators met in caucus morning, afternoon, and evening in order to beat the malcontents into line. That certainly is not the opportunity which Senators sitting here under oath, even if it be that they are in the minority, are entitled to in the consideration of a measure of this importance.

Mr. SMITH of Georgia. I do not think, Mr. President—

Mr. PENROSE. Will the Senator excuse me a moment?

Mr. SMITH of Georgia. I thought the Senator was through.

Mr. PENROSE. I am pretty nearly through.

Mr. President, vast interests are involved in this bill. Millions of dollars are involved in the determination of these schedules. We have known in the past in Washington and in State capitals of matters surreptitiously or accidentally introduced into a measure which have determined millions of dollars of property or radically affected the purpose of the measure. There are billions of dollars involved in this measure, which is an encyclopedia of the industries of America. The change of a comma may determine whether the manufacturer shall be ruined or the importer made prosperous. We have heard much of lobbies around this Capitol. The bribery of a clerk, were such a thing possible, the tampering with a printer, were that possible, might mean destruction or prosperity to Europe or America. The accident or mistake of a printer or a clerk, regardless of any sinister motive, might equally determine the fortunes of the American manufacturer or the German importer.

Are we not entitled to the most accurate information and the fullest enlightenment? Shall we be treated in this cavalier manner and told that our only information is a print of the House of May 8, whether a final print or a preliminary print we have no information, on a conference report which is before this body when we are entitled to have a Senate print of the whole report, and when the Senator from Connecticut [Mr. BRANDEGEE] has clearly shown that in an amendment reached early in the reading there is a discrepancy of three pages between the House bill and the conference report?

Mr. President, the interest from my point of view of the American laborer and the American manufacturer at least demands that when this guillotine shall fall it shall fall with due solemnity and with the observance of all the decors.

Mr. WILLIAMS rose.

Mr. PENROSE. I have the floor, but I will yield to the Senator from Mississippi.

Mr. WILLIAMS. No; I thought the Senator was through.

Mr. PENROSE. No; I am not through.

Mr. WILLIAMS. Then I will speak in my own right.

Mr. PENROSE. I will yield to the Senator.

Mr. WILLIAMS. I did not ask the Senator to yield; I thought the Senator had finished. I will reply in my own right.

Mr. PENROSE. Now, Mr. President, the Chair has ruled in the full light of publicity of the American people that the Senate of the United States is not entitled to have a print of the tariff bill of its own, and in this connection I want to say—

The VICE PRESIDENT. The Chair has not ruled any such thing.

Mr. PENROSE. That it is not necessary to have it?

The VICE PRESIDENT. The Chair has ruled that under the rules of the Senate all the prints of the tariff bill that are needed have been made.

Mr. PENROSE. I make the charge distinctly—I can not prove it to-day, but I shall prove it, even if it be after this bill receives the approval of the President—that this conference copy which we are asked to consider has a number of typographical errors in it. I make that statement to the Senate; I challenge its contradiction; and I expect to be able to prove it.

I now move, Mr. President, that the consideration of this bill be postponed, and that the report be printed for the use of the Senate, and that then the consideration of the measure be resumed by the Senate.

The VICE PRESIDENT. The Senator from Pennsylvania moves that the further consideration of the conference report be postponed until the bill as agreed upon by the conferees has been prepared for the use of the Senate and printed. The question is on the motion of the Senator from Pennsylvania.

Mr. PENROSE. On that I call for the yeas and nays.

Mr. SIMMONS. I move to lay the motion on the table.

Mr. PENROSE. I call for the yeas and nays.

Mr. WILLIAMS. Mr. President, there is not the slightest practical difficulty in following the action of the conferees. Every Senator has upon his desk the conference report on House bill 3321.

Mr. PENROSE. I claim that the bill is filled with typographical errors, which may or may not affect millions of dollars' worth of property.

Mr. WILLIAMS. That has nothing to do with what I am saying.

Mr. PENROSE. No; a typographical error would not affect the Senator in a tariff bill, I suppose.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

Mr. WILLIAMS. The bill has been laid on the desks of Senators and copies may be readily obtained.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WILLIAMS. I understand that a motion to lay on the table has been made.

The VICE PRESIDENT. Will the Senator from Mississippi yield to the Senator from Nebraska, who desires to make an inquiry?

Mr. WILLIAMS. I have just been informed by the Senator from North Carolina that he made a motion to lay the motion of the Senator from Pennsylvania on the table.

The VICE PRESIDENT. The Chair did not hear him.

Mr. WILLIAMS. If so, I am out of order and can yield to nobody.

The VICE PRESIDENT. The Chair did not hear the motion of the Senator from North Carolina.

Mr. SIMMONS. I made that motion.

Mr. NORRIS. The inquiry I desired to make was whether such a motion had not been made and if it is debatable?

The VICE PRESIDENT. The Senator from North Carolina moves to lay the motion of the Senator from Pennsylvania on the table.

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

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SHEPPARD (when Mr. CULBERSON's name was called). I wish to state that my colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. JACKSON (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. CHILTON]. I transfer that pair to the junior Senator from Maine [Mr. BURLEIGH] and vote. I vote "nay."

Mr. GRONNA (when Mr. McCUMBER's name was called). My colleague [Mr. McCUMBER] is necessarily absent from the city on important business.

Mr. PENROSE (when Mr. OLIVER's name was called). My colleague [Mr. OLIVER] is absent from Washington and will be absent during the remainder of the week. I will let this statement stand for every vote during the rest of this week.

Mr. SHAFROTH (when his name was called). I am paired with the junior Senator from California [Mr. WORKS]. If I were permitted to vote, I should vote "yea."

Mr. SMITH of Arizona (when his name was called). I have a modified pair with the Senator from New Mexico [Mr. FALL]. In view of that I do not feel free to vote on this question. I therefore withhold my vote.

Mr. SMITH of Georgia (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE]. As he is not here I refrain from voting. If permitted to vote, I should vote "yea."

Mr. TILLMAN (when his name was called). I have a pair with the Senator from Wisconsin [Mr. STEPHENSON]. If he were present, I should vote "yea." He being absent I withhold my vote.

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I again announce the pair of my colleague [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON] and will let this announcement stand for the day.

The roll call was concluded.

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. SAULSBURY (after having voted in the affirmative). I inquire has the junior Senator from Rhode Island [Mr. COLT] voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. SAULSBURY. Then I ask leave to withdraw my vote, as I have a general pair with that Senator.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I withhold my vote. If permitted to vote, I should vote "yea."

Mr. FLETCHER. I am paired with the Senator from Wyoming [Mr. WARREN]. In his absence I withhold my vote.

Mr. REED. I desire to announce the unavoidable absence of my colleague [Mr. STONE]. It is absolutely impossible for him to be in the Senate on account of sickness in his family. I make this announcement generally now to cover any votes that may be had within the next three or four days. I myself desire to vote. I vote "yea."

Mr. BACON. I inquire whether the senior Senator from Minnesota [Mr. NELSON] has voted?

The VICE PRESIDENT. The Chair is informed that he has not.

Mr. BACON. Then I withhold my vote, as I have a general pair with that Senator.

Mr. LEA. I announce my pair with the senior Senator from South Dakota [Mr. CRAWFORD]. If I were at liberty to vote, I should vote "yea."

Mr. WALSH (after having voted in the affirmative). I have a pair with the senior Senator from Rhode Island [Mr. LIPPETT]. It does not, however, extend to the conference report on this measure. As the question now before the Senate is incidental to that, I will allow my vote in the affirmative to stand.

Mr. CLARKE of Arkansas. I am paired with the junior Senator from Utah [Mr. SUTHERLAND], and therefore refrain from voting. If that Senator were present, I should vote "yea."

Mr. WEEKS. I desire to state that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. If he were present, he would vote "nay."

The result was announced—yeas 33, nays 16, as follows:

YEAS—33.

Ashurst	Lane	Ransdell	Thomas
Bryan	Lewis	Reed	Thompson
Gore	Martin, Va.	Sheppard	Thornton
Hitchcock	Martine, N. J.	Shields	Vardaman
Hollis	Myers	Shively	Walsh
Hughes	Overman	Simmons	Williams
James	Owen	Smith, Md.	
Johnson	Pittman	Smith, S. C.	
Kern	Pomerene	Swanson	

NAYS—16.

Borah	Burton	La Follette	Perkins
Bradley	Gronna	McLean	Polindexter
Brandeggee	Jackson	Norris	Smith, Mich.
Bristow	Jones	Penrose	Weeks

NOT VOTING—46.

Bacon	Culberson	McCumber	Smith, Ga.
Bankhead	Cummins	Nelson	Smoot
Brady	Dillingham	Newlands	Stephenson
Burleigh	du Pont	O'Gorman	Sterling
Cañon	Fall	Oliver	Stone
Chamberlain	Fletcher	Page	Sutherland
Chilton	Gallinger	Robinson	Tillman
Clapp	Goff	Root	Townsend
Clark, Wyo.	Kenyon	Saulsbury	Warren
Clarke, Ark.	Lea	Shafroth	Works
Colt	Lippitt	Sherman	
Crawford	Lodge	Smith, Ariz.	

So the motion of Mr. SIMMONS to lay Mr. PENROSE's motion on the table was agreed to.

The VICE PRESIDENT. The Secretary will proceed with the reading of the conference report.

Mr. PENROSE. I should like to make an inquiry of the chairman of the Committee on Finance. I wish to ask him what bill the minority Members are now to refer to? There are several prints here on our desks, in fact every print is here except the caucus print.

Mr. SIMMONS. I think the Senator from Pennsylvania knows perfectly well that the report of the conference committee is the report upon the engrossed bill of the other House. There is a conference print, which is intended to aid Senators in determining what are the amendments which are made and referred to in the conference report. The Senator will also find an official print of the amendments made by the Senate to the House bill, printed September 9. The Senator from Pennsylvania may need one or the other or all of these; I do not know. I have no trouble myself, taking the engrossed bill and the conference report, in determining exactly what has been done.

Mr. PENROSE. Of course, the Senator from North Carolina made the report; he has been sitting in these secret conferences, and is much more familiar with this measure than am I. He can doubtless handle a dozen copies of the bill, but I am somewhat at a loss to know just how to follow the report. I will ask the Secretary to read slowly now, so that the minority Senators may identify each amendment.

The SECRETARY. Continuing the reading on page 3 of the printed report—

The VICE PRESIDENT. The Secretary will indicate the page where the amendment will be found in the conference print.

The SECRETARY. Amendment numbered 66 appears on page 31 of the conference print.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Strike out the word "otherwise" in the matter inserted by said amendment and insert after the word "for" the following: "in this section"; and the Senate agree to the same.

Amendment numbered 73 appears on page 32 of the conference print:

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: After the last word of the matter inserted by said amendment and the comma insert the following: "wholly or partly manufactured"; and the Senate agree to the same.

Mr. PENROSE. Now, Mr. President, will the Secretary repeat that again? What paragraph does the Secretary refer to?

The SECRETARY. Amendment No. 73, on page 32 of the conference print.

Mr. PENROSE. I beg pardon of the Chair. I had the House bill. Is the Secretary referring to page 32, line 12?

The SECRETARY. Page 32, amendment numbered 73:

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with amendment as follows: After the last word of the matter inserted by said amendment and the comma insert the following: "wholly or partly manufactured."

Mr. PENROSE. Mr. President, I will ask the chairman of the committee whether he does not consider that in the nature of new matter? It was in neither bill. It has been frequently ruled in this body that the only subject in conference between the two Houses is matter actually in disagreement between them. Neither the House nor the Senate said anything about "wholly or partly manufactured" in the consideration of this subject.

Mr. SIMMONS. Mr. President, that—

Mr. PENROSE. Mr. President, if the Senator will speak up so that the minority may hear him, he would overcome the tendency to whisper, which doubtless characterized the proceedings of the secret caucus, which he has got into the habit of observing in the last two months.

Mr. SIMMONS. The Senator has probably had so much to do with making tariff bills in secret at the dictation of the special interests of this country that he is enabled to speak with some authority upon the question of secrecy with reference to legislation.

Mr. PENROSE. Mr. President, the Senator is not quite correct, but I have overcome any bad habits by listening to the lofty pretensions of the Democracy during the campaign and saturating my system with the precepts of the "new freedom," and just as I am becoming converted and getting endowed with high aspirations and treading among the clouds in the loneliness which always accompanies a righteous man, I observe the chairman of the Finance Committee and the Democratic Senators sinking to depths which I never contemplated. [Laughter.]

Mr. SIMMONS. Mr. President, we have learned very recently that the Senator from Pennsylvania has seen a new light. Many of his votes upon this tariff bill indicate that he has sud-

denly become a radical progressive; but, Mr. President, the Senate understands and the country understands that it is because the elections last year in Pennsylvania condemned and repudiated the Senator's standpatism, and he is now trimming his sails for the next election.

Mr. PENROSE. Mr. President, do not let us throw up these unpleasant incidents of the past. [Laughter.] I shall never forget—

Mr. SIMMONS. I sympathize with the Senator.

Mr. PENROSE. I never shall forget the impressive picture presented to this body when the Senator from North Carolina, in a gray suit of clothes and with the thermometer about 102, was haranguing a listening Senate for three days, urging what was considered by the consumer in some parts of the country to be the most vicious duty in the whole tariff bill—a duty upon lumber. He has changed and I have changed; that is the law of evolution and development and progress. He has gone backward, while I have gone forward and upward. [Laughter.]

Mr. WILLIAMS. Will the Senator from Pennsylvania submit to an interrogatory? Do I understand that the Republican Party—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Mississippi?

Mr. PENROSE. I do.

Mr. WILLIAMS. Do I understand that the Republican Party will enter into the—

Mr. SIMMONS. I wish to say to the Senator from Pennsylvania that if he moves at all he will have to move upward, because he has gone as far downward as it is possible for him to go. [Laughter.]

Mr. PENROSE. Not so far as the Senator from North Carolina has gone. I yield now to the Senator from Mississippi.

Mr. WILLIAMS. I wanted to ask the Senator from Pennsylvania whether the Republican Party proposed to enter the next campaign with a banner upon which shall be inscribed the legend "PENROSE and publicity"?

Mr. PENROSE. Mr. President, I am perfectly willing to have that inscribed on my banner; but I will not need a banner, for this bill will return Pennsylvania to the Republican column by 300,000 majority. [Laughter.]

The VICE PRESIDENT. The Secretary will now proceed with the reading.

Mr. PENROSE. No, Mr. President; I have an inquiry pending. I suppose that I still have the privilege of asking for information.

The VICE PRESIDENT. Undoubtedly.

Mr. SIMMONS. I beg pardon.

Mr. PENROSE. Will the Senator kindly inform the Senate whether or not he considers this new matter or whether he considers that it was in conference between the two Houses and investigated, considered, and debated?

Mr. SIMMONS. That is an amendment to Senate amendment No. 73, I believe.

Mr. PENROSE. Mr. President, the Senator will have to overcome that mumbling habit. We can not hear him here. If he will speak out—

Mr. SIMMONS. I have had very great difficulty in hearing the Senator from Pennsylvania, but I have not alluded to it constantly.

Mr. PENROSE. And the Senator will hear from me again before the sun sets.

Mr. SIMMONS. I have already discovered that the Senator has made up his mind to throw all the obstacles in the way of the passage of this bill that it is possible for his ingenious and inventive mind to conjure up. Now, if the Senator will permit me—

Mr. PENROSE. On that point, if the Senator will permit me, I repudiate the suggestion that I am delaying this bill. I am being oppressed and repressed by a refusal to have furnished any accurate knowledge, beginning with the extraordinary and unprecedented action of the Senate in declining to have the bill printed. If the Senator will kindly inform the minority whether he considers that new matter or matter that was debated and considered in conference, I will let it go at that.

Mr. SIMMONS. Mr. President, that is with reference to the amendment made by the Senate to paragraph 109, adding the words "and barrel hoops of iron or steel," and striking out the ad valorem fixed by the House, 12 per cent, and inserting an ad valorem of 10 per cent. It was considered by the conferees, and I have no question about it that it was perfectly competent to add to that amendment the words "wholly or partly manufactured."

Mr. PENROSE. Mr. President, legislation of this character in an encyclopedic measure of this sort is filled with possibilities. Can the Senator point to a page in the CONGRESSIONAL

RECORD in the proceedings of the Senate or the House showing that any amendment was offered or any scintilla of debate was had regarding the words "wholly or partly manufactured"?

Mr. SIMMONS. Why, it is perfectly competent for the conferees in connection with an actual amendment to change that amendment, to agree to it with a modification, or to add things that were not discussed. The changes which the conferees made now come before the Senate. They have made a great many changes in these amendments as to which there was a disagreement.

Mr. PENROSE. I have no doubt that they made many changes.

Mr. SIMMONS. They have inserted things that have never been discussed before the Senate or the House.

Mr. PENROSE. I have no doubt of that.

Mr. SIMMONS. That is true of every conference report that has ever been made upon a tariff bill. That is true of every conference report that has been made upon any other bill. I take it, especially if it involved many items of change by the one House or by the other House. That is what we are considering the conference report for. That is what makes it necessary that it should come back, for the purpose of enabling the two Houses to pass upon any new matter that may be incorporated into an amendment and deciding, where there is a disagreement on the part of one House with an amendment, whether the conference report shall be accepted with that change in the amendment.

Mr. PENROSE. Mr. President, had the whole paragraph been in conference, I admit that the conferees, following the precedents of 100 years, would have been permitted to confer as to the phraseology of the whole paragraph. Had this bill been amended in the Senate by striking out all after the enacting clause in the House bill and inserting the bill as it passed the Senate, the whole measure would have been in conference and susceptible of change. But I maintain that in this paragraph all that was considered was whether the Senate amendment, "barrel hoops of iron or steel," should be agreed to or should be disagreed to. There was never any consideration given to those mysterious words "wholly or partly manufactured." Were those words dictated by the "insidious lobby," of which we read so much, or in some way meant as a salve to the ruder and more definite words "barrel hoops of iron or steel," or what is the meaning of these cabalistic expressions which have been inserted in the bill? Can the Senator explain them?

Mr. SIMMONS. It is very easily explained, Mr. President.

Mr. PENROSE. What kind of articles will the words cover?

Mr. SIMMONS. Barrel hoops of iron or steel, wholly or partly manufactured.

Mr. PENROSE. What are those articles?

Mr. SIMMONS. I suppose the Senator understands what that is as well as I do; it is a matter of common knowledge.

The Senator says he does not know whether this language was incorporated here at the instance of an "insidious lobby" or not. I wish to say to the Senator that ever since the war, probably with the exception of the act of 1894, certainly every time the Republican Party has framed a tariff bill in this country, there has been an insidious lobby here, and that lobby has had its way in framing the bill. In many instances that lobby has practically written the bill. But despite the declaration of the Senator from Pennsylvania, the country knows and the Congress knows that in this instance the insidious lobby that came here and had its way when Republican tariff bills were under consideration has gone home absolutely empty handed.

Mr. PENROSE. The Senator speaks with experience and with fervor. He and I, of course in an entirely proper way, were in very close contact with one of the most powerful lobbies that ever appeared in Washington, four years ago—the lumber lobby.

Mr. SIMMONS. The Senator may have been. I do not know as to that.

Mr. PENROSE. Many of the people who came to see me had just left the Senator. [Laughter.] We are supposed now to be on a higher standard and under a new régime. What I want to know now is. Do the words "wholly or partly manufactured" mean the same as "barrel hoops of iron or steel"?

Mr. SIMMONS. The words "wholly manufactured," Mr. President, refer to "barrel hoops of iron or steel."

Mr. PENROSE. Then what was the object of putting vague words, which may comprehend a multitude of unthought-of objects, in place of these specific words? Will the Senator explain to the minority what was the purpose?

Mr. SIMMONS. I think the purpose of that is perfectly clear. We wanted to make it apply to barrel hoops of iron or

steel, whether they were partly manufactured or wholly manufactured.

Mr. PENROSE. Can the Senator inform the Senate, without a breach of etiquette of the Democratic caucus, at whose suggestion the amendment was made?

Mr. SIMMONS. No; I can not inform the Senator. So far as I know, it was at the suggestion of nobody, but was done upon the consideration of the matter by the conferees themselves.

Mr. PENROSE. No stenographer was present, I take it, to keep a record of the caucus proceedings?

Mr. SIMMONS. No; and I have not heard of any being present at conferences upon tariff bills heretofore.

Mr. PENROSE. I record my protest, and I shall later on raise a point of order on another paragraph.

The Secretary resumed the reading of the report, as follows:

Amendment numbered 87 (p. 35): That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows—

Mr. PENROSE. Mr. President, the Secretary has skipped to page 35. I have here a memorandum of amendments on page 33. Oh, I suppose they are amendments of the House.

Mr. BURTON. Mr. President, in general where there was an amendment there was an agreement or disagreement without modification. In this case there was a modification.

Mr. PENROSE. Yes.

The Secretary resumed the reading of the report, as follows:

In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, and in line 14 of the restored matter strike out the numeral "20" and insert in lieu thereof the numeral "15"; and the Senate agree to the same.

Mr. BURTON. I raise the point of order on the conference report, so far as it relates to that paragraph, on the ground that the report fixes the rate on an item included in this paragraph, woven wire cloth, other than the rate fixed either by the House or by the Senate, and below the limit fixed by either the House or the Senate.

As the bill came to us from the House the duty on woven wire cloth was fixed at 20 per cent. The Senate added an amendment set forth in lines 21, 22, and 23, at the bottom of page 36, the end of amendment No. 87, in these words:

Woven wire cloth made of iron, steel, copper, brass, or other metal, 30 mesh and above, 30 per cent ad valorem.

Thus the House rate was 20 per cent and the Senate rate was 30 per cent. The conference committee, going outside of these two rates, changed the figure "30," at the end of line 22, page 36, as it appears in the conference print, and made it "15." It is thus a clear case of a figure lower than and outside of the limits fixed by either the House or the Senate.

I raise the point at this time, and if the Chair desires to decide it I will state the case more fully. If it is desired that the reading of the bill proceed I shall ask that this paragraph be again taken up.

Mr. SIMMONS. I suggested some time ago that I thought that was decidedly the best practice. If Senators desire to make points about some particular amendment, let them reserve the points until the report has been read. I think that is the best practice.

Mr. BURTON. I am entirely satisfied with that method. Of course, I wish to have ample time to discuss it when it is reached, and do not wish to have it taken up in my absence.

The Secretary resumed the reading of the report, as follows:

Amendment numbered 88 (p. 38): That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"121. Automobiles, valued at \$2,000 or more, and automobile bodies, 45 per cent ad valorem; automobiles valued at less than \$2,000, 30 per cent ad valorem; automobile chassis, and finished parts of automobiles, not including tires, 30 per cent ad valorem."

And the Senate agree to the same.

Amendment numbered 95 (p. 39): That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: Strike out the numeral "25" and insert in lieu thereof the numeral "30"; and the Senate agree to the same.

Amendment numbered 96 (p. 39): That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: Strike out the numeral "30" and insert in lieu thereof the numeral "35"; and the Senate agree to the same.

Amendment numbered 97 (p. 40): That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with amendments as follows: In lieu of the matter stricken out by said amendment insert the following: "Cast iron pipe of every description" and a comma. In lieu of the matter inserted by said amendment insert the following: "cast-iron"; and the Senate agree to the same.

Amendment numbered 103 (p. 42): That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lines 3 and 4 of the matter inserted by said amendment strike out the following: "but not

ornamented or decorated with lithographic or other printing"; and the Senate agree to the same.

Amendment numbered 107 (p. 45): That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 114 (p. 47): That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: On page 41 of the bill, line 4, after the word "oxide," insert a comma; and the Senate agree to the same.

Amendment numbered 126 (p. 50): That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: On page 44 of the bill, line 25, after the word "valorem" and the semicolon, insert the following: "time detectors, 15 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 142 (p. 55): That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "without the payment of duty"; and the Senate agree to the same.

Amendment numbered 154 (p. 60): That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "; oatmeal and rolled oats, 30 cents per 100 pounds; oat hulls, 8 cents per 100 pounds."; and the Senate agree to the same.

Amendment numbered 175 (p. 66): That the House recede from its disagreement to the amendment of the Senate numbered 175 and agree to the same with an amendment as follows: Strike out "1 cent" and insert in lieu thereof "1½ cents"; and the Senate agree to the same.

Amendment numbered 180 (p. 67): That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert on page 58 of the bill, line 19, after the word "dead" the following: "; or prepared in any manner, including the weight of the immediate coverings or containers"; and the Senate agree to the same.

Amendment numbered 186 (p. 72): That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "; except that when it shall appear to the collector of customs from the gauger's return, verified by an affidavit by the importer to be filed within five days after the delivery of the merchandise, that a cask or package has been broken or otherwise injured in transit from a foreign port and as a result thereof a part of its contents amounting to 10 per centum or more of the total value of the contents of the said cask or package in its condition as exported, has been lost, allowance therefor may be made in the liquidation of the duties."; and the Senate agree to the same.

Amendment numbered 187 (p. 74): That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: On page 64 of the bill, line 11, after the word "each," insert the following: "more than one-half pint and"; and the Senate agree to the same.

Amendment numbered 191 (p. 79): That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with amendments as follows: In line 18 of the matter inserted by said amendment, after the word "nine," strike out the words "and not exceeding No. 199"; in lines 19 and 20 of the matter inserted by said amendment, after the word "valorem," strike out the following: "; exceeding No. 199, 20 per cent ad valorem"; in line 20 of the matter inserted by said amendment, strike out the word "If" and insert in lieu thereof the word "When"; in lines 33 and 34 of the matter inserted by said amendment, after the word "nine," strike out the words "and not exceeding No. 199"; in lines 34, 35, and 36 of the matter inserted by said amendment, after the word "valorem," strike out the following: "; exceeding No. 199, 20 per cent ad valorem"; and the Senate agree to the same.

Amendment numbered 193 (p. 82): That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "painted," insert the word "printed" and a comma; and the Senate agree to the same.

Amendment numbered 194 (p. 84): That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with amendments as follows: In line 5 of the matter inserted by said amendment strike out the comma after the word "cotton"; in line 12 of the matter inserted by said amendment, after the word "imported," insert the following: "; except that all clipped threads shall be measured as if continuous"; and the Senate agree to the same.

Amendment numbered 211 (p. 87): That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: On page 69 of the bill, line 12, after the word "than," insert the following: "70 cents, and not more than \$1.20 per dozen pairs, 40 per cent ad valorem; if valued at more than"; and the Senate agree to the same.

Amendment numbered 221 (p. 90): That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, striking out, in line 5 of the matter restored, the following: "whether in the piece or otherwise" and the comma; and the Senate agree to the same.

Amendment numbered 241 (p. 94): That the House recede from its disagreement to the amendment of the Senate numbered 241, and agree to the same with an amendment as follows: On page 74 of the bill, line 12, strike out the numeral "20" and insert in lieu thereof the numeral "10"; and the Senate agree to the same.

Mr. PENROSE. I should like to ask the chairman of the committee whether he considers the words added by the Senate and agreed to by the House—

Mr. SIMMONS. What amendment does the Senator refer to?  
Mr. PENROSE. Amendment 241, page 94, of the bill. I made the inquiry of the chairman of the committee in regard to paragraph 288, page 94, of the conference print, amendment 241.

Mr. SIMMONS. The Senator is laboring under a misapprehension. That amendment was made by the Senate, not by the conferees.

Mr. PENROSE. Then I withdraw my inquiry.

Mr. SIMMONS. The conference merely changed the rate.

Mr. BRANDEGEE. Let me ask the Senator from North Carolina in relation to that same amendment—bleached, dyed, colored, and so forth—what authority did the conference committee have to reduce the rate in the bill as passed by the House from 20 per cent to 10 per cent?

Mr. PENROSE. Mr. President, I want to correct myself. I meant to make the point made by the Senator from Connecticut, and I did not express myself clearly. The point is there was a 20 per cent rate, and in conference it was reduced to 10 per cent, although never in conference.

Mr. BRANDEGEE. There appears to have been no disagreeing action on the rate whatever. The House passed the rate at 20 per cent, and the Senate passed the paragraph with the same rate, but inserted some other words. Now, the Senate conferees recede from the Senate amendment, and yet the conference committee has proceeded to change the rate that was agreed upon by both branches, and has reduced it 50 per cent—from 20 per cent to 10 per cent. My point is that that was not in conference and was not in the jurisdiction of the conference committee.

Mr. WILLIAMS. The conferees regarded this entire subject matter as being thrown into conference, and the difference between the House and the Senate was as to whether burlaps, bleached or dyed, and so forth, should be imported free or not. Having agreed in conference to put burlaps upon the free list, we thought ourselves authorized to maintain the differential which the House had established between the two. The House conferees insisted upon that differential and not having a larger differential. The differential which the House has left between the plain woven fabrics that were bleached and printed and dyed and those which were not had been 10 per cent, and therefore the conferees reduced this duty to maintain that differential.

Mr. BRANDEGEE. It did not seem to me that the matter was in conference at all when the two Houses had agreed upon the rate. Let me ask the Senator if the House had passed the bill with 10 per cent and the Senate had put on an amendment raising it to 20 per cent, would the Senator think the conferees had jurisdiction to put the article upon the free list?

Mr. WILLIAMS. That would have been a slightly different case. We were trying to maintain the intent of the House, which was to establish a differential of 10 per cent between these two articles. We thought we were authorized to do it, or, of course, we would not have done it.

Mr. BRANDEGEE. It seems to me the province of the conference should be to adjust the difference between the two Houses and not to go outside of the difference. The only question in conference here was the addition of some descriptive words by the Senate, to wit, bleached, dyed, and so forth. In adjusting the matter in dispute, whether those words should be in or not, the conference committee has gone entirely outside of that, and has proceeded to change a rate upon which both Houses had agreed.

Mr. WILLIAMS. The matter came from the House in this shape. The House put all plain woven fabrics of jute yarns, by whatever name known, at a rate of 20 per cent. The Senate classified them and put those that were not bleached, nor dyed, nor printed, nor stained upon the free list and left this rate at 20 per cent. The House insisted that if we were not going to put those that were not bleached or stained upon the free list we ought to maintain the House differential of 10 per cent.

I am aware that that is merely a repetition almost of what I said before, but I consider that these two paragraphs must be taken in conjunction, one with the other, and that we had abundant authority to do what we did as conferees.

Mr. BRANDEGEE. The trouble with the Senator's explanation is that it appears the only way these two sets of conferees could be brought into agreement was to exceed their jurisdiction as conferees and do something else.

Mr. PENROSE. Mr. President, when the extraordinary parliamentary history of this bill shall be written and when the American people have an opportunity to examine the procedure under which this measure has been pressed to final passage, let the crowning violation of parliamentary precedent and regularity be that which the Senator from Mississippi says he has ample authority for, that the conferees can change a rate which is not in conference. A more astounding proposition was never enunciated in the whole history of the Senate of the United States. The very vitals of a tariff bill are the rates. The only jurisdiction that the conferees has is between the maximum and the minimum in altercation between the two Houses.

The Senator from Mississippi deliberately states that he has ample authority for an action in the conference by which a rate of 20 per cent which was not in dispute is arbitrarily altered by the conferees. For that he says he has ample authority. On that same line of procedure every rate in this bill could be changed in the secret conferences of the majority.

I remember distinctly, for I was a conferee when the Payne bill was under consideration, that the most scrupulous observance was had to the principle above all others that no amount could be changed which was not in dispute, and on more than one occasion where we were very desirous of amending the bill we abandoned the effort, being unwilling to resort to a method potential of so many abuses and sinister influences as the alteration of a rate not in conference.

The PRESIDENT pro tempore. May the Chair inquire of the Senator from Pennsylvania for what purpose he rose at this time?

Mr. PENROSE. I rose in order to put the majority on record for as astounding a proposition of parliamentary law as was ever propounded in either branch of the American Congress. I rose to make this record that in the future when this bill shall come up for the verdict of the American people this extraordinary method may be noted.

I rose, Mr. President, because when this bill shall be in litigation, when, perhaps, typographical errors of the printer shall have altered the purpose of the conferees and the Congress, and I again repeat the charge that this bill has typographical errors in it, and when, Mr. President, it may be developed that sinister influences have caused changes, and the dotting of an "i," or the insertion of a comma, may make such a change, that the American people shall know that it was the utter disregard of all well-founded principles of parliamentary law which has placed this extraordinary bill upon the statute books.

The Senator from Mississippi says that he has ample authority. I challenge him for any authority in either branch of Congress permitting the conferees to alter an amount which is not in conference. I will reserve any point of order until the Senator from Ohio [Mr. BURTON] raises his.

The PRESIDENT pro tempore. The Chair holds that this whole proceeding is out of order, except by unanimous consent.

Mr. PENROSE. I take it, we can discuss the bill.

The PRESIDENT pro tempore. Not without unanimous consent until the Senate has ordered that the Senate shall proceed with the consideration of the report. Rule XXVII says:

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The Senator raises the point of order that the conferees have exceeded their jurisdiction in inserting an amount not in dispute between the two Houses. The point of order, under the practice of the Senate, is a matter that presents itself to the Senate when it comes to dispose of the entire report. It is not subject to a point of order at this stage and will be overruled.

Mr. PENROSE. I did not intend to press any point of order now. I merely wanted to advise the Senate that I intended to raise it. Do I understand the Chair to rule that debate as we reach these several amendments is not in order?

The PRESIDENT pro tempore. Not during the reading of the report, except by unanimous consent. The report will be adopted as a whole or rejected as a whole.

Mr. PENROSE. I do not understand that the report has to be adopted as a whole. The Senate may disagree to any item in the report.

The PRESIDENT pro tempore. It could be resubmitted to the conferees for that purpose.

Mr. PENROSE. The Senate can by no means be muzzled—

The PRESIDENT pro tempore. It is not a question of being muzzled. It is a question of the observance of the rules.

Mr. PENROSE. If debate is out of order it will be quite agreeable for me to retire from the Chamber, for I can not understand the references in the report. We have been going on in this way for two hours and I do not know of any rule of the Senate that prohibits during the consideration of these items comment on them.

The PRESIDENT pro tempore. We are not considering the items in a conference report. We are considering the report as a whole. The Chair called attention to the fact that debate must proceed by unanimous consent. If no objection is raised the Senator may proceed.

Mr. PENROSE. I can easily imagine how the discussion of the measure would be offensive to the majority, and I do not want to be disagreeable. I am perfectly willing to say what I

have to say after the reading has been concluded, if that is more agreeable.

Mr. BRANDEGEE. The rule read by the Chair seems to me to provide that the question of consideration if raised shall be decided without debate. This matter is under consideration now, and has been for several hours. I do not understand from the hasty reading of the rules by the Chair that the rule would prohibit debate upon the conference report or any item of the same as read—

The PRESIDENT pro tempore. Clearly not.

Mr. BRANDEGEE. During the consideration of the report. But the question is whether the consideration of the report shall at that time be decided or not.

The PRESIDENT pro tempore. Some Senator demanded that the conference report be read preliminary to its consideration.

Mr. BRANDEGEE. Is not the conference report under consideration at the present time?

The PRESIDENT pro tempore. It will be under consideration after it is read.

Mr. BRANDEGEE. Not until it is read?

The PRESIDENT pro tempore. The Chair presumes that by unanimous consent it might be.

Mr. BRANDEGEE. I have no interest in it except that I may have some remarks to make at some time during this proceeding, and I should like to suggest a parliamentary inquiry. It is whether debate is now in order on separate items or the different amendments in the report as they are read by the Secretary.

The PRESIDENT pro tempore. Not before the reading of the report is finished, except by unanimous consent.

Mr. BRANDEGEE. Would the Chair kindly have the Secretary read the rule which the Chair read?

Mr. PENROSE. Let the rule be read to the Senate.

The PRESIDENT pro tempore. The Secretary will read Rule XXVII, on page 27.

The Secretary read as follows:

#### RULE XXVII.

##### REPORTS OF CONFERENCE COMMITTEES.

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

Mr. BRANDEGEE. Mr. President, the question then seems to me off hand to resolve itself into, first, the reception of the report, which I assume has been had, and now the consideration of it, which shall be immediately put, according to the rule. If that was put and carried, I would know where I stood in a parliamentary sense, but it has not yet been put and carried.

The PRESIDENT pro tempore. It was not put for the reason that some Senator demanded the reading of the report. Of course the Senate can not proceed to the consideration of a measure until it is laid before the Senate in proper form.

Mr. BRANDEGEE. If the rule distinctly provides that the question upon its consideration shall be immediately put, I would ask that the provision of the rule be complied with, irrespective of the suggestion of some Senator that the report be read.

The PRESIDENT pro tempore. The Chair thinks that would be improper.

Mr. BRANDEGEE. Except, of course, if the rule should be set aside by unanimous consent.

The PRESIDENT pro tempore. The proper procedure is that preliminary to its consideration it should be read upon the demand of any Senator. Then it may be taken up for consideration and presented to the Senate in a formal way.

Mr. BRANDEGEE. Very well. If that is so, I give notice that I shall object to any debate whatever upon any amendment until the reading has been finished.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the report.

The Secretary resumed and concluded the reading of the report, as follows:

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "8"; and the Senate agree to the same.

Amendment numbered 255: That the House recede from its disagreement to the amendment of the Senate numbered 255, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "18"; and the Senate agree to the same.

Amendment numbered 256: That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with amendments as follows: In line 3 of the matter inserted by

said amendment, after the word "valorem" and the semicolon, insert the following: "plushes, velvets, and all other pile fabrics, cut or uncut, woven or knit, whether or not the pile covers the entire surface, made wholly or in chief value of wool, and articles made wholly or in chief value of such plushes, velvets, or pile fabrics, 40 per cent ad valorem"; in line 16 of the matter inserted by said amendment, after the word "hat," insert the following: "not specially provided for in this section"; and the Senate agree to the same.

Amendment numbered 258: That the House recede from its disagreement to the amendment of the Senate numbered 258, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out the numeral "35" and inserting in lieu thereof the numeral "30"; and the Senate agree to the same.

Amendment numbered 268: That the House recede from its disagreement to the amendment of the Senate numbered 268, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, striking out the numeral "20" and inserting in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 269: That the House recede from its disagreement to the amendment of the Senate numbered 269, and agree to the same with an amendment as follows: Strike out the numeral "5" and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270, and agree to the same with an amendment as follows: Strike out the numeral "15" and insert in lieu thereof the numeral "25"; and the Senate agree to the same.

Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: Strike out the word "other" and insert in lieu thereof the word "pile"; and the Senate agree to the same.

Amendment numbered 278: That the House recede from its disagreement to the amendment of the Senate numbered 278, and agree to the same with an amendment as follows: Strike out the numeral "40" and insert in lieu thereof the numeral "45"; and the Senate agree to the same.

Amendment numbered 280: That the House recede from its disagreement to the amendment of the Senate numbered 280, and agree to the same with an amendment as follows: Strike out the numeral "30" inserted by said amendment and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment, striking out, in lines 4, 5, and 6 of the matter restored, the words "weighing not more than 10 pounds per ream of 480 sheets"; and the Senate agree to the same.

Amendment numbered 298: That the House recede from its disagreement to the amendment of the Senate numbered 298, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "40"; and the Senate agree to the same.

Amendment numbered 301: That the House recede from its disagreement to the amendment of the Senate numbered 301, and agree to the same with amendments as follows: In line 24 of the matter inserted by said amendment strike out the numeral "6" and insert in lieu thereof the numeral "5." In line 27 of the matter inserted by said amendment strike out the numeral "8" and insert in lieu thereof the numeral "7." In line 29 of the matter inserted by said amendment strike out the numeral "6" and insert in lieu thereof the numeral "5." In line 43 of the matter inserted by said amendment strike out the numeral "12" and insert in lieu thereof the numeral "10." In lines 46, 47, and 48 of the matter inserted by said amendment strike out the following: "weighing over one hundred pounds per thousand sheets on a basis of 20 by 30 inches in dimensions, 15 cents per pound," and the semicolon. In line 49 of the matter inserted by said amendment strike out the numeral "20" and insert in lieu thereof the numeral "15"; and the Senate agree to the same.

Amendment numbered 310: That the House recede from its disagreement to the amendment of the Senate numbered 310, and agree to the same with an amendment as follows: Strike out the numeral "25" in said amendment and insert in lieu thereof the numeral "20"; and the Senate agree to the same.

Amendment numbered 318: That the House recede from its disagreement to the amendment of the Senate numbered 318, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "45." In line 5 of the matter inserted by said amendment strike out the numeral "50" and insert in lieu thereof the numeral "45." In line 8 of the matter inserted by said amendment strike out the comma after the word "buttons" and insert in lieu thereof the word "and." In line 8 of the matter inserted by said amendment strike out the comma after the word "studs"; and the Senate agree to the same.

Amendment numbered 339: That the House recede from its disagreement to the amendment of the Senate numbered 339, and agree to the same with an amendment as follows: Strike out the numeral "45" and insert in lieu thereof the numeral "50"; and the Senate agree to the same.

Amendment numbered 349: That the House recede from its disagreement to the amendment of the Senate numbered 349, and agree to the same with an amendment as follows: In line 11 of the matter inserted by said amendment, before the word "nets" insert the following: "edgings, insertings, galloons,"; and the Senate agree to the same.

Amendment numbered 350: That the House recede from its disagreement to the amendment of the Senate numbered 350, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment and insert after the word "action" and the comma in line 2 of the restored matter the following: "enameled upholstery leather,"; and the Senate agree to the same.

Amendment numbered 361: That the House recede from its disagreement to the amendment of the Senate numbered 361, and agree to the same with an amendment as follows: Strike out the numeral "40" and insert in lieu thereof the numeral "35"; and the Senate agree to the same.

Amendment numbered 363: That the House recede from its disagreement to the amendment of the Senate numbered 363, and agree to the same with an amendment as follows: In lieu of said amendment insert on page 96 of the bill, line 1, after the word "cents," the word "additional"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: Strike out the word "additional" in the matter inserted by said amendment and insert in lieu thereof, on page 96 of the bill, line 5, after the word "cents," the word "additional"; and the Senate agree to the same.

Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the numeral "3" and insert in lieu thereof the numeral "2.50"; and the Senate agree to the same.

Amendment numbered 371: That the House recede from its disagreement to the amendment of the Senate numbered 371, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the word "amber" and the comma; and the Senate agree to the same.

Amendment numbered 379: That the House recede from its disagreement to the amendment of the Senate numbered 379, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"386. Works of art, including paintings in oil or water-colors, pastels, pen and ink drawings, or copies, replicas or reproductions of any of the same, statuary, sculptures, or copies, replicas or reproductions thereof, and etchings and engravings, not specially provided for in this section, 15 per cent ad valorem."

And the Senate agree to the same.

Amendment numbered 382: That the House recede from its disagreement to the amendment of the Senate numbered 382, and agree to the same with amendments as follows: In line 1 of the matter inserted by said amendment, after the word "cameras," insert the following: "and parts thereof, not specially provided for in this section" and a comma; in line 6 of the matter inserted by said amendment, strike out the numeral "4" and insert in lieu thereof the numeral "2"; in line 7 of the matter inserted by said amendment, strike out the numeral "5" and insert in lieu thereof the numeral "3"; in line 13 of the matter inserted by said amendment, strike out "1 1/2 cents" and insert in lieu thereof "1 cent"; and the Senate agree to the same.

Amendment numbered 385: That the House recede from its disagreement to the amendment of the Senate numbered 385, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "machinery for use in the manufacture of sugar"; and the Senate agree to the same.

Amendment numbered 386: That the House recede from its disagreement to the amendment of the Senate numbered 386, and agree to the same with an amendment as follows: In lieu of said amendment and in the same line, after the word "Albumen," where it occurs the first time, strike out the comma and the following: "blood, and albumen"; and the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, after the word "process" insert a semicolon; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "diamonds" strike out the comma and the following: "and diamond dust"; and the Senate agree to the same.

Amendment numbered 438: That the House recede from its disagreement to the amendment of the Senate numbered 438, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided, however, That none of the foregoing meats shall be admitted into the United States unless the same is healthful, wholesome, and fit for human food and contains no dye, chemical, preservative, or ingredient which renders the same unhealthful, unwholesome, or unfit for human food, and unless the same also complies with the rules and regulations made by the Secretary of Agriculture, and that, after entry into the United States in compliance with said rules and regulations, said imported meats shall be deemed and treated as domestic meats within the meaning of and shall be subject to the provisions of the act of June 30, 1906 (34 Stat. L., p. 674), commonly called the meat-inspection amendment, and the act of June 30, 1906 (34 Stat. L., p. 768), commonly called the food and drugs act, and that the Secretary of Agriculture be, and hereby is, authorized to make rules and regulations to carry out the purposes of this paragraph, and that in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction for food purposes of all such meats offered for entry and refused admission into the United States unless the same be exported by the consignee within the time fixed therefor in such rules and regulations."; and the Senate agree to the same.

Amendment numbered 455: That the House recede from its disagreement to the amendment of the Senate numbered 455, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the words "chlorate of" and the semicolon; and the Senate agree to the same.

Amendment numbered 472: That the House recede from its disagreement to the amendment of the Senate numbered 472, and agree to the same with an amendment as follows: Strike out the comma inserted by said amendment; and the Senate agree to the same.

Amendment numbered 477: That the House recede from its disagreement to the amendment of the Senate numbered 477, and agree to the same with amendments as follows: In line 2 of the matter inserted by said amendment, after the word "products," insert the following: "not specially provided for in this section." In line 5 of the matter inserted by said amendment, after the word "wheat," insert the following: "not specially provided for in this section." In line 5 of the matter inserted by said amendment, after the word "valorem," insert a comma. In line 8 of the matter inserted by said amendment, after the word "semolina," strike out the words "or any other product of wheat." In line 9 of the matter inserted by said amendment, after the word "States," strike out the colon and the following words: "Provided further, That the importation of weed seeds, whether or not mixed with bran or wheat screenings, is prohibited unless the

same shall have been ground or otherwise treated so that the seeds will not germinate"; and the Senate agree to the same.

Amendment numbered 491: That the House recede from its disagreement to the amendment of the Senate numbered 491, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"654. Original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen and ink or pencil and water colors, artists' proof etchings unbound, and engravings and woodcuts unbound, original sculptures or statuary, including not more than two replicas or reproductions of the same; but the terms 'sculpture' and 'statuary' as used in this paragraph shall be understood to include professional productions of sculptors only, whether in round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal, or whether cut, carved, or otherwise wrought by hand from the solid block or mass of marble, stone, or alabaster, or from metal, or cast in bronze or other metal or substance, or from wax or plaster, made as the professional productions of sculptors only; and the words 'painting' and 'sculpture' and 'statuary' as used in this paragraph shall not be understood to include any articles of utility, nor such as are made wholly or in part by stenciling or any other mechanical process; and the words 'etchings,' 'engravings,' and 'woodcuts' as used in this paragraph shall be understood to include only such as are printed by hand from plates or blocks etched or engraved with hand tools and not such as are printed from plates or blocks etched or engraved by photochemical or other mechanical processes."

And the Senate agree to the same.

Amendment numbered 509: That the House recede from its disagreement to the amendment of the Senate numbered 509, and agree to the same with amendments as follows: In lines 7 and 8 of the matter inserted in said amendment strike out the words "companies, whether incorporated or partnership," and insert in lieu thereof the words "corporations, joint-stock companies, or associations however created or organized"; in line 12 of the matter inserted by said amendment strike out the words "company or partnership" and insert in lieu thereof the words "corporation, joint-stock company, or association, is a mere holding company"; in line 22 of the matter inserted by said amendment strike out the word "company" and insert in lieu thereof the words "corporation, joint-stock company, or association"; and the Senate agree to the same.

Amendment numbered 514: That the House recede from its disagreement to the amendment of the Senate numbered 514, and agree to the same with amendments as follows: In line 17 of the matter inserted by said amendment, after the word "made," insert the following: "but no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made"; in line 25 of the matter inserted by said amendment strike out the word "from" and insert in lieu thereof the word "for"; and in the same line, after the word "source," insert the words "of the income"; and the Senate agree to the same.

Amendment numbered 520: That the House recede from its disagreement to the amendment of the Senate numbered 520, and agree to the same with an amendment as follows: In lieu of the matter inserted in said amendment insert the following:

"C. That there shall be deducted from the amount of the net income of each of said persons, ascertained as provided herein, the sum of \$3,000, plus \$1,000 additional if the person making the return be a married man with a wife living with him, or plus the sum of \$1,000 additional if the person making the return be a married woman with a husband living with her; but in no event shall this additional exemption of \$1,000 be deducted by both a husband and a wife: *Provided*, That only one deduction of \$4,000 shall be made from the aggregate income of both husband and wife when living together."

And the Senate agree to the same.

Amendment numbered 529: That the House recede from its disagreement to the amendment of the Senate numbered 529, and agree to the same with an amendment as follows: In line 5 of the matter inserted by said amendment strike out the words "date of the passage of this act" and insert in lieu thereof the following "first day of November, 1913"; and the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with amendments as follows: In lieu of the matter inserted by said amendment restore the matter stricken out by said amendment; in line 3 of the restored matter, after the word "the" where it occurs the second time, insert the words "deduction and"; in line 4 of the restored matter strike out the following: "of \$4,000"; and in the same line strike out the word "herein" and insert in lieu thereof the following: "in paragraph C of this section"; in line 8 of the restored matter strike out the words "an affidavit" and insert in lieu thereof the words "a signed notice in writing"; in line 9 of the restored matter insert, after the word "exemption," the words "and thereupon no tax shall be withheld upon the amount of such exemption: *Provided*, That if any person for the purpose of obtaining any allowance or reduction by virtue of a claim for such exemption, either for himself or for any other person, knowingly makes any false statement or false or fraudulent representation, he shall be liable to a penalty of \$300"; in line 13 of the restored matter strike out the words "file either" and insert in lieu thereof the words "either file"; in line 20 of the restored matter strike out the words "such person may"; in line 22 of the restored matter, after the word "him," insert a colon and the following: "*Provided further*, That if such person is a minor or an insane person, or is absent from the United States, or is unable owing to serious illness to make the return and application above provided for, the return and application may be made for him or her by the person required to withhold and pay the tax, he making oath under the penalties of this act that he has sufficient knowledge of the affairs and property of his beneficiary to enable him to make a full and complete return for him or her, and that the return and application made by him are full and complete"; on page 147 of the bill, line 1, after the word "*Provided*," insert the word "further"; and the Senate agree to the same.

Amendment numbered 545: That the House recede from its disagreement to the amendment of the Senate numbered 545, and agree to the same with an amendment as follows: On page 147 of the bill, line 5, after the word "other," insert the word "similar"; and the Senate agree to the same.

Amendment numbered 551: That the House recede from its disagreement to the amendment of the Senate numbered 551, and agree to the same with amendments as follows: In line 3 of the matter inserted by said amendment, before the word "by," insert the words "of such interest or dividends." In line 10 of the matter inserted by said amendment,

after the word "shall," insert the word "knowingly"; and the Senate agree to the same. On page 148 of the bill, line 15, after the word "tax," insert a comma and the words "nor shall any contract entered into after this act takes effect be valid in regard to any Federal income tax imposed upon a person liable to such payment"; and the Senate agree to the same.

Amendment numbered 564: That the House recede from its disagreement to the amendment of the Senate numbered 564, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment, after the word "welfare," insert a colon and the following: "Provided further, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State, Territory, or the District of Columbia, nor any income accruing to the Government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico: *Provided*, That whenever any State, Territory, or the District of Columbia, or any political subdivision of the State or Territory, has, prior to the passage of this act, entered in good faith into a contract with any person or corporation, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this act upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory; but this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this section upon the part or portion of the said income to which such person or corporation shall be entitled under such contract"; and the Senate agree to the same.

Amendment numbered 571: That the House recede from its disagreement to the amendment of the Senate numbered 571, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 575: That the House recede from its disagreement to the amendment of the Senate numbered 575, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 586: That the House recede from its disagreement to the amendment of the Senate numbered 586, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 588: That the House recede from its disagreement to the amendment of the Senate numbered 588, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment, after the word "thereof," where it occurs the second time, insert the following: "and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year"; and the Senate agree to the same.

Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In the matter inserted by said amendment strike out the word "bonded" and insert in lieu thereof the words "interest bearing"; and the Senate agree to the same.

Amendment numbered 603: That the House recede from its disagreement to the amendment of the Senate numbered 603, and agree to the same with an amendment as follows: On page 160 of the bill, line 3, strike out the word "after"; and the Senate agree to the same.

Amendment numbered 608: That the House recede from its disagreement to the amendment of the Senate numbered 608, and agree to the same with amendments as follows: In line 13 of the matter inserted by said amendment strike out the following: "\$1,200,000," and insert in lieu thereof "\$800,000"; in lines 30, 31, and 32 of the matter inserted by said amendment strike out the words "For the administration, in the Internal Revenue Bureau at Washington, D. C., of this act in the collection of the tax aforesaid," and insert in lieu thereof the words "In the office of the Commissioner of Internal Revenue at Washington, D. C."; in line 32 of the matter inserted by said amendment, after the word "appointed," insert the words "by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury"; in line 40 of the matter inserted by said amendment, after the word "employees," insert the words "not including the clerical force below the grade of chief of division employed in the Bureau of Internal Revenue in the city of Washington, D. C."; in lines 48, 49, 50, and 51 of the matter inserted by said amendment strike out the following proviso: "Provided further, That no person now in the classified service who shall be appointed an agent, deputy collector, or inspector shall lose his civil-service status because of such appointment," and insert in lieu thereof the following: "Provided further, That the force authorized to carry out the provisions of Section II of this act,

when not employed as herein provided, shall be employed on general internal-revenue work"; and the Senate agree to the same.

Amendment numbered 616: That the House recede from its disagreement to the amendment of the Senate numbered 616, and agree to the same with an amendment as follows: In line 11 of the matter inserted by said amendment, after the word "article," insert a comma and the words: "and it shall be the duty of the consular officer, to whom the invoice shall be produced, to require such information to be given"; and the Senate agree to the same.

Amendment numbered 624: That the House recede from its disagreement to the amendment of the Senate numbered 624, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "unless by direction of the Secretary of the Treasury in cases in which the importer certifies at the time of entry that the entered value is higher than the foreign market value and that the goods are so entered in order to meet advances by the appraiser in similar cases then pending on appeal for reappraisal, and the importer's contention shall subsequently be sustained by a final decision on reappraisal, and it shall appear that the action of the importer on entry was taken in good faith, after due diligence and inquiry on his part, and the Secretary of the Treasury shall accompany his directions with a statement of his conclusions and his reasons therefor"; and the Senate agree to the same.

Amendment numbered 628: That the House recede from its disagreement to the amendment of the Senate numbered 628, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "for each entry"; and the Senate agree to the same.

Amendment numbered 629: That the House recede from its disagreement to the amendment of the Senate numbered 629, and agree to the same with amendments as follows: In lieu of the matter stricken out by said amendment insert the following: "and in so doing may exercise both judicial and inquisitorial functions." In lines 9 and 10 of the matter inserted by said amendment strike out the following: "Hearsay evidence and unsworn statements shall not be admitted, but" and capitalize the word "Affidavits"; and the Senate agree to the same.

Amendment numbered 630: That the House recede from its disagreement to the amendment of the Senate numbered 630, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "samples," insert a comma and the following: "and where the merchandise or samples were reasonably accessible for inspection"; and the Senate agree to the same.

Amendment numbered 634: That the House recede from its disagreement to the amendment of the Senate numbered 634, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment and insert, after the word "imported," the words "within one year"; and the Senate agree to the same.

Amendment numbered 641: That the House recede from its disagreement to the amendment of the Senate numbered 641, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment down to and including the word "continues," page 192 of the bill, line 4, and in lieu of the remaining matter insert the following: "to levy an additional duty of 15 per cent ad valorem on all such merchandise when imported into the United States: *Provided, however,* That such additional duties shall not be imposed in case the laws of the country of exportation provide for the administration, by its duly authorized officers, of oaths to invoices, or statements of cost, before certification by consuls, and for punishment for false swearing under said oaths, whenever consuls are directed by the Secretary of State, under section 2862 of the Revised Statutes, to require such oaths before certification of the invoices."; and the Senate agree to the same.

Amendment numbered 642: That the House recede from its disagreement to the amendment of the Senate numbered 642, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment down to and including the word "continues" and the comma, on page 192 of the bill, line 18, and insert in lieu of the remaining matter the following: "to assess additional duty of 15 per cent on all merchandise consigned to or imported by, or shipped, or intended for delivery, to such person, persons, corporations, or other bodies so failing or refusing"; and the Senate agree to the same.

Amendment numbered 648: That the House recede from its disagreement to the Senate amendment numbered 648, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "except as to the proviso of article 8 of said treaty, which proviso is hereby abrogated and repealed"; and the Senate agree to the same.

Amendment numbered 649: That the House recede from its disagreement to the amendment of the Senate numbered 649, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment striking out in line 2 of the matter restored the numeral "50" and insert in lieu thereof the numeral "20." In lines 3 and 4 of the matter restored strike out the following: "or 20 per cent in case of manufactures of tobacco" and the comma; and the Senate agree to the same.

Amendment numbered 655: That the House recede from its disagreement to the amendment of the Senate numbered 655, and agree to the same with an amendment as follows: After the word "vessels," inserted by said amendment, insert the words "or other vessels"; and the Senate agree to the same.

Amendment numbered 656: That the House recede from its disagreement to the amendment of the Senate numbered 656, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "admitted to registration" and insert in lieu thereof the words "now or hereafter registered"; and the Senate agree to the same.

Amendment numbered 657: That the House recede from its disagreement to the amendment of the Senate numbered 657, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment and insert in line 4 of the restored matter, after the word "States," a colon and the following: "Provided, That nothing in this subsection shall be so construed as to abrogate or in any manner impair or affect the provisions of any treaty concluded between the United States and any foreign nation"; and the Senate agree to the same.

Amendment numbered 659: That the House recede from its disagreement to the amendment of the Senate numbered 659, and agree to the same with amendments as follows: In line 5 of the matter inserted by said amendment insert after the word "duties" the words "on such tobacco in its condition as imported." In line 7 of the matter inserted by said amendment strike out the word "thereon" and insert in lieu thereof the words "on such cigars"; and the Senate agree to the same.

The committee of conference has been unable to agree on the amendment of the Senate numbered 609.

That in the enrollment of the bill the sections and paragraphs thereof be numbered in consecutive order.

F. M. SIMMONS,  
JOHN SHARP WILLIAMS,  
BENJ. F. SHIVELY,  
CHARLES F. JOHNSON,  
*Managers on the part of the Senate.*

O. W. UNDERWOOD,  
CLAUDE KITCHIN,  
HENRY T. RAINEY,  
LINCOLN DIXON,  
*Managers on the part of the House.*

The PRESIDENT pro tempore. This completes the reading of the conference report. The question is, Will the Senate agree to its adoption?

Mr. BRISTOW. Mr. President, I had a letter a few days ago from a friend of mine in Kansas asking me to give him the reasons why I voted against the tariff bill and asking me to analyze it from the Kansas point of view. Before the vote is taken on the conference report, I desire to do so.

I voted against the tariff bill because I believe it unjust and discriminatory. Its discrimination in favor of localities and certain special interests is worse than that of the Payne-Aldrich bill.

It probably is the most inconsistent tariff bill that has ever passed the American Congress. It represents no definite policy and follows no well-defined principle of taxation. It is not a protective measure, though it imposes a high protective duty on many articles of domestic production. Nor can it be styled a free-trade measure, though it places upon the free list many important American products. It is not a tariff for revenue only, because it free lists the most important revenue-producing articles that our people consume. It has many of the weaknesses of all the tariff theories ever advocated in American politics and the strength and consistency of none of them.

It is especially discriminatory against the northern and western farmers. It puts potatoes on the free list, the product of the farm, yet it places a duty of \$1 and \$1.25 per hundred pounds, respectively, on potato starch and on dextrine made from potato starch. These are practically the same duties that were carried in the Payne-Aldrich bill on these manufactured products, though the manufacturers are given their raw material free of duty. When I denounced this provision of the bill on the floor of the Senate, it was vehemently declared that the potato duty was of no benefit to the American farmer. Nevertheless, more than 13,000,000 bushels of potatoes were imported into the United States last year.

Our Democratic friends claim that the tariff is a burden upon the people because it is added to the price of the article upon which it is imposed. If that theory is correct, then the removal of the duty of 25 cents a bushel on potatoes will reduce the price which the American farmer secures for his potatoes. If that theory is not correct, then why is a high duty imposed on potato starch and dextrine? It was alleged by Senator JOHNSON of Maine, in charge of this schedule of the bill, that our local producers of potato starch and dextrine are brought into sharp competition with foreign importations, and it was thought necessary to protect the American manufacturers by imposing the revenue duties provided in the bill. That is, the Democratic Finance Committee found it desirable to protect the manufacturer of potato products from direct competition with the foreign producer, but persistently refused to give the farmer the advantage of an import duty upon his potatoes. Such a position I believe to be indefensible and unjust.

It is claimed by the friends of this bill that its passage is a blow to special privilege, but an analysis of the measure shows that the special interests it is most hostile to are the farmer, the market gardener, and the producer of live stock, for their products are placed upon the free list. But the products of the gigantic manufacturing concerns that our Democratic friends for half a century have been denouncing are kept on the dutiable list. They are treated with generosity by this bill.

Another example of its discrimination is the placing of wheat that is grown on the western prairies on the free list, and maintaining a duty of \$1 per 100 pounds, or 45 cents a bushel, on rice that is grown on the southern plantations. Both wheat and rice are basic food products. It is the alleged policy of Mr. Wilson and his congressional satellites that articles of food should not be taxed. Why, then, should there be maintained a protective duty of \$1 per 100 pounds on rice? The reason assigned by the defenders of the bill on the floor of the Senate was that such a duty is necessary to preserve the industry; yet, when that theory is appealed to in behalf of other products, it is vehemently denounced as taxing the many for the benefit of the few.

This bill maintains a protective duty of from 59 to 169 per cent on tobacco, and puts cattle, sheep, and meats on the free list. That is, there is maintained for the tobacco growers of Maryland, Virginia, Kentucky, North Carolina, Tennessee, and other tobacco-growing States as high a protective duty as has ever been imposed in any tariff bill, while the products of the stock raisers of the North and West are placed on the free list, and they are compelled to meet severe foreign competition in our own market.

The bill puts meats on the free list, but maintains a protective duty of \$1.50 a gallon on whisky; and the excuse that was given by Mr. JAMES, of Kentucky, for this discrimination in favor of the American distilleries was that whisky is a luxury and ought to be taxed. I do not agree with him that whisky is a luxury; I believe it to be a curse. I agree with him that it ought to be taxed. We impose an internal-revenue tax of \$1.10 per gallon on whisky; but in addition to that there is provided a protective tariff duty of \$1.50 a gallon, making the import duty on whisky \$2.60 per gallon. Why not impose this entire tax upon the consumption of whisky? Why not, at least, let the distilleries stand alone, without the protective care of the Government? If protection is wrong for the farmer, the sugar producer, and the poultry yard of the housewife, why is it desirable for the distillery? Why make this heroic effort to preserve the American liquor market for the American distillery, and then denounce those of us who seek to preserve the home market for the American farmer?

Free meats, every Kansas farmer knows, is in the interest of the great packing-house combinations. The Packers' Trust controls the meat production of Argentina, and they are preparing now to supply the great eastern cities with meat produced from cattle grown upon the ranches in the Argentine Republic instead of from cattle grown upon the American farm.

It was also declared by Senators JAMES, of Kentucky, and SIMMONS, of North Carolina, that tobacco is a luxury and ought to be taxed. If it is desired to raise large revenue from tobacco, why not increase the internal-revenue tax and levy an additional tax on the products of the Tobacco Trust, as suggested by Senator HITCHCOCK, of Nebraska? But such a policy would not protect the tobacco growers, and therefore it is not adopted.

The Tobacco Trust, the packing houses, and the distilleries are among the special interests that have been given tender regard by this bill.

The measure puts upon the free list the wool that is grown on the American farm and ranch of the North and West, while it places a protective duty on the hair of the Angora goat grown in Texas. While it places wool on the free list, it imposes a duty on every article that is made from that wool. There is a protective duty provided for every process through which the wool passes from the time it leaves the farmer until it disappears from use.

The first act of labor that is applied to wool after it is taken from the sheep's back is to wash and scour the grease out of it; and the manufacturer who does this gets a protective duty of one-fourth cent per pound on the grease which he extracts from this wool. The wool is then combed; and for the process of combing he is allowed a duty of 8 per cent ad valorem. It is then spun into yarns; and for the spinning into yarns there is a duty of 18 per cent ad valorem. Then it goes through the various processes of manufacture, and the protective duties range from 20 to 50 per cent ad valorem on these various manufactured articles. A duty of 35 per cent is imposed upon the ready-made clothing into which woolen cloths are made, and on dress goods the duty in some instances is as high as 40 per cent.

There never was a combination in the production of wool—there can be none, because too many people are engaged in that business. There are about a million farmers who are raising sheep to a greater or less extent. Wool is their product—the result of their labor and toll. They are compelled to compete with the sheep raisers of the world in their own market to supply their own people; while every manufacturer who touches the wool after it leaves the farmer's hands is given a protective duty on the work that he does upon it. Let me ask any fair-minded American who believes in justice if he thinks that such a policy is right.

I am not complaining of the protection given the manufacturer. On the whole the duties are not too high; in some instances they are not high enough. My complaint is directed to the discrimination against the agricultural classes.

The farmer has to work or starve. He can not close his shop. He can not strike for higher wages. He must bear the burdens, whatever they are, that are placed upon him. Why should he have been selected as the victim by these free-trade propagandists?

It is not denied that it costs more to produce a fleece of wool in the United States than it does in competing countries. It is admitted that free wool will be a hardship upon many farming sections of our country. Yet, in the face of these admissions free wool was decreed by Mr. Wilson; and Senators and Congressmen who do not believe in the policy, who recognize its iniquitous and discriminatory character, meekly and subversively acquiesce in this decree. They admit that in so doing they have forsaken the interests of their constituents and forgotten the welfare of their country.

This is alleged to be a tariff for revenue only, yet over \$14,000,000 was collected last year on imported wool, while only \$12,000,000 was collected on manufactured woolsens. This alleged revenue measure throws that \$14,000,000 of revenue that helped the farmer to the winds and retains the millions of duty that helped the manufacturer.

But the greatest economic mistake from the broad, national viewpoint is the free-sugar provision. Every great nation, with one exception, has sought by protective legislation to develop a domestic sugar supply. England, having vast colonial interests in cane-producing tropical islands, has felt that her national welfare would be better subserved by encouraging sugar production in her colonies than at home. This has been the policy of the British Empire. Canada gives a preferential rate to sugar imported from English colonies; so does Australia. But all the great commercial nations of continental Europe have during the last century, by tariffs and bounties, developed sugar production among their people, until to-day Germany, France, Austria, Russia, and many of the smaller countries not only produce a sufficient amount of sugar to supply their home consumption, but many of them export large quantities.

From the day of the great Napoleon to the present time every great European statesman has given the weight of his influence toward legislation that would promote in his country the development of domestic sugar production. France has levied import duties as high as \$2.89 per hundred pounds; Germany, \$3.24; Russia, \$5.71; Austria, \$3.68; and other European nations similar duties.

For almost a hundred years we feebly followed the plan of European nations by imposing import duties or bounties to encourage sugar production, with indifferent success. However, in 1897 we began effective efforts for the development of beet-sugar production. The Dingley bill provided a duty of \$1.95 per hundred pounds on refined sugar. This duty, as compared with those imposed by European countries, was very low; yet our experience has shown that it was sufficient, for from the passage of that bill beet-sugar production in the United States has developed faster than it ever developed in any other country in the history of the industry.

During the 16 years that have passed since the Dingley bill was enacted the production of beet sugar in the United States has increased from approximately 40,000 tons in 1897 to 698,952 tons in 1913, and the estimated crop for this year is 715,000 tons. If this ruinous legislation could have been defeated, in my humble judgment, within less than 20 years we would be producing within our own borders every pound of sugar which the American people would consume.

This has been the result which every great commercial nation has sought to attain, and we were on the highway to such achievement when our progress was stopped by the narrow-minded statesmanship of the present hour.

I have always advocated reasonable protective duties and reductions in such duties whenever they could safely be made. Believing that the present duties on sugar could be lowered with safety to the industry, I submitted an amendment to the bill reducing the duty by stages from \$1.90 per hundred pounds to \$1.275, and the duty on Cuban sugar 96° pure, which is the real protective duty our sugar producers have, from \$1.34 to 97 cents. It is admitted that these reductions could now safely be made, because we are producing sugar at a less cost than we did 16 years ago when the Dingley bill was enacted.

The most irritating thing about this free-sugar proposition, however, is the pretense that it is legislation against the Sugar Trust, when, in fact, it is legislation directly in the interest of the Sugar Trust. The Sugar Trust refines sugar; it does not produce it. It buys the sugar that is grown in the Tropics, imports it into the United States, refines it, takes its toll for refining, and then puts the refined product upon the American market. The refiners' trust wants free sugar because that will give it free raw material, and with its raw material free this gigantic combination, which but a few years ago robbed the American people of millions of revenue by a system of false weights, will monopolize the American market.

The refining business is controlled by three concerns with headquarters in New York. They cooperate in fixing prices;

and when they control the market they fix the price as high as the market will stand regardless of the cost of production to them. Their resources are so tremendous and their financial strength so great that no cane-sugar producer in any country would have the hardihood to fight them in a commercial warfare for the control of our market. So with the beet-sugar producer eliminated they would be supreme in the sugar markets of this country. They will profit more by this legislation than all other interests; for, when the beet-sugar industry is destroyed, then they will raise the price on their refined product as high as they can.

In fact, up to this time the greatest advantage which the beet-sugar producers have been to the people of the United States is in beating down the price of refined sugar. To illustrate: In March of this year heavy quantities of beet sugar were being sold, and the refiners' margin between the raw-sugar duty paid in New York and the wholesale price of refined sugar in New York ranged from 58½ to 68½ cents per 100 pounds. That represented the difference between what the refiners paid for the raw and what they received for the refined. It was the amount of the toll which the refiners took for refining and marketing sugar. During the months of April, May, and June, as the pressure of beet sugar on the market grew less, the price of refined was advanced by the refiners until their margin of profit in July reached 96.8 cents per 100 pounds, an increase of about 40 cents per hundred. There was absolutely no justification for the increase, because the refiners paid no more for their raw sugar in July than they did in March. They increased the price to the American people 40 cents a hundred pounds simply because our domestic beet-sugar supply had been exhausted, and it was within their power to do it. Let me repeat, they sold the refined sugar for 40 cents a hundred more profit, because there was no beet sugar in the market, although they were paying the same for the raw sugar from which this refined was made. This has been their invariable practice. In June of last year they ran the price up until the margin reached as high as \$1.176; that is, they took from the American people about 60 cents per 100 pounds more than they could when our markets were supplied with the beet-sugar product.

When you place sugar on the free list you place in the hands of the sugar refiners the weapon with which to destroy their competitor; and having destroyed their competitor they will exploit this market to their hearts' content. However worthy may have been the motives of those who voted for free sugar, they in fact voted directly in the interest of the Sugar Refining Trust and for handing over to it for exploitation and pillage the greatest market for refined sugar on the earth.

A further illustration of the power of the sugar refiners over the American market if the beet-sugar industry is destroyed is the difference in the price of American sugar as compared with foreign sugar at the time that our beet-sugar production is being marketed. In March and April this year the refiners sold their refined sugar at from 47.6 cents to 62.3 cents per 100 pounds less than the Hamburg price plus the duty and freight; that is, they were selling at about 60 cents a hundred pounds under the world's parity. During that period it can not be said that the American consumer was paying all the duty, for he was not. In July this year, when the supply of beet sugar had been marketed, the refiners raised their price until they came within 8 cents of the Hamburg price plus duty and freight, demonstrating beyond question that our beet-sugar supply forces down the price, and that during such periods the consumer does not pay the full duty, as is so confidently alleged by those who have not taken the time to study the subject. Indeed, at one time last year, before the beet-sugar crop came upon the market, the refiners put the price of granulated sugar in the United States up as high as 31 cents per 100 pounds above the Hamburg price plus freight and duty. That was in October last year; and when the beet-sugar supply came upon the market the price went down from 31.1 cents above the world's parity to a point 62.3 cents below it, a reduction of almost \$1 per 100 pounds. This was the direct result of the pressure on the market of the domestic production.

Yet in the face of this showing men will stand upon the floor of the United States Senate and advocate a policy that will place the American sugar market absolutely in the control of these refiners and unwittingly become the agents of this giant combination in its efforts to monopolize our sugar supply.

The sugar refiners knowing that at times sugar was selling only sixty some cents above the world's price have nevertheless distributed broadcast throughout the country millions of circulars stating that with free sugar the American consumer would be able to buy his supply about 2 cents a pound less than he is now paying. This statement was circulated persistently by men who knew it to be false; by the men who put the price

of sugar up as high as the market will stand as soon as the domestic supply is exhausted. In this campaign for free sugar the refiners are just as dishonest in their methods as they were when they robbed the Government Treasury by their system of false weights.

In 1807, when the Dingley bill was passed, we produced about 40,000 tons of beet sugar. Since then there has been a rapid increase in the amount of beet-sugar production. It has grown step by step until now we are producing approximately 700,000 tons per year, an increase in 16 years of 1,650 per cent.

This is an unprecedented increase. You may search the history of the sugar industry in every nation on the earth and you will not find anywhere else such a rapid development of sugar production as there has been in our country within the last 16 years.

This large production of beet sugar has stimulated many other lines of business. It has made a market for millions of dollars' worth of machinery, which has been manufactured in American factories and made by American workmen, who in turn have been fed by the American farmer and gardener. It has produced a market for millions of dollars' worth of lime, an important ingredient in the clarification of the beet juice, and a hundred other items, such as tools for the farmers who grow the beets, machinery for the construction of irrigation ditches, fuel for the factories, bags for the sugar, and labor of many kinds and varieties. It touches our whole industrial life, and stimulates practically every line of American business.

Villages have grown up in the sugar-beet producing regions, farms have been developed for that specific purpose, and men have engaged in various occupations that are necessary for the comfort and happiness of the people who compose the communities that are engaged in the production of this great commodity. These communities were founded and millions of dollars invested in beet-sugar production upon the invitation of the United States Government.

The sugar industry is not a local enterprise. It is nation wide in its influence, and its destruction will be a national calamity.

A reduction of approximately 20 per cent. of the present duty could be made immediately, and additional reductions made later without materially impeding the progress of our sugar development. But instead of making such reductions, which would be just to the sugar producer and fair to the consuming public, it is proposed to abolish the duty, which will not only stop the development of the industry, but will close a majority of the factories that are now in operation. Such a blind and senseless policy has never been followed by any nation in the history of civilized government without disaster. And the astounding thing is that there can be found in the American Congress patriotic men so blind to the interests of their country as to advocate it.

We consume about 3,600,000 tons of sugar per annum. We produced last year about \$50,000,000 worth of sugar. This value is based upon the price of raw. If we had not produced the \$50,000,000 worth at home, we would have been compelled to send out \$50,000,000 more of our resources into foreign lands to purchase the sugar which our people consumed. We would therefore have been \$50,000,000 poorer than we are to-day. Our resources would have been impoverished to that amount. It will be said by some that our farmers should have grown corn, wheat, and other crops. But I answer that we now have a full supply or surplus of the cereals. To abandon beet culture and produce more corn, wheat, and potatoes is further to glut our markets with these staple articles. One of the greatest needs of our agricultural life to-day is diversified crops, and for that reason we should encourage the production of beets. We imported something over \$115,000,000 worth of sugar last year—that is, we sent out of the country more than \$115,000,000 for sugar.

If next year we could ourselves produce the \$115,000,000 worth that we imported last year, if we could take out of our own soil and gather from our own atmosphere that amount of additional wealth by the employment of our own labor and the utilization of our rains and sunlight, we would as a nation be approximately \$115,000,000 richer than we would otherwise be. Is not it desirable for a nation to develop its own resources, to bring into activity its dormant wealth, to produce the things from its own soil which its people need, and thereby husband its financial and industrial strength? If such a policy is desirable, then the policy proposed in this bill is deplorable. But the statesmen who by accident have been put in temporary control of the affairs of this country, in the face of the facts heretofore presented, propose by this bill to destroy our sugar industry.

Such a policy in France, Austria, or Germany would be regarded as industrial treason; and this is the first time that it has been seriously proposed in our history. But a school of false political economists, unfortunately, are in command here, and from the debates that we have listened to during the last two months we must infer that they have a malignant hatred toward certain American industries and American producers.

They seem to regard the beet-sugar producer and the sheep grower as public enemies. They say that the woolman has been coddled for a century and that he is a failure and deserves no further consideration. They malign him because he has not grown sufficiently while he has been the recipient of public favor; then they turn and denounce the beet-sugar man because he has grown and established a virile and thriving industry. They propose to cripple the woolman because he has not prospered and to kill the beet-sugar man because he has.

But the amazing thing to me is that men who know that this bill is wrong not only acquiesced in its passage but actually supported it. If every Senator had voted his honest judgment on this schedule, it would have been defeated. There are many Senators who believe that free sugar is wrong and not for the best interests of their country; yet they voted for it. They say they did this for the sake of party harmony and regularity. They obeyed the decree of a party caucus against their consciences, the interests of their constituents, and the welfare of their country.

But I have said enough about the sugar tariff. I have been asked to analyze this bill as it relates to Kansas. I can do so no better than by comparing the amount of the products of our State that are dutiable with those of other States, especially the States represented by Democratic members of the Finance Committee.

The following figures are taken from census of 1909, the latest reliable information we have in regard to all the States. That year the total production of Kansas aggregated the sum of \$880,771,826. Of that amount this bill places \$618,341,065 on the free list and \$262,430,761 on the dutiable list, or approximately only 30 per cent of the production of our State under this bill will be dutiable. The production of Oklahoma, the home State of Senator GORE, the same year was \$417,761,782, of which \$270,727,764 is on the free list and \$147,034,018 is dutiable, or 35 per cent dutiable, as against 30 per cent for Kansas. This discrimination, however, is slight as compared with other States. Take Missouri, our neighbor on the east, the home State of Senator W. J. STONE, a member of the Committee on Finance; her total production was \$1,218,077,375, of which \$653,934,163 is free and \$564,143,212 dutiable, or 46 per cent of her products are protected as against 30 per cent of Kansas production. Georgia, the home State of Senator HOKE SMITH, a member of the Committee on Finance; her production was \$548,524,357, of which \$332,342,690 is free and \$216,181,667 dutiable, or 40 per cent dutiable. Indiana, the home State of Senator SHIVELY, a member of the committee; her production was \$1,079,623,340, of which \$514,666,370 is free and \$564,956,970 dutiable, or 54 per cent of Indiana's production is protected, while Kansas has but 30 per cent of her products on the protected lists. Kentucky, the home State of Senator JAMES, also a member of the committee; her production was \$559,702,930, of which \$240,575,993 is free and \$319,126,937 dutiable, or 58 per cent dutiable. Maine, the home State of Senator JOHNSON, a member of the Committee on Finance; her production was \$269,134,572, of which \$136,988,601 is free and \$132,145,971 dutiable, or 49 per cent dutiable. North Carolina, the home State of Senator SIMMONS, chairman of the committee; her production was \$461,269,413, of which \$207,873,011 is free and \$253,396,402 dutiable, or 55 per cent dutiable.

But the most striking and interesting comparison is with the State of New Jersey, the home State of Senator HUGHES, of the Finance Committee, and of President Wilson. New Jersey's total production was \$1,277,643,287, of which \$265,965,729 is free and \$1,011,677,558 is dutiable, or 80 per cent of New Jersey's products are on the dutiable list, while but 30 per cent of the products of Kansas are so protected.

Of the entire 48 States there are but 5 which have a smaller percentage of their products on the dutiable list than Kansas. These States are Mississippi, New Mexico, Arizona, Wyoming, and Nevada.

Suppose that the Democratic theory of the tariff is correct; that is, that the duty is added to the price of the product. Now, considering the bill from this point of view, suppose that New Jersey should buy from Kansas the things which Kansas produces and Kansas should buy from New Jersey an equivalent amount of the things which New Jersey produces. In such a case Kansas would pay in taxes to New Jersey, because of the

duties in this bill, the sum of \$176,154,365 on New Jersey's products, while New Jersey would pay to Kansas but \$66,057,887 on Kansas products. That is, we would pay to New Jersey on a like value of her products \$110,096,478 more than she would pay us on our products.

The total production of the United States in 1909 of manufactures, minerals, and agricultural products was \$35,215,689,361, of which, under this bill, 46 per cent is free of duty and 54 per cent dutiable, as against 70 per cent of the products of Kansas free and 30 per cent dutiable.

The foregoing graphically illustrates the discriminating character of this bill. It shows in a most concrete and remarkable manner the discrimination against the agricultural States in favor of the manufacturing States.

In the face of this showing, how can any of my constituents feel that I should have voted for this bill? To have done so, it seems to me, would have been to betray the interests of the people who elected me to represent them; and that I shall never knowingly do while I hold their commission as a Senator of the United States.

I do not agree with the theory upon which this bill is alleged to have been made. I believe in paying good wages to the laboring men of our country. It makes them better citizens. The men who toil and create the wealth of the world are entitled to enjoy a reasonable portion of it. Now, we can not pay higher wages in our great industries in this country and make goods as cheaply as they do in the countries where they pay lower wages. So, in order to maintain a higher standard of wages in this country than is paid in other countries I believe we should impose tariff duties on importations of competing products from other countries, and I believe in making the difference in the cost of production of the articles at home and abroad the basic principle in fixing duties. But our Democratic friends in both Houses declare that they wholly disregarded that theory in writing this bill.

I believe in treating the tariff as a broad, national question more than as a local question; but we have a Senate composed of representatives of the 48 States, and in the forming of great national policies the interests of those individual States must be guarded by their representatives. It is my duty to fight for a "square deal" for Kansas, and that I am striving earnestly to do.

It has been said by some that this measure is a better bill than the Payne-Aldrich law, and therefore it should be supported by those who opposed the Payne-Aldrich bill. I can not agree to such reasoning. Four years ago I criticized with severity the Payne-Aldrich tariff bill and voted against it because I believed the duties were unnecessarily high. I believed that it imposed excessive and exorbitant duties in many instances; and in that view I was right. This year we are considering the Underwood bill—not by comparison with the Payne bill, but on its own merits. It was our duty to amend it if we could; to support it if we thought it just; to oppose it if we thought it unjust. If the Senators who believed the bill wrong had voted their honest convictions, it would have been amended and the greatest iniquities taken out of it. But this was not possible, because of the infamous caucus system which the Democratic organization has adopted.

Believing the bill unjust and grossly discriminatory, I opposed it with all the vigor I could.

Mr. SMITH of Michigan. Mr. President, the suggestions of the Senator from Kansas [Mr. BRISTOW], I think, are very timely and worthy of careful consideration, although it is quite evident that his suggestions will not receive very great consideration here and now.

The other day, in reading the Toronto Globe, of date September 18, 1913, containing the address of Mr. R. S. Gourlay, the retiring president of the Canadian Manufacturers' Association, which was most carefully prepared and which very well reflects the public sentiment of Canada, this reference to protection is made:

We do not ask, nor do we want, higher duties all along the line. I am aware that such desires are attributed to us and will probably continue to be, despite anything we may profess to the contrary. If it will serve any useful purpose, let me here and now place our association on record once more as being satisfied with the present general level of our tariff, subject to the adjustment of certain defects, such as those I have mentioned. But it should also be made clear and emphatic that we are unalterably opposed to any general lowering of the tariff on goods of a class or kind made or produced in Canada. We will stand firmly by the principle we enunciated in this city 11 years ago, namely, that our tariff should be so framed and consistently maintained as to transfer to the workshops of our Dominion the manufacture of many of the goods we now import from other countries. As a nation we have already made much progress in that direction, and we are still continuing to progress. Every week, every day almost, brings us word of new acquisitions to the ranks of Canadian industry, which but for our tariff

would never have been ours. As long as that is the case so long should we hesitate to disturb a situation that is so obviously to our advantage. While on this subject—

And I call the special attention of Senators on the other side of the Chamber to this statement—

While on this subject it is fitting that I should refer briefly to the tariff legislation soon to be adopted by the United States. An examination of the Underwood bill as finally amended confirms me in the belief that Canada made no mistake in rejecting the reciprocity agreement of 1911. In saying this I do not question the value of the market concessions we would have secured thereunder, but whereas then we would have secured these concessions only in return for similar concessions on our part, now we are to secure many and some of the most substantial of them without any embarrassing consideration of any kind. Cattle, swine, pulp, paper worth up to 2½ cents a pound, dressed lumber, staves, and coke will all enter the United States duty free; subject to favorable interpretation, fish, coal, and wheat will also be free; even under the most unfavorable interpretation of which the foodstuff schedule is capable, wheat will be subject to a duty of 10 cents only, as against 25 cents at present; while on fruits there will be material reductions. The judgment of those who opposed reciprocity on the ground that sooner or later we would have the wider market as a result of United States tariff conditions is thus vindicated; on the other hand, I am sure that the prospect of an early enjoyment of these privileges will assuage the disappointment of those who gave reciprocity their support.

Mr. President, the remarks of President Gourlay are a sad commentary upon the action of the American Congress in making it easy for our rivals on the North to send their products here and enjoy access to our market without let or hindrance. We have practically abolished the customhouses on this side of our Canadian border. You have made them a present of this great market without so much as an apology to the American people or an argument in favor of it in this Chamber. I am not surprised that Canada now feels that her rejection of American reciprocity but a few short months ago was not only wise on her part, but that they were enabled to count with such certainty upon the Democratic administration of this Government presenting to them this market, the like of which does not exist anywhere on the face of the globe.

The bill that Senators upon the other side of the Chamber are about to pass takes the place of a law which for a little over four years has attracted new and diversified industry to our country, has given employment to millions of American laborers, and has furnished a surplus revenue to meet Government expenses every year since it was enacted into law. The very first year it gave us a surplus of \$15,806,324.

Mr. PENROSE. Mr. President, will the Senator permit me? Mr. SMITH of Michigan. Certainly.

Mr. PENROSE. It seems to me that the very interesting remarks of the Senator from Michigan ought to be listened to by a quorum of the Senate, and I suggest the absence of a quorum.

Mr. SMITH of Michigan. The Senator is very kind, but the Senators on the other side can not be influenced by argument; their action is dictated by the iron rule of King Caucus.

The PRESIDENT pro tempore. The Senator from Pennsylvania suggests the absence of a quorum. The Secretary will call the roll.

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

Ashurst	Hughes	Newlands	Simmons
Bacon	Jackson	Norris	Smith, Ariz.
Borah	James	O'Gorman	Smith, Ga.
Brandegee	Johnson	Overman	Smith, Md.
Bristow	Jones	Owen	Smith, Mich.
Bryan	Kern	Penrose	Smith, S. C.
Burton	La Follette	Perkins	Swanson
Chamberlain	Lane	Pittman	Thomas
Chilton	Lea	Pomerene	Thompson
Clarke, Ark.	Lewis	Ransdell	Thornton
Colt	McLean	Saulsbury	Tillman
Fletcher	Martin, Va.	Shafroth	Vardaman
Gore	Martine, N. J.	Sheppard	Walsh
Gronna	Myers	Shields	Weeks
Hollis	Nelson	Shively	Williams

Mr. GRONNA. My colleague [Mr. McCUMBER] is necessarily absent from the city on important business. I wish this announcement to stand for the remainder of the day.

The PRESIDENT pro tempore. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. SMITH of Michigan. Mr. President, I notice the chairman of the Committee on Finance in the Chamber. I should like to ask him, if I may, what there was of advantage to Canada in the American reciprocity treaty negotiated by President Taft that has not been given to Canada under this bill without any consideration whatever?

Mr. SIMMONS. Mr. President, that is a pretty large question. It would involve some consideration of the treaty and the pending bill. I am not prepared to go into details about the matter. I do not care to go into any discussion of the Canadian reciprocity bill.

Mr. SMITH of Michigan. If the Senator from North Carolina will listen to this sentence I will not press the matter further upon him.

Mr. SIMMONS. I simply said to the Senator—and I said it courteously—that I do not care to enter upon a discussion of the Canadian reciprocity treaty in considering the question of adopting the conference report on the tariff bill. I could not answer the Senator's question without some investigation and comparison. Therefore I do not care to undertake to make an answer without that sort of a comparison.

Mr. SMITH of Michigan. The president of the Canadian Manufacturers' Association a few days ago said this:

An examination of the Underwood bill as finally amended confirms me in the belief that Canada made no mistake in rejecting the reciprocity agreement of 1911. In saying this I do not question the value of the market concessions we would have secured thereunder; but whereas then we would have secured these concessions only in return for similar concessions on our part, now we are to secure many and some of the most substantial of them without an embarrassing consideration of any kind.

I should like to ask the Senator from North Carolina whether he believes the statement of the president of the Canadian Manufacturers' Association is founded on fact?

Mr. SIMMONS. Speaking generally, I do not, Mr. President.

Mr. SMITH of Michigan. In what respect does the Senator from North Carolina differ with him?

Mr. SIMMONS. I said to the Senator that I do not care to go into a discussion of the Canadian reciprocity treaty.

Mr. SMITH of Michigan. Will the Senator permit me to enumerate the items?

Mr. SIMMONS. I have no objection to the Senator discussing the matter if he desires to do so.

Mr. SMITH of Michigan. The Senator from North Carolina knows that among the things that made possible a majority of his own party in this Chamber was the very unfortunate reciprocity treaty negotiated between this Government and Canada. If that is true, and if the American farmer repudiated that treaty because he did not consider it advantageous to him or to his country, I should like to know what support you expect from the American farmer when he is not even treated with the slightest consideration in return for the privileges you accord to his competitors in Canada under this bill.

The people of Canada are gloating over the fact that they rejected that treaty and that they now have all the advantages, with none of the disadvantages, growing out of it. If that is good work and commends itself to the American people, I mistake their temper and their judgment.

When the point of no quorum was made, I was saying that the bill which you now propose to repeal has served this country as no similar legislation has ever served it. The very first year it gave us a surplus of over \$15,000,000 in revenue. The second year it gave us a surplus of \$47,234,000. The third year it gave us a surplus of \$37,224,000. In 1913, the present year, while you have been sharpening your knife to destroy it, it has yielded a surplus revenue of \$40,083,000.

Contrast, if you will, these actual accomplishments with the prophecy of the leaders of the Democratic Party in the House. When they sent their bill over here, after nearly a year of contemplation, they were to have a surplus under it of \$58,000,000, substantially the amount that they are giving to the American Sugar Refining Co. as a present. To-day you are driven to your very wits' end to make your bill produce enough revenue to meet the ordinary expenses of the Government; you have resorted to extraordinary methods of taxation, a privilege heretofore enjoyed by the States, to safeguard your experiment, and there is no limit to the extent to which you may now go in that direction.

Personally I very much regret the necessity of now using this great power of direct taxation in time of peace, when the Treasury is full and the credit of the Government at its highest point, although I voted for the income-tax amendment to the Constitution. I think in ordinary times the States should be permitted to use this medium, if used at all, to relieve the over assessed and burdened taxpayer in the townships, villages, and cities of our country, especially when the money is not needed by the Federal Government.

There is not a man on the other side of the Chamber who can prophesy with the slightest degree of accuracy the revenue that will be derivable under this measure. You have gone recklessly to the point of repealing an act which has furnished the Government all the revenue it needed, and more than enough, and have put forward a measure destined, in my judgment, to result in a deficit in the Treasury of the country. If that is good sense or wisdom or statesmanship, I fail to comprehend it.

I think it is wise to have such authority in the fundamental law as will enable the Government to tax incomes, but a fairly

protective bill, safeguarding American industry, would have made this new experiment unnecessary now.

I think the income tax as now devised will be detrimental to our citizenship. The burdens of government should be shared by all in proportion to his strength. I think this bill will divide the country into classes, which I regret, for I believe all are willing to pay their share. Under our present system of protective duties this was wholly unnecessary except in time of war on the part of the Federal Government.

The law which you are now repealing has been successful. It has stimulated industry. It has given employment to labor. It has kept wages higher than they have ever been before. It has given us a larger foreign trade than we have ever enjoyed before. The last month of the existence of that law, the month in which you practically decided upon its repeal, brought us more foreign trade than any previous month during the history of this Republic.

It has been a favorite argument of Democrats and free traders that our tariff tended to exclude us from the markets of the world. Yet every single month of the existing law has enlarged our foreign market for manufactures, as well as other products; and the last month has been the best month, notwithstanding people are holding back on importations, and ships are already heading for our ports bearing the results of foreign genius and labor, and propose to remain on the ocean and lakes until they can put their products upon this market under more favorable conditions than would be permitted by the law under which we are now living.

If the existing law has given us revenue, if it has encouraged enterprise, if it has stimulated industry, if it has encouraged capital, if it has kept wages high, in the name of all that is wise and patriotic, what excuse can be made for its repeal and the substitution of a bill which finds more praise in every foreign country where our rivals are anxiously waiting than it finds at home—or on our border, where they praise it for the opportunities it will give to Canadians?

Mr. President, I realize that it is perfectly useless to occupy the attention of the Senate further at this particular time in the history of this legislation. I realize that I am trespassing upon the good nature of my colleagues to do it. I shall not take the attention of the Senate further, beyond making the simple statement that I believe this legislation is the outgrowth of prejudice. I believe it is sectional in its character. If it does work successfully, I shall be very glad, and shall be the first to acknowledge the fact. But if it works badly, if it does arrest our prosperous development, then, I think, the time will not be remote when Senators sitting on the other side of the Chamber will have to account for their folly.

This is not good legislation. It has not been carefully considered. It has not been worked out in detail. It is the result of the most practical bossism that has been displayed in the making of a tariff bill within my recollection. The bossism is not only here, but comes from a place not far from the Capitol where many Members of the Senate have been forced to accept the edict of the President rather than use their own judgment.

I am proud to record my vote against it.

Mr. BORAH. Mr. President—

The PRESIDENT pro tempore. The Senator from Idaho will please suspend while the Chair makes a statement. The Senator from Ohio [Mr. BURTON] reserved a point of order as to amendment 87, which should properly be disposed of at this time.

Mr. BURTON. I have already stated the feature of the conference report to which I refer. An article made dutiable under the House bill at 20 per cent was made dutiable under a Senate amendment at 30 per cent. The conference report fixes the duty at 15 per cent. The whole of paragraph 116 was stricken out by Senate amendment numbered 87 and an entirely new paragraph substituted, under which, as I have stated, the rate was 30 per cent. The Senate conferees receded from their amendment and adopted the House paragraph with a single change.

If the House paragraph had been left as it was, of course there could have been no objection. Under that kind of an agreement the Senate would have merely receded. But the Senate conferees did more than recede and accept the House paragraph. They have accepted the House paragraph in its entirety, with a single exception; "20" was changed to "15."

Mr. President, I maintain that was beyond the power of the conference committee. What is the whole theory of a conference between the two Houses? There are two legislative propositions before them—one the proposition put forth by the House and the other the proposition put forth by the Senate. What is the function of the conference committee? One of the legis-

lative bodies must recede entirely or there must be a compromise between the two. They are limited, however, to the action of the two Houses.

On this subject I wish to read briefly from a book of acknowledged authority, Mr. Hinds's Precedents, in which he recognizes that formerly a larger degree of latitude was given to a conference committee. His conclusions—and those conclusions are sustained by numerous authorities—are set forth in paragraphs 6409 and 6417 of volume 5, page 719 and following and page 724 and following.

Paragraph 6409 states the rule:

In the later, but not the earlier, practice the Speaker rules a conference report out of order on a question being raised.

On a question which was presented when Mr. Blaine was Speaker he said:

The point of order lies against the conference report, but during the experience of the Chair on this floor he has never known a conference report ruled out on a point of order. The report of a conference committee is always received as embodying the conclusions of both Houses, or the representatives of both branches of Congress. The Chair will therefore submit the point of order to the House.

In that ruling he expressed the former practice, as it is called by Mr. HINDS in his book on precedents.

What was the result when he left the question to the House?

The point of order—

That is, against the conference report, which would nullify it—

being put to the House, was sustained by a vote of 82 ayes and 33 noes.

Showing that they absolutely rejected the old idea that there was any sacredness about a conference report.

In the second clause of paragraph 6409 the digest states as follows:

Under the later practice when a conference report is ruled out of order the Senate is informed by message that the report has been rejected.

While the managers may perfect by germane amendments propositions committed to them, they may not, under the later practice, go beyond the differences of the two Houses in so doing.

There is a clear enunciation of the rule that they can not go beyond or outside the differences between the two Houses.

Paragraph 6417. The managers of a conference must confine themselves to the differences submitted to them.

What was the difference here? The House rate was 20 per cent; the Senate rate was 30 per cent. In passing upon the differences between them in making a report the managers of a conference must confine themselves to the differences submitted to them.

Mr. President, these, it is true, are precedents derived from the House debates, but they are expressive of general parliamentary law.

However, I wish to say just a few words more on the policy of procedure under such circumstances. We could find no better illustration of the danger arising from a violation of the rules than in this very bill. Here are nearly 700 amendments placed upon a House bill by the Senate. It is almost impossible to keep track of all those amendments. They were sent to a conference committee, and there is, I say with the utmost confidence, no Member of the House or Senate who ought not to be able to rely upon the thrashing out of those differences within the limits of the legislation by the two Houses. Otherwise the door is thrown wide open for fraud or imposition, for the "insidious lobby," as it is called, to get in their work and to insert in the bill propositions of legislation which neither House nor Senate have agreed to, and which would when the conference report is under consideration be overlooked.

So, Mr. President, I submit this point of order for decision. It is manifestly contrary to parliamentary law and it makes it possible for the conference committee, limited in number, to usurp to itself the functions which belong to the House and to the Senate.

Mr. LEWIS. May I take the liberty to ask the Senator from Ohio a question concerning a matter I now recall in which both he and myself participated? I am very much interested in the parliamentary point raised by him, but I should like to ask the Senator from Ohio does he not recall that in the lower House of Congress, in August, 1897, when a conference report was submitted upon the Dingley bill and there was added in that conference report a recommendation upon a wool schedule suggested by a gentleman by the name of Lawrence to Gen. Grosvenor, who had it inserted, that the point was urged by the Democratic side and maintained by myself, among others, that such insertion was wrong and not admissible, and that it was ruled by Speaker Reed that, though the subject matter was not specifically legislated either by the House or by the

Senate, yet if the new matter was upon the same subject, as a compromise, it was within the conference power?

Mr. BURTON. I must say to the Senator from Illinois that I do not recall the instance. I suppose this could be done. If there should be a complete provision treating a certain subject inserted in a bill passed by one House and that was stricken out and no legislation on the subject inserted by the other, there might then be a substitute in conference. Perhaps if a bill should pass one House and should go to the other and all be stricken out except the enacting clause new material could be framed and submitted by the conference committee to the two Houses. I would say that that was very irregular and very objectionable, but I think precedents will be found under which that method has been sustained. I do not deny that there are some old precedents on this subject which maintain a different rule from that which I am asserting.

Mr. LEWIS. I want to invite the attention of my esteemed friend, whose ability I much admire—and I have had occasion often times to do so—to the fact that he voted to sustain that conference report under that ruling of Speaker Reed.

Mr. BURTON. I have no doubt the Senator from Illinois is right about that, though I do not recall the instance.

Mr. LEWIS. I would like to ask my friend for his judgment, that I very much respect, if he sees any difference now between this case and the condition as it then existed, if I am stating the premises correctly?

Mr. BURTON. I think so. I think there must have been this difference: This is a change in a figure—just one word—and that may have been a new treatment of the subject, going into it somewhat elaborately. This is much more dangerous than that.

Mr. LEWIS. With all respect, I do not see any difference between the two.

The PRESIDENT pro tempore. The Chair feels constrained to overrule the point of order raised by the Senator from Ohio. He overrules it in conformity with the precedents established by the practice in the Senate.

Mr. BURTON. With the utmost deference, I wish to take an appeal from the decision of the Chair.

The PRESIDENT pro tempore. The Chair will complete his statement.

Mr. BURTON. I beg the Chair's pardon.

The PRESIDENT pro tempore. The Chair is quite aware of the fact that in the House a different rule prevails. The precedents read by the Senator from Ohio correctly state the rule applied there. The rule is just the reverse in the Senate. If, in the judgment of the Senate, the conferees have included matter that was not in dispute as between the two Houses, that is a ground for a rejection of the report, but it has not heretofore been treated as a ground for setting the report aside upon the objection of an individual Senator.

The Chair calls attention to the ruling made by Vice President Fairbanks on the 11th of June, 1907, reported in Gilfray's Precedents, page 269. When disposing of a similar point of order the then Vice President said:

The Chair is of the opinion, as he has previously held, that under the usual practice of the Senate a point of order will not lie against a conference report. The matter in the report challenged by the point of order interposed by the Senator from Texas may be considered by the Senate itself when it comes to consider the question of agreeing to the report. The only question under the usual practice of the Senate, in the opinion of the Chair, is, Will the Senate agree to the conference report? The Chair holds that the point of order is not well taken, and therefore overrules the point of order.

The present occupant of the chair does nothing more than to follow that precedent when he overrules the point of order raised by the Senator from Idaho.

Mr. BURTON. Mr. President, I desire to take an appeal from the decision of the Chair.

The PRESIDENT pro tempore. The Senator from Ohio appeals from the decision of the Chair. The question is, Will the ruling of the Chair stand as the judgment of the Senate? [Putting the question.] In the opinion of the Chair, the ayes have it. The ayes have it, and the decision of the Chair is sustained.

Mr. BORAH. Mr. President, I wish to ask a question or two with reference to a certain provision of the income tax as it comes back from the conference report.

Mr. PENROSE. There is another point of order to be disposed of.

The PRESIDENT pro tempore. Yes; but, of course, it could be laid aside by unanimous consent.

Mr. PENROSE. The Chair announced his desire to dispose of the points of order first.

The PRESIDENT pro tempore. Yes; after completing the reading of the report.

Mr. PENROSE. I desire to call the attention of the Chair to page 7 of the report, amendment 241. In this amendment the duty was imposed by the Senate the same as the House—20 per cent on a certain line of articles—and the conferees have reduced it to 10 per cent, when the rate was never in conference. Is the Chair unwilling to rule on that point?

The PRESIDENT pro tempore. The Chair thinks that presents the same question, and his ruling will be the same as was made in the case of the point raised by the Senator from Ohio. It resolves itself into the proposition that where the two Houses have inserted matter that was not in dispute as between the two Houses, under our practice that is not a matter which can be disposed of by a point of order, but constitutes an objection to the adoption of the report when the Senate comes to deal with it as a whole.

Mr. PENROSE. Then I shall be content, Mr. President, to let the record stand as a monument to the ignorance or the indifference of the majority members of the conference as to the parliamentary regulations concerning a conference report. I shall be willing to abide by the judgment of future legislators, and when they point to this record, where a rate in a tariff bill in conference committee which was not in issue was cut in half, they will state that the then majority in Congress were either incompetent or had an effrontery for which there is no precedent in the previous history of the Government.

Mr. President, when I contemplate this action, which leaves the minority in this Chamber absolutely without any protection in legislation of this character, which opens the door to fraud and every sinister influence, when I consider the possible consequence of permitting this extraordinary latitude, I can only feel humiliated that the party in power, supposed to be in charge of the government of a nation of nearly 100,000,000 people, should lend themselves to a practice such as this.

The PRESIDENT pro tempore. The Chair can say that in making the ruling he did, it was based upon precedents made by a Republican Senate, and if ignorance and effrontery were exhibited in imposing it, it was done by the Republican Party. The rule of the Senate is simple. The Senator from Idaho is recognized.

Mr. BORAH. Mr. President, I may be in error about a provision of the income tax, and for that reason I desire to ask those in charge of the bill as to some of its provisions. I have had only a few moments since I discovered it to consider it, and therefore am not prepared to speak conclusively.

I read a section:

For the purpose of this additional tax the taxable income of any individual shall embrace the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all companies, whether incorporated or partnership, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed; and the fact that any such company or partnership, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business shall be prima facie evidence of a fraudulent purpose to escape such tax.

Mr. WILLIAMS. Mr. President—

The PRESIDENT pro tempore. Will the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I yield.

Mr. WILLIAMS. The Senator is reading from a bill where the printer or somebody left out the language which was subsequently supplied, "a mere holding company." That comes in so as to make sense. In some way or other, either by transcript or down at the Government Printing Office, that language was left out. He will find it now in the conference report.

Mr. PENROSE. That is not the only error that will be found in the bill, either.

Mr. WILLIAMS. It is "a mere holding company."

Mr. BORAH. I will read it, then, as suggested by the Senator from Mississippi. I do not understand it. If the Senator will bear with me:

For the purpose of this additional tax the taxable income of any individual shall embrace the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all companies, whether incorporated or partnership, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed.

I see; I think there is where the provision should come in and be inserted. It says "in lieu of corporations, joint-stock companies, or associations," and then "a mere holding company."

But now, Mr. President, what I desire to know is this: This clause relates alone to corporations which are formed for the purpose of holding profits and dividends, and so forth, and it does not relate, as I understand, to legitimate corporations

or the incomes received upon stock in legitimate corporations, because the provision reads—

of all companies, whether incorporated or partnership, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed.

I understand if the Secretary of the Treasury comes to the conclusion that a corporation has been organized or formed for the purpose of doing these things here, and, notwithstanding it has not distributed its earnings, he may go into the treasury of the corporation, as it were, and levy the income tax upon that which should have been distributed.

So far as that is concerned, Mr. President, there can be no objection except the objection which might arise in giving the Secretary of the Treasury such power—a very great and unusual power to be thus lodged in one who is acting ex parte. Nevertheless it would enable the Secretary of the Treasury, if he should conclude that it was fraudulent, to enter into the treasury, as it were, and secure the tax.

But what I desire to ask is this: Suppose that a corporation has been legitimately organized and that it can not be said to be fraudulent or formed for the purpose of doing the specific thing of holding property and holding dividends; suppose it is a legitimate corporation and they do not distribute, then is there any way under this bill to tax or get at the dividends which a corporation might hold which has been held to be legitimately organized?

Mr. WILLIAMS. Yes.

Mr. BORAH. That is the question which interests me.

Mr. WILLIAMS. If the Senator will give me his attention, this says:

Formed or fraudulently availed of.

Mr. BORAH. Yes.

Mr. WILLIAMS. So that a corporation which is in existence now, where it shall be "fraudulently availed of for the purpose of preventing the imposition of such tax," can be treated just as one that was formed for the purpose of fraudulently evading it, with the other limitations which come in connection with the clause to which the Senator referred, which is "and the fact that any such corporation or partnership, or"—by the way, the conferees struck out "partnership" because it is dealt with later on—

Mr. BORAH. I see that.

Mr. WILLIAMS (reading):

Or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business shall be prima facie evidence of a fraudulent purpose to escape such tax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the said tax in such case unless the Secretary of the Treasury shall certify that in his opinion such accumulation is unreasonable for the purposes of the business.

Now, take a marine insurance company for example. It is compelled to keep a surplus, a very large amount of money, on hand to provide for unseen calamities at sea, great storms which engulf many ships. So they require that the money which is paid in for one year shall be kept there for two additional years, and the contract is that if during that time the losses are abnormal this money is put upon the books to the credit of the marine insurance company. It is to the credit of their policyholders and bears interest; at the same time it is a sort of surplus; it is an accumulation provided for that purpose. Now, a surplus or accumulation which in the case of a marine insurance company would be reasonable might be very unreasonable in the case of some other sort of corporation.

Take the Steel Trust for example, or something of that sort. This clause gave us more trouble than perhaps anything in this bill. The Senator will see that unless we provide for this evil in some way men might escape not the normal tax but escape the additional tax by merely forming themselves, or using a brother, wife, or somebody, or an office boy. Then, while perfectly willing to pay the normal tax as a corporation, they would escape the additional tax by not having their amount distributed by an arrangement so that they could draw upon the corporation, of course, for whatever they needed. Now, it is for the purpose of preventing that sort of thing. Of course, they could have any arrangement with the corporation they chose, because they would be the corporation.

Now, then, it was thought that perhaps some corporation now in existence might lend themselves to things of that sort owing to the fact that men might be liable for the additional tax and would completely control it by owning a majority of the stock. So this was put in for that purpose. It came over from the House, and the House wording was not satisfactory. The Senate committee put in the clause, and upon further investigation it was not satisfactory to the subcommittee. That was changed

again upon the floor of the Senate, and I asked that it be recommitted again, and this was finally brought out as the best production that we were capable of to meet the anticipated difficulty.

Mr. BORAH. As I understand the Senator, then, down to the semicolon, on page 191, line 11, the bill provides for one class of corporations; that is, corporations organized for the purpose "formed or fraudulently"—

Mr. WILLIAMS. "Formed or fraudulently availed of for the purpose."

Mr. BORAH. Down to the semicolon in line 11 that class of corporations is provided for, and I understand the Senator to say that the next clause relates to all corporations which might consent to an overaccumulation of profits.

Mr. WILLIAMS. Oh, no.

Mr. BORAH. Otherwise the section would seem to be faulty.

Mr. WILLIAMS. The Senator is mistaken.

Mr. BORAH. If that is not true, then—

Mr. WILLIAMS. The subsequent clause relates back to the first one and can not cover anything beyond what it covers. The subsequent clause merely provides that a certain thing shall be prima facie evidence of the existence of this fraudulent purpose. In the case previously referred to, and when gains and profits are permitted to accumulate beyond a certain reasonable figure, then if it shall be thought to have shown these fraudulent purposes, but it is only when the Secretary of the Treasury shall certify that in his opinion the accumulation was unreasonable.

The first clause reads as follows:

For the purpose of this additional tax the taxable income of any individual shall embrace the share, etc., if divided or distributed, whether divided or distributed or not.

Of what?

Of all companies. The language "whether incorporated or partnership" is stricken out, and after "companies" comes the language "corporations, joint-stock companies, or associations, however created or organized," when—

formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed.

And then follows the language of the next clause:

And the fact that any such company is a mere holding company in such association, corporation, etc., or that the gains and profits are permitted to accumulate beyond the reasonable needs of business—

Shall be what?

shall be prima facie evidence of a fraudulent purpose to escape such tax.

What is the tax? But the following and second clause is even not to be accepted unless the Secretary of the Treasury shall certify that, in his opinion, that is the case. This can not refer to anything except to the sort of corporations referred to in the first clause, and they are corporations formed or fraudulently availed of for the purpose of escaping the tax.

Mr. BORAH. Mr. President, if that is the construction which the Senator desires to put upon this language, let me put this concrete proposition. Suppose we have an automobile company, which I heard something about the other day, formed several years ago, of course, a legitimate corporation, which was not formed for the purpose of doing these things. The statement was to the effect that one individual drew down several million dollars of dividends each year. Suppose they had seen fit not to declare a dividend this year, the question which I desire to put to the Senator is, Could the Secretary of the Treasury tax that dividend which ought to have been distributed?

Mr. WILLIAMS. He must first proceed to consider the question whether that corporation as such has been fraudulently availed of for the purpose of permitting parties to escape this additional tax, and considering that question and deciding upon it himself he would consider whether this surplus were too large for the reasonable purposes of that business. If he concluded that the accumulations were too large for the reasonable purposes of that business, and that the fraudulent intent existed, he would then certify that, in his opinion, such accumulation was unreasonable for the purposes of the business. Whereupon it would become prima facie evidence to the fact that it was being fraudulently availed of to escape the tax, and the internal-revenue commissioner would proceed to assess the property.

Mr. BORAH. The Senator, then, takes the position that the words "availed of" would enable the Secretary of the Treasury to review the conditions of any corporation.

Mr. WILLIAMS. Provided that they had accumulations or surplus unreasonable for the character of the business they were carrying on.

Mr. BORAH. Well, if that language should be construed in that way by the court, I presume it would attain the object which the Senator desires to attain, but it seems to me a doubtful construction; but I have not had time to consider it at length.

Mr. WILLIAMS. I do not know that it would attain it perfectly. I say frankly that we did the best we could. It is a very difficult problem, because there is no right to anybody to have a dividend unless the directors declare a dividend. But there is a decision, the style of which I can not now recall, brought to my attention by Representative HULL, of the House, in which it is laid down. There is a distinction between the right of a stockholder to demand that a dividend shall be declared or that he shall receive a distributive share of what would be a fair dividend if declared, which right does not exist as the right of the Government to go upon the premises to determine that such distributive amount ought to be taxed.

Mr. BURTON. While the Senator from Mississippi is on his feet I should like to ask several questions in regard to the provisions on pages 200, 210, 211, and part of 212 of the conference report print. I understand the conferees agreed to make the rent of estate subject to the rule of collection at the source, and also when—

Mr. WILLIAMS. In those cases where the tenant pays to the landlord \$3,000 or more.

Mr. BURTON. On that specific piece of property?

Mr. WILLIAMS. Yes.

Mr. BURTON. How is that restricted, by the provision as to \$3,000 or more?

Mr. WILLIAMS. If the Senator will read it—

Mr. BURTON. The second paragraph, about the middle of the paragraph.

Mr. WILLIAMS (reading):

All persons, firms, copartnerships, companies, corporations, joint-stock companies or associations, and insurance companies, in whatever capacity acting, including lessees or mortgagors of real or personal property, trustees acting in any trust capacity, executors, administrators, agents, receivers, conservators, employers, and all officers and employees of the United States having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensation, remuneration, emoluments, or other fixed or determinable annual gains, profits, and income of another person, exceeding \$3,000 for any taxable year.

Mr. BURTON. That is in the particular lease or the interest on the particular mortgage.

Mr. WILLIAMS. No. Wherever I owe you over \$3,000—whether for rent, for interest, or for anything else—that becomes taxable at the source; that is, in the case of a lessee, you understand.

Mr. BURTON. Just one transaction?

Mr. WILLIAMS. Precisely. If it is a corporation, in that case—

Mr. BURTON. A corporation makes its own returns and takes care of itself.

Mr. WILLIAMS. A corporation makes its own returns.

Mr. BURTON. Suppose that A leases a piece of property to B for \$3,600 per year—\$300 per month—how is that to be adjusted?

Mr. WILLIAMS. Well, this does not adjust it. I suppose such rules and regulations as may be fixed at the Internal Revenue Commissioner's office may determine when that statement must be made and when that tax must be paid. Of course the Senator will see in that case the deduction would be made at the source. Whether the tenant chose to keep back so much each month or whether he chose to make the entire payment during the month when the tax became payable would, I imagine, become a matter of practical business adjustment between him and the landlord. There is only this difficulty about it. Of course, as a matter of fact, the tenant could pay over each month \$300, and then when the month for payment came could deduct the entire tax, because the entire tax could never amount to over what one month's rent would be under that sort of an arrangement. In fact, the tax would amount to only 1 per cent, and the other would be about 8 per cent—one month's rent, one-twelfth of the amount.

It is subject to this difficulty, which will have to be left to the rules and regulations of the Treasury. Possibly a tenant might go on, say, 10 months and pay his rent and then break, and maybe in the meantime he had withheld nothing; but in that case the Government would lose nothing, because the original obligor, the landlord, is liable all the same. Whenever these taxes are not paid at the source in behalf of any person that person is liable.

Mr. BURTON. Is there any way of doing away with the necessity that the tenant withhold that amount by the filing of a writing, or anything of that kind?

Mr. WILLIAMS. There is for this year. If the Senator will turn to that part of the bill, he will find that we have done away with a good deal of the payment at the source for this year, because we thought they would hardly have time to get everything ready for the tax; but in other cases there is not, because we thought that if we gave way and made this payment-at-the-source principle too elastic it would give room for a good deal of fraud upon the revenue. The Senator from Ohio is doubtless aware of the fact that during one year in its history Great Britain, without changing the rate of income taxation at all, merely changed from the old plan to the payment-at-the-source plan and got about 30 per cent more revenue that year. We have made it inelastic upon that point, except for this first year.

Mr. BURTON. One further point, though I believe the Senator from Mississippi has already answered it. This is not intended to apply to any lease where the aggregate rental is less than \$3,000 a year?

Mr. WILLIAMS. No; it is not. That would have hampered and pestered and worried and bothered the citizen unnecessarily.

The VICE PRESIDENT. The question is, Will the Senate agree to the report of the committee of conference?

Mr. SIMMONS rose.

Mr. BURTON. Now, that the Senator from North Carolina is on his feet, I should like to ask him a question. It is a question which applies to quite a number of instances, but I will select one with which I have some familiarity. Paragraph 84, amendment numbered 49, relates to carbons. Two kinds of carbons were made dutiable in the bill as it passed the other House. They are "carbons for electric lighting, wholly or partly finished, made entirely from petroleum coke," and those composed of lamp black or retort carbons. There is on the first class a specific duty of 15 cents per hundred feet.

Mr. WILLIAMS. I should like to ask the Senator from Ohio to what part of the bill he is now addressing himself?

Mr. BURTON. I am referring to page 23 of the bill as it comes here after the conference report, paragraph 84, amendment numbered 49. Carbons made of petroleum coke are made dutiable at 15 cents a hundred feet, and those composed chiefly of lampblack or retort carbon are taxed 40 cents per hundred feet. To that the Senate added this amendment:

Carbons for flaming-arc lamps, not specially provided for.

To that the conferees have added the words "in this section." What do those words mean? Those carbons not specially provided for in this section? Can that refer to petroleum carbons or lampblack carbons? They are specially provided for in this section. What is meant by that language?

Mr. SIMMONS. By the word "section"?

Mr. BURTON. By the addition of the words "in this section."

Mr. SIMMONS. That means anywhere in the dutiable paragraphs of the schedules of the bill or in the free list. There is but one section covering all those things in the bill.

Mr. BURTON. The section containing duties?

Mr. SIMMONS. Section 1 goes down to the income tax.

Mr. BURTON. I am aware of that; but I do not recall any other place in the bill, except in this paragraph, where there is any reference to carbons for electric lighting. That does not mean that the petroleum carbons or the lampblack carbons are specially provided for in this section, does it?

Mr. JOHNSON. Mr. President, I will say, in answer to the inquiry of the Senator from Ohio [Mr. BURTON], that in this very paragraph carbons for electric lighting, made from petroleum coke, are given a duty, as are also carbons for flaming-arc lamps not specially provided for, and filter tubes and carbons not specially provided for in this section, which are nowhere provided for in the dutiable list; and that language has been used all through the bill in describing the dutiable articles.

Mr. BURTON. That is not specially provided for. The provision added by the Senate amendment is made more definite by adding in a plurality of cases the words "in this section"?

Mr. JOHNSON. Yes.

Mr. BURTON. Well, the Senator from Maine does not understand that the flaming-arc carbons, if made of coke or of lampblack, would be specially provided for in this section, does he?

Mr. JOHNSON. I do not know. No nomine carbon for flaming-arc lamps are provided for here, but out of caution if there is any provision for carbons anywhere else, it was intended that this provision should not apply to them.

Mr. BURTON. I do not think there is; but I fear that these words introduced some little element of ambiguity, because the carbons for flaming-arc lamps may be made of petroleum coke, or made of lampblack, but are distinguished from them by the liberal use of chemicals.

Mr. JOHNSON. It seems to me, Mr. President, that carbons prepared especially for flaming-arc lamps fall under this designation here. There is no doubt about it.

Mr. BURTON. Then it is the understanding of the Senator from Maine that carbons for flaming arc lamps make a distinct class and that there is no ambiguity about it?

Mr. JOHNSON. I so understand.

Mr. BORAH. Mr. President, I see the Senator from Mississippi [Mr. WILLIAMS] is absent, but I want to ask one more question with reference to the income-tax provision. Upon page 228 of the bill there is a provision which says:

*Provided further*, That there shall not be taxed under this section any income derived from any public utility—

What is a "public utility"? That would exclude several corporations, some of which are very prevalent here in this District, that I should not want to be excluded under any law.

Mr. SHIVELY. Mr. President, in the consideration of this part of the bill there were brought to the attention of the subcommittee several cases wherein it seemed that there are derived from public utilities and going to municipalities certain incomes that should be exempt. Such income is not derived in the usual course of taxation, and without some provision of this kind it would not be exempt from the tax. For instance, many years ago there was a public-land grant made by the Federal Government to the State of Illinois. The State of Illinois in turn made a grant from that land to the Illinois Central Railroad Co. The Illinois Central Railroad Co., in consideration of the grant, entered into covenants by which it should perpetually pay into the State treasury 7 per cent of its gross income. That was one case. Without some provision of this kind that revenue to the State of Illinois might become subject to tax.

Mr. BORAH. I understand the force of that argument and the necessity of providing for such a case, but in doing so, has not the provision of the bill gone so far as to exempt, for instance, a gas corporation, or an electric-light corporation, or a telegraph corporation, or a railroad corporation? They are all public utilities.

Mr. SHIVELY. They are all public utilities for the purposes of this exemption in so far as the public acquires a beneficial interest in them. If the municipality acquires a beneficial interest in their income, this provision will apply; that is to say, suppose it were a lighting utility, and a certain portion of the proceeds were to go to the municipality; to that extent this provision would apply, and the part of the income going to the municipality would be exempt from the tax.

Mr. BORAH. What provision does the Senator from Indiana refer to as a limitation upon the public utility to which it would apply?

Mr. SHIVELY. On page 228 it is provided:

*Provided further*, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function—

Now, mark you—  
accruing—

That is, income accruing—

to any State, Territory, or the District of Columbia, or any political subdivision of the State, Territory, or the District of Columbia, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico.

It seems to me, as the text refers to income and then says "accruing," that it can exempt only such income as goes to the municipality and can exempt nothing else.

Mr. BORAH. Is that the only provision the Senator has reference to as a limitation? It reads:

*Provided further*, That there shall not be taxed under this section any income derived from any public utility or from the exercise of any essential governmental function accruing to any State—

Mr. SHIVELY. Yes; that is true.

Mr. BORAH. The word "or" might make doubtful, it seems to me, the construction or the limitation which the Senator puts upon it. I am sure that the committee did not intend to exempt all public utilities.

Mr. SHIVELY. The real fact is that the question presented a good many difficulties. We did not care to appear, so far as the taxing authority could do so, to authorize the State or municipality to go into all kinds of private business and have their income exempted. The words "essential governmental function" were used as a limitation.

Mr. BORAH. That would be true if the word "or" was not used in that sentence; but the committee has provided for two classes of corporations. As to the first class, you may stop with the word "utility." Suppose you did stop with the word "utility" and say, "There shall not be taxed under this

section any income derived from any public utility." You may stop there under a legal construction of the sentence; and if you do, what would be the effect of the provision upon all public-utility corporations?

Mr. NORRIS. They would not pay any income tax.

Mr. BORAH. I feel that the wrong word is used there, although I am frank to say that I am discussing these matters without having had very much time to consider them. I am seeking more to call attention to possible ambiguities than to assert a construction.

Mr. SHIVELY. The Senator will observe the concluding clause of that paragraph, which reads:

But this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax, as provided for in this section, upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

The fact is that we were trying to draw the line sharply between the revenue derived by the corporation from its business and the revenue derived by the Government from the corporation.

Mr. BURTON. If the Senator from Indiana will yield for a question, I will say that I have only examined this language very superficially. How does the Senator from Indiana meet the contention of the Senator from Idaho that the first portion of the proviso can stand by itself? I refer to that portion reading:

Provided further, That there shall not be taxed under this section any income derived from any public utility.

Why does not that stand by itself as an exemption?

The proviso proceeds:

Or from the exercise of any essential governmental function.

Going on to something distinct and different.

Mr. WILLIAMS. It reads:

Accruing to any State, Territory, or the District of Columbia—

And so forth.

Mr. BURTON. Yes; but that is another class. It reads:

Or from the exercise of any essential governmental function accruing to any State, \* \* \* nor any income accruing—

And so forth.

Mr. SHIVELY. It seems to me, if the Senator will allow me, that would be read:

That there shall not be taxed under this section any income derived from any public utility—

Mr. BURTON. That is, the word "or" connects the words "any public utility" and the words "from the exercise of any essential governmental function."

Mr. SHIVELY. Yes; "and from the exercise of any essential governmental function." The word "accruing" relates back, of course, to income.

Mr. BORAH. It relates back to what, did the Senator say?

Mr. SHIVELY. To the word "income."

Mr. BURTON. Well, I fancy a court would use all its power to interpret that language not to mean that the first clause stood by itself, but it seems to me there is some ambiguity. Does the Senator from Idaho [Mr. BORAH] desire to ask a question? If so, I will yield to him.

Mr. BORAH. I desire a little more light, if I can get it.

Mr. WILLIAMS. This proviso is all in one sentence:

There shall not be taxed under this section any income—

Of what sort?

derived from any public utility or from the exercise of any essential governmental function accruing—

To whom?

to any State, Territory, or the District of Columbia.

I do not see how there could be any trouble about that language. There is not even a comma in there.

Mr. BORAH. I know there is not a comma in there, but suppose some printer should make a mistake and put in a comma, where would you be?

Mr. WILLIAMS. I did not understand the Senator.

Mr. BORAH. I know there is not a comma there now, but you can not control the legal meaning of a sentence exclusively by punctuation. A court will repunctuate a sentence sometimes in order to make it plain and clear.

Mr. SHIVELY. Only where there is a manifest ambiguity.

Mr. WILLIAMS. The reason there is no comma preceding the word "or" is to make sure that it is all one and refers to the income derived by the political subdivisions mentioned.

Mr. BORAH. I will read the proviso again, interpolating the words "any income" after the word "or":

That there shall not be taxed under this section any income derived from any public utility or any income from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, nor any income accruing to the government of the Philippine Islands—

And so forth.

If you insert the words "any income" after the word "or," you will get what might, in my judgment, come to be the final legal construction of the sentence—"that there shall not be taxed under this section any income derived from any public utility or any income derived from the exercise of any essential governmental function."

Mr. SHIVELY. That is to say, the courts would construe the provision leaving out the word "accruing" entirely?

Mr. BORAH. No. I take it the Senator feels safe under the rule of reason.

Mr. SHIVELY. I have not any question but that the word "accruing" relates back to the word "income," and relates to all between the two words.

Mr. BORAH. I suppose that if the Supreme Court of the United States should construe this provision to exempt public utilities it would be another powerful argument in favor of the recall of judges because we did not make the law plain.

Mr. SHIVELY. It might be a powerful argument for the recall of the Senate.

Mr. BORAH. I think it would be, but we do not agonize to have the recall applied to Senators; only judges.

Mr. BURTON. I should like to ask another question. The paragraph further provides:

No tax shall be levied under the provisions of this act upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory.

Suppose there is an arrangement under which a public utility, a street railway or a gas company, is to fix its rates so that it can make 6 per cent interest on its investment, and no more. To take a concrete case, a street railway company operates under a 3-cent fare, and if by charging a 3-cent fare the income of the street railway company is brought down below 6 per cent by the imposition of a tax, does the language which I have read mean that the tax is not to be paid?

Mr. WILLIAMS. No; it does not mean that.

Mr. BURTON. But it says:

So far as the payment thereof would impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory.

Mr. WILLIAMS. That would not impose a burden upon any State, Territory, or the District of Columbia; it would merely reduce the dividend of the company. To explain this, the State of Illinois, for example, receives 7 per cent from the Illinois Central Railroad; the city of Baltimore receives 9 per cent upon the gross earnings of all its street railways, or used to do so, and does so yet, I think; the city of New York has a contract whereby a certain amount of money was raised and it has a contract whereby it undertakes to hold harmless some of the street railways from all taxes, and then at the end of a certain period the railways become the property of the city of New York or the city has a right to go in and purchase them under certain circumstances. In that case New York gets half, and the street railway gets half. The object is to exempt New York's half, and, therefore, the language was put in below:

But this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this section upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

Mr. BURTON. It is a different class of cases from those mentioned by the Senator from Mississippi to which I am referring. I am referring to cases which are becoming somewhat frequent now, where the value of the public utility owned by a private corporation is capitalized and a certain rate fixed, say 60 cents per thousand cubic feet for gas, or 3 cents for fare in the case of street railroads, and those rates continue so long as the corporation can earn 5 or 6 per cent or whatever rate is agreed upon. Suppose the imposition of an income tax on the corporation brings down its earnings below 6 per cent, then the price for gas would have to go above 60 cents or for the street-car fare above 3 cents. Does this provision apply in such a case?

Mr. WILLIAMS. Oh, does not the Senator see that, even if the fare had to go above 3 cents or the price of gas had to go above a certain figure, it would not be the city that would be burdened; it would be the users of the gas and the travelers upon the street railway?

Mr. BURTON. Is there not an identity between the city and the street-car users.

Mr. WILLIAMS. This does not undertake to protect the people from all burdens. We can not do that because every income tax puts burdens upon the people, although somebody else may pay them. All taxes, as the Senator is aware, are shifted more or less.

Mr. BURTON. Take the case where a large share of the gas is used by the city itself.

Mr. WILLIAMS. As the city can not be taxed at all that would merely reduce the income which the city derives; but it would not be a contract with that corporation whereby certain moneys were to accrue to the city.

The VICE PRESIDENT. The question is, Will the Senate agree to the conference report?

Mr. SIMMONS and Mr. PENROSE addressed the Chair.

Mr. SIMMONS. I yield to the Senator from Pennsylvania.

Mr. PENROSE. I yield to the Senator from North Carolina.

Mr. SIMMONS. If the Senator from Pennsylvania wishes to speak—

Mr. PENROSE. I have nothing to say at this time. I wanted to hear what the chairman of the committee had to say in explanation of the conference report.

Mr. SIMMONS. I was going to make a motion.

Mr. PENROSE. I do not hear the Senator.

Mr. SIMMONS. I say I was going to make a motion, if the Senator will pardon me; but if the Senator wants to speak I will not make it.

Mr. PENROSE. What is the Senator's motion.

Mr. SIMMONS. Simply a motion to concur.

Mr. PENROSE. Does the Senator not intend to address the Senate?

Mr. SIMMONS. I do not intend to address the Senate, if we can get a vote now.

Mr. PENROSE. Well, it would seem to me, Mr. President, that the minority are at least entitled to an explanation from the chairman as to the report and some of the reasons that led to certain important actions. We are waiting with great interest to hear from the Senator.

Mr. SIMMONS. If the Senator desires that I shall make the very brief statement that I propose to make—I am not going into any extensive discussion—I would as soon make it now, but I will yield to the Senator if he wishes to speak. He advised me that he expected to speak.

Mr. PENROSE. I think the minority would prefer to hear the chairman of the committee, because his remarks may be so illuminating that we may not speak as long as we would otherwise, if we were laboring in the dark.

Mr. SIMMONS. I am afraid the Senator from Pennsylvania has become very much infatuated with the word "illuminating."

Mr. President, I have a few brief remarks, largely in the nature of a statement, which I propose to submit, and I presume I might as well submit them now as at any other time.

The House bill, as passed by the Senate, carried 676 different amendments. The House conferees agreed right out to 427 of these amendments, and agreed, with amendments, to 97 of them. The Senate conferees receded from 151 of the Senate amendments. There was a total disagreement between the two Houses as to only one amendment.

The Senate placed upon the free list 61 different items which, in the House bill, were upon the dutiable list. Of the 61 items placed upon the free list by the Senate all were retained there by the conferees except 5, the conferees having agreed to 56 of these amendments.

Without reading the 56 items placed upon the free list by the Senate and agreed to by the conference committee, I submit a statement of them and ask that it may be incorporated as a part of my remarks.

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

The matter referred to is as follows:

ARTICLES TRANSFERRED TO THE FREE LIST BY THE SENATE AND AGREED TO BY THE HOUSE.

Burlaps for making bags and sacks.  
Roman, Portland, and other hydraulic cement.  
Creosote oil, anthracene and anthracene oil.  
Synthetic cryolite.  
Glaziers' and engravers' diamonds, unset, and miners' diamonds.  
Eggs.  
Crude artificial abrasives.  
Flax and tow of flax, hemp and tow of hemp.  
Fulminates and fulminating powders.  
Furs and fur skins, undressed.  
Amber, in chips, valued at not more than 50 cents a pound.  
Gunpowder and all explosive substances used for mining, blasting, and artillery purposes.  
Dyes obtained from Indigo.  
Pig iron, kettledge, spelgeleisen, scrap iron and steel, ferromanganese, iron in slabs, blooms, loops, or other forms less finished than bars, steel ingots, blooms and slabs, die blocks, billets, and cogged ingots.  
Limestone, rock asphalt, asphaltum, and bitumen.  
Lard compounds and lard substitutes.  
Horseshoe-nail rods.  
Photographic and moving-picture films, not exposed or developed.  
Cyanide of potassium.  
Steel engraved forms for bonds and engraved steel plates suitable for printing bonds.

Cattle.  
Sheep.  
Wheat.  
Cedar lumber.  
Rag pulp.  
Machinery for the manufacture of sugar.  
Sand blast machines and sludge machines.  
Alazarin, natural or synthetic, and dyes obtained from alazarin, anthracene, and carbazol.  
Antimony ore and stibnite containing antimony.  
Steel boxes, previously exported filled with American products.  
Text books used in schools and other educational institutions.  
Braille tablets, cubarithmes, special apparatus and objects to teach the blind, printing apparatus, machines, presses, and types for the use and benefit of the blind.  
Needles for shoe machines.  
Palm nuts and palm-nut kernels.  
Perilla oil.  
Cyanide of soda.  
Hoop poles.  
Spanish cedar.  
Paper twine for binding wool.  
Perchlorate of ammonia.  
Fruit boxes, made from shooks exported from the United States.  
Mother bulbs for propagating purposes.  
Harness, saddles and saddlery, composed of other material than leather.

Mr. SIMMONS. Five articles were transferred from the free list to the dutiable list by the Senate, and agreed to in conference. I shall not read those items, but ask that they may be printed as a part of my remarks.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

ARTICLES TRANSFERRED FROM THE FREE LIST TO THE DUTIABLE LIST BY THE SENATE AND AGREED TO IN CONFERENCE.

Crude meerschaum.  
Oatmeal and rolled oats.  
Persian berries, extract of.  
Nutmalls, extract of.  
Sumac bark, extract of.

Mr. SIMMONS. The articles transferred from the free list to the dutiable list by the Senate and restored to the free list in conference number only four. I ask that a statement of those may be incorporated in my remarks without reading.

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

The matter referred to is as follows:

ARTICLES TRANSFERRED FROM THE FREE LIST TO THE DUTIABLE LIST BY THE SENATE AND RESTORED TO THE FREE LIST IN CONFERENCE.

Press cloth for oil-milling purposes.  
Marine coral, uncut and unmanufactured.  
White glass enamel for watch and clock dials.  
Terra alba.

Mr. SIMMONS. The articles transferred to the free list by the Senate, but restored to the dutiable list by the conferees, number five. I shall not read those, but ask that they may be incorporated as a part of my remarks.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

ARTICLES TRANSFERRED TO THE FREE LIST BY THE SENATE, BUT RESTORED TO THE DUTIABLE LIST BY THE CONFERENCE.

Blankets, valued at less than 40 cents per pound.  
Cast-iron pipe.  
Diamond dust.  
Chlorate of potash.  
Hair of the Angora goat, alpaca, and other like animals.

Mr. SIMMONS. I submit, and ask that it may be incorporated as part of my remarks without reading, an enumeration of the items upon which the principal reductions were made by the conferees.

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

The matter referred to is as follows:

PRINCIPAL REDUCTIONS MADE BY CONFERENCE OVER HOUSE BILL, NOT INCLUDING ARTICLES FREE LISTED.

SCHEDULE A.

No. 37. Chiclé, from 20 cents to 15 cents per pound.  
No. 46. Linseed oil, from 12 cents to 10 cents per gallon.  
No. 67. Soap, perfumed toilet, from 40 per cent to 30 per cent; medicinal soap, from 30 per cent to 20 per cent.

SCHEDULE B.

No. 79. Mica, from 30 per cent to 25 per cent.  
No. 96. Surgical instruments, telescopes, microscopes, etc., from 30 per cent to 25 per cent.

SCHEDULE C.

No. 105. Iron bars, etc., from 8 per cent to 5 per cent.  
No. 106. Architectural iron, from 12 per cent to 10 per cent.  
No. 107. Boiler and other plate iron or steel, from 15 per cent to 12 per cent.  
No. 108. Anchors and forgings, from 15 per cent to 12 per cent.  
No. 109. Hoop, band, etc., iron and barrel hoops, from 12 per cent to 10 per cent.  
No. 111. Sheets, plates, or strips of iron or steel, coated, galvanized, or tinned, from 20 per cent to 15 per cent.  
No. 116. Wire and manufactures, from 20 per cent to 15 per cent.

No. 122. Motorcycles, from 40 per cent to 25 per cent.  
 No. 125. Nuts, or nut blanks and washers, from 15 per cent to 5 per cent; bolts and hinges, from 15 per cent to 10 per cent.  
 No. 121. Automobiles, valued at less than \$2,000, from 45 per cent to 30 per cent.  
 No. 126. Card clothing, from 40 per cent to 35 per cent.  
 No. 127. Cast-iron pipe, from 12 per cent to 10 per cent.  
 No. 137. Needles for sewing machines and knitting, from 25 per cent to 20 per cent.  
 No. 145. Aluminum, from 25 per cent to 2½ cents or 3½ cents per pound.  
 No. 152. Tinsel wire, etc., from 10 per cent to 6 per cent; metal threads, etc., from 30 per cent to 25 per cent.  
 No. 169. Manufactures of metals, including machines, etc., not specially provided for, from 25 per cent to 20 per cent.

## SCHEDULE G.

No. 196. Oats, from 10 cents per bushel to 6 cents per bushel.  
 No. 200. Butter, from 3 cents to 2½ cents per pound.  
 No. 208. Eggs, frozen, from 2½ cents to 2 cents per pound.  
 No. 216. Greenhouse stock, from 25 per cent to 15 per cent.  
 No. 223. Zante currants, from 2 cents to 1½ cents per pound.  
 No. 233. Extracts of meat, not specially provided for, from 15 cents to 10 cents per pound; extract fluid, not specially provided for, from 7 cents to 5 cents per pound.

## SCHEDULE I.

No. 260. Cotton handkerchiefs, not hemmed, from 30 per cent to 25 per cent.  
 No. 265. Hosiery, valued over 70 cents nor more than \$1.20 per dozen, from 50 per cent to 40 per cent.

## SCHEDULE J.

No. 278. Thread, twine, or cords of flax, hemp, or ramie, from 25 per cent and 30 per cent to 20 per cent and 25 per cent.  
 No. 279. Single yarns of flax, hemp, ramie, or a mixture of them, from 15 per cent and 25 per cent to 12 per cent and 20 per cent.  
 No. 280. Gill netting, from 30 per cent to 25 per cent.  
 No. 281. Floor matting, from 2½ cents to 2 cents per yard.  
 No. 282. Carpets, etc., of flax, hemp, jute, etc., from 35 per cent to 30 per cent.  
 No. 284. Tapes, from 25 per cent to 20 per cent.  
 No. 287. Wearing apparel of flax, hemp, etc., from 50 per cent to 40 per cent.  
 No. 288. Dyed, colored, etc., burlaps, from 20 per cent to 10 per cent.  
 No. 289. Manufactures of flax, etc., not specially provided for, from 45 per cent to 40 per cent.  
 No. 290. Bags or sacks, etc., from 25 per cent to 10 per cent.  
 No. 246. Fabrics of flax, hemp, etc., from 35 per cent to 30 per cent.

## SCHEDULE K.

No. 295. Tops, from 15 per cent to 8 per cent.  
 No. 296. Yarns, from 20 per cent to 18 per cent.  
 No. 298. Flannels, from 35 per cent to 30 per cent.  
 No. 314. Mohair, from 20 per cent to 15 per cent.  
 No. 315. Mohair tops, from 25 per cent to 20 per cent.  
 No. 316. Mohair yarns, from 30 per cent to 25 per cent.  
 No. 318. Mohair pile fabrics, from 50 per cent to 45 per cent.  
 No. 318½. Time of going into effect postponed to January 1, next.

## SCHEDULE M.

No. 328. Box board, from 25 per cent to 5 per cent; pulp board, from 25 per cent to 5 per cent.  
 No. 332. Plain basic paper for albuminizing, sensitizing, baryta coating, or for photographic or solar printing processes, from 25 per cent to 15 per cent.

## SCHEDULE N.

No. 347. Buttons of vegetable ivory, 36 lines and over in size, from 40 per cent to 35 per cent; buttons of shell and paste, 26 lines and larger in size, from 40 per cent to 25 per cent; buttons, agate and shoe buttons, from 40 per cent to 15 per cent.  
 No. 358. Plates and mats of dog and goat skins, from 40 per cent to 10 per cent.  
 No. 376. Strings for musical instruments of gut, from 35 per cent to 20 per cent.  
 No. 390. Moving-picture films, positive, from 1½ cents to 1 cent per linear foot.

Mr. GRONNA. Mr. President, will the Senator object to an interruption?

Mr. SIMMONS. Not at all.

Mr. GRONNA. I wish to ask the Senator from North Carolina, the chairman of the Finance Committee, a question for information. Speaking of the number of items transferred to the free list, I desire to know if the 61 items referred to constitute the total, or if those are only the additional items added to the free list?

Mr. SIMMONS. There were 61 items added to the free list by the Senate. The conferees retained upon the free list all of those items except 5, I think.

Mr. GRONNA. If the Senator will pardon a further interruption, can he tell us how many of those 61 items are taken from the agricultural schedule?

Mr. SIMMONS. I could if I were to stop and examine them. I will read them if the Senator requires it.

Mr. GRONNA. No; the Senator does not require it.

Mr. SIMMONS. I have not made any calculations for the purpose of ascertaining that.

I also ask to file as a part of my remarks, without reading, a statement as to the changes in amendments made by the conferees upon the administrative sections of the bill.

Mr. PENROSE. Mr. President, I do not wish to appear to be discourteous to the Senator, but if he would enable the minority to hear his statement it would be a great comfort to us.

Mr. SIMMONS. I stated that I also desired, without reading, to incorporate in my remarks a statement of the principal changes made by the conferees relating to the administrative sections of the bill.

Mr. PENROSE. Is it the Senator's idea to let the bill go over until to-morrow, so that we can read this statement?

Mr. SIMMONS. Not at all. If the Senator desires me to read it, I will do so.

Mr. PENROSE. No; I do not desire to put the Senator to any inconvenience. Let the matter take its natural course, and let the record be made for future consideration. The statements are being inserted in the Record without any information on the part of the minority as to what is contained therein.

Mr. SIMMONS. Does the Senator object to my printing, without reading, a statement of the amendments relating to the administrative sections?

Mr. PENROSE. I have been so chastened by defeat that I do not object to anything.

Mr. SIMMONS. I do not think it necessary to take the time of the Senate to read all those amendments.

The VICE PRESIDENT. Without objection, the matter referred to may be printed as requested.

The matter referred to is as follows:

## ADMINISTRATIVE FEATURES—CHANGES MADE BY CONFERENCE.

For statistical purposes the Secretary of the Treasury and the Secretary of Commerce are authorized to establish from time to time a list of enumerated articles in detail of all goods, wares, and merchandise imported into the United States.

The changes make unlawful agreements for a contingent fee in respect to recovery or refund under protest. If such agreement is made, the protest is rendered invalid and a penalty is imposed.

Instead of excluding merchandise from entry for failure or refusal of the foreign exporter or domestic importer to submit books, etc., to inspection it is made dutiable at an advance of 15 per cent ad valorem.

The establishment of a registry of commissionaires or purchasing agents in each United States consulate, provided for by the House bill, is stricken out.

The retaliatory provisions as relating to foreign discrimination are stricken out.

Article 8 of the Cuban reciprocity treaty is repealed.

The article containing provisions covering imports from the Philippine Islands partly composed of foreign material is changed as to the percentage of foreign material contained from 50 per cent to 20 per cent of the total value.

Women's wearing apparel imported by manufacturers for use as models are added to the list of articles that can be imported free of duty if reexported within six months.

The provisions allowing a discount of 5 per cent on duties on goods imported in vessels of United States register are modified so as not to apply to nations having treaties providing for equal treatment of imports in vessels of both countries.

The conference report provided that the waste from rice cleaned in bonded warehouses can be withdrawn into consumption upon payment of the regular customs duties upon such products.

A change provides for the withdrawal of cigars made of imported tobacco in bonded warehouses.

The "dumping clause" is stricken from the bill.

The present excise tax law for the first two months of the calendar year 1913 is changed by abolishing the \$5,000 exemption.

Changes are made in the provisions relating to smelting or refining metals in bonded warehouses.

An amendment provides for extending and modifying the present denatured alcohol law.

An amendment provides that if any clause, sentence, paragraph, or part of this act is declared to be invalid by any court of competent jurisdiction the remainder of said act shall not be invalidated.

Mr. SIMMONS. I also desire to insert as a part of my remarks, without reading, a statement of the changes made by the conferees in the income-tax provision of the House bill.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

## INCOME-TAX SECTION.

## CHANGES MADE BY CONFERENCE REPORT FROM HOUSE BILL.

Very many minor changes were made so as to render the provision more effective, explicit, and definite, less ambiguous, and more easily put into operation. Principal changes are as follows:

The additional tax upon incomes from \$75,000 to \$100,000 was increased from 2 per cent to 3 per cent; \$100,000 to \$250,000 was increased from 3 per cent to 4 per cent; \$250,000 to \$500,000 was increased from 3 per cent to 5 per cent; over \$500,000 was increased from 3 per cent to 6 per cent.

The limit for the allowance for exhaustion in case of mines was fixed so as not to exceed 5 per cent of the gross value at the mine for the output for the year.

The exemption for persons not married and for married persons not living with their husband or wife was reduced to \$3,000.

For the year 1913 the income-tax law was fixed to apply to the 10 months ending December 21 instead of the full year. Also the new law as to the excise tax covers the same period.

In this connection the provisions of the present excise-tax law are modified by the conference report so as to make it conform with the proposed law so far as the abolition of the \$5,000 exemption is concerned.

The conference appropriates \$500,000 for carrying this law into effect, providing rental quarters, purchasing of supplies, payment of salaries, etc. It provides for the appointment of an additional deputy collector of internal revenue, two heads of division, and such additional clerks, messengers, and other employees as may be necessary. It

also fixes certain compensations and allows the appointment outside of the civil-service rules for two years following the passage of this act of all such employees except the clerical force below chiefs of division employed in Washington, D. C.

Mr. SIMMONS. I also submit, and wish to incorporate in my remarks, an estimate of the amount that may be expected to be derived from the income-tax provisions of the bill.

The VICE PRESIDENT. Without objection, that may be done.

The matter referred to is as follows:

Estimated income tax for the year 1915.

Incomes.	Number of Incomes.	Rates.	Tax.
\$3,000 to \$4,000.....	75,000	1 per cent.....	\$375,000
\$4,000 to \$5,000.....	126,000	.....do.....	630,000
\$5,000 to \$10,000.....	178,000	.....do.....	5,340,000
\$10,000 to \$15,000.....	53,000	.....do.....	4,240,000
\$15,000 to \$20,000.....	24,800	.....do.....	3,185,000
\$20,000 to \$25,000.....	10,500	1 and 2 per cent....	2,100,000
\$25,000 to \$50,000.....	21,000	.....do.....	9,660,000
\$50,000 to \$75,000.....	6,100	1, 2, and 3 per cent.	6,832,000
\$75,000 to \$100,000.....	2,400	1, 2, 3, and 4 per cent.	4,776,000
\$100,000 to \$250,000.....	2,500	1, 2, 3, 4, and 5 per cent.	13,775,000
\$250,000 to \$500,000.....	550	1, 2, 3, 4, 5, and 6 per cent.	8,905,500
\$500,000 to \$1,000,000.....	350	1, 2, 3, 4, 5, 6, and 7 per cent.	13,653,500
Over \$1,000,000.....	100	.....do.....	9,301,000
Total.....	500,000		\$2,673,000

Total income tax, \$2,673,000.

Mr. SIMMONS. The Finance Committee and the conference committee alike have been alive to the importance of providing adequate revenues to run the Government. The bill as agreed to in conference, your committee is confident, will provide ample revenue for this purpose and will leave a comfortable surplus in the Treasury.

I present, and will read if the Senator from Pennsylvania desires it, a statement prepared by the expert of the Treasury Department assigned to assist the Finance Committee, and who had been previously assigned to do the same work for the Ways and Means Committee. I think he is the same expert who performed a similar office for the Finance Committee in making up the Payne-Aldrich bill. I may be mistaken about that. I am sure, however, whether I am mistaken about that or not, that this expert has for years prepared these statements for the two committees of Congress having charge of tariff legislation. I have, personally, and I think every member of the Finance Committee has, complete confidence in his competency and in the accuracy of his estimates.

From this table it will appear that the total receipts that we may reasonably expect during the fiscal year 1914 will amount to \$1,029,000,000, and that the expenditures in that year will amount to \$1,013,000,000, leaving a surplus for the first year under the new law of \$16,000,000.

During the fiscal year 1915, when all the provisions of the bill will be in force, it is estimated that the total receipts will amount to \$1,026,000,000 and that the expenditures will amount to \$1,008,000,000, leaving a surplus of \$18,000,000.

Upon an examination of this statement it will be found that for the present fiscal year, 1914, the amount estimated to be derived from customs duties is \$270,000,000, as against \$249,000,000 for the year 1915. The difference, of course, as will be readily seen, is attributable to the fact, as I stated before, that in 1915 all the provisions of the bill will be in effect, and as the duties are lower the estimated revenues are less.

The statement also estimates the internal-revenue receipts for the present year and for the next year at \$305,000,000. That is somewhat in excess of an estimate heretofore made by me, in a report filed by me on the 19th day of July. That is due to the fact that at that time we did not know what would be the internal-revenue receipts for the quarter which has just ended. It was known, however, that during the last several years there has been a progressive increase in the internal-revenue receipts of the Government. That progressive increase continued during the quarter which has just ended, there being an increased revenue from this source as compared with the corresponding quarters of the fiscal years 1913 and 1912. Pursuing the usual methods of calculation in the department, the expert has estimated that the revenues from this source will be \$305,000,000.

During the first year in which this bill will be in effect, the fiscal year 1914, the expert estimates that we will receive from

the income tax \$66,000,000, while he estimates that from the same source in 1915 we will receive \$83,000,000. That is due to the fact that the bill provides that the income tax shall be collected for the calendar year, as distinguished from the fiscal year; and as the Senate changed the House provision so as to provide that the assessment should not begin until the 1st day of March, the receipts this year will represent only five-sixths of a full year.

It is also estimated that the excise tax during this year will amount to \$38,000,000 and next year to \$39,000,000.

Considering the rather remarkable increase in the receipts from this source during the past year, it was thought conservative to estimate that there would be an increase in revenue from this source of \$1,000,000. Customs receipts for the fiscal year 1914 are estimated to be considerably in excess of those for the fiscal year 1915 because of the temporary continuation of the duty on sugar and wool and because during the first quarter, which has already passed, the higher duties of the existing law were in operation, yielding a correspondingly large revenue.

The receipts from the ordinary internal-revenue collections are running much higher than in the year 1912. They increased in 1913 over 1912 about \$16,500,000, and for the quarter just ended they were \$2,500,000 in excess of the corresponding quarter in 1913. They are running so high now as to promise about the amount I have indicated, \$305,000,000.

The present estimate of receipts from the income tax is greater than I formerly made, because since that time the Senate, by amendments, increased the rates of from 1 per cent to 4 per cent on large fortunes to from 1 per cent to 7 per cent, and because the exemption is reduced from \$4,000 to \$3,000, and the exemption for children is abolished, and that for husband and wife is now allowed to only one, not to both.

I ask to incorporate in my remarks, without reading, an estimate of the receipts and expenditures for the year 1914 and 1915.

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

The matter referred to is as follows:

Estimates of receipts and expenditures, 1914.

RECEIPTS.	
Customs.....	\$270,000,000
Internal revenue (ordinary).....	305,000,000
Internal excise tax.....	38,000,000
Internal income tax.....	66,000,000
Sale of public lands.....	5,000,000
Miscellaneous.....	55,000,000
Postal revenue.....	290,000,000
Total.....	\$1,029,000,000
EXPENDITURES.	
Civil and miscellaneous.....	\$175,000,000
War Department.....	178,000,000
Navy Department.....	147,000,000
Indian service.....	20,000,000
Pensions.....	180,000,000
Interest on public debt.....	23,000,000
Postal service.....	290,000,000
Total.....	1,013,000,000
Surplus.....	16,000,000

Estimates of receipts and expenditures, 1915.

RECEIPTS.	
Customs.....	\$249,000,000
Internal revenue (ordinary).....	305,000,000
Internal excise tax.....	39,000,000
Internal income tax.....	83,000,000
Sale of public lands.....	5,000,000
Miscellaneous.....	55,000,000
Postal service.....	290,000,000
Total.....	\$1,026,000,000
EXPENDITURES.	
Civil and miscellaneous.....	\$175,000,000
War Department.....	175,000,000
Navy Department.....	145,000,000
Indian service.....	20,000,000
Pensions.....	180,000,000
Interest on public debt.....	23,000,000
Postal service.....	290,000,000
Total.....	1,008,000,000
Surplus.....	18,000,000

Mr. SIMMONS. Mr. President, the amendments made by the Senate to the House bill reduced the House rate from an ad valorem average of 27.84 per cent to an ad valorem average of 26.67 per cent, a reduction of 4.22 per cent. The conferees have reduced some duties below the Senate rates and raised some

above the Senate rates, the aggregate result being an increase over the Senate amendment rates of about 0.61 per cent. The bill as agreed upon by the Senate and conferees is the lowest tariff measure passed since the Civil War, and it is the first tariff bill ever passed by Congress in which the rates fixed by the Senate were lower than those fixed in the House bill.

The representatives of special interests have long regarded the Senate as the bulwark of protection. When the House has made a rate unsatisfactory to these interests they have followed the bill to the Senate with the confident expectation of securing satisfactory amendments, and heretofore they have generally not been disappointed in their expectation.

This year these interests have made their usual efforts in this regard. They were, of course, given a courteous hearing by the committee, but all of their efforts to have the Senate convert the revenue bill of the House into a protective measure have been vain and futile. Having failed in their efforts to secure special privilege from the committee and the Senate, some of these interests did not despair, but made a final effort when the bill went to conference, but with no better result.

Mr. President, within a few hours—certainly to-morrow or next day—this bill will become the law of the land. It will carry the lowest average rate of duty carried by any tariff bill ever passed by Congress except the Walker bill, and the passage of that bill was followed by an era of prosperity not surpassed in our history. It will be recognized by the country, whatever may be said of it by its opponents, as an honest effort on the part of the party in power to relieve the people from the unequal conditions and unjust burdens existing through the present tariff law, without inflicting injury upon anyone, except in so far as injury may be incidental to remedying admitted wrongs and correcting inequalities and inequities in our tariff legislation by abolishing legislative privilege and favoritism.

The large free list which this bill carries and the heavy reductions it makes on the necessities of life will carry its benefits more directly and more surely to the people than any other tariff bill ever enacted by Congress. It untaxes many of the raw materials of the manufacturer, but it simultaneously and correspondingly reduces the tariff on the manufacturer's finished products, so as to compel him to share the resulting lessened cost of production with the domestic purchaser of his products.

The bill recognizes the fact that the maintenance and the further development and expansion of our industrial activities depend largely on our foreign trade. It recognizes the fact that we can not successfully sell abroad unless we also buy abroad, and it seeks in every possible and feasible way to encourage our foreign commerce. To that end, by its reductions, it opens the door for larger importations, and by reducing the taxes on the necessities of life and by untaxing the raw materials of the manufacturer it reduces the cost of production and provides a way for an enlarged exportation of our products.

Mr. President, this bill remits to the masses one-third of the tax they now pay to the Government through customs duties by transferring that much of their present burdens to the incomes of the rich. This is fair and just, because the masses pay many times their share of these customs taxes under our tariff system, which is a tax upon consumption; and as the poor man and the man of moderate means must eat, must wear clothes, must have a home in which to reside as well as the rich man, the amount of taxes which the poor and the well-to-do pay under a tax on consumption is altogether out of harmony with the amount which the rich have to pay.

With a view of equalizing this condition, in the inauguration of the income tax we have sought to remedy—and we believe we have in a large measure, though not altogether, remedied—that inequality by exempting from the income tax all incomes under \$3,000. So that while the millions of this country pay practically all of the customs taxes—the consumption taxes—they will be relieved from the income tax, and this tax has to be paid only by the rich or moderately rich whose incomes exceed \$3,000.

It is estimated that of the ninety-odd million people of this country this income tax will have to be paid by only about 500,000 individuals. So we have a system, brought about through this bill, equalizing the burdens of taxation between the rich and the poor by relieving the man whose income is less than \$3,000 from all income tax and requiring those who have more than a competency and who do not pay their share of customs taxes to pay all of this tax on wealth.

But, Mr. President, of far greater importance to the people than relieving them of the one-third of the customs tax that is now transferred to the swollen fortunes of the rich—for that

could not amount to more than a lessening of their burdens to the extent, probably, of \$100,000,000 a year—of more, yes, of transcendently more importance to the people than this is the fact that the reductions made in this bill remit to the masses millions piled upon millions annually collected from them through the provisions of existing law, not for the Government, not to fill the coffers of the Treasury, but to swell the bloated fortunes of beneficiaries of the protective system of taxation.

Mr. President, this bill has been highly praised and it has been severely criticised. So have all of its predecessors. But neither the commendations of the advocates nor the condemnations of the opponents of an untried tariff bill signify much. In this case, as in every case, the merits of the bill will have to be determined by its practical workings.

The Democratic Party, responsible for this legislation, awaits with absolute confidence the result of this supreme test of its efficiency in carrying out the policies and principles upon which it was framed, and the efficacy of these principles, thus applied, to remedy admitted evils and reform admitted abuses in the interest of the welfare and the prosperity and the happiness of the people. As Democrats we have an abiding faith that it will expand and not contract our industrial activities.

We believe that it will open more factories and will not close those that are already in operation. We believe that it will increase and not curtail the opportunities of employment to labor and that it will make more instead of lessening the number of shops open to the American workmen. We have an abiding faith that it will bring prosperity and not disaster.

Whatever may be said of this bill, either by its friends or opponents, no one can gainsay the fact that it is a clean bill. No one can gainsay the fact that no sinister taint or suspicion attaches to its making. No one can say that it was inspired or written by the hands of selfishness or of greed. All will admit that the representatives of the interests came here to the Capitol, as has been their wont whenever tariff legislation is about to be enacted, to influence and dictate legislation to serve their special selfish interests. But they went away, Mr. President, empty handed. They went away dazed by the fact, which they discovered, that again in this country the people rule and God Almighty reigns. They went away impressed by the fact that at last it has come to pass in this Republic, thank God, that the people who pay the taxes levy the taxes they pay, and not the special interests, for whom so long taxes have been levied by the Republican Party and paid by the people.

No one will deny that this bill represents an honest effort by the party in power to carry out the pledges and promises upon which it was elected and upon which we Members of this Congress were elected and commissioned to act, and to act at once.

This bill is a part of a legislative program of reform which will help the people and hit the trusts. It is a part of the legislative program that will with one hand cut down the cost of living and with the other hand cut down the unjust and unfair profits of monopoly and special privilege.

Mr. President, when the full Democratic program of reform has been written, as it will be written in the statutes within a short time by the Democratic Party, let us hope, as I believe will be the case, that there will be an end in this country to that greatest menace to our institutions—in working out the great schemes of freedom and equality for which they were ordained and established—namely, law-created wealth and law-created privilege.

Mr. JONES. Mr. President, I wish to ask the Senator a question.

Mr. SIMMONS. I am about through, if the Senator will wait.

Mr. JONES. I thought the Senator was through.

Mr. SIMMONS. I have just a minute further.

Mr. President, there has been talk here and elsewhere about the methods pursued in the framing of this bill, especially about the caucus. Ours is a government of parties. The party in power is responsible for legislation. The tariff is and always has been, and I think always will be, a party question. These bills must be made by the party in power, if that party is to carry out its party pledges and party promises with reference to this party question. This has been recognized by all parties in the framing of all our tariff bills.

The caucus is an extension of the method pursued heretofore, but the purposes are the same. Heretofore the members of the Finance Committee of the party responsible for the legislation have framed the bill both in the committee and in the conference. In the passage of the last bill no minority Senator on the Finance Committee was permitted in the councils of that committee when it was framing the bill, and after the bill was framed they were allowed only a few minutes to consider it be-

fore the final vote was taken on it in committee. In the meetings of the conference committee upon the disagreeing votes of the two Houses upon that bill no member of the minority was permitted to be present, and it was claimed at the time that the report was actually made and signed without the minority members ever having been called into the meetings of the committee at all.

The caucus, I say, simply carries this practice a little further. Instead of securing party unity and party consent through the committee, it was sought to secure a more general and thorough agreement through the caucus.

As the result of these caucus conferences of the majority it can be truthfully said that this is the first tariff bill ever passed in this country that was framed by the whole body of the party responsible for the legislation instead of a small coterie of the two Houses.

Mr. President, it has been a long-drawn-out struggle. We have been here for months—but that has been the way with all our general revisions of the tariff. There has been criticism of the time consumed in the committee and caucus investigations and discussions and in the debates in the Senate. But I think it has been time well spent. I do not think it has been time wasted. If we had taken less time the bill might not have been as good a bill as it is. I am sure the country will agree that the interests involved were too great, too all-embracing, affecting in some way indirectly or remotely everything we buy or sell, for hasty and immature consideration and action.

I congratulate the Congress and the country that the long, protracted struggle is at length about to end. I want especially, as chairman of the committee in charge of this legislation, to express my personal appreciation of the kindness and the courtesy that has been shown me, not only by my colleagues on this side of the Chamber, but by my colleagues on the other side of the Chamber. I want also to express my gratification, too, that during this long debate, where strong men struggled with each other over their convictions, there has been so little of bitterness and so little of the heat of debate in the things that have been said and in the things that have been done.

Now, Mr. President, in conclusion, let me say that I shall ever remember with a feeling of pride and satisfaction the pleasant relations that I have sustained throughout this whole contest with every single Member of the Senate, both upon this side of the Chamber and upon the other side of the Chamber.

Mr. POMERENE. Mr. President, a few days ago I took occasion to make some remarks upon the subject of the tax upon wine spirits. I had hoped that something might be done whereby some provision could be made in the pending bill to restore the tax upon wine spirits so as to place all producers and users of that product upon an equal footing and to compel each one, without favor to any, to bear his fair portion of the Government's burdens. I realize that we have had a long session and a tiresome one. I had hoped that my colleagues on this side of the Chamber yesterday might see fit to adopt some procedure which would ultimately lead to some relief in this behalf in this bill. It was their judgment, however, because of the position taken by the other conferees, that that could not be done at this session; and I shall acquiesce in their judgment; but at the same time I feel that it is due to me, due to my own State, and due to the country at large that I place, perhaps a little more fully in some particulars, the facts in the Record in connection with the legislation now upon the statute books of the United States about which I enter complaint.

At the risk of repetition, if the Senate will indulge me, permit me to say that prior to 1890 there was an internal-revenue tax upon wine spirits as well as on all other spirits of 90 cents per gallon. Some years later, during the Spanish-American War, that tax was made \$1.10 per gallon. In 1890 Congress included in the tariff law which was passed in that year a few sections, perfectly innocent and harmless in and of themselves as they seemed at first blush, which gave to certain producers of pure sweet wine the privilege of taking and using wine spirits at 3 cents per gallon for which others were compelled to pay this tax of 90 cents per gallon and later \$1.10 tax per gallon.

This was not intended as an encouragement to all producers of pure sweet wine because the statute was so framed that it gave the privilege only to those producers of pure sweet wines "who were also distillers of wine spirits." Later there was a provision in another section whereby the producers of sweet wines as defined in the statute were to be granted the privilege

to take it out of bond; but there was another "joker" in that law which provided to this effect, that only those producers of pure sweet wine could have this privilege who had their wineries at the vineyard where the grapes were crushed and the juice expressed. The result of this was that in many of the Eastern States, where the wineries were in the town and the vineyards were on the farms or upon the islands of the lake, as in my own State, they were obliged to pay \$1.10 per gallon for the wine spirits which they might use or for neutral spirits which at times they used instead.

The effect of this statute was, first, that it gave to certain wine producers as defined in that law the privilege, as against all other producers of pure sweet wines, to have the wine spirits which they used in the fortification of their product at 3 cents a gallon when others were obliged to pay \$1.10 per gallon. Further than that, it was a discrimination against all other users of wine spirits in that they were compelled to pay \$1.10 per gallon. It seems to me that the proposition needs only to be stated to convince every fair-minded man that this was a gross discrimination, which ought not to be permitted in a country such as ours.

What was the reason for this? We have had a splendid delegation of gentlemen here who have said to us that they have come here representing the grape producers, the farmers on the mountain sides of California, and that they could not continue their vineyards unless they had this privilege.

I was interested in ascertaining who these farmers were and what their conditions were, and I find that the wine producers pay from \$5 to \$10 a ton for the grapes which the dear farmer produces; and this year I believe they are paying \$12 a ton. In Ohio, in Missouri, and in the Eastern States the wineries are obliged to pay from \$30 to \$50 per ton for grapes that they produce upon their farms.

Now, what is the situation? In the year 1912 the tax remitted to these so-called farmers amounted to \$6,954,534.29; that is to say, if they had paid \$1.10 per gallon for the use of these wine spirits, instead of 3 cents a gallon, they would have paid to the Federal Government \$6,954,534.29. But did the farmer get the benefit of this? On yesterday the Senate, upon my motion, passed a resolution calling upon the Secretary of the Treasury to furnish a list of the men who had the privilege of drawing wine spirits from bond and of using them at the rate of 3 cents a gallon. I find that there are just 107 persons in all these United States who had this privilege during the last fiscal year. In the State of California there were 82 who had this privilege, in New Jersey 1, in New York 22, in North Carolina 1, and in Virginia 1.

Bearing in mind the amount of the tax which was remitted, as I pointed out a moment ago, and dividing that by the number of 107 who have this privilege, we find that upon the average this Government has been giving to each of these wine producers \$64,995.65 per year, assuming that there was the same amount used in each year.

Who are some of these farmers? Mr. President, I have here a copy of the report which has been sent to the Senate by the Secretary of the Treasury, which gives the names and addresses of each of these wine producers during the last five years, with the number of gallons which each one has used during all of these years.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. POMERENE. I will.

Mr. PENROSE. Does the Senator know whether or not the gentlemen who came here from California in opposition to the Senator's tax proposition were genuine bona fide wine growers?

Mr. POMERENE. I am going to touch upon that in just a moment.

Mr. PENROSE. I am very much interested in that point and intended to bring it up myself.

Mr. POMERENE. I ask to have this table appended to my remarks as a part thereof.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. POMERENE. Mr. President, I have culled from this report the names of all of those farmers who used more than 100,000 gallons of this brandy during the last year at 3 cents a gallon. The Woodbridge Vineyard of California last year used 171,277.1 gallons; the La Paloma Winery and Distilleries, 165,681.6 gallons; the California Wine Co., 574,141.8 gallons; George West & Son, 765,621.3 gallons; the Fresno Vineyard Co., 121,168.8 gallons; the Barton Vineyard Co., 138,138.3 gallons; A. Mattie, 177,595.2 gallons; the Italian Swiss Colony, 505,805.7 gallons; the Great Western Vineyard Co., 259,504.4 gallons; and the trustees of the Leland Stanford Junior University, 223,903.2

gallons. Another dear farmer was up here from the State of Virginia, and he used during last year 88,206.04 gallons.

All of this \$6,954,534.29 has been distributed among 107 farmers, and the great delegation of farmers from California, fine, fat, sleek-looking fellows, shedding crocodile tears on behalf of the grape growers of California, come here and want this privilege continued. If the sensory and motor nerves of those gentlemen went to and from their brains instead of to and from their pocketbooks, they would come in here and ask that this money be voted directly to the farmers of California, to whom they pay a pittance of from five to ten dollars per ton for their product.

Mr. President, this privilege has been going on ever since the year 1890—23 years. When, a few weeks ago, the matter was first called to my attention I did not believe it. A brief was sent to me. I took it up with the Internal Revenue Bureau, and not until I heard from their own lips that this thing was going on under the Stars and Stripes did I believe it possible that such a condition could exist under the laws of this country.

Mr. President, perhaps if I had been content with that party "peace which passeth all understanding," I would have kept silent and let this matter pass by, but I believed that it was my duty to call it to the attention of Congress in order that during the coming session there might be some relief from this kind of legislative iniquity. When I make this statement I want to say, in all frankness, that I absolve the Senate conferees from the responsibility of striking this provision out of the bill. The responsibility must rest where it belongs.

The excuse is given that there are some pure-food provisions in section 254½ which ought not to be there. I grant that to be so, but I want to call the attention of Senators to the fact that the amendment as originally submitted provided for the repeal of this privilege alone, and was so framed that it could not interfere with any of the so-called pure-food provisions which it is alleged are contained in the original act of October 1, 1890. As to the other provisions, they could have been eliminated. The Government could have had the tax which I sought and, so far as the pure-food provisions are concerned, they would be, after the passage of that repealing provision, just where they have been all these years, with the Agricultural Department.

Mr. President, when this matter came up there were some criminations and recriminations as between the wine producers. The Californians said that those in my own State and elsewhere in the East were producing certain adulterated wines, and I shall assume for the sake of the argument that that is true; but I will say also, at the same time, so far as my own State is concerned, that these matters have been standardized. On the other hand, the eastern wine producers were saying that the Californians were producing an adulterated product.

I have before me a copy of the Wholesalers' and Retailers' Review of October, 1913, in which there is an article written by Mr. Charles A. Wetmore, of the State of California, who, I am told, has both a practical and a theoretical knowledge of the subject. He says upon this subject:

Let it be admitted without apology that all our California dry-wine makers who are competent use water to reduce their grape juice when it contains an excess of sugar. Of course they do, and they are right in doing it, Dr. Wiley or other pragmatists to the contrary ignored. Let it be admitted also that all our best wine makers also add tartaric acid, the natural acid of the grape, when it is deficient in the must. The addition of water and tartaric acid to correct natural deficiencies is common practice in California and should not be misrepresented.

In the West—I mean in California—their grapes have often too much sugar and too little acid; in the East, at times, they have too much acid and too little sugar, and the juice from both must be to a certain extent corrected. But it is not necessary to go into that feature of the proposition. I simply wanted to call the attention of the Senate to these facts, in the hope that in the near future there may be some corrective legislation, which will place all of the users of wine spirits or grape brandy upon an equal footing under the law and compel them to pay the tax they have escaped for so many years.

APPENDIX.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
Washington, October 2, 1913.

HON. ATLEE POMERENE,  
United States Senate, Washington.

SIR: In compliance with the resolution of the Senate adopted on the 1st instant, calling upon the Secretary of the Treasury for a statement containing the names and addresses of manufacturers of sweet wine who use wine spirits or grape brandy in the fortification of sweet wine, together with the number of gallons of wine spirits or grape brandy so used during each of the five preceding fiscal years, also a statement showing the amount of revenue received during each of

said years from the wine spirits or grape brandy so used, I have the honor to transmit herewith statements containing the information called for.

Respectfully,

W. G. McADOO, Secretary.

Statement showing quantity of grape brandy or wine spirits used in the fortification of sweet wines by the various wine makers in the United States during each of the fiscal years 1909, 1910, 1911, 1912, and 1913.

District.	Year ending June 30—				
	1909	1910	1911	1912	1913
DISTRICT OF ALABAMA.					
Fruithurst Wine Co.	Gallons. 179.4				
FIRST DISTRICT OF CALIFORNIA.					
Cordilia Winery.					326.4
Da Roza, J. L.					35,572.6
Nagasawa, K.					529.9
Sacramento Valley Winery.					6,604.4
Frasinitti, J.					726.3
Elk Grove Vineyard Association.					49,461.9
Peikovich, J.					1,791.8
Rogers, E. B.	29,914.1	41,715.1	37,654.8	25,327.0	20,637.3
Armbrust, H.	889.7	790.0	1,321.2	1,441.1	1,871.3
Roessler, F. M.	36,950.4	31,107.4	42,055.7	40,549.5	33,457.7
Pereria, J. M.	1,378.0	1,801.6	2,455.5	2,540.8	2,363.4
Woodbridge Vineyard.	48,404.9	82,264.7	212,999.7	177,330.5	171,277.1
Joyce, Lawrence.	814.9	1,258.2	1,848.6	1,729.6	1,796.0
Giovinni, F.		14,257.3	21,969.2	13,959.0	12,284.3
La Paloma Wineries and Distilleries.			96,338.4	127,910.7	165,681.6
Vieth, Wm. A.	35,045.0	49,718.9	51,405.8	89,651.4	36,061.9
Bradford Sons					90,326.4
California Winery.					15,247.3
California Wine Co.	281,327.6	399,095.2	241,451.8	502,886.4	574,141.8
Geo. West & Son.	759,180.4	493,061.8	885,800.6	1,125,279.4	765,621.3
Fresno Vineyard Co.	81,700.0	112,730.2	73,289.5	106,243.4	121,168.8
Eisen Vineyard Co.			98,041.9	8,842.1	97,145.9
Granz, Herman.	26,974.3	24,982.9	38,439.7	33,124.7	14,205.5
Granz, Emil H.	22,849.8	58,185.6	38,273.6	11,070.2	
Schell, H. R.		2,441.9	1,987.1		1,745.5
Barton Vineyard Co.	187,116.2	200,644.5	144,305.2	207,632.5	138,138.3
Mattie, A.	111,188.9	192,342.6	161,724.8	187,553.2	177,595.2
Italian Swiss Colony.	505,385.9	494,005.5	383,923.4	554,737.1	505,805.7
Ruschupf, H. T. W.	13,206.8	25,927.4	15,637.6	11,727.9	15,073.4
Great Western Vineyard Co.	171,712.6	327,190.8	329,613.4	373,127.0	259,404.4
Las Palms Wineries & Distilleries.	33,376.7	157,505.5	187,800.1	96,074.3	76,375.7
Lodi Cooperative Winery Co.		256,026.6	289,814.1	307,100.1	63,910.9
San Gabriel Vineyard Co.	7,165.4				
Vache, E., & Co.	18,622.7				
Placer County Wine Co.					35,244.3
Kuechel, Geo. C.	1,491.7				
Mesnager, L. C.	2,171.2				
Ritter, J. G.	234.8				
Etienne Bros.	21,196.9				
Baker, J. S.	3,102.7				
Golden Gate Fruit Co.	5,700.3				
Danerl, E.	1,029.7				
Sandoz & Guichan.	1,370.8				
Cucamonga Winery.	87,445.8				
Espian, Pierre.	990.2				
Stern, Alfred.	120,284.1				
Southern California Wine Co.	16,384.9				
Lafourcade, Jack.	3,045.8				
Rust, Chas. Otto.	4,710.5				
Baldwin Distillery.	2,847.3				
Giovanni, Piuma.	4,087.9				
Downey Vintage Co.	2,977.5				
Sierra Madre Vintage Co.	59,579.8				
Boega, Z. F.	1,452.6				
Delphy, Jules J.	1,485.0				
Randisi & Sons.	1,378.6				
Demaitin, P., and Laughlin, A.	556.9				
Engler, German.	203.4				
Kans, John.	3,370.3				
Giovanni, Gai.	4,806.6				
West Glendale Wine Co.	13,853.4				
Celano, Peter.	443.9				
Artesia Vineyard Co.	24,496.1				
Yung, Lanie.	429.8				
Ardans, John.	214.9				
Samuel, Paul.	130,553.6		77,007.0		1,622.3
Mazal, J. C.					481.6
Azevedo, M. J., & Co.					2,553.6
Welsch, A.	354.6	347.1	244.4	273.1	390.0
Kaufman, Marcus.		92,263.2			
Fresno National Wine Co.	115,179.2	29,907.4		21,263.9	
Fresno Mutual Wine Co.		20,653.1	23,200.5		
Luid Vineyard Co.	2,651.9	3,474.5	3,714.2		
Anderson, C. G.	1,723.8	4,047.6	3,553.1	4,424.1	
Buhach Producing and Manufacturing Co.	16,964.4	22,236.2	14,090.1	25,391.6	
Padista, E. P.		707.8			
St. George Vineyard.	13,462.1	7,739.2		6,695.4	
Lint, Franklin Peter.			1,363.9		
Olson Winery Co.			15,622.7	14,310.7	
Farmers' Mutual Winery Co.	11,350.8		15,863.5		

Statement showing quantity of grape brandy or wine spirits used in the fortification of sweet wines, etc.—Continued.

District.	Year ending June 30—				
	1909	1910	1911	1912	1913
<b>FIRST DISTRICT OF CALIFORNIA—continued.</b>					
Sumida, Hookchi.....			2,740.4	3,076.0	
Armonia Winery & Distillery Co.....	31,804.8			55,141.5	
Italian Vineyard Co.....	119,430.6			25,700.3	
Hughes, Jules.....	1,687.8				
Seinturier, Jean.....	5,434.1				
Krebs, Richard.....	2,361.0				
McClure, John.....	21,954.8				
Jannegui, Pierre.....	1,438.5				
Brechtel, Henry.....	346.5				
Used and not included in the above.....	75,371.4	140,913.4	1,940.0	98,016.2	0.5
<b>FOURTH DISTRICT OF CALIFORNIA.</b>					
Azevedo, M. J., & Co.....	10,589.9	19,733.6	8,806.7	8,821.1	(1)
Bradford & Sons, J. B.....	43,012.8	68,565.7	85,899.3	89,829.4	
California Winery.....	103,709.3	122,181.3	141,255.3	75,209.4	
Cordelia Winery.....	36,120.8	31,722.2	51,509.7	28,170.4	
California Wine Association	52,042.9	95,431.1	45,384.1	62,708.4	
Da Roza, J. L.....	36,907.3	57,352.1	46,051.4	53,637.2	
Fasnettel, James.....	973.0	768.7	265.9	1,795.4	
Gundlach, Charles.....	3,179.6				
Italian Swiss colony.....					
Korbal & Bros., F.....	2,206.6				
Mangels, Louis.....	508.4		569.9	581.1	
Mazel, John C.....	1,125.0		2,056.6		
Moulton Hill Vineyard Co.....	2,703.5				
Nagasawa, K.....	4,022.6	3,236.3	4,822.9	5,581.8	
Pioneer Winery.....	8,887.9				
Placer County Winery Co.....	24,587.8	74,650.2	70,627.3	74,146.9	
Red Bank Wine Co.....	635.0				
Smk, W. D.....	713.4	650.1	2,677.7		
Silver, Joseph.....	573.6	1,548.9	630.6	734.7	
Board of Trustees, Leland Stanford University.....	120,620.2	160,488.6	112,302.9	223,963.2	
Elk Grove Vineyard Association.....		60,043.8	70,743.4	82,680.8	
de Latour, G.....			1,757.4	1,781.9	
Kostuma, Louis.....			371.0		
Pethovich, John.....			277.3		
Sacramento Valley Winery			30,775.4	37,580.4	
Zhini Bros.....			147.4		
Silva Bros.....				3,734.2	
Used and not included in the above.....				18,000.0	
<b>SIXTH DISTRICT OF CALIFORNIA.<sup>2</sup></b>					
Cucamonga Vintage Co.....	55,669.9	95,983.0	181,349.7	132,673.3	
Italian Vineyard Co.....	145,800.3	160,473.6	229,283.6	156,139.6	
Baldwin Distilling Co.....	4,329.9	5,081.8	3,288.8		
Giovanni Piana.....	6,652.5		2,943.9	2,506.2	
Serra Madre Vintage Co.....	57,791.7	64,364.4	65,513.0	45,289.8	
Timon J. F. Boege.....	2,483.4				
Delpey, J. J.....	1,817.4	2,366.9			
San Gabriel Vineyard.....	11,292.0	16,627.4	13,304.3	4,084.1	
Yacheo, E.....	17,812.9	19,674.3	24,207.0	17,028.7	
Kuchel, Geo.....	2,115.9	2,097.5	2,120.9	3,288.1	
Eloimne Bros.....	23,120.8	21,061.8	29,016.9	5,692.6	
Baker, J. S.....	3,165.7	2,640.8	2,632.1		
Saren, E.....	1,379.2				
Sandoz & Ginechon.....	1,485.4	2,113.6			
Cucamonga Winery.....	81,383.8	48,732.8	114,715.6	61,380.9	
Espan, P.....	507.6	906.9	506.6		
Stern & Son, Chas.....	160,703.3	91,499.5	201,885.5	257,227.4	
Southern California Wine Co.....	13,859.5	11,540.0	8,444.3	9,313.6	
Lafourcade, J. B.....	1,680.5		1,717.6	1,513.6	
Rust, C. O.....	3,261.3	5,740.9	1,404.8	1,447.7	
Gai, G.....	6,383.1	6,604.1	10,571.3	5,360.2	
Hart, J.....	444.4	352.6	405.3	607.9	
West Glendale Wine Co.....	7,903.2	21,950.3	23,231.3	6,642.5	
Caleno, P.....	422.4				
Artesia Vineyard Co.....	18,526.1	31,042.8	16,749.3	1,256.2	
Young, Louie.....	1,266.2				
Hughes, J. J.....	1,229.1				
Pellissier, A.....	4,456.3	2,976.2	7,641.0	6,371.8	
McClure, John.....	23,781.5	27,693.2	21,009.6	17,753.6	
Brechtel, H.....	413.3	430.8	2,506.9	1,082.9	
Bandisi & Sons.....	930.1		1,423.8	386.8	
Nebbia, G.....	1,933.5				
Davin, E.....		1,111.7	5,553.4		
Downey Vintage Co.....		5,902.1		1,872.9	
Mission Vineyard.....		69,289.9	123,849.7		
Mesnager, L. C.....		3,820.4			
Golden Gate Fruit Co.....		1,737.6			
Doueri, E.....		1,368.8	1,422.5	685.2	
Ardans, J.....		560.6			
Krebs, R.....		1,599.6			
Jamazav, P.....		1,628.7			
Garret & Co.....				75,780.8	
Meyer, H. E.....				541.8	
Smith, O.....				4,854.0	
Bidart, J.....				267.9	
Ritter, J. G.....				737.6	

<sup>1</sup> Merged with first California.

<sup>2</sup> Constituted a collection district July 1, 1903.

Statement showing quantity of grape brandy or wine spirits used in the fortification of sweet wines, etc.—Continued.

District.	Year ending June 30—				
	1909	1910	1911	1912	1913
<b>HAWAII.</b>					
Hauptakua Wine & Liquor Co. (Ltd.).....	4,704.5	7,569.6	1,444.1	9,512.6	
Jose Gomes Serrao.....		644.4		7,086.3	7,776.3
<b>TWENTY-EIGHTH DISTRICT OF NEW YORK.</b>					
Irondequoit Wine Co.....	9,701.5	10,019.2	12,592.1	8,675.8	8,030.4
Taylor Wine Co.....	713.9	920.6	975.0	1,527.6	2,665.2
Hammondsport Wine Co.....	9,219.2	19,434.2	704.2	4,904.3	11,737.6
Le Roy McCorn.....	1,392.0	1,232.9	1,627.2	1,954.8	2,751.9
Germania Wine Cellars.....	10,696.8	11,820.8	14,340.6	13,575.9	10,823.4
Pultney Wine Cellars.....					549.8
Pultney Vintage Co.....	182.8	180.6	181.2	276.9	276.9
Hammondsport Vintage Co.....	6,210.5	6,435.2	4,991.2	6,609.9	7,611.4
Fee Bros.....	5,949.8	6,161.9	5,262.2	4,592.4	4,125.4
J. S. Hubbs.....	10,726.9	10,063.4	5,880.1		20,630.0
E. J. Mulvaney.....					1,781.8
Lake View Wine Co.....	2,757.3	4,547.4	6,221.1	7,155.4	10,626.8
D. H. Maxfield.....	9,098.4	9,145.1	14,638.2	6,806.1	14,295.5
Vine City Wine Cellars.....					2,923.3
Empire State Wine Co.....	8,966.5	11,318.1	8,779.8	6,160.9	8,648.0
Frudell Wine Co.....	2,237.6	2,230.6		1,880.5	555.6
Pleasant Valley Wine Co.....	16,029.8	9,034.3	17,766.6	35,141.7	13,345.3
Urbana Wine Co.....	14,403.3	14,909.9	15,343.3	19,149.4	19,428.7
J. J. Widmer.....	3,656.6	9,293.6	12,626.8	9,443.2	9,429.1
Henry Card & Co.....	889.4	917.1	912.3	2,654.7	3,721.7
John Cushing.....	2,718.9	2,637.5	3,407.1	3,211.1	
E. G. Ryckman Wine Co.....	4,640.2	1,899.7		6,394.8	
Lake Ontario Wine Co.....	1,643.0	713.4			
Lake Keuka Vintage Co.....	3,635.3	3,721.1			
J. S. Foster.....		271.9			
Francis M. Acker.....		364.2			
M. L. Taylor & Son.....	203.6	428.0	137.5	230.1	
Antonio April.....		383.8			
Rutonio D'Angelo.....		252.0			
Wm. N. Wise.....		909.0	6,167.4		
Dubelbeis Wine Co.....	1,570.1		561.2		
Geo. Graff.....	1,370.6			1,341.4	
Rheims Wine & Vineyard Co.....	455.4				
Raymond Raymond.....			226.3	735.9	
<b>FIRST DISTRICT OF NEW JERSEY.</b>					
Dewey & Sons.....		1,632.0	459.0	1,329.6	977.9
<b>FOURTH DISTRICT OF NORTH CAROLINA.</b>					
Sol Bear & Son.....	1,354.9	4,570.1	5,834.4		17,115.8
<b>SECOND DISTRICT OF VIRGINIA.</b>					
Garrett & Co.....		31,924.9			88,206.4

The amount of revenue (3 cents per gallon) so far derived from the spirits so used is as follows:

During the fiscal year—	
1909.....	\$115,876.37
1910.....	145,697.25
1911.....	152,389.37
1912.....	189,292.11
1913.....	148,056.36
<b>Total.....</b>	<b>751,311.40</b>

Mr. BRANDEGEE. I suggest the absence of a quorum. The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	O'Gorman	Smith, Ariz.
Bacon	James	Overman	Smith, Ga.
Bankhead	Johnson	Penrose	Smith, Md.
Borah	Jones	Perkins	Smith, Mich.
Brandeggee	Kern	Pittman	Smith, S. C.
Bristow	La Follette	Poindexter	Swanson
Bryan	Lane	Pomerene	Thomas
Burton	Lea	Ransdell	Thompson
Chamberlain	Lewis	Reed	Thornton
Chilton	McLean	Saulsbury	Vardaman
Clarke, Ark.	Martin, Va.	Shafroth	Walsh
Colt	Martine, N. J.	Sheppard	Weeks
Gronna	Nelson	Shields	Williams
Hitchcock	Newlands	Shively	
Hollis	Norris	Simmons	

Mr. REED. I desire to announce the necessary absence of my colleague [Mr. STONE]. He is paired with the senior Senator from Wyoming [Mr. CLARK].

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum of the Senate is present.

Mr. PITTMAN. I ask unanimous consent to include in the RECORD a statement and brief on behalf of the wine growers of California.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

STATEMENT OF MR. M. F. TARPEY, OF FRESNO, CAL.

Mr. TARPEY. Mr. Chairman and gentlemen, the gentleman who presented the case on the part of the eastern wine growers yesterday told you whom he represented, etc. I come here in representation of the grape growers in California in distinction from the wine makers. I live in the central part of the State of California and in the center of the sweet-wine-growing district of that State. I listened with some satisfaction to the eulogies the gentleman paid to the indigenous grape of the country, the wild grape of the United States, and the aspersion which it more or less conveyed of that vagrant grape from Europe which we have succeeded in domesticating in California, and which has been the admitted wine-producing grape of the world for centuries.

I do not believe there is any idea lingering in the minds of the gentlemen of this committee that California has had any advantage over any other portion of the United States in relation to the wine bills of the past, with the exception of the advantage that God gave it in climate, soil, latitude, etc.

When the wine bill of 1890 was passed it was the first pure-food enactment of this Government. The pure-food enactments have taken the attention of the people of the United States, and I doubt to-day if the gentlemen of this committee, or any lawmakers in this country, are disposed to contravene the laws that have already been passed, but, on the contrary, they are disposed to make more specific and impose more drastic provisions upon persons who make what we call spurious articles of food.

Senator SMITH. Does the law require them to be labeled to show that they are artificially made and spurious?

Mr. TARPEY. The law of 1890 does not, but I hold in my hand a decision rendered by Dr. Wiley, F. L. Dunlap, and George B. McCabe, of the Board of Food and Drug Inspection, which was approved by Mr. W. M. Hays, Acting Secretary of Agriculture. It is dated Washington, D. C., August 21, 1909, and is entitled "Food Inspection Decision 109. The Labeling of Wines."

(The decision referred to reads as follows:)

"On June 30, 1909, a hearing was held before the Secretary of Agriculture and the Board of Food and Drug Inspection on the labeling of Ohio and Missouri wines. After giving full consideration to the data submitted, the board is of the opinion that the term 'wine' without modification is an appropriate name solely for the product made from the normal alcoholic fermentation of the juice of sound ripe grapes, without addition or abstraction, either prior or subsequent to fermentation, except as such may occur in the usual cellar treatment for clarifying and aging. The addition of water or sugar, or both, to the must prior to fermentation is considered improper, and a product so treated should not be called 'wine' without further characterizing it. A fermented beverage prepared from grape must by addition of sugar would properly be called a 'sugar wine,' or the product may be labeled in such a fashion as to clearly indicate that it is not made from the untreated grape must, but with the addition of sugar. The consumer is, under the food and drugs act, entitled to know the character of the product he buys."

Senator SMITH. You do not contend that the addition of water and sugar makes it a drug wine?

Mr. TARPEY. We say that it is not entitled to the name of wine as expressed in the rulings of the Department of Agriculture; that it ought to be specified what kind of wine it is.

Senator SMITH. Have they not made wines that they put real drugs in?

Mr. TARPEY. Yes; all kinds of wines have been made. We of California who are grape growers are particularly interested in having wine made from grapes. Our people have been following that industry for years. The gentleman who previously spoke said that they have been 50 or 60 years engaged in that enterprise. It is only necessary to recall to the minds of you gentlemen that since the time of the advent of the missionaries, 200 years ago, they have been growing grapes in California. We have the wild grape in California as well as they have in this part of the country, and the missionaries found, before our time, that good wine could not be made from it. They sent abroad, and went to tremendous labor in time and great expense, and eventually they found grapevines that were proper for producing sound wine in California. They domesticated those vines in California, and they have been there from that day to this. We do not pretend to make any use of the wild grapes for wine making.

The decision to which I previously referred continues as follows:

"Evidence was offered on the preparation of 'wine' from the marc. In these cases it appeared customary to add both water and sugar to the marc and sometimes to use saccharin, coloring matter, preservatives, etc., to make a salable article.

"In the opinion of the board no beverage can be made from the marc of grapes which is entitled to be called 'wine,' however further characterized, unless it be by the word 'imitation.' The words 'pomace wine' are not satisfactory, since the product is not a wine in any sense, but only an 'imitation wine,' and should be so labeled."

Senator SMITH. Was not that order or decision set aside by another order that allowed them to be simply called Ohio wines and Missouri wines?

Mr. TARPEY. In what is known as the circular of the three Secretaries—the Secretary of Agriculture, the Secretary of Commerce and Labor, and the Secretary of the Treasury—a ruling was made which we hold and contend was absolutely in contravention of the pure-food act, and we are going to take up that matter before the department here before we leave and request a rehearing, with the expectation of having a decision that will comply with the pure-food regulations as they are written into the statute.

I do not think that we of California have any excuse to make to the gentlemen of the East because we produce a better grade than they do. As Senator Smith very justly said yesterday when Mr. Lannen was speaking, "that was a natural, God-given benefit, which you do not want to take away from them, do you?" And I thought it was extremely pertinent and to the point. Our method of making wine differs somewhat from theirs, as I will explain to you as briefly as possible. They tell you that their grapes in the first instance do not contain sufficient sugar to enable them to make any wine, dry or sweet, and when they crush their grapes, in order to ferment them at all, they are obliged to add sugar immediately to the must. That is No. 1. Now, you gentlemen will take into consideration that every unit of sugar means a half unit of alcohol, and every unit of sugar they use means a half unit of alcohol they are using, and they have been paying no tax upon it. They then ferment down the solution of grape juice and sugar.

In his opening statement yesterday the gentleman from Chicago stated—I am going to use his language, because I can not as graphically describe it as he did himself—"In order to explain the amendment, which we suggest to the committee, to the law in question, I want to say that wines to suit the American trade can not be too sour. They can not, in fact, be too sour anywhere." Now, they say, "Our wines, even after the introduction of the sugar, are too high in acid, and we must add water in order to reduce the acid contents," and so they then add water.

Senator HUGHES. He meant they must not be too sour, not that they could not be too sour. The impression that he made on me was that the wine must not be too sour.

Mr. TARPEY. Of course it must not be too sour. It can not be too sour, or it will not be potable.

Senator HUGHES. I did not understand the gentleman to state that the wine could not be too sour. He said that it must not be too sour or it would not suit the trade.

Mr. TARPEY. Perhaps I took the wrong view of it. In any event, they always have the sugar barrel at one side of the vat, and they have the hose at the other side of the vat.

Senator SMITH. That does not make an impure wine. It does not make a wine that hurts the system if you drink it. It may not make as good a wine as you make, but it is not anything that the law ought to stop if the people like part water, part sugar, and part grape juice.

Mr. TARPEY. Dr. Wiley has expressed himself upon that subject, and I presume he receives credit from the people of America for his talents and capacity to decide such questions as that, and he holds the view that they are unwholesome and injurious.

The CHAIRMAN. That putting water in the wine makes it unwholesome?

Mr. TARPEY. Yes, sir; and injurious.

Senator SMITH. Some people think if you do not have anything but the water and the sugar in it, it would be more wholesome.

Mr. TARPEY. In any event, they now have that so-called wine, as I have just described it, and they are fermenting it. By the way, they get this alcohol into the wine through that sugar. I want to impress that upon you gentlemen. The manner in which that alcohol is in that wine after it is fermented is through the sugar that they have put in it having undergone fermentation. The sugar thus is converted into alcohol, and they say we now have a dry wine with 13 per cent of alcohol. We have reached that stage and then there is a landing. Then they say they desire to turn that dry wine into sweet wine, and in order to turn it into sweet wine they again use further sugar to bring it up to a condition which will meet the taste of the consumer as to sweetness.

The CHAIRMAN. Before that sugar was put in, how much alcohol was there in the grapes?

Mr. TARPEY. If the gentlemen from Ohio will tell us what their grapes contains in saccharine when they crush it, we can immediately determine that. I think their grapes contain 14 per cent sugar at the time of crushing, do they not, gentlemen?

(Addressing the gentlemen from Ohio; there was no reply.)

Mr. TARPEY. I think we are entitled to an answer.

Mr. LANNEN. Twenty per cent; that is the maximum.

Mr. TARPEY. Here they say 20 per cent. When they are talking to us they say about 12 per cent, and that they require from 20 to 40 per cent more sugar for the purpose of amelioration to provide for the lack of sugar in their grapes.

Senator HUGHES. Is the sugar content the only thing that contains alcohol?

Mr. TARPEY. Yes, sir. Supposing they had 20 per cent sugar in the grapes, they could produce at the outside but 10 per cent alcohol by fermentation, so at the very lowest estimate—and I think the gentlemen are giving themselves fully as good a reputation for their grapes as they can—when they say 20 per cent, I have very serious doubt; but that does not concern any of us here at present. They have certainly added to it at the very least 3 per cent alcohol on which they have been paying no tax. We think they have been adding 5 to 7 per cent alcohol, but they have certainly added 3 per cent, according to their own admission.

The CHAIRMAN. By the use of sugar?

Mr. TARPEY. By the use of sugar. They are paying no tax upon that. As I said before, we are at the landing, and we desire to change this dry wine—

The CHAIRMAN. But you would not then contend that alcohol was subject to any tax under any law in the world?

Mr. TARPEY. We are not permitted to put one pound of sugar in ours unless we turn it into a commercial product and pay a tax.

Senator SMITH. Any act that we adopt with reference to sugar would apply to you just as much as it would to them, and you would have the same right as to sugar and water that they would have, but you do not need as much. You have a grape that does not require anything like as much sugar.

Mr. TARPEY. I do not know whether we quite understand it alike. For instance, if we put sugar or water into our wines through the hose, or in any other way—any kind of sugar—we can use it only for distilling purposes; for the purpose of making wine. When we add water to our grape juice for further fermentation—we never to my knowledge add sugar—the material produced therefrom can only be used for distillation. The Government official is standing there. He is in charge all the time. We have not had a word with the Government officials in years while this matter has been under Government control, and while it is under Government control we have no annoyance or bother whatever. Everybody is made to respect the laws, and that is what we desire. As grape growers we do not want any man conducting a winery anywhere to be able to do things outside of that law, because if he does he disturbs the whole foundation of the business.

They say that they then take that wine and sweeten it. They sweeten it up to so much per cent, whatever per cent it is, and they want now to make this 13 per cent of dry wine into sweet wine. They want to add additional sugar enough to make that sweet wine so that it will become palatable and the people can use it. When they do that—that is, again add sugar—they are again adding brandy, and every pound of sugar that is used in making wine should just as well pay a brandy tax as every unit of brandy, because every unit of sugar will make a half unit of brandy, and sugar ought to pay accordingly.

Senator SMITH. It is your contention that the alcohol in the wine is produced artificially by the use of outside products?

Mr. TARPEY. Yes, sir. They say that we of California have an advantage. The chairman of the committee very properly said yesterday that the committee could not make laws to meet the demands of the people east of the Rocky Mountains alone; that the committee is making laws for the Nation; that the laws under which we are all now working were made for the Nation.

Senator SMITH. But in making them we ought to make them for the whole country?

Mr. TARPEY. Yes, sir.

Senator THOMAS. You are stating that as a theory. In the past it has often been observed as much in the breach as in the observance.

Mr. TARPEY. I am endeavoring to confine myself to the fundamentals, as nearly as I can. We of California have had our hardships. I assure you. I was astounded yesterday when the gentleman told you that their so-called wines sold for 60 cents to \$1 a gallon. Their wine—and I have a tremendous question mark after that word "wine"—and we are selling our pure product, and have been distributing it to the people of America, pure and from the juice of the grape, at less than 30 cents a gallon, including every dollar's worth of wine that was sold in bottles. Our bulk wines have been selling certainly for not above 20 cents a gallon, and then to compete we have to pay freight of 7½ cents per gallon to this part of the country.

I believe that the pure-food requirement is a grave charge upon the Government; that it is the duty of the Government to see that the housewife or laboring man or wage earner gets a dollar's worth of honest goods in weight, in quality, and in purity for every dollar he expends for food. Who has any opportunity of testing the foods that he buys? Why, it is only through the chemistry department of this Government that we are able to reach any idea of what is being done. The health of the citizen is the wealth of the Nation, and while the Nation guards its money with the most zealous care, while there is the most tremendous penalty for counterfeiting that money, and while there is also a tremendous penalty for a man getting another man's property by forgery, why is it not equally reprehensible for a man to get the people's money under false pretense that he is selling an article that is not fit, or at least is not honest, is not what it is represented to be? I stand upon the result of the inquiry and study made by the gentlemen of the pure-food bureau, and we of California beg you to adhere as closely as possible to the pure-food laws, because they are the greatest safeguard of both our health and our wealth.

The CHAIRMAN. Mr. Tarpey, I am afraid that you are getting off a little on lines that are not quite pertinent to the purposes of this inquiry. We want to get at facts.

Originally, as I understand it—and if I am not correct I wish you would correct me—this law with reference to the use of brandy wines for fortification purposes allowed any producer of sweet wine to use this brandy for purposes of fortification without paying tax, did it not?

Mr. TARPEY. Yes, sir; it did and it does.

The CHAIRMAN. Then it was changed so as to require the distillery to be at the vineyard, was it not?

Mr. TARPEY. Yes, sir.

The CHAIRMAN. Can you tell me who did that and what it was done for? Originally anybody producing sweet wines in this country was permitted to use this brandy wine to fortify them without paying a tax; then somebody came here and got that law amended so that nobody could use that brandy wine for fortifying sweet wines unless the distillery was at the vineyard.

Mr. TARPEY. No; that is not exactly the law. It said only vineyardists.

The CHAIRMAN. Now, who got that changed and what was the purpose of that change?

Mr. TARPEY. I do not know who got the change, but the purpose is very plain. We were struggling against what we understand and call and what is generally known as the "brick vineyard."

Mr. WETMORE. The gentleman from Missouri and the gentleman from Ohio know that they made misstatements when they said that these eastern people could not legally use this California brandy free of tax.

Senator SMITH. I make the point that no witness has a right to say that another knows he made a mistake. He can correct the statement and give us the facts, and we will be glad to have them. I would not allow them to say, Mr. Wetmore, that you had intentionally made a mistake.

Mr. WETMORE. I stand corrected. I would like to ask Mr. Hildreth this question: If D. H. Maxfield, of Naples, N. Y., did not withdraw brandy directly from special bonded warehouse No. 3, in the first district of California, and ship it to Naples, N. Y., and fortify wine with it, free of tax, except for the charge of 3 cents a gallon; also if approximately 1,000 barrels of high-proof California grape brandy were not shipped to special bonded warehouse No. 2, at Rheims, in the twenty-eighth district of New York, and withdrawn from there by wine makers of New York State and used in the fortification of wine, free of tax, except for the charge of 3 cents?

Mr. TARPEY. You gentlemen of the wine side of the matter have had your time for argument, and if you will be kind enough to allow me, a poor grape grower, to finish my statement, I would appreciate it.

The chairman asked the question as to why the law was changed. The reason was that they were making wine, though not from grapes, in what we call the "brick vineyard." That was the vineyard that those gentlemen established in the cities; brick vineyards, where they did not require any grapes.

A formula of the Ohio wine-makers' methods of making wine can be found filed in the office of the internal-revenue department here. The formula was brought out through a lawsuit and is unquestioned. The formula is as follows:

They first take a mass of the old grape skins, resulting from repeated fermentations and containing nothing but the skin of the grape, which they press into a cake to prevent it entirely rotting, and which they denominate as a cheese; and they dump 450 pounds of that into a vat and then throw in 1,250 pounds of sugar and then add 650 gallons of water, and that mass they ferment down, and the resultant liquid they dignify with the name of "wine." This process they continued indefinitely, and it was because of this process and this "brick vineyard" that it became necessary to have the Congress of the United States make that alteration in the law, because the law was originally made to protect the producer of grapes.

Senator SMITH. You add the term "vineyard" as a matter of sarcasm; it is not a vineyard at all?

Mr. TARPEY. Certainly not; they had a brick house, and they made more wine in a brick house than we could raise in vineyards extending as far as the eye could reach.

I am here endeavoring to convince you gentlemen that it is the industry of the tiller of the soil that should be entitled to protection before all the wine manufacturers in the world. We have introduced immigration to California from all over the world. Small families have settled there. They have small holdings of land. They have a small patch on which they raise a few chickens and support a cow, and the balance of the land is devoted to vine culture, which lands are cultivated intensively. They are settlers located there, and they are good American

citizens, raising families, and enriching the Commonwealth, and they are entitled to the first consideration of this body before any "brick vineyard" institution.

Senator SMITH. What I would like to hear from you is whether or not it would be proper for us to tax all kinds of artificial brandy that goes into wine? That is the real question.

Mr. TARPEY. We think so. We think all artificial brandy should be taxed and all artificial food of every character should be taxed.

Senator SMITH. Why is not wine brandy an artificial stimulant just as well as any other alcohol that goes into wine?

Mr. TARPEY. Wine brandy is a natural stimulant; and, as I have the greatest respect for the discernment and wisdom of the gentlemen of this committee, I believe that when they finally determine this matter, if they impose any tax at all on natural brandy, it will be such a moderate tax as will bring the Government a revenue, which this proposed tax most certainly will not bring, and at the same time will not wipe out the grape-growing industry. I have convincing hope and faith that you gentlemen will do that.

Senator THOMAS. I assumed, perhaps erroneously, that you gentlemen were opposing that part of the paragraph that proposed to repeal the act of 1890?

Mr. TARPEY. We are most certainly opposing it; but as I am admonished that my time has elapsed, Mr. Bell will answer that. We of California, I think, without any difference of opinion whatever, favor the law of 1890.

[By permission of the committee, Monday, August 18.]

When my remarks were brought to an end on Saturday by the rising of the committee, I was endeavoring to show how the Ohioans made their wine, and I will now resume that part of my argument.

From the opening statement of Mr. Lannen, representative of the eastern wine makers, I extract the following language:

"The way we deal with this matter (of making wines) in this country is this: When we take our grape juice, we test it to see how much acid it has when it comes in in the fall from the farmer. After ascertaining the amount of acid that there is there, we add enough water to cut that acid down to about five parts in a thousand \* \* \* and then add enough sugar to bring the alcohol contents up to about 13 per cent."

From this it plainly appears that their grapes are unfitted to make wine at all, and the amount of water they add to cut the acid and the amount of sugar they add to produce 13 per cent of alcohol they do not disclose; but it is plainly evident that without the addition of the water and the sugar they could not make any of their so-called wine.

It requires no argument to show that if a sugar barrel and a hose may be employed in making wine, the necessity for growing grapes becomes a nonessential, or at least inconsequential as to the quantity of grapes produced, for with a small amount of grapes, by the addition of water and sugar, the juice of a few grapes may be stretched to such an extent that any attempted competition with such a "brick vineyard" by the farmers of the country who produce grapes would become and be a ghastly joke.

The original sweet-wine bill of 1890—the first pure-food enactment of the Government—was passed in the interests of the farmer, the producer of grapes, and the grape farmer to-day bears the same relation to the "brick-vineyard" producer as does the honest butter producer to the oleomargarine manufacturer, and it was only after lengthy consideration by Congress and repeated rehearings comprehending a close fundamental study of the matter that the oleomargarine producers were brought within the scope of the law and their product placed under the supervision of the Internal Revenue Department.

The cases of the grape growers and the butter producers are analogous, and even aside from the consideration of the moral aspect of the subject or the necessity for supervision over spurious and unhealthful products, the tiller of the soil should be and, I believe, is first in consideration of the lawmakers of the country. The cry is "back to the land," but the tendency of modern life is to center in cities, and to induce people to enter into the production of raw products is the problem of the day and surely that problem can not be advanced or benefited by enabling spurious products to be produced by sophistication and spurious manufacture where the raw product, healthful and honest, may be raised from the land.

As to the argument advanced by Mr. Lannen upon behalf of his clients that they can not procure grape brandy for the fortification of their wines, refraining from using a harsher term, I state that that is not a fact. The fact is that the California grape grower and distiller has always made all of the pure grape brandy necessary to fortify all the pure sweet wine of the East, whenever the same was ordered from or their requirements made known to the California distiller. Every year pure grape brandy is made in California for eastern customers, who receive the same in bond, and if, under the law, they are making really pure wines, they may use that brandy to fortify their wines without the payment of any other tax than the 3 cents per gallon which the Government exacts to repay it for supervision, and which the California grape grower and distiller is obliged to pay equally with everybody else.

The records of the Internal Revenue Department will prove the truth of this statement, as will the records of two internal-revenue bonded warehouses in New York, the internal-revenue bonded warehouse at Rheims, N. Y., Sibley's internal-revenue bonded warehouse in Chicago, and others; and as a further proof of the fact I state that I myself, through the company of which I am president, the La Paloma Winery & Distillery, sold to Garrett & Co., of Norfolk, Va., in 1912, 500 barrels of pure California grape brandy, containing some 46,000 or 47,000 gallons, and that the same was shipped to destination in bond, and that it is assumed the same was used in the fortification of wine, and that if the wine to be fortified thereby was pure sweet wine as denominated in the statute, all of the said brandy was used without the payment of any other tax than the 3 cents per gallon which we of California, as well as everybody else, have to pay.

Respecting the clause in the Pomerene bill now before this committee permitting the use of pure neutral alcohol, I state positively that if permission be granted to use such spirits no pure grape brandy will be made, because pure neutral alcohol can be made so much more cheaply from a multitude of other things much less costly than grapes; for instance, can be made from the cannery refuse, from the sugarhouse refuse, from the refuse of pineapples from the Sandwich Islands, of which a large, if not unlimited, quantity may be landed upon the Pacific coast at a very low cost, and even from sawdust and shavings, for, as you know, the distillation of wood alcohol has been so advanced that latterly potable alcohol, acceptable as such to the pure food department of the Government, has been made from refuse wood products, sawdust,

shavings, slabs, etc., and that there already are in the country several factories producing that product commercially.

Therefore, the result of the adoption of that clause in the bill would be to induce all wine makers to use that character of pure neutral alcohol, which can be produced for some 6 to 8 cents per proof gallon, as against about 40 cents per proof gallon, the cost of pure brandy distilled from grapes in the place where grapes are most cheaply produced, namely, California.

I therefore submit that it would be a misfortune to adopt those words allowing the use of "pure neutral alcohol" in the bill, as the result would be to induce everybody to make spurious wines.

So there may be no misunderstanding of the term "proof gallon" as adopted by the Government, permit me to state that according to Government standards absolute alcohol is 200° proof, and that the Government's "proof gallon" is alcohol of 100° proof, and therefore the Government gallon of proof alcohol or spirits is 50 per cent alcohol and 50 per cent water. Sugar produces one-half a unit of absolute alcohol for every whole unit of sugar, and therefore, according to Government standards of one-half alcohol and one-half water, every pound of sugar will produce 1 pound of 100° proof alcohol, and therefore every pound of sugar used in the manufacture of so-called wines produces 1 pound of proof alcohol and should pay the same tax as brandy or spirits of the same proof.

Upon the revenue phase of the matter I desire to state that the revenue of \$1.10 per proof gallon proposed to be taxed upon the user of pure grape brandy, and expected to produce a revenue of from \$5,000,000 to \$7,000,000 annually to the Government, would prove destructive of the grape industry of California and would not—and upon this point I am positive, absolutely so—produce the revenue expected, nor any material revenue, because, first, the grower of grapes and the manufacturer of wines therefrom could not pay that revenue; they could not raise the money in any way, for the sum would be so out of proportion to the value of their vineyards and their wineries as to make the borrowing of money impossible. As an example, I will state that, for instance, a man paid, under the 3-cent tax under which we have been operating, \$5,000. Under the Pomerene bill he would be obliged to pay \$185,000, which would be several times the total value of his vineyard and his winery and all of its belongings. Furthermore, the banks and monetary institutions would not loan money on wine because of its unstable character as a commodity, as they do not know what day local or State or national laws may be passed declaring that product either as contraband or not constituting property. The instance above cited of the \$5,000 previous tax and \$185,000 proposed tax operates in ratio up and down to the few large producers and the multitude of small producers, and the effect is the same upon all in ratio to their holdings and productions.

Second, the imposition of that \$1.10 tax would impel all producers to seek every known and ascertainable means of producing wines without the addition of grape brandy, and those methods would be adopted by all producers and would tend to absolutely wipe out the production of really pure wine as it is made in California to-day.

The California representative of the grape and wine industry of California now in Washington prepared a brief upon this whole subject matter, which I now take pleasure in filing with this statement as an elucidation of the subject, and I hope that brief will receive the serious consideration of the gentlemen of this committee.

The modification of the sweet-wine law of 1890, that was mentioned during my appearance before you on Saturday last and which is known as "The Three Secretaries' Decision," was an administrative repeal of a certain extremely important section of the pure-food law, and was promulgated without the knowledge of any of our people and presumably without the knowledge of the people concerned in pure-food regulations. It is regrettable that administrative departments should take upon themselves legislative or legal interpretation of statute requirements, and therefore, as I stated on Saturday last, that "Three Secretaries' promulgation will be formally taken up with the Secretaries of the three departments which issued it under a former administration for the purpose of having it recalled and permitting the statute law to obtain in its pristine purity.

I thank you, gentlemen, for the kind attention which has been given and the courtesies extended to us during the present hearing, and beg to announce that we shall be very glad indeed to be of any further service to the committee that we may be able to render.

PROTEST AND BRIEF OF THE GRAPE GROWERS AND WINE MAKERS OF THE STATE OF CALIFORNIA AGAINST PROPOSED TAX UPON GRAPE SPIRITS USED IN FORTIFYING PURE SWEET WINES, AS CONTAINED IN SENATE COMMITTEE AMENDMENT (SEC. 2541) TO PENDING TARIFF BILL.

THE GRAPE INDUSTRY OF CALIFORNIA.

	Acres.
Wine grapes exclusively.....	168,500
Raisin grapes.....	110,500
Table grapes.....	61,000
Total.....	340,000

About one-third of the raisin and table grapes go to the wineries and distilleries. This affords a market to the growers of raisin and table grapes for their by-products, the pure grape brandies obtained therefrom being afterwards used in the fortification of pure sweet wines. The average vineyard contains less than 25 acres.

	Gallons.
Pure dry wines.....	24,000,000
Pure sweet wines.....	17,797,718
Pure commercial grape brandy.....	1,700,000
Total.....	43,497,718

Amount grape brandy used in making pure sweet wines, 4,648,842 gallons.

DIFFERENCE BETWEEN DRY AND SWEET WINES.

Pure dry wines are made by allowing all of the sugar in the pure grape juice to ferment into alcohol, 2 degrees of sugar making 1 degree of alcohol.

Pure sweet wines are made by arresting the fermentation through the addition of pure grape brandy, which acts also as a preservative. No pure sweet wine can be made any other way, for the simple reason that pure sweet wine contains nothing but the pure juice of the grape.

Total investment in vineyards and wineries.....	\$150,000,000
Number of families engaged in grape growing.....	15,000
Cost of producing 1 acre bearing vines.....	\$300
Total production sweet wines, 1912:	
United States.....	gallons..... 18,547,718
California.....	do..... 17,797,718
Produced outside of California, 1912.....	do..... 750,000
Production pure sweet wines in California, 1890.....	do..... 1,083,274
Production pure sweet wines in California, 1912.....	do..... 17,797,718
Increase under operation 1890 sweet-wine law.....	do..... 16,714,444

This tremendous increase in the production of pure sweet wines in California was due to the 1890 law permitting the use of pure grape spirits free; since 1906 a payment of 3 cents per proof gallon has been paid on the brandy so used to reimburse the Government for the cost of supervision in the making of pure sweet wine.

THIS 3-CENT CHARGE HAS NEVER BEEN REGARDED AS A TAX.

Under the provisions of the act of 1890 these pure sweet wines can not contain more than 24 per cent alcohol, which is the dividing line between wines and spirits, according to our tariff laws, as well as the act of 1890. It logically follows that inasmuch as these pure sweet wines can not be classified as spirits, the wine maker is not enjoying any special privilege, but to the contrary, he is working in harmony with the wise governmental policy that encourages the cultivation of the soil in small holdings and the production of a pure food product. Nor can it be claimed that favoritism has been shown to the California wine makers, for the provisions of the 1890 law are equally open to all wine growers in the United States.

The pure-wine law of 1890 was the first pure-food legislation in America, and its fruits have more than justified the hopes of its advocates. In 23 years there has never been a criticism of this law, nor any material changes proposed; furthermore, it has served as a model for other pure-food enactments. Once annual or interrupt the good effects of this law, and the distinct line between pure wines and counterfeit wines in this country will be wiped out, to the irreparable damage of the grape growers and producers of sweet wines and to the certain injury of the consumers of wines.

COST OF PRODUCTION, ETC.

Average cost of producing 1 gallon pure sweet wine, 20 cents. This include payment to grower of an average of \$11 per ton for his grapes.

Average selling price in bulk per gallon, 29½ cents. Increase in cost of producing 1 gallon pure sweet wine under present methods, which are the best, should a \$1.10 tax on the grape spirits be imposed, 30 cents, bringing the original cost of producing a gallon of pure sweet wine to 50 cents.

As an example of how the proposed tax will operate we submit the following instance, which applies in the same ratio to every other producer of pure sweet wines in California: In 1912 the Bradford Winery in Sacramento County, an independent concern owned and operated by the Bradford Bros., who buy 10,000 tons of grapes annually from neighboring farms, used 150,000 gallons of grape spirits in the fortification of pure sweet wines, paying 3 cents per gallon to the Government, or \$4,500. Figured at \$1.10 per proof gallon, this one firm would be taxed \$165,000.

It thus appears that if the \$1.10 tax be imposed the cost of production will be increased 150 per cent and the selling price 100 per cent. It is the common people that are now consuming the California pure sweet wines, because the present price is within their reach; but they can not afford to buy it at any material increase. An increased tax means a decrease in the use of pure wines. The market can just about take care of the present production of grapes in California, and a diminished market simply means that the grape growers will not be able to sell their crops, either for wine or brandy purposes. The grapes will be left to rot on the vines for a season until the farmer has time to pull up his vines, which pulling up will impose a cost of some \$15 per acre.

REVENUE.

Those who figure that the revenue received from the imposition of a \$1.10 tax upon grape brandies used in the fortification of pure sweet wine will yield many millions of dollars are laboring under a serious misapprehension. If we assume that the same amount of pure sweet wines will be made and marketed, and then further assume that the same amount of grape spirits will be so used, then of course it resolves itself into a matter of simple multiplication; but unfortunately for any sound fiscal calculations there are too many "assumptions" here. In the first place, the sale of pure sweet wine will fall off tremendously; nobody can say exactly how much, but certainly it will not amount to one-fourth of the present consumption. The present steady market that has been created for pure California wines by years of education and hard work will certainly become badly demoralized, and that condition will surely be preserved by the undoubted production of sweet wines (?) preserved by neutral spirits, chemicals, and what not. Secondly, the man who makes a sweet wine, if compelled to pay a tax on his spirits, is certainly going to do two things, i. e., use as little alcohol as possible and buy that alcohol as cheaply as he can. In doing this he can not be criticized, for the prudent, economical management of his business will demand it.

Let us now see how this will work out. Instead of arresting fermentation at a point of high saccharine strength, he will let the fermentation proceed until nearly all the natural grape sugar has been converted into alcohol, for every degree of alcohol that he can obtain through the natural fermentation of the grape juice will save him just so much money in the purchase of taxed spirits. For example, the average amount of sugar in sweet-wine grapes is 26°, which is equivalent to 13° of alcohol, if the juice be fermented dry. The amount of alcohol in ports and other types of sweet wines ranges from 20° to 23°. Under present methods the sweet wines are fermented until about 7½° alcohol is shown. To this wine is then added about 12½° grape spirits. Taking advantage of the provisions of the pending Pomerene amendment, the wine maker may add 20° sugar, and thus be able to produce 15° of alcohol through natural fermentation, leaving 16 per cent of sugar for the taste of the consumer. He can then rest content with his 15° of alcohol and market his wine under the claim that it is a pure sweet wine without adding a single drop of taxed alcohol, substituting as a preservative benzoate of soda or other permitted chemicals. But suppose he does wish to raise the alcoholic strength of his sweet wines to 20°. This will require him to add only 5° of taxed alcohol, where he now uses 12½° of grape brandy, thus cutting down the amount of alcohol or brandy used 60 per cent. It follows that even if the total amount of sweet wines consumed can be maintained at the present volume the above change of methods alone will reduce

the amount of spirits used 60 per cent, and therefore three-fifths of the contemplated revenue must be deducted for this reason. If the wine maker is required to pay a tax on his alcohol, he will naturally buy that which is cheapest. The use of neutral alcohol is permitted by the pending measure. This kind of alcohol can be made from "black strap," cannery refuse, pineapple refuse from the Hawaiian Islands, potatoes, and even from sawdust and shavings, and will be obtainable by the California wine maker at the cost of from 8 to 10 cents per proof gallon.

Pure grape brandy costs about 40 cents per proof gallon when grapes are selling at \$11 per ton. The use of cheaper spirits will spell the destruction of five-sixths of the brandy making in California, thereby destroying the market for 137,500 tons of grapes annually. The use of untaxed preservatives will be resorted to in preference to the use of taxed spirits, which further renders it problematical whether the Government will obtain any considerable revenue from tax upon grape spirits used in the making of pure sweet wines; but whether the revenue be large or small, it can not possibly justify the wholesale destruction of the grape-growing industry that is bound to follow the levy of any tax upon the grape spirits so used.

## SUMMARY.

1. The imposition of a tax on grape spirits used in fortifying pure sweet wines will utterly destroy millions of dollars' worth of property that is now devoted wholly to viticultural purposes in California.

2. The small grape grower will be hurt the most, for he and his family are entirely dependent upon the annual crop of his vineyard, and if the wineries and distilleries can not take his grapes, he will be deprived of the sole market for his product.

3. It is the custom of the grape growers and the wine makers to enter into contracts for a term of years at fixed prices for grapes, and the contracts now in force invariably provide that in the event of adverse legislation the wine maker, at his option, may cancel his contract.

4. The imposition of a tax upon a pure sweet wine is in contravention of the announced policy of our Government, backed by strong public sentiment, in favor of purity in foods, drugs, and beverages of all kinds.

5. The imposition of such a tax will inevitably lead to the breaking down of the barriers between pure wine and its many imitations, causing confusion and difficulty in securing a pure article, and leading to temptations to market cheaper adulterated brands in the place of genuine wines, thereby undermining the public health through concealment and fraud practiced upon the consumer.

6. The imposition of the proposed tax will not produce any material increase of revenue. The claims of its proponents will not be realized; but, worse than this, the attempt to raise additional revenue in this manner will bring disaster to thousands of men and women of high character and good citizenship, thrifty, patriotic, and temperate, who are now engaged in various branches of the grape industry.

7. It is contrary to our avowed policy of encouraging the intensive cultivation of the soil in small holdings and rendering the pursuits of the soil profitable and inviting.

8. California's vineyards are of imported stocks, and that State alone is able to give the people of this country a pure delectable wine in competition with the imported brands.

9. A curtailment of the market for sweet wines will result in an overproduction of dry wines, and such overproduction means that tens of thousands of tons of grapes will not be worth marketing.

10. California's present viticulture is the result of a hundred years of experimentation and development, and the work of a century should not be nullified by the imposition of the proposed tax. It is the traditional policy of all governments to foster and upbuild this industry.

11. A ton of grapes being used for making the brandy that is now required to fortify the juice of a ton of sweet-wine grapes, it is apparent that a tax on such grape brandy will destroy the market for five-sixths of the grapes that now go to the distilleries.

12. The 15,000 heads of families who are now engaged in grape culture and wine making in California earnestly protest against taxing any of the interrelated branches of the grape industry.

Respectfully submitted.

M. F. TARPEY, Fresno, Cal.,  
THEODORE A. BELL, San Francisco, Cal.,  
L. W. JUILLIARD, Santa Rosa, Cal.,  
LOUIS S. WETMORE, Stockton, Cal.,  
J. C. NEEDHAM, Modesto, Cal.,  
J. A. BARLOTTI, Los Angeles, Cal.,  
G. E. LAWRENCE, Lodi, Cal.,  
LOUIS LANDSBERGER, Berkeley, Cal.,  
PERLEY K. BRADFORD, Sacramento, Cal.,  
EDWARD L. DA ROZA, Elk Grove, Cal.,  
Committee.

WASHINGTON, D. C., August 1, 1913.

Mr. PENROSE. Mr. President, does the Senator from North Carolina desire to press the conference report to-day, or would it be agreeable to him to agree to an hour to-morrow at which to vote upon it? There is absolutely no desire to delay the report, but there are several Senators on the minority side who desire to be heard upon it at some length.

Mr. SIMMONS. Mr. President, it is almost the unanimous desire of Senators on this side of the Chamber that we shall try to have a vote to-night. After talking with all of those that I have been advised are to speak, I do not think we will be here very late to-night, and I would rather that we should go on to-night. Of course it involves a sacrifice; it is inconvenient to all of us; but Senators who have engagements expected to finish the matter before this time.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate at this time by a discussion of the report. There are other Senators on the minority side who desire to be heard at some length and I shall yield to them. While I am on my feet, however, I desire to call the attention of the Senate and of the manufacturing and laboring people interested to the fact that in my opinion the conference report on hosiery will not

relieve the situation, but will leave the industry in a lamentable situation.

I am convinced, after careful investigation, that compared with other rates of duty written in the Underwood bill those applied to hosiery may be considered high. In fact, if I am not mistaken, they are the highest in the bill on articles of common use. But high as they are, they fail to come anywhere near covering the difference in wages paid in this country and in Germany.

Hosiery manufacturers in Pennsylvania tell me that while they will give the Underwood law a fair test, they can see nothing ahead but very dull times, unless wages are reduced to the German level.

Samples of hose have already appeared here which sell in Germany for 60 cents per dozen pairs, fine gauge, full-fashioned. They are fully as fine as the 240-needle hose produced in this country and are made of fairly good cotton yarn. Such hose entering this market under a duty of 30 per cent will be absolutely ruinous to manufacturers of the grade of hose retailing in our markets for 25 cents per pair.

Under the Wilson-Gorman law the hosiery interest languished. Under the Dingley law conditions were slightly better, but were never prosperous. Under the Payne law the slight increase in duty made competition more even, so that our hosiery mills have been prosperous, while German manufacturers have found no difficulty in sending their goods here freely. The Underwood law will reduce the rates of duty much below the rates in the Wilson-Gorman law. Consequently hosiery manufacturers see no reason why the hosiery trade should not be worse off than under the Wilson-Gorman law.

A trade paper published in Chemnitz, Germany, says, under date of September 11, the following—I have the paper here; it is in the German language, but the translation of the item is:

Should the expectations which reductions in duty on the part of the United States justify for cotton and woolen hosiery soon become true our domestic industry can surely look forward to very good times for next year.

Mr. President, protectionists claim that a heavy reduction in rates of duty always results in the transfer of business to foreign manufacturers, who divide with the importer, jobber, and retailer the added profit, thus depriving the consumer of any advantage in price and inflicting all of the damage on the American producer and operative. That the above statement is true beyond contradiction is proven by official statistics covering imports of hosiery.

The average landing value of all hosiery imported during the year ending June 30, 1913, was \$2.17 per dozen pairs, while the average for the month of August, 1913, was \$2.60 per dozen pairs, or a clear gain of 43 cents per dozen pairs to be divided among the foreign manufacturers and American distributors, which is a profit never dreamed of by American manufacturers of hosiery. A careful examination of the advertisements of retail dealers in hosiery fails to disclose any change in retail prices during the month of August or since.

Mr. President, I have listened with great interest particularly to the eloquent closing periods of the chairman of the Finance Committee [Mr. SIMMONS]. The familiar phrases regarding "a mandate from the people" and "the predatory interests" and "the relief from a generation of tariff abuse" did not affect me, perhaps, as they should, because I have grown callous in witnessing the difference between pretensions and performance.

While this cyclone of reform was driving along this propaganda throughout the country, ruthlessly sweeping its devastating course through many northern States, the Angora goat stood unterrified on the southern border of Texas. [Laughter.]

Mr. SHEPPARD. Mr. President, will the Senator yield to me for a moment?

Mr. PENROSE. Certainly. I am glad to see a friend of the Angora goat on his hind legs. [Laughter.]

Mr. SHEPPARD. I could compare the Senator from Pennsylvania to another celebrated animal, but for the sake of propriety in debate I will not do so.

Mr. PENROSE. I did not say the Senator was an Angora goat. I said he was a friend of the Angora goat. I would not be so discourteous to the Senator as to make a remark such as he seems to infer.

Mr. SHEPPARD. Then I misunderstood the Senator. I rose to say that the Senator will acquit me of any complicity in the matter of putting the hair of the Angora goat on the dutiable list. I am in favor of placing goat hair on the free list, along with sheep wool.

Mr. PENROSE. I have not noted any heated or violent opposition to the duty on the part of the Senator from Texas.

Mr. SHEPPARD. I made my opposition at what I considered the proper place and time, and my colleagues on this side

know that I have expressed myself fully and emphatically on this subject.

Mr. PENROSE. After the villainy is perpetrated it is safe to condemn the villain. The fact remains that in the House there was placed on the hair of this inoffensive ruminant a duty fully equivalent in its ad valorem value to the paternal protection of the Dingley bill and the Payne bill. In reading the debates in the CONGRESSIONAL RECORD I was impressed by the fact that this instance of the Democratic idea of carrying out an aroused and incensed public sentiment for tariff revision by maintaining at the Dingley and Payne rates the duty on Angora hair aroused applause on the Democratic side of the Chamber when the chairman of the committee informed the House that that duty had been retained. Notwithstanding the strenuous opposition of the Senator from Texas, the duty comes out of the conference committee at 15 per cent ad valorem, a reduction from 20 per cent, as provided in the House bill. While the Wyoming ram is invited to face the inclemencies of the approaching winter unprotected by any duty, the Texas goat, living in a more tropical and beneficent climate, has thrown around him the blessings of the Republican protective rates.

I can sympathize, Mr. President, with the lover of the goat. He is one of the most ancient animals, as I understand, to be subjugated by the white races. Long before the horse or the ox was tamed to the will of man the goat and the Angora goat were found in close proximity to his habitation. He appears at the dawn of civilization.

Mr. MARTINE of New Jersey. Mr. President, will the Senator permit an interruption?

Mr. PENROSE. With pleasure, Mr. President.

Mr. MARTINE of New Jersey. I beg to say just at this juncture that we are flattered in the thought that we have the Republican goat at this time.

Mr. PENROSE. The hills in the suburbs of the cities of New Jersey are covered with goats.

They are there in the vicinity of tin cans and ash piles and shacks and other suburban adornments. I have no doubt that the Senator from New Jersey thinks that perhaps the Jersey goat will secure some advantage from the protection extended to the Angora goat, but I want to assure the Senator that as meritorious as are the attainments of the New Jersey goat it can not compete with the Texas goat.

The goat is a useful animal. One of the earliest friends of man is thus protected amidst a cyclone of reform. Why is it? I do not want to embarrass the chairman of the Finance Committee or any member of his committee by asking the question. I shall address the question to the vacant air and leave another generation to answer.

Mr. SIMMONS. The Senator does not embarrass me at all.

Mr. PENROSE. I did not know the Senator was in the room. The Senator's melting tones as he closed his speech so impressed me that I would not make any unkind remarks even about the Angora goat if I knew he was in the Chamber.

Mr. SIMMONS. The Senator made no unkind remark about me so far as I know.

Mr. PENROSE. But I thought maybe the Senator might resent any reflection on the Angora goat.

Mr. SIMMONS. I have not come to the defense of the Angora goat. I was with the committee that put the hair of the Angora goat on the free list, and I am inclined to think it ought to be on the free list, but the conferees of the House did not quite agree with me about that. If the Senator wants me to give the argument upon which they chiefly relied, it was to differentiate—

Mr. PENROSE. I will cheerfully yield to the Senator for the argument.

Mr. SIMMONS. The Senator has heard the argument made here repeatedly in connection with wool that mutton is the chief product of the sheep and wool the by-product, and so on, and that the mutton value of the sheep in many cases, especially of certain breeds, paid the entire expense of the wool and left wool absolutely free of cost to the producer. In other cases it very greatly reduced the cost of producing wool. The argument was made by the conferees on the part of the House and insisted upon that the Angora goat was not valuable at all for food purposes.

Mr. PENROSE. It is an edible article, I think, however, and cheese is extensively made of its milk.

Mr. SIMMONS. I do not know about the Angora goat. It is not raised in my part of the country, and I have never eaten any of it.

Mr. PENROSE. It is taxation upon the consumer who may like to eat it.

Mr. SIMMONS. My understanding is that the Angora goat is not a good foodstuff; but I merely state to the Senator the

argument. As he knows, the committee reported in favor of putting its hair upon the free list. The Senate so voted. The conferees of the House did not agree with us, and that was one of the chief reasons assigned. We secured a reduction of 5 per cent.

Mr. PENROSE. I do not understand yet the reason of it.

Mr. REED. Mr. President—

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

Mr. PENROSE. Certainly.

Mr. REED. I desire to ask the chairman of the Finance Committee if he seriously tells us that this old-fashioned, worn-out, threadbare Republican argument of protection was made by the House conferees?

Mr. SIMMONS. I did not mean to say that it was made in the way of protection, but I stated that they differentiated the case of the wool of the sheep from the hair of the Angora goat.

Mr. PENROSE. I am glad another member of the conference committee on the part of the Senate rises to his feet to plead not guilty upon this oppressive act to the consumer of retaining Republican rates on the Angora goat. I suppose if the other conferees were present in the Chamber they would likewise rise to give themselves an alibi, at least upon this particular duty. Blame it on the House! The country will blame it on the Democratic Party. When the people come to consider this case they will be able to gauge the measure of the Democratic statesmanship which slaughtered the Wyoming ram and pampered the Texas goat.

I did not quite understand the explanation of the chairman of the Finance Committee as to why this duty has been imposed. The fact of the matter is, Mr. President, the chairman and his associates have been whispering in dark corners so much all winter that they have lost the art of audible debate, and this most unfortunate habit should be stopped, it seems to me, when the currency bill is pressed for consideration.

I suppose that perhaps the hair of the Angora goat, the Texan ruminant, has been retained on the dutiable list at rates approximating the iniquitous Republican rate in order to produce those tremendous revenues that the chairman of the committee stated that it was going to give us. I was impressed with the rosy view he gave of the Federal Treasury; and while he was talking, it is true, I had visions of millions spent in building armor-plate factories, and many millions to be paid to railroads for carrying the parcel post, and millions of dollars to be expended under the ambitious régime of the present administration, and I could picture to myself awful chasms of deficits opening up before me in the next two years, as far as the Federal Government is concerned. Yet I can now see that the Senator's confidence as to revenue is sustained by the duty on the hair of the Angora goat. There must have been some reason like that, because the authorities on natural history say that this ruminant quadruped is about the same as the domestic sheep, so closely allied to it as to have no real difference, although frequently widely different in appearance. Why, then, if it is, the same as the sheep, a genus of ruminant quadrupeds of the family Bovidae, should this difference be made in an American tariff law? It is no more difficult to ruminate in Texas than it is in Wyoming.

The encyclopædia says:

One of the most marked of the distinguishing characters is that the horns of goats, present in both sexes, but smaller in the females, are long and directed upward, backward, and outward, while those of the sheep are more or less spirally twisted.

That would not surely furnish a logical difference for a 15 per cent ad valorem duty upon the Texas goat. I want the Senate to understand that a vicious female sheep can butt with any kind of a horn. But there is another difference. I quote again:

Other characteristics are the beard on the chin of the male goats, which is wanting in the sheep.

Has the Democracy still retained the regard for the unshaven aspect that the comic papers credit to it? Are they absorbed in profound veneration for the beard of the male goat, and do they retain the duty provided for under Republican administrations for this by no means backward animal?

It further appears that the goat "has a straight line in the face as compared with the arched line in sheep." As you often have to look backward to see a goat the writer of this article was a keen observer. [Laughter.] But this difference does not constitute a valid reason for the difference in duty.

We read further this:

The tail of goats is also much shorter than that of sheep.

Did these considerations enter into the conference when the Senator from Texas was engaged in his violent repudiation

of the duty and the Senator from North Carolina had thrown up his hands in helpless despair? It may be this was not the reason.

A constant mark of distinction is the absence in goats of a small pit between the toes of the hind feet (in some cases of all four feet) producing a fatty secretion, which exists in sheep.

That is too trivial a difference for anyone to think for a moment that the Democratic conferees gave any consideration to it. It would have taken a very strong, insidious lobby to have made that argument. But here, this may have been the reason.

Still another difference has been noted:

And another constant mark which is absent in sheep is the strong smell of goats.

[Laughter.]

But I abandon further efforts to penetrate the secrets of the Democratic caucus as to why the Angora goat of Texas is provided for and the ram of Wyoming is left to his fate.

Mr. POINDEXTER. Mr. President, it is not my purpose to discuss the particular items in this conference report, but it is rather because this affords the last opportunity for an expression of opinion upon this bill as a whole that I have addressed the Chair.

Naturally many inquiries are made, especially among a Senator's own constituents, as to the reason for his vote upon this bill. The inquiry is made as to the effect the new tariff act as reported from the conference between the two Houses of Congress will have upon business in general, upon wages, and the cost of living, and especially with reference, so far as I am concerned, to my own State.

In the first place, I desire to say that in the consideration of the bill in the Senate I spoke and voted against many of its provisions, although upon its final passage I voted for it as a whole in preference to the existing law. I especially urged that there should be a reasonable tariff upon shingles, while conceding that the rates should be reduced. I believe that the bill is wrong in immediately reducing wool and sugar from a high tariff to the free list.

I am inclined to think it is right in putting a tax of 15 cents on the hair of the Angora goat. I voted for various amendments for moderate tariffs upon those articles. I also opposed and voted against the entire removal of the tariff upon wheat. In these, as well as in many other respects, the bill does not accord, in my judgment, with the tariff policy which either the Progressive, the Republican, or the Democratic Parties have advocated in platforms and in campaigns. Strange as it may seem, all three of these parties in their most solemn and authoritative declarations upon the subject, in which they have gone before the people of the country for support, have formally declared in favor of practically the same tariff rule or policy, and the same measure of rates, namely—without quoting the platforms, and stating it only in general terms—that the tariff rates should compensate the American producer or manufacturer for the difference in the cost of production in this country and abroad, or, as sometimes stated, the difference in wages in America and in foreign countries, the intention being, in whatever form stated by those various parties, that the American producer or manufacturer should be protected against lower cost of production or lower wages prevailing in foreign countries. During the tariff debate I stated specifically the platform declarations of the various parties upon which I base the foregoing statement.

In my opinion the bill about to become a law is not well balanced in this respect, in that it discriminates against the producers of some of the great staple products in the class of so-called raw materials or products, such as lumber and shingles, of the lower class of manufactures. I regret that in conference some of these discriminations were not modified by the adoption of the House rates as opposed to the Senate rates, as, for instance, in the case of wheat, covered in the House bill by a tariff of 10 cents per bushel, but put upon the free list in the Senate bill, and so reported by the conference committee.

Taking the bill as a whole, however, and especially regarding its effects upon the country as a whole rather than upon any particular locality in the country, my opinion is that it will not in any way impair business activity or prosperity, so far as the rates of the bill itself are concerned. Continued tariff agitation and uncertainty, and particularly when that agitation involves complete recasting of the entire tariff law, as in this case, necessarily has a deterrent effect upon not only manufactures, but commercial enterprises and material development of all kinds. Taking for granted that the bill aims to protect American industries as the pending bill demonstrably does, the thing of paramount importance is not the particular classifications and the rates of the various schedules, but that the question should be settled upon some certain basis, that the agita-

tion in regard to details, at least, should be suspended, and that the country should have at least a reasonable opportunity to plan, project, and execute its business enterprises upon known conditions.

Upon this question my opinion is that this bill will have little or no direct effect upon wages, but will in the aggregate reduce the cost of living. Whatever effect it may have upon either of these conditions will depend in part upon the answer to the first proposition, namely, what effect the bill will have upon the volume and activity of the business of the country, including all of its various forms. Knowing as we do that this is affected by multitudinous circumstances, many of them of the most complex nature, many of them purely fortuitous, many of them constantly changing from month to month and year to year, it is impossible for anyone to predict with certainty what effect upon commercial enterprises, manufactures, or material development any such change in the fiscal policy of the Government might have. We have had hard times and good times under Democratic tariffs and under Republican tariffs; but it is to be observed that in all the changing conditions of business the influences which have most affected us have generally likewise at the same time affected the entire civilized world; in other words, that the most pronounced fluctuations in business activity and financial prosperity have been brought about by world-wide influences rather than by local laws or circumstances.

The effect of excessive and, in many instances, prohibitive rates in our tariff has been in many instances, as in the wool pulp and paper manufactures, to demoralize methods of manufacture and to put an incubus upon enterprise and progress, resulting in obsolete methods and machinery being employed. In the most comprehensive and elaborate investigation made by the late Tariff Board into certain manufactures, as, for instance, wool, it was demonstrated from the information collected that so far as the cost of production is concerned, it was lowest in those institutions paying the highest wages. A pampering, undue tariff, especially where it is, as is so often the case, accompanied by domestic monopoly, removes the spur and incentive which competition so well supplies for economy and scientific methods. Inefficient methods naturally tend to low wages and high costs, and upon this theory the facts disclosed by the Tariff Board's investigation may be explained, and that rule is applicable to the entire field of manufactures. Excessive rates and prohibitive rates which encourage private monopoly and shut out reasonable foreign competition are not justified upon any considerations of the public welfare and are utterly opposed to the solemn pledges of all of the great political parties in this country.

In determining the important question of a vote in the Senate for or against the pending measure it is absolutely necessary to a correct conclusion to study the pending bill in the light of the tariff policy desired. Aside from the individual opinions of Senators and the interests of their constituents a just conclusion can be reached only after carefully weighing the formal campaign declarations of the various political parties upon which the present Congress was chosen. As stated above, these declarations of all political parties, not always, but at one time or another, have been substantially the same, and the effect of the declarations is that it is evidently the consensus of public opinion in this country that the tariff should be fixed at such a rate as would be a "competitive" tariff, as it is called; that is, that the American manufacturer and his foreign competitor should meet upon fairly equal competitive conditions in the American market. In my opinion, this is the just view, as well as the party promise. Of course, there are many public men, as well as private citizens, who go to the extremes; very different from this policy. On the one hand, there are those who would write a tariff bill in one line, and that would be that no foreign articles which can be produced in this country should be imported; in other words, a prohibitive tariff. On the other hand, there are those who would abolish all tariffs and, to use their figure of speech, would tear down the customhouses. Neither of these extreme views, however, can prevail; neither of them have been declared by any political party.

Measuring the pending bill by the American rule and the accepted platform declarations, in my judgment the rates upon manufactures are, with very few exceptions, sufficiently high and in some cases are still entirely too high.

There is much evidence that the profits of lead and zinc mine owners and the price of zinc and lead to the consuming public is absolutely under control of the Smelting Trust; also that the producers of lead ores do not get the benefit of existing tariffs. However, the Senate raised the duty upon lead ores from one-half cent per pound in the House bill to three-fourth of 1 cent per pound, to what was considered a competitive basis,

and this was retained in conference. It is extremely doubtful, however, whether any change, either raising or lowering the tariff upon lead, under the present conditions of the smelting industry in this country will have any appreciable effect either upon the price paid to the producer of lead ore or by the user of lead. Pig iron can be produced in this country as cheaply, if not more cheaply, than anywhere in the world and was properly placed upon the free list. In some portions of the country, as on the Pacific coast, this will be a very great advantage to manufacturers of iron products. Coal is placed upon the free list, and properly so, in my judgment, since the American public as a whole is paying an exorbitant annual tribute to the Coal Trust and the great transportation companies which constitute a part of it, and any possible relief which can be granted to the consumers of this necessary article is not only justifiable but is demanded by common justice. In the city of Spokane, Wash., which I mention because it is my home, and the so-called great inland empire, as well as to the entire Northwest, this will be a benefit by making accessible to them the coal deposits of British Columbia, and can not interfere with any legitimate profits of coal operators anywhere in the United States. The rates of duty retained upon manufactures of steel and iron, while substantially reduced, are in most cases more than enough to comply with the rule of protection as stated above. On cotton cloth the rate under the Wilson tariff, reduced to ad valorem, was 41.62 per cent; under the Dingley Act, 38.54 per cent; under the Payne-Aldrich tariff, 42.75 per cent; under the pending bill as agreed upon in conference it is estimated to equal 27.15 per cent. On woolen cloths and knit fabrics under the Wilson tariff the rate equaled 47.88 per cent ad valorem; under the Dingley tariff, 95.34 per cent; under the Payne-Aldrich tariff in 1910, 97.20 per cent; under the pending bill as agreed upon in conference, 44 per cent. These rates retained in the present bill, without attempting in this statement to go into detail, are, generally speaking, far higher than is justified by the party declarations of any political party.

The rates of the Payne-Aldrich bill, which these rates supplant, were unjustified by any tariff policy ever advocated by a political party. The rates in Schedule K, as demonstrated by the report of the late Tariff Board, as set forth in a message to Congress by President Taft, were prohibitive as to the medium grades of woolen goods, and resulted in increasing the price of such goods in this country 66 per cent over the price in foreign countries, with the result that foreigners are better clothed than Americans, and that many Americans, in fact, the large mass of them, are wholly deprived of good woolen clothes.

As between the East and the West, whatever losses, imaginary or otherwise, the West may possibly suffer from reduced rates on certain of its productions will be compensated a thousand times over by the relief which the West will immediately receive from the reduction to a reasonable and legitimate point of the tariff rates upon woolen and cotton goods, iron and steel manufactures, and a thousand and one articles which the West buys from the East. For a generation the West has been paying an unconscionable tribute to eastern manufacturers, made possible by exorbitant tariff rates upon the manufactures mentioned, and hundreds not mentioned. There should be an immediate and direct reduction of the cost of living by reducing to our consumers to, at least, the same prices at which our American manufacturers sell their products abroad, the cost of iron and steel utensils, structural iron, cotton and woolen cloth, and shoes, which are placed on the free list. The Payne-Aldrich bill put hides on the free list and retained a duty upon shoes. This discrimination against the West is equalized in the pending bill by placing shoes on the free list, and millions of dollars will be saved to that section by this one item alone. It is not contended with any seriousness that the American shoe manufacturers stand in need of tariff protection; the fact is they have successfully invaded the European market in many lines of shoes. The people of the State of Washington will be benefited from twenty to thirty millions of dollars annually by these reductions in all of the long line of articles of clothing, food, shelter, and the implements of agriculture and the trades; while their loss, if any, from the reduction in the tariff upon wheat, wool, and sugar will be negligible in comparison. In fact, they will be benefited by placing sugar on the free list, because, notwithstanding the tariff, and notwithstanding a bounty granted by the State legislature, the effort to produce beet sugar in the State of Washington has, so far, not been successful; although from a broader and national standpoint I favor the retention of a just and moderate duty upon that great staple, for reasons not necessary to go into here.

I have a statement from a lumberman in the State, of as much experience and as much success as any lumberman in the State, to the effect that the lumber manufacturers in Washing-

ton do not need the protection of a tariff upon lumber. This is probably true, and if true, notwithstanding our apprehensions, the same thing is possibly true to a greater or less extent of the shingle manufacturers, although I was opposed to placing shingles upon the free list, though favoring a substantial reduction in this rate. Our farmers will be benefited by the reduction in the tariff upon grain sacks from 33 per cent ad valorem under the present law to 10 per cent under the Senate bill as reported from conference; and I might add by the placing of jute bagging, out of which grain sacks are made, upon the free list, while the removal of the tariff upon wheat will probably have no effect whatever upon the price of wheat in that State, although it may in some of the other border States to a limited degree. The farmers of the State of Washington, and consequently all the people of the State of Washington, will derive more benefit from the provisions in the pending bill, which places agricultural implements on the free list and thus saves them many millions of dollars each year from the excessive prices of the Farm Machinery Trust, than the State can possibly lose from the removal of the tariff on wool. The entire removal of the tariff on fencing wire, saddles, harness, and leather will be a substantial benefit to the entire West.

Wages in the protected industries can not be affected by this bill, for the reason that they are already at the lowest possible point at which labor can be obtained, or, where labor is plentiful, at the lowest possible point at which labor can do the work and live. I visited the woolen mills at Lawrence, Mass. American labor was first displaced by Canadian and English labor, and this, in turn, by a lower class and lower-paid labor from Portugal and other Mediterranean countries, some twenty-odd different languages being represented among the operatives in those mills.

The labor in the cotton mills is largely child labor and poorly paid. It could not be reduced to a lower point. The labor in the steel industry, particularly the common labor, is poorly paid and overworked—tens of thousands of the employees in this industry working 12 hours a day, some of them 7 days a week, and many of them 16 hours a day. While under certain conditions and in certain industries the tariff does affect wages to a limited extent, it does not in general. The most highly protected industries in many instances pay the lowest wages to their employees; while, as pointed out above, the industries employing the highest priced labor frequently have the lowest cost of production, consequently needing lower rates of protection.

While the conditions stated above will directly and indirectly affect the cost of living, yet the effect of the tariff upon this great question is small compared to the influence of other problems with which the tariff is only collaterally concerned. Monopoly of transportation—and all the consequent abuses of inefficiency, extravagance, destruction of life—and excessive and discriminatory rates have a much more extensive effect upon the cost of living. Another essential element which enters into this question and which must be dealt with before it is settled is overcapitalization of industrial and transportation companies, by which device the mass of the people is taxed to the extent of billions to build up in a few years the swollen fortunes of a few. Another element is the monopoly of the necessities of life, which question reaches far beyond the tariff; and perhaps equally important is the problem of good roads as bearing upon all of the conditions of country and city life.

More than all other influences, however, tending on the one hand to increase the cost of living and on the other hand to deprive the masses of the people of means to meet this cost is the unnatural and dangerous power which has been gradually centered in the hands of that small group of men who control the supply of money and, directly or indirectly, regulate the rates of interest and the expansion or restriction of credits. That such insidious and insupportable concentration of power does actually exist was demonstrated in the recent investigation by the Pujo committee in the House of Representatives. By means of this centralized money power in private hands, operated for selfish purposes, the resources of the people are periodically squeezed to satisfy the inordinate avarice of this small group of manipulators.

Many of those who ostensibly have been especially grieved over my vote for this bill and who claim to be greatly exercised as to the evil consequences which will follow its enactment are, as a matter of fact, really but little interested in the tariff schedules of the bill. That feature of the bill which really arouses their bitter hostility, although they are curiously silent upon it, is not the tariff at all, but the income tax. As a rule those who are in favor of prohibitory or excessive tariff rates are opposed to a properly graduated income tax. Some of this class have been compelled by force of public opinion to favor an

income tax, but in reality oppose it under the guise of opposition to the tariff reductions in the pending bill. This bill, so far as it modifies the existing law, shifts to that extent the burden of taxation from the poor consumer to the rich possessors of great incomes. Its tendency is to lighten the taxes upon mere sufficiency and increase them upon superfluity. This has been the policy and theory of every wise system of taxation in the most enlightened civilizations. The graduation of the income tax in the pending bill is not perfect, just as the schedules of tariff rates are imperfect, but no law formulated out of the conflicting interests and complex opinions and judgments of a vast Nation such as this can meet in all aspects the wishes or the opinions of anyone. We must take it as a whole and determine upon its final analysis and total effect whether it is a beneficial or injurious change in the existing law.

For a generation the liberal elements in our politics have been striving for a graduated income tax. Through the great progressive movement of recent years, operating not only in the Progressive Party, but both directly and indirectly compelling action of all parties, the opportunity is now presented of obtaining through the passage of this bill a fair and progressive scheme of income taxation whereby the incomes of the poor are exempt and the rate of taxation upon the incomes of the rich increases with the increasing wealth. In other words, it places a somewhat larger share of the direct financial burdens of government upon those who can carry it with the greatest ease and who at the same time require and receive more of the care and expense of government and who are most concerned in the maintenance of the laws. If we reject this opportunity and defeat this bill, as both the open and secret opponents of an income tax desire, whether they are frankly avowing the real cause of their opposition or are concealing it in an outcry against tariff reductions, another generation may pass by in the uncertainties and complexities of political warfare before this just measure could be enacted into law.

Mr. President, I desire to say, in addition to what I have just said in regard to the income tax, that the strictures which I have directed at some of those who are opposing this bill are not intended in any way to apply to any Member of the Senate. I have in view certain objectors and critics in my own State.

My vote for this bill has been attacked by certain newspapers as a vote for free trade and as a vote for a Democratic tariff. These are both regarded in certain quarters as offensive epithets. It seems to be claimed that because this bill puts upon the free list certain items it is a free-trade bill. If that is the test of free trade, then every tariff bill ever enacted in this country was a free-trade bill, because every one contained an extensive free list. It has never been contended by any political party in this country that every article of commerce should be subject to a customs duty, and neither has it ever been contended by any political party that every item should be free.

In the framing of every tariff bill in the history of such legislation in this country what should be upon the free list has been the subject of dispute both between opposing political parties and between members and factions of the same party. This has always been the case and always will be the case. War has been waged, for instance, over hides. Under the McKinley bill they were free. In the Democratic Wilson bill they were free. In the Republican Dingley tariff they bore a rate of 15 per cent ad valorem. Under the reactionary Payne-Aldrich tariff they are free, notwithstanding the protests of the West, and under the pending bill they remain free. Under the Democratic Wilson bill shoes were taxed in the tariff rates 20 per cent ad valorem, under the reactionary Payne-Aldrich bill 15 per cent, and under the pending Democratic bill they are placed upon the free list. Does the placing of shoes upon the free list make this bill a free-trade bill? It does as to shoes, assuredly, but assuredly not as to the other thousands of items upon which tariffs, ranging all the way from a mere nominal rate up to 169 per cent ad valorem, are placed. Does the placing of shoes upon the free list violate the campaign pledges of the Progressive Party or, for that matter, of the Republican Party? Apparently so from the standpoint of some critics of my vote upon this bill, because they cite the declaration of the Progressive platform:

We believe in a protective tariff \* \* \* both for the farmer and the manufacturer and which shall maintain for labor an adequate standard of living.

Does this mean that there shall be no free list, or does it mean that any particular article shall not be placed upon the free list, such as agricultural machinery, saddles, harness, fencing wire, sugar, or wool? Does it mean that the rates of the Payne-Aldrich bill shall be maintained and that the rates in the pending bill shall not be substituted for them? Assuredly not. It is not a declaration for any particular schedules any

more than the Republican platform of 1896, which expressly declared:

We are not pledged to any particular schedules.

If the placing of the articles mentioned upon the free list makes the bill a free-trade bill, then assuredly the Payne-Aldrich bill must be a free-trade bill, because under it, in 1912, \$881,512,987 of merchandise were imported entirely free of duty, while only \$759,209,915 of imports were dutiable.

There has been no subject in American politics about which there has been as much misinformation, as much campaign buncombe, as much sophistry, as the tariff. As a matter of fact, the supposed warfare between free trade and protection has been and is purely an imaginary one. In 1840 there was imported into this country, free of duty, merchandise to the value of \$42,110,829, while in the same year merchandise subject to duty was admitted to the value of \$44,139,506. In 1842, long before the Republican Party had been born into the world, there was imported into the United States, free of duty, merchandise to the value of \$23,346,171, while that which was imported in that year subject to duty amounted to \$64,650,147. In 1892, under the Republican McKinley bill, there was admitted, duty free, merchandise to the value of \$448,771,192, while that admitted subject to duty was to the value of \$355,526,741. On the other hand, in 1896, under the Democratic Wilson bill, \$386,897,523 of imports were free, while the much larger amount of \$390,796,561 were subject to duty. This difference was due in part to the different theories and classes of articles upon which the respective tariffs were levied, but, nevertheless, in 1830, under Democratic rule, the average ad valorem rate of duty upon dutiable imports was 44.88 per cent; in 1840, it was 30.37 per cent; in 1850, it was 25.85 per cent; in 1855, it was 26.82 per cent. Under Republican rule in 1864, it was 36.69 per cent; in 1870, it was 47.08 per cent; in 1880, 43.46 per cent; in 1890, 44.39 per cent; in 1893, under the McKinley bill, 49.56 per cent; in 1895, under Democratic law, the average ad valorem rate on dutiable imports was 41.75 per cent; in 1900, under the Dingley law, it was 49.24 per cent; in 1912, under the Payne-Aldrich law, it was 40.12 per cent; and as nearly as I can make an approximation of the bill as reported from the conference committee, the average ad valorem rate will be very close to 31.75 per cent upon all dutiable articles.

These figures are cited to show that throughout our growth as a nation we have, under all parties, lived under a protective tariff. Both the Democratic and Republican Parties, as heretofore stated, have often declared that the tariff policy should be that duties levied to obtain revenues for the support of the Government should be so placed as to encourage American industry; both Democratic and Republican Parties have likewise repeatedly declared that the measure of tariff duties should be the difference in the cost of production or the difference in wages between this country and Europe. The people have been induced oftentimes to neglect the most vital and important social and political problems and to be lured off into a sham war over the tariff when both parties were in agreement, as demonstrated by their platform declarations, as to tariff policies. This is demonstrated not only by platform declarations in times past but by the action of both parties at the present time, including the specific declarations of the framers of the pending bill in this Congress. The fact that the tariff deals with a multitude of articles entering into the most intimate uses and necessities of domestic life has afforded an opportunity for politicians to secure the attention of the people in political campaigns to discussions, promises, and denunciations in regard to tariff rates. In this way, and because no adequate agency was provided for the framing of scientific classifications of articles and the accurate ascertainment of rates to comply with the measure of protection declared by all parties, the tariff has been kept constantly an issue in politics. It was largely a sham issue. The controversy, whatever may have been the opposing views of individuals, between the great political parties has been one about particular rates and schedules enacted into statutes by their political opponents and affording lodgment for the arrows of political ridicule and sarcasm, and not in regard to measures and rules and policies of tariff legislation.

The pending bill is not a free-trade bill, although its rates are lower than those of the existing law. The question is, Do these rates measure up to the rule laid down in Progressive, Republican, and Democratic platforms? That question is seldom discussed by the critics of those outside of the Democratic Party who have voted for this measure.

As indicated above, the average ad valorem rate of duty on dutiable articles under the pending bill as reported from conference is 31.75. Although this includes all merely revenue

rates, still, being considerably more than one-quarter of the entire value of the articles, it may be safely assumed to represent in general the difference between this country and others in the cost of production of the same. But this is not an adequate test, because it includes a number of low and nonprotective rates. The average ad valorem rate upon 51 protected articles from the principal schedules of the bill, typical of American manufactures, is 32.15 per cent, leaving out exceedingly high rates, as on tobacco, and merely revenue rates, which is far more than the measure of tariff protection advocated in the party platforms.

In citing the paragraphs quoted above from the Progressive platform, the measure of tariff protection demanded by that platform is overlooked by the critics referred to. That measure is stated as follows:

We believe in a protective tariff which shall equalize conditions of competition between the United States and foreign countries.

Furthermore, the platform declares:

We declare that no industry deserves protection which is unfair to labor or which is operating in violation of Federal law. We believe that the presumption is always in favor of the consuming public.

We demand tariff revision because the present tariff is unjust to the people of the United States. Fair dealing toward the people requires an immediate downward revision of those schedules wherein duties are shown to be unjust or oppressive. \* \* \* We condemn the Payne-Aldrich bill as unjust to the people.

Even the Republican platform in 1912 declared—

We hold that the import duties should be high enough, while yielding a sufficient revenue, to protect adequately American industries and wages. Some of the existing import duties are too high and should be reduced. Readjustment should be made from time to time to conform to changed conditions and to reduce excessive rates—

thus furnishing the only example of a political party which, after having repudiated its platform pledges and having enacted a tariff law in violation of its campaign promises, in the first succeeding presidential campaign admitted that the rates it had so lately fixed were too high and should be reduced.

The party treachery which the Payne-Aldrich tariff represents was the most potent factor in the downfall of the Republican Party. The attacks which are being made upon those who vote to repeal it now are identical with the opposition to those who voted against it in 1909. For four years we have denounced it before the country. It was on trial in 1910 and again in 1912, and was repudiated in both elections by the most scathing verdict by which a people ever rebuked a faithless party. Where are its chief authors? Four years ago they were in the seats of power and controlled every branch of the Government of the United States. They arrogantly defied the instructions of the people and forswore their own party platform. They had declared to the people throughout the campaign that if elected they would revise the tariff to a rate equal to the difference in the cost of production at home and abroad with a reasonable profit to the manufacturer. Given power on this promise they laughed at their campaign promises and in their greed took two or three times as much as had been proposed. One of them was Speaker of the House; one was President of the United States; one was leader of the Senate and chairman of its Finance Committee; one was chairman of the Appropriations Committee of the House; one, while Speaker, controlled every committee of the House, because he had the power to appoint them all. They were all his creatures. These "iron dukes of American politics" had behind them a supple and obedient majority. They enacted the Payne-Aldrich bill, went before the country on it, and out of the ruck and turmoil of their fight for it they emerged with the electoral votes of Utah and Vermont. Protesting against the recall, they were recalled. Their memory is already growing dim in the places that knew them so long. Now we are asked to approve their work and to retain the tariff which was the very essence of their condemnation.

The Payne-Aldrich law is no better to-day than when it was enacted. If it represented broken promises and party perfidy then, it does so now. Some people seem to think that it is all right to make tariff rates higher than the platform calls for, but that under no circumstances should they be made lower. The truth is that it is just as much a breach of party faith to exceed the measure authorized as it is to go under it. It is worse, in fact, because in the nature of things the principal benefit of the tariff is received by the private beneficiary, and if for the general welfare the people vote to allow him a certain rate it is an imposition upon them for Congress to allow him more. The people must bear the excess.

It seems to be argued by those critics that this declaration of the Progressive Party calls for a tariff upon every article and opposes a reduction of the tariff upon any article. Obviously this is not the case. It is not proposed either by the Progressive platform or by the Republican platform of 1908 or any other year that a tariff should be placed upon any article un-

less there is some difference between this country and foreign countries in the cost of production or in the wages employed in its production; unless there is some advantage which the foreigner has, of cheap production, against which the American manufacturer needs and is entitled to protection. It is not a violation of these platforms to place shoes on the free list, because it has been demonstrated that shoes can be manufactured in this country as cheaply as they can be manufactured abroad, largely by reason of the patent monopoly of improved shoe machinery, and there is no need for the protection which has heretofore been placed upon them. The party promises stated above do not call for a retention of 100 per cent tariffs upon woolen goods and do not oppose a reduction of these excessive rates. On the contrary, the platform declarations of both the Republican and Progressive Parties not only demand protective tariffs at a rate which meets the rule set forth in the platforms, but by equal logic and with just as much moral compulsion require a reduction of all rates which exceed that measure. The rates retained in the present bill upon the great mass of manufactures, as stated above, are fully equal to the measure set forth in the Republican and Progressive Party platforms. It behooves the vehement critics of some who voted for this bill to point out the great mass of items upon which its tariff rates do not comply with Progressive or even Republican Party promises.

As stated, it is charged that it is a Democratic bill. It is true that the bill was framed—principally at least—by the Democratic majority in the House and Senate, or by some alleged representatives of that majority. What of it? The question is not by what party the bill was framed, but as to the merits of the bill itself. The time has long gone by when the people of this country can longer be deceived by a sham war for the spoils of office between two caucus-dominated political organizations fighting political battles upon fictitious issues.

As pointed out above, the tariff policies of the great political parties of this country, as expressed in their platforms in most of the great tariff campaigns, have been identical, but, whether they are identical or not, the people are indifferent, and ought to be indifferent, as to whether legislation bears one party name or another. They are concerned in the effect of legislation upon the people and are not concerned, otherwise, with the triumph or defeat of political organizations. The time has long gone by when a Member of this body can justify his vote upon legislation here by the cry of party regularity. If the bill is bad, it should be defeated by whatever party it is proposed. If the bill is an improvement upon existing conditions, it should be supported regardless of the name of the party which proposed it. The truth of the case is, unfortunately, that in the eyes of many the theories of tariff platforms lose their force when the polls are closed, and in certain quarters an actual resentment is felt toward any attempt to make the schedules of the law square with the rule of the campaign pledge.

The time has long gone by when campaigns can either be won or lost upon rhetorical claptrap and campaign eloquence about good times and hard times, which, in many instances, are due to causes quite remote from tariffs. It is quite difficult to understand how the reduction of American tariffs can cause hard times in England, and yet, in campaign after campaign, it has been argued that a tariff bill, which slightly reduced rates and yet maintained a very high degree of protection, was the cause of a depression of business which extended throughout the civilized world. The farmers in this country have grown too intelligent and too well informed, partly due to the opportunities afforded by more plentiful literature and its free distribution by the rural-delivery system, to allow themselves to be taxed year after year exorbitantly upon every roll of fencing wire, upon every ton of coal, upon every agricultural implement or machine, upon their saddles and harness, upon every mechanic's tool, upon the cotton and woolen clothing, which they wear, and to pay this excessive and unnecessary tax contentedly because of a largely exaggerated benefit held up before their hopes in the shape of a tariff upon agricultural products. I, myself, believe that the farmer should have the same rate of protection upon his products that the manufacturer has upon his, but, nevertheless, the benefits which the farmer has received from a tariff are pitifully small and insignificant compared with the tributes which he has paid to manufacturers on this account.

The woolen, cotton, steel, tool, and farm machinery manufacturers in their several lines of business have agreements among themselves as to prices. In some of the more important instances the business is controlled by private monopoly, with the tariff as one of its foundations and factors. The farmers have never been able, and probably never will be able, in the very nature of things, to have any binding agreement among themselves as to prices. Tariff or no tariff, there is competi-

tion in agricultural products. The farmer has been compelled to compete not only with other farmers in this country but with the farmers of the world in the open markets, where we are compelled to go to find sale for the surplus products of our soil. In all the artificial advantages of tariffs used as a function of private aggrandizement of the scandalous carnival of overcapitalization and stock jobbery, of corporate abuses and the extortion practiced upon the people through the private control of the great necessary public transportation utilities, the farmer has been the victim, not the beneficiary; and when there is an opportunity not to destroy a great principle but to correct one of these scandalous abuses, the farmer can not be brought like the slaves of the South to arm and equip himself to fight against his own liberation by holding up before him the glittering but empty promise of high tariffs on farm products. The farmer has only been allowed what was left after special privilege had extracted "all that the traffic would bear"; just as with the laborer in the high-tariff industries, while tariffs were going up his wages were reduced all that life would bear.

The farmer, as well as every other citizen, will feel the benefit accruing from the tendency which this bill will have to reestablish an American merchant marine by reducing prohibitory rates and a slight discrimination in favor of American ships. A needed impetus will be given to the employment of American capital and labor in this great avocation of the human race, for which our people have a natural genius.

High protection has been made a fetich and worshipped as a sacred principle. The idea was more or less current that there could not be too much of this good thing. Of course, under such a notion no tariff commission was needed—no scientific classifications of articles, no nice estimate of rates. It was a grab for all that one could get. The notion was prevalent in certain high quarters that while the special beneficiaries might profit very greatly from extremely high rates, everyone would profit to some extent. The propaganda was put out that high tariffs were a burden to no one. It was an enchanted lamp in whose magic power to create wealth there was no limit, and which suffered no diminution of its virtue from the golden prosperity which it gave out. Of course, such a notion was the veriest superstition. As stated above, no political party ever declared such a belief; but, on the contrary, all parties, with the utmost care and with unanimity, laid down a limit, a certain carefully estimated measure, an authoritative rule to which every rate was to be adjusted, and it was recognized that positive evil, injustice, and injury would come from rates above that measure, while there would be a negative failure to secure benefits if the rates were placed lower than that measure. The trouble came not from any tariff policy declared by a political party, but from the perverted ideas and schedules of individuals in power, some superstitious worshippers of a fetich, some with premeditation and malice aforethought. To their excesses is attributable whatever losses the sane principle of a measured protective tariff may have suffered. In whatever degree certain rates in the pending bill may fall below a just measure of protection it is due to a reaction from tariff intemperance and intoxication. It is, however, as a whole, a step forward toward a normal condition and the rule of reason.

Mr. MARTINE of New Jersey. Mr. President, I regret that the Senator from Michigan [Mr. SMITH] and the Senator from Pennsylvania [Mr. PENROSE] are not present. I beg to say that I listened some hours ago with a throbbing heart and bated breath to the tremulous voice of the Senator from Michigan. The Senator from Michigan painted a sad and doleful picture of our country through the accession of the Democratic Party to power and through the adoption of the new tariff bill. It is a sad yet most remarkable fact, according to the dictum of the Republican side of this Chamber, that God in His infinite wisdom seems to have imparted to and confided in the Republican Party all the wisdom in legislation on questions of taxation and financial subjects. The Senator spoke in most glowing terms of the great revenues and the magnificent surplus which the Republican Party had gathered and garnered into our Treasury as a result of their tariff policy. I submit, Mr. President, that a highwayman might boast of his large revenues and income through similar methods with quite as much propriety.

The Senator from Michigan intimated very broadly that the President of the United States has driven the Democratic majority to this tariff measure. Far from it. The voice of an outraged and long-burdened people demanded relief through this measure, and under this Democratic measure they will get it.

We do not claim that this measure is perfect. Only a hand and mind divine could pen and frame a measure that would be perfect. But that this bill is a great relief to the burdened

people of this land, to the toiler and the breadwinner, none will attempt to gainsay. It is hailed to-day with gratification by the toilers and breadwinners of our land. The only opposition that has come to this bill has been through the protected tariff barons.

Now, as to my neighbor just across the historic Delaware. Oh, the pictures of woe he has held up to us. He said something about a New Jersey goat; he dissertated very largely and very lengthily and very learnedly on the New Jersey goat. He said we had the tin-can variety, if I heard him aright.

There was a day, Mr. President, when the Jersey goat was a genuine fighting, butting goat, and we needed no aid or protection from anybody. But the Delaware sometimes goes dry, and there was a bounding across of the Jersey goat with the Pennsylvania goat that produced a sort of hybridized animal, and I regret to say the product is of a measly kind. So that may be a pardon, too, for the goat.

Mr. President, I have listened to our friend from Pennsylvania. I heard him talk to-day, and I admire him in a thousand ways. I think his religion would ge with mine. I know his sociability and social habits are largely mine. But God help his politics.

While he was discoursing to-day I had on my desk a paper from the great city of New York that has never leaned to us, the Journal of Commerce, and I thought, while he was talking and while he was drawing a picture of the sad and doleful condition of our land, I would copy from it. I find in the issue of the Journal of Commerce of October 1, 1913, this fact:

New factory for Hartford, Conn., Lovell Engine Co., capital \$50,000 initial.

But he will tell me that is too far from home and too small. So I get back to your own Commonwealth:

The Pittsburgh Coal Co. will pay to-day, October 1, 1913, deferred dividends, \$39.50 per share.

If your tariff proposition brought this magnificent prosperity, why in the name of God was that dividend deferred until the new sunlight came to the dawn of equality and justice under a Democratic tariff? So to-day with the hope and assurance that on the morrow or the next day the Democratic tariff will be in vogue, they declare a dividend of \$39.50 a share.

You told us, too, that threatened free-trade tariff was sending emigrants from our shores. It may be this will not apply to you, but it has been the theme of your party that the Democratic Party was sending emigrants abroad. Let us see. I will have to quote from good authority, so I take a Philadelphia paper. A Philadelphia paper says:

The arrivals in September at the port of Philadelphia were 8,647.

This I copied out of to-day's Journal of Commerce:

This will increase the total over the last year. September, 1913, was the greatest in the history of the port of Philadelphia.

Pray God, why did they come here if desolation, poverty, and woe were to be their portion?

Mr. PENROSE. They are chiefly Italians settling in south Jersey.

Mr. MARTINE of New Jersey. Certainly; and they are scattered through middle Jersey, and many of them have cropped up in Pennsylvania in the rugged fastnesses of that State. I say to an Italian who may come to New Jersey and endeavor to carve his fortune out of New Jersey soil, "God speed you." If he is an honest, sober, industrious citizen, I am quite willing that we shall have multiplied sons of liberty of the Garibaldi type in New Jersey.

Now, let us see what else.

The glass workers ask more pay in Cleveland, Ohio. The workers ask more pay and ask from 13 to 14 per cent increase. It will affect 5,000 workers. President Newman predicted the acceptance of these terms.

How, pray Heaven, could they have the audacity, in the face of this cloud and gloom that you have predicted, to ask for an increase under this condition?

You tell us that Europe is growing happy and glorifying over our tariff. You told us a week or two ago that the Sharples separators were going to Germany and Heaven knows where else; that they were going to separate the milk of the Milky Way, and were going to depart from our land. Now, let us see. I quote from the same paper, October 1, that Lancaster, England, mills are to close. Why close, if we are going to be still?

But I read again:

Hope for woolen company.

How does that strike you?

I am not overenthusiastic—

Says the president of the woolen company—

over the Underwood bill. Still, free wool will be of inestimable value to the manufacturers of the North and hence to the people.

That is all taken from to-day's paper. The Senator from Michigan is now here.

Outlook good in the West.

Chicago City Bank believes new tariff law will be most helpful.

But that is far away. Let us come back to the Keystone State:

PITTSBURGH, October 1.

Plate mills will resume operation.

Yet that will not do. I must go to Massachusetts: Boston copper shares firm, reflecting New York's advance.

But that covers only a certain patch.

Now, let us go out to the great artery of trade and commerce, the Missouri Pacific Railroad. What are they doing? Are they discharging hands and shutting up shops because this Democratic tariff bill that they say was inspired by Wilson, but was in fact inspired before Wilson entered into politics? For 30 years we have pressed this tariff reform measure on every stump and hustings. Within my lifetime, since I was 18 years old, have I pleaded against the iniquities and wrongs of a system of taxation that was burdensome and onerous to the masses of the people and enriching a few. But what are they doing out in Missouri? I read that the Missouri Pacific Railroad ordered yesterday 20,000 tons of steel rails. Why in the name of God did they do that with this pall and gloom hanging over this fair land?

The Southern Railroad, the same paper says, made contracts for 6,000 tons of steel rails. Steel mills are much encouraged. Total orders placed this month will reach 550,000 tons.

The orders of the Pennsylvania and New York Central Railroads alone will reach 300,000 tons. Their export orders aggregate 20,000 tons. The New York Central has just placed an order for 75 first-class passenger cars, making, with other orders recently given, a total of 450 cars.

The United States Steel Co. have secured contracts for 300 boxes of tin for export to Canada. Still you claim that chaos, ruin, poverty, degradation, and woe are to be our portion. What would you tell us in face of this? Do you say that financial conditions are wrong and ruinous and that industry is stagnant and still?

In Pittsburgh, again, the People's National Bank regards the financial situation in this country as sound. The Murchison National Bank, of North Carolina, voted to increase its capital on yesterday to \$1,000,000, and this in face of the stories you tell. I am willing to concede you are honest and believe them, but, great heavens, you have leaned so long on a crutch that you can not think of standing a freeman alone. What is in store for us when the Nashville Road has decided to buy some other road in Alabama?

Mr. President, I can not for the life of me understand what comfort and satisfaction Senators can get from depicting this scene of despair and poverty. I had always thought that it was the part of a patriot and a statesman in times of excitement, of panic, of alarm, or of gloom to pacify and calm the people by counsel and advice and not to inflame and alarm them; to hold out hope and anticipation, and not to picture gloom and disaster; rather to voice from the hustings and the great halls of legislation better days and brighter hopes.

That a shop or a mill here or there may close for individual reasons of their own, I do not deny; but that a general closing will ensue or is to-day in progress because of the passage of this bill, I do deny. Ah, no; a hundred million people blessed in this fair land can not, they never will stop. The anvils in our mills and throughout the land will still ring out the clarion notes of industry; the shafts and the spindles and the pulleys of our mills will hiss and grow hot with the busy whirl of industry, despite the forebodings of the Senators from the great Commonwealth of Pennsylvania. No spot on God's earth, Mr. President, is more blessed than the soil of that State; it fairly groans with undeveloped resources of iron and coal and oil and gas; its pure crystal-like waters flow through the valleys and meadows filled with sleek and fattening cattle; its hilltops at harvest time are crowned with golden grain. Surely the great God has bounteously blessed that fortunate Commonwealth. Yet amidst all these favors and blessings it is sad to contemplate that a Senator can be found in the Senate of the United States to rise in his place and sound the bugle blast of disaster, idleness, and poverty.

Mr. President, the Senator from Pennsylvania knows, as we know and as the country knows, that this bill is practically a law this minute. Then cease the cry of "mad-dog" and help along the general weal. The people have spoken in thunder tones; the great Democratic Party has a mission to perform; the decree has gone forth; the fiat is spoken; and we shall press on to the goal of equal opportunity for all mankind—heart within and God o'er head.

Mr. GRONNA. Mr. President, it is with some embarrassment that I proceed at this late hour to give a few facts, especially so when I am reminded of the circumstance that the

Senate has been listening to the logic, the rhetoric, and the flow of oratory of the Senator from New Jersey [Mr. MARTINE]. So I shall not at this time enter into a general discussion of the merits of this bill. I have formerly called attention to some of the objectionable features and offered amendments proposing to change the provisions which, in my judgment, will do an injustice to the farmer of this country.

While I believe in the principles of protection, I have always maintained that it should apply to the industries for the benefit of the people who are most in need of protection. I have often said that I believed that any industry controlled by a monopoly or trust is in need of very little or no protection unless it be for the benefit of labor employed by such a monopoly or trust; but under the provisions of this bill those engaged in the production of the basic necessities of life, or, in other words, in the production of food products, are placed in open competition with the entire world.

Mr. President, I believe it is true, as the Senator from Washington [Mr. POINDEXTER] has just stated, that this is not a free-trade bill; but it is true that it is a free-trade measure so far as the basic necessities of life are concerned; it is a free-trade bill so far as the food products produced by the farmers are concerned. But, Mr. President, I have been reminded of the fact that the hour is getting late, and I do not wish unnecessarily to delay the Senate, so I shall offer to the Senate only a few brief remarks, especially touching upon the agricultural industries of the United States.

I emphasize what I have so often said—that the system of protection can not be maintained unless even-handed justice is extended to the industries and all the people of our entire country. This bill is protective in spots; it extends protection to certain industries, but denies to the industry which is the foundation of all our wealth the benefit of sharing in this protection.

I care very little what you call the tariff duties as applied to certain industries in this bill. The fact of the matter is that some of the industries which could easily be dispensed with are given a certain amount of protection. On the other hand the toiling millions engaged in farming, who produce the basic necessities of life, must content themselves with free trade.

I believe this an unjust discrimination against the farmer. I emphasize what I said before, that we are adopting a policy contrary to the policy of the leading nations of the world. In my opinion it is not a wise policy; it certainly is not giving encouragement to those who have been engaged in the production of the articles now placed on the free list, and the only excuse that can be offered will be to say that we believe it will not hurt them. But if it is not going to injure them, why take away from these most deserving people any of the benefits which they heretofore enjoyed? If the provisions of this bill will not be the means of reducing the price to the producer, then how is it going to benefit the consumer? The makers of this bill have maintained that it will not reduce the price to the producers; time will tell what benefit it will extend to the consumer.

Mr. President, the chairman of the Finance Committee [Mr. SIMMONS] was kind enough to give to the Senate this afternoon an estimate prepared, as he stated, by the experts who have for years been employed to do this work of the receipts and expenditures of the United States for the fiscal year 1914-15. I find that the estimate of customs duties for 1914 is \$270,000,000. I find in the Statistical Abstract of the United States for 1912 that the customs duties collected in 1909 amounted to \$246,212,643.39; in 1910 to \$289,933,519.45; in 1911 to \$322,529,200.79; and in 1912 to \$321,612,199.66.

Mr. President, I want some Senator on this floor to tell me whence this \$270,000,000 estimated by your own experts is to come? Let us be perfectly honest about this matter. An effort has been made on this floor to mislead the people of the United States and to make them believe that from now on no customs or tariff duties will be collected. You admit in your own estimate that for the year 1914 you propose to collect under this very bill \$270,000,000. On an average that will be a reduction only of about \$50,000,000 from the amount which has been collected under the Republican administration.

The chairman of the Finance Committee—and I wish he were here, because I do not desire to make a misstatement—as I understood him, said that under this bill we will remit to the American public one-third of what has formerly been collected under our customs tariff laws. Mr. President, I am not able to understand how that computation is made. It can not be sustained under this bill according to the statement presented by the chairman of the Finance Committee, which he says has been prepared at the direction of the majority party; and which he claims to be correct. I am going to show in a few moments that more than one-half of this \$50,000,000 will be lost from the revenue formerly collected under a Republican tariff law, which gave protection to the agricultural industry, just as the Demo-

crats are giving protection in this bill to the manufacturing industries of this country.

I believe there is not a Senator on this floor who will deny that there is a discrimination in this bill against the toiling millions who live on the farm. I am not going to take the time of the Senate to read all the figures which I have here; I shall only give a few of them. But I will ask unanimous consent to have the table which I have here printed in connection with my remarks.

The PRESIDING OFFICER (Mr. ASHURST in the chair). In the absence of objection, that order will be made.

The table referred to is as follows:

Estimates of receipts and expenditures of the United States.

	1914	1915
<b>RECEIPTS.</b>		
Customs.....	\$270,000,000	\$249,000,000
Internal revenue (ordinary).....	305,000,000	305,000,000
Internal revenue (excise tax).....	38,000,000	39,000,000
Internal revenue (income tax).....	66,000,000	83,000,000
Sale of public lands.....	5,000,000	5,000,000
Miscellaneous.....	55,000,000	55,000,000
Postal service.....	290,000,000	290,000,000
<b>Total.....</b>	<b>1,029,000,000</b>	<b>1,026,000,000</b>
<b>EXPENDITURES.</b>		
Civil and miscellaneous.....	175,000,000	175,000,000
War Department.....	178,000,000	178,000,000
Navy Department.....	147,000,000	145,000,000
Indian Service.....	20,000,000	20,000,000
Pensions.....	180,000,000	180,000,000
Interest on public debt.....	23,000,000	23,000,000
Postal service.....	290,000,000	290,000,000
<b>Total.....</b>	<b>1,013,000,000</b>	<b>1,008,000,000</b>
<b>Surplus.....</b>	<b>16,000,000</b>	<b>18,000,000</b>

Mr. GRONNA. One would imagine that from now on economy will be practiced; that the people of the United States will be benefited by an adherence to the principle of economy; but I find in this same statement that for the year 1914 it is proposed to expend \$1,013,000,000 of the people's money; I also find that for the year 1915 it is proposed to expend \$1,008,000,000 out of the Treasury of the United States.

I am simply calling attention to these facts to tell the truth and to show to the people of this country that while it is proposed under the provisions of this bill to collect some \$83,000,000 by what is called an income tax, it is also proposed to collect \$270,000,000 under the old system of a customs tariff, which, according to Democratic doctrine, must be paid by the people of the United States.

I indorse the income-tax provision of this bill; and, if it were a separate measure, I should be very glad to vote for it. But as it is contained in this bill, which does an injustice to a class which has never unduly profited under the system of protection, and upon whom this burden should not be imposed, I can not vote for the bill.

Who will pay the \$270,000,000? You have so often complained about the system of taking money from the pockets of the people under our Republican administrations. We have seldom, if ever, as I said, collected more than \$300,000,000 a year. You are proposing, under this bill, to reduce this amount approximately \$50,000,000. Will the ultimate consumer get it, or will it disappear in the pockets of those who, according to the platform pronouncements of Democratic campaign speakers, are now receiving too great a benefit from the tariff?

The campaign promises last fall of the Democrats included a tariff bill which should reduce the high cost of living. In the discussion of this bill the Democrats have attempted to justify the different rates assessed by holding forth the benefits to the consumer of the proposed rate. The advantage or disadvantage to the producer has apparently not occupied the Democratic mind, so far as the discussion in the Senate has shown, although echoes from the Democratic caucus have indicated that when Democratic Senators really spoke their minds they held the welfare of the manufacturers in their own States a matter of some concern. The justification of the measure which has been offered to the Senate and to the public, however, has been the benefit which the consumer was supposed to derive from it.

Now, if the tariff is to be revised so as to especially benefit the ultimate consumer, it would seem logical to reduce and remove the duties on the articles that the ultimate consumer buys—the finished products. Is that a distinctive feature of this bill? It is not. The greatest reductions have been made on goods that the consumer does not buy, but that the manufacturer buys, and out of which he manufactures articles that he sells to the consumer. The removal of duties on raw materials

directly benefits the manufacturer who uses those materials, instead of the consuming public. Ultimately the consumer may receive some benefit from the cheaper raw material that the manufacturer gets, but at best it is problematical. In the case of hides, the best illustration which we have so far had of the result of placing the raw material on the free list, the removal of the duties does not appear to have benefited the consumer in the least. The price of shoes and harness increased instead of decreasing.

The noticeable feature of this bill is that it places raw materials, especially those produced by the farmer, on the free list, while retaining duties on the articles manufactured from those materials, and the benefit of these reductions, instead of going to the consumer, is more likely to go mainly to the manufacturer.

What is especially objectionable in this bill, however, is the unfair way in which the different classes of producers are treated. This bill is in effect protective to a certain extent, no matter what may be said about the principle on which it was drafted. It is protective to the extent that it gives the manufacturer a greater or less degree of protection—some of them a very high degree; as, for instance, the silk manufacturer—while compelling the farmer to sell most of his products in competition with the entire world.

It is estimated that the customs duties collected under this bill will be \$50,000,000 less than the amount collected under the Payne law. At least half of this reduction will be on products that the farmer has to sell.

I wish at this point to insert in my remarks a table showing the revenues from duties on farm products under the Payne law and under the bill now under consideration. This table was prepared before the bill passed the Senate. The only material change which has been made, however, is the restoration of the House duty of 20 cents per bushel on flaxseed, which it is estimated will increase the revenue from this duty \$300,000.

Mr. President, I shall not take the time of the Senate to read and comment on this table, but I ask unanimous consent to have it printed in connection with my remarks.

The PRESIDING OFFICER. In the absence of objection, that order will be made.

The matter referred to is as follows:

Revenues from duties on farm products in 1912, and estimated revenues from duties on farm products under tariff bill as reported to Senate.

Article.	Imports, 1912.	Revenue, 1912.	Proposed rate.	Estimated imports.	Estimated revenue.
Horses.....	\$335,684	\$68,323	10 per cent.....	\$475,000	\$47,500
Mules.....	53,053	34,590	do.....	137,500	13,750
Cattle.....	4,486,306	1,214,481	Free.....		
Swine.....	10,832	1,497	do.....		
Sheep.....	123,832	20,326	do.....		
Other animals.....	79,407	15,880	10 per cent.....	100,000	10,000
Barley.....	1,929,214	830,542	15 cents.....	1,300,000	300,000
Oats.....	1,053,609	408,156	6 cents.....	945,000	162,000
Rice.....	4,185,086	1,323,338	Various.....	3,970,000	853,000
Corn.....	47,858	8,098	Free.....		
Wheat.....	998,014	352,245	do.....		
Rye.....	111,323	13,395	do.....		
Broom corn.....	157,969	4,024	do.....		
Buckwheat.....	15,967	3,025	do.....		
Butter and substitutes.....	296,483	60,337	2½ cents per pound.....	325,000	32,500
Cheese and substitutes.....	8,683,947	2,760,900	do.....	11,000,000	375,000
Beans.....	1,456,656	371,252	25 cents per bushel.....	1,600,000	250,000
Beets.....	147,466	15,095	5 per cent.....	153,000	7,500
Hay.....	6,472,376	2,796,855	\$2 per ton.....	9,000,000	2,400,000
Honey.....	51,706	16,284	10 cents per gallon.....	60,000	11,000
Hops.....	2,223,895	477,313	16 cents per pound.....	1,575,000	560,000
Onions.....	1,233,907	572,819	20 cents per bushel.....	1,350,000	360,000
Garlic.....	283,259	93,332	1 cent per pound.....	275,000	90,000
Peas.....	1,897,707	299,709	Various.....	1,661,500	116,070
Flaxseed.....	13,048,513	1,718,065	15 cents per bushel.....	11,000,000	900,000
Straw.....	56,891	15,402	50 cents per ton.....	75,000	7,500
Vegetables.....	1,035,163	252,633	15 per cent.....	1,505,000	225,750
Poultry.....	154,175	33,344	Various.....	156,000	18,000
Eggs.....	150,986	54,925	Free.....		
Flax straw.....	6,990	853	do.....		
Milk, fresh.....	6,283	986	do.....		
Cream.....	923,787	56,012	do.....		
Potatoes.....	7,175,376	3,434,535	do.....		
Wool.....	33,141,408	14,454,234	do.....		
Hair of Angora goat, etc.....	632,330	243,591	do.....		
<b>Total.....</b>		<b>32,026,266</b>			<b>6,739,570</b>

Estimated revenue and estimated imports taken from tariff handbook prepared by Finance Committee. Fruits not included in above statement. Where the article is placed on the free list the handbook contains no estimate as to probable imports.

Mr. GRONNA. This table includes only such articles as the farmer actually sells and does not include fruits or sugar cane. On the articles included there were collected in 1912 duties to the amount of more than \$32,000,000, while according to the estimate of the committee under the bill as reported to the Senate there would be collected on those same articles only about \$6,700,000. With the rate on flaxseed raised to 20 cents per bushel, this would increase the duties to \$7,000,000. While on all products the duties have been reduced from, in round numbers, \$300,000,000 to \$250,000,000, on such products as the farmer has for sale the duties have been reduced from \$32,000,000 to \$7,000,000.

In other words, while the duties to be collected from farm products under this bill are only 22 per cent of the duties on the same products under the Payne law, the duties on other products will amount to 90 per cent of what they were under the Payne law in 1912. Is it necessary to go any further to show the unfairness of the treatment of the farmer by the framers of this law?

I am not opposed to the reduction of a number of the rates contained in the Payne law, and I have offered amendments to this bill further reducing some of its duties, which amendments have promptly been voted down by Democratic Senators. What I am opposed to is the unfair treatment accorded the agricultural interests in this bill. There are parts of this bill which I could heartily support if standing alone. I am glad to see the income tax finally made a part of our system of raising revenues, and would vote for it if it were a separate measure. There are many rates in this bill which I believe to be preferable to the rates in the Payne tariff law. I do not feel, however, that the fact that certain features appeal to me would justify me in voting for the bill as a whole when those features are coupled with such a glaring discrimination against the American farmer as this bill embodies.

When a Republican President, by offering the Canadian reciprocity agreement, proposed to make the American farmer sell his products in competition with Canada, while he was still compelled to do his purchasing in a protected market, I felt it my duty to oppose such a policy. In the course of the consideration of the pending bill I have felt it just as much my duty to oppose the same policy when presented by a Democratic administration, even though the duties on the products which the farmer buys have been reduced somewhat. The slight benefit which the farmer may derive from the reduction of duties on what he buys will not begin to be a compensation for the losses which this law will make him suffer.

For the reasons stated I shall vote against the bill.

I ask unanimous consent to have printed as an appendix to my remarks certain extracts from the Washington Post and also an editorial from the Washington Star.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Washington Post, Saturday, Sept. 27, 1913.]

PROMISES CHEAP BEEF—EX-PRESIDENT OF PERU SAYS 10 CENTS WILL BUY POUND—CANAL TO AID IMPORTERS—AUGUSTO LEGUIA SEES BIG SAVING BY CUTTING 4,000 MILES OFF COMMERCIAL LINES TO HIS COUNTRY—WANTS TO INTEREST SECRETARY HOUSTON IN BREEDING NEW TYPE OF HORSE.

Augusto B. Leguia, former President of Peru, has arrived in Washington bearing a message of hope to the American people. He is going to reduce the high cost of living. He is going to see that the American people get beef at less than one-third what it costs to-day.

Beef will sell in this country for 10 cents a pound, according to former President Leguia, when the Panama Canal is opened. "When the canal is opened," he said last night at the Shoreham Hotel, where he is stopping, "the commercial line between the United States and Peru will be shortened by at least 4,000 miles."

TALKED TO EXPORTERS.

Before the American Manufacturers and Exporters' Association in New York Thursday night Mr. Leguia made the same contention. He said there is enough pasturage in Peru to comfortably feed cattle for the entire consumption of the United States.

Mr. Leguia will remain in this city for at least three days. During that time he will visit many officials of the Government in an attempt to strengthen relations between this country and Peru. It is understood that he will call upon Secretary Bryan this morning. He also will try to see President Wilson.

It is also understood that Mr. Leguia will call upon Secretary Houston and try to interest him in the production of a new breed of horses on the grazing lands of Peru. The former President owns more than 400,000 acres of grazing land and wants to obtain a thoroughly American type of horse for his country.

CANADA PRODUCTS SHIPPED.

ST. PAUL, MINN., September 26.

Canadian butter and farm products are being shipped to commission men here and held in bonded warehouses under the prospect of the tariff, which it was expected would lower the duty approximately \$1,000 a carload. Several large shipments of produce also are being held on the Canadian side of the border.

[From the editorial page of the Washington Star, Tuesday, Sept. 30, 1913.]

#### REVENUE AND EXPENDITURES.

Chairman SIMMONS's latest statement concerning the new tariff contains two very interesting points—(1) a surplus of \$18,000,000 will be produced, and (2) the Government will be well provided for.

Some weeks ago an estimate given out fixed the surplus at only \$2,000,000. That was drawing the line pretty fine—too fine. It was not advisable to leave the matter in that shape. A slump in customs receipts for some unexpected reason might cause embarrassment. Never a deficit when avoidable. The larger figure makes things safer. There is a fair leeway in eighteen or twenty millions.

That the Government would be well supported was to be expected. The Democratic Party, for all its charges of waste against the Republican Party, would not dare signalize its return to complete control by a policy of skimp. There is too much at stake. The Government's needs are too apparent and too pressing. In the 18 years that have passed since the Democracy controlled both the Presidency and Congress Uncle Sam has grown considerably, and it takes a good big sum now to fit him out properly.

There are Democrats—Mr. BAILEY, of Pennsylvania, is one—who are on record on the economy issue, and, having revised the cost of living downward, and that the Democrats in power can not redeem their promise of reducing appropriations \$300,000,000 a year, is a question. "Never prophesy unless ye know." Never promise unless you have reason to believe you can redeem your promise.

The Democracy's danger is in the extravagance indulged in last year by its flamboyant stump speakers, who, with a great wealth of language and nothing else, went from State to State promising all things to all men and committing their party to utter impossibilities. Hundreds of thousands of votes were obtained in that way, and a reckoning approaches. A billion-dollar session of Congress? Terrible! And yet here it comes under Democratic auspices. Say what you please, the world do move.

Mr. BORAH. Mr. President, when this bill came over from the House it had in it a provision as follows:

That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision.

When the bill was in the Senate I offered the following amendment:

That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor, or by children under 14 years of age, or by children under 16 years of age employed for more than 8 hours per day or 48 hours per week, or by boys under 18 years of age or women over 16 years of age employed for more than 9 hours per day or 54 hours per week, shall not be entitled to entry at any ports of the United States, and the importation thereof is hereby prohibited; and the Secretary of the Treasury is authorized and directed to provide such regulations as may be necessary for the enforcement of this provision.

The Committee on Finance of the Senate offered, in lieu of the House amendment, an amendment which I shall not take time to read, but which I shall ask to insert in the RECORD in connection with my remarks.

The PRESIDING OFFICER. In the absence of objection, that may be done.

The matter referred to is as follows:

The matter referred to is as follows:

That no goods, wares, articles, and merchandise—except immediate products of agriculture, forests, and fisheries—manufactured wholly or in part in any foreign country by convict labor, or principally by children under 14 years of age in countries where there are no laws regulating child labor, shall be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited. Any shipment consigned for entry at any of the ports of the United States of goods, wares, articles, and merchandise—except immediate products of agriculture, forests, and fisheries—manufactured in any foreign country, Province, or dependency, where the industrial employment of convicts is not prohibited by law, or of children not regulated by law, shall be accompanied by an affidavit of the shipper of such merchandise, or his legal agent, to the effect that the merchandise covered by the invoice has not been manufactured wholly or in part by convict labor or principally by children under 14 years of age, the form of the affidavit to be prescribed by the Secretary of the Treasury, who is also authorized and directed to issue such further regulations and to collect all information pertinent thereto through cooperation with the Consular Service of the United States, as may be necessary for the enforcement of the provision.

Mr. BORAH. After the bill went back to conference the amendment which was adopted in the Senate, although an emasculation of the amendment which I offered, was cut out, and the conference report goes back to the original provision as it came over from the House; so that the bill as it now stands has eliminated from it everything in regard to the subject matter of the importation of goods made by child labor.

When I offered this amendment I was perfectly aware, of course, that it was considered radical, but I did think that the amendment as adopted by the Senate certainly could not be considered radical by anyone. Nevertheless, the conference report has eliminated even that, so that the matter stands exactly as it came from the House in the first instance. I think

this is a mistake. I think it was an unwise and an unjust thing to do.

I perfectly understand the general theory by which some people figure that we can get cheaper goods into this country. They believe that we can have cheaper goods and cheaper living without cheaper labor—a consummation devoutly to be wished.

I perfectly understand, also, how desirous we all are of having the things which we buy cheap and the things which we sell dear—a rather difficult problem in practical economics, but a theory of perennial charm.

I understand, also, that there is a class of people in this country, growing more and more every year, who desire foreign-made goods even at the same price in preference to home-made goods. There seems to be an exhilaration about the touch of the foreign-made cloth that the home weave fails to excite. They belong to the class of people who prize the acquisition of a foreign accent above all earthly things.

I can know of these things, and I can comprehend them; but I can not understand the calculating, insatiate greed which would have things a little cheaper from the hands of the un-housed, unclothed, and almost unfed children who work in the hell holes of Europe.

The conditions which exist there, I presume, are unknown to a great many who have not had occasion and time to go into the condition of affairs. There can be no ground for cutting out this amendment with reference to the importation of child-made goods other than the hope that we may have the goods a pittance cheaper. We therefore advertise to the world that we, a great Christian Nation, are willing to live, to save, and to garner at the expense of those who, though still children, are old, sad in face, broken limbed, and broken hearted, the miserable annual spawn of this age of avarice and greed. These children eat and sleep and live and die in places where those who would benefit by their labor would not kennel their dogs. Yet we take the position that we prefer to have the goods under those conditions rather than not have them at what is supposed to be a little higher price.

Some call this economy, and we may flatter ourselves that it is twentieth century statesmanship—and I rather think it is—but whatever we call it, it is in fact nothing but narrow, selfish, inhuman, brutal greed, the base and groveling instinct of a wealth-grabbing, pleasure-hunting era.

But there is another influence which we have always had to contend with in the matter of child-labor legislation, whether at home or abroad. We have in this country a class of manufacturers, particularly in the cotton industry, though not all of them, who are in every instinct of their sordid natures slave drivers and slave masters. They would not hesitate, if they had the power to do so, to weave the flesh and blood of the children of the poor into cotton fabrics. As a fact, figuratively speaking, they do, do so. I have in my office photographs of scenes in these mills, from Puritan New England to the Gulf coast, showing how these children, mere children, tug and toll by day and by night, literally being worked to death in order to swell the already swollen dividends of the operators.

To my mind, there is nothing so pathetic, neither is there anything so menacing to the citizenship of this Republic, as the fact that this happens here in our country continuously, year after year, and there seems no sufficient appreciation of the evil.

Mr. President, this influence, sinister and selfish and overshadowing, is always alert for just such proposed legislation as this.

They regard any legislation in whatever form it appears as an attack upon their citadel of brutal greed and selfishness, and therefore they oppose it though it related alone at this time to foreign importations.

So, Mr. President, we have had to deal not only with the importer who flooded Congress with telegrams the moment this amendment was offered, and who seems to be a power in the land in these days, but we have to contend with this unnatural combination which would work unto exhaustion and for a mere pittance the children of the Republic.

I do not think that the defeat of this amendment will give any particular gratification or satisfaction to the Members of Congress after they have come to consider it. I do not think that they will feel very proud to say to their constituency, the manhood and the womanhood of America, "we have possibly given you some cheaper goods, a pittance cheaper if it reaches you and is not taken up by the middleman; and if you will go with me I will show you a photographic view of those from whom we take the goods to make them cheaper."

Mr. President, I have no sympathy nor no tolerance with that rule or principle of legislation which regards the human being

as so many foot-pounds of mechanical power to be worked out at the highest pitch and then cast like a hulk upon the refuse heap.

Every law which a Republic writes should have in it not only a principle of economy, but it should have in it also the principle of humanity, a consideration not only for the economic well-being of its citizens, but a consideration for the manhood and the womanhood upon which the Republic has to rest. There is a soul and a human heart, as well as a stomach and a sensitiveness to hunger, in this being to whom God has given dominion over this earth.

If there is any one thing going unnoticed, and unchecked, and unchallenged in this Republic it is the undermining of the manhood and the womanhood of this country by destroying the children—making them old in their youth—upon whom the Republic must rest in the future if it is to rest substantially at all. How happy, oh, happy, we will be to go home to our constituency and say we think we have gotten something cheap from Europe, and while it may wear the stain of a child's tired and feeble touch, it will bring great comfort, no doubt, to you. You greatly mistake your constituency—they want no such goods.

Now, what would have been the effect of this amendment? The effect would have been to either make them conform to humane laws with reference to the employment of children or to stay out of our markets. They would not have stayed out of our markets. They would have complied with the humane laws which we requested them to comply with and would have come into our markets anyway. They would not have stayed out. We would have, simply by refusing to share with them their infamy, compelled them to share their profits with their employees by giving them better hours and employing under more humane conditions. It was a just thing to do. It was a moral thing to do. It ought not to have required any courage, only an ordinary sense of decency, a common touch of human sympathy.

Mr. PENROSE. Mr. President, I recognize the impropriety of detaining the Senate at this late hour, and I assure my colleagues that I have no intention of so doing. I simply want to call the attention of the Senate before this bill is finally voted on to the fact that burlaps are left on the free list while grain bags receive a duty of 10 per cent ad valorem. An article used throughout the South is free. An article essential to the farmer of the Northwest and the Pacific coast is put upon the dutiable list. Both are similar articles.

Mr. SHIVELY. Will the Senator allow me right there?

Mr. PENROSE. Yes.

Mr. SHIVELY. Does the Senator refer to cotton bagging as free?

Mr. PENROSE. I refer to burlaps.

Mr. SHIVELY. Well, that is cotton bagging. I understood the Senator to be making the point that there was something sectional about the bill in that respect.

Mr. PENROSE. It seems to me it is largely sectional in that respect.

Mr. SHIVELY. Burlaps are just as free to the northern farmer—the wheat raiser and the wool grower—as burlaps are free to the southern cotton raiser.

Mr. PENROSE. I know, but it is used primarily by the southern cotton grower.

Mr. SHIVELY. Burlaps?

Mr. PENROSE. I think so. The great consumption of burlaps is in the South; I think the figures will show that; while grain bags, which are an exactly similar article, and are used by the farmer in the Northwest, are put on the dutiable list.

Mr. SHIVELY. If the Senator will reflect a moment he will see that both are placed on an equality in that respect. The farmer will get his burlaps free if he sees fit to make his own bags just as the cotton raiser gets his burlaps free to sew on his cotton.

Mr. PENROSE. The differential is much larger in this bill than in the present law. I know the question of burlaps is a sore one with the Democratic Party, and I do not intend to press it or to get into a controversy this late in the evening. All I know is that the granges, in the grain district especially on the Pacific coast, universally condemn this 10 per cent duty on grain bags, while cotton bagging is free, and they have written to me quite numerous.

Another evidence of the sectionalism of the bill is the 1 cent per pound on rice, while wheat is on the free list. If that is not sectional I do not know what is. Perhaps the Senator from Indiana can explain how that affects the rice fields of Pennsylvania and North Dakota.

Mr. SHIVELY. I presume the Senator knows that in one instance the article is an article of import from which the Government receives substantial revenue, and in the other case the

article is export and the Government receives practically no revenue.

Mr. PENROSE. The Senator means wheat?

Mr. SHIVELY. Certainly.

Mr. PENROSE. I think the Senator understands that there will be plenty of importations of wheat under this bill.

Mr. SHIVELY. What is the Senator thinking about? The last year 143,000,000 bushels of wheat were exported.

Mr. PENROSE. If the Senator from North Dakota [Mr. GRONNA] were here, I would ask him if we are likely to produce enough wheat this year for the consumption of the American people.

Mr. SHIVELY. Does the Senator say we are not likely to produce enough wheat? Is the Senator banking on starvation?

Mr. PENROSE. No; we will be importing Canadian wheat.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Pennsylvania yield to the Senator from North Dakota?

Mr. PENROSE. Yes.

Mr. GRONNA. I have looked into that matter quite closely, and I am free to state that so far as spring wheat is concerned there will be no spring wheat exported from the United States during this year.

Mr. SHIVELY. Does the Senator mean by that that there is a short crop; that there is a scarcity?

Mr. GRONNA. I do not state that there is a scarcity, but there is a short crop. Last year we had a surplus.

Mr. SHIVELY. There is a scarcity of wheat, and therefore the Senator concludes that there will not be a large exportation.

Mr. GRONNA. That is the statement of the Senator from Indiana. I say that the crop is shorter this year than it was last year. It is an average crop. The yield is an average yield.

Mr. SHIVELY. I was curious to arrive at the philosophy of the situation.

Mr. PENROSE. All I state is that the product of the South receives a duty of 1 cent per pound and the product of the North is on the free list. I also maintain that with the machinery in use rice can be produced as cheaply in Arkansas as wheat in Minnesota, with the added cost of flooding the rice fields by pumping. This cost is but a small fraction of the 60 cents a bushel imposed upon rice in this bill.

I have already referred to the duty on the hair of the Angora goat, and I will not enlarge on that subject.

I observe with very great regret that the Senate conferees were unable to agree to the House provision on the anti-dumping clause in the House bill. This imposed a duty not exceeding 15 per cent additional on foreign goods sold here below the foreign market price. It was cut out at the request, apparently, of the Senate conferees on account of their objection to it.

Anyone who is familiar with tariff legislation knows that many of these duties are not prohibitive or protective, but serve in the capacity of a dumping provision. They are only nominal. If you include the free list, the average rate in the Payne law is between 17 and 18 per cent. There are many duties which simply act as an antidumping provision. The duties in the pending bill are very greatly reduced, and no dumping clause is added, and it should have been added.

I also observe with great regret, Mr. President, that the 5 per cent reduction on goods brought here in American vessels in the House bill and stricken out in the Senate was not put back in conference. It is said that this was done because the treaties must not be impaired. It seems to me that is a judicial question, and we might well have taken this step in the interest of American shipping and ascertained later on whether it would hold or not.

Mr. President, in addition to the sectional features of this bill, I want here to assert to the Senate, with all due solemnity, that since the inauguration of the civil service in the Federal Government there never has been a more unscrupulous, a more radical, or a more vicious invasion of the civil-service principle than the paragraph in the bill which opens the way for some 1,000 employees who will be permanent, in violation of the civil-service law, and legislates so that the appropriation can be increased any year, thereby increasing the number. The conference agreement provides that these men eventually may take the places of the other employees in the Internal Revenue office when not engaged in their own work.

Mr. President, when the civil-service associations of the different States of the United States and the vast body of good citizens all over the country who are pledged to civil service become conversant with this outrageous and flagrant violation of every principle to which the Government is committed, they

will hereafter look with scorn and scoffing on the high moral professions of Democracy.

Mr. President, the complete departure from the traditional economic policy of this country which the party temporarily in power has made in framing the pending tariff bill, a policy that has been indorsed by a majority of American voters at nearly every opportunity which has been presented for the last 50 years—and I include in this generalization the national election of 1912—leads me to say a few words by way of review, first, of the manner in which the bill was prepared for introduction; secondly, the way it was handled after it was introduced; and, thirdly, of the merits or demerits of the measure itself. This program may seem formidable, but I shall make my remarks brief. The friends of this bill have been eloquent in pointing out the care with which it was prepared and have claimed that ample opportunity was afforded to all parties interested to be heard, both manufacturers and importers, and that it was after hearing both sides and considering the interests of both, not forgetting, either, the interests of the ultimate consumer, that the rates which appear in the bill were selected. Now, I do not need to be told of the impropriety of criticizing the actions of the other House of Congress, nor do I intend to transgress the rule, but certainly a review of the career of this bill from the beginning would be defective if it did not deal with the feature of the hearings which were held prior to the introduction of the bill.

The reports of the hearings themselves, as well as the many statements, oral and written, which have been submitted to me show that before the tribunal which conducted the hearings one set of suitors was received with open arms and courteous treatment, while the other set met with a chilly atmosphere and treatment that sometimes bordered upon the discourteous. American manufacturers pleading that their business should not be destroyed by legislation met with sardonic smiles and caustic cross-examinations, while those who represented importing interests seeking for a reduction or removal of duty, entirely indifferent to the effects of such action upon the interests of any persons but themselves, were received and welcomed as if they were public benefactors, as were certain sectional interests asking for certain protective duties. This striking difference in the demeanor of the majority toward the two classes of interests was reflected strongly in the bill which was subsequently reported. It is true that, owing to bungling, some of the rates in the present law have been, through misuse of language, raised, yet the bill represents sweeping and enormous reductions in duty; the rates are even lower than those proposed in Democratic tariff bills of recent years, and the general impression one receives from a perusal of the measure is that where there was not deliberate discrimination shown there was a lack of intelligence exhibited.

However, the bill, such as it was, passed the House of Representatives with the aid of the enormous Democratic majority there, and in view of the fact that the House had its mandate direct from the people and that the bill which the House passed was the bill that was favored by the one man who seems to have more power than both Houses of Congress combined, it would seem that that was the bill that should have been enacted into law. Strange to say, however, not only did not the Senate fail to pass the House measure, but they kept it in committee for over two months and made in it no fewer than 676 amendments. Six hundred and seventy-six amendments to a measure which was passed by an overwhelming majority of the Democratic House of Representatives and which had the delighted approval of the Executive! Many of these amendments were made by the Finance Committee; many more were made by the party caucus, which was resorted to for the first time in the history of the Senate; and still more were made on the floor of the Senate. In fact, the tinkering continued up to the very last moment before the bill was put to a vote, and it may not be amiss to call attention to the fact that a large number of these amendments were made necessary by crudities in the bill which escaped the notice of those who framed the bill and passed it through the Senate, and who acted only when their attention was invited by Republican Senators. It is no wonder that a bill produced under such auspices is what it is, namely, a mass of sweeping and unreasonable changes in duty, involved phraseology, and senseless discriminations.

It can not be said that the efforts of the conference committee resulted, upon the whole, in any improvement to the bill. Their action did not go deep enough for that.

All through the bill we find persistent reductions of duty in the face of increasing importations under the present low rates and in the face of the heavier manufacturing costs of American production. Granting, for the purpose of argument, that some

of the present low rates could be reduced without serious disadvantage to our own interests and to the benefit of the Government's revenues, what sense is there in heavy cuts in rates that are already competitive and under which large importations are being made? Yet, that is just what has been done, and there are even instances where, notwithstanding that the imported goods have already more than half the market, the rates have been reduced.

In some remarks which I had the honor of making on the chemical schedule during the course of the debates I pointed out the inconsistencies, incongruities, and palpable discriminations in the great chemical industry, and I regret now to find that the conference did not utilize its opportunity to correct them. In spite of all that has been said showing the inapplicability of ad valorem rates to chemicals, the faint effort which the Senate made to substitute specific rates was abandoned in conference. A little bit of logrolling in connection with the placing of cyanides on the free list here comes to mind. It can not have escaped observation that the Senators who requested this action represented States in which wool raising and beet-sugar production are important industries. Was the free listing of cyanide, which they consume, a consolation to them in view of the free listing of the wool and sugar, which they produce? I fear that when these Senators take the sense of their constituents on the subject they will realize that the people will not approve the exchange.

In Schedule B the conference accepted the action of the Senate in free listing cement and asphalt, but rejected amendments intended to secure a consistent classification of china and glassware. The bill is that much worse. I notice, however, that the relatively high rates on fluorspar and mica were not lowered.

Of all the industries marked for slaughter, apart from lumber, sugar, and wool, those represented in the metal schedule of the tariff law have suffered the worst. Pig iron has had all the duty removed. I know that the statement has been frequently made—so that some people now think it is true—that no duty on pig iron is necessary because of the cheapness of its production in this country; but the stubborn fact remains, and the figures prove it, that pig iron is produced even in England at a price that will undersell American pig on the Atlantic seaboard and for some distance into the interior.

This metal schedule has peculiar interest for me, and I find in scanning it what would be called by the opposition a joker if found in a Republican tariff bill. Paragraph 522 of the free list enumerates wrought iron among the other products there made free of duty, and yet in paragraph 105 of the dutiable list provision is made for the various commercial forms of wrought iron. What will the customs officers do? Wrought iron clearly does not belong on the free list. It is a machine-shop product, can be made only in small quantities, and the labor cost in it is considerably higher than in the production of steel. The steel paragraph, 112, presents another anomaly, and ingots, slabs, blooms, and billets made by the Bessemer, Siemens-Martin, open-hearth, or similar process not containing alloys are made free of duty, while steel castings made by the same process are dutiable. What facts or figures have you to justify this discrimination? Steel products made by other processes or containing alloys are covered by a duty of 15 per cent, and I am not sure that the differences in origin of the steel can be revealed by mere inspection. A comparison of this last-named paragraph, 112, with paragraph 115 reveals another anomaly. Steel bars, dutiable at 15 per cent under paragraph 112, are to be admitted at 10 per cent under paragraph 115 if they have been "cold-rolled, cold-drawn, cold-hammered, or polished in any way in addition to the ordinary process of hot rolling or hammering." It is not my purpose to go further into detail, but it is evident that the revision of the metal schedule has proceeded in utter recklessness of its consequences to domestic interests and without any intelligent effort to balance the rates between raw material or semifinished products and the finished products. One curious fact I notice is that, in spite of the long speeches made here denunciatory of the Aluminum Trust, the rate carried by table, kitchen, and hospital utensils of aluminum is among the highest in the metal schedule and is higher than the rate carried by the basket clause of the metal schedule. There are many curious provisions in this schedule, but there are two to which I wish to call particular attention. They are paragraphs 155 and 164. The former deals with various lead products and articles, including pig lead, sheet lead, lead pipe, and lead wire and levies an ad valorem duty "on the lead contained therein." Paragraph 164 deals with zinc-bearing ores and levies an ad valorem duty "upon the zinc contained therein." The question that comes to my mind is, What is the value upon which this ad valorem rate is to be levied? Is it to be upon the value of

the lead or the zinc as it is in the condition imported mixed with or in company with other material, or is it the value of the lead or the zinc after it has been segregated from the other materials? It is manifest that there would be a great difference in these relative values. It is equally manifest that an ad valorem rate of duty levied in this manner is preposterous.

## SCHEDULE D.

I shall pass over the wreck of Schedule D, wood and wood products, with the remark that while the patriotic attempt to encourage and extend the use of Maine box shooks by enlarging the preference granted to them when imported filled with foreign fruit seems to have failed, some vestigial phrases of the proposed amendment have been left in paragraph 174 with the effect of making it unintelligible. It is clear enough that the sides, tops, and bottoms of the boxes will be free of duty, but what of the end pieces?

## SCHEDULE E.

On the subject of the sugar schedule, while deeply sympathizing with the people of Louisiana and our other sugar-producing localities in their misfortune, it seems very singular to me that the Democratic majority gave this industry what it denied to all others, namely, some time to adjust itself to the new conditions placed upon it. This is additional evidence of the sectional discriminations which disfigure the pending tariff bill.

## SCHEDULE F.

While it is true that no changes were made in the tobacco schedule, it is proper here to point out two new provisions in other sections of the bill which have a bearing upon the domestic cigar and tobacco industry. I refer to paragraph B of section 5 and to the new matter added to paragraph M of the same section. The former establishes absolute free trade in cigars and tobacco from the Philippine Islands. The latter permits the importation of foreign tobacco in bond, its manufacture into cigars in a bonded manufacturing warehouse, and the postponement of the payment of the duty upon the tobacco and the internal-revenue tax upon the cigars made from it until the cigars are withdrawn from the warehouse. The former provision means destructive competition and ultimate annihilation to the leaf-tobacco growers and the cigar manufacturers in the North, West, and East. The latter provision is a boon and a great privilege to cigar manufacturers in Florida, and it will add to their prosperity.

## SCHEDULE G.

Under the head of the agricultural schedule it must at least be said for the Senate that it succeeded in correcting the aberration that made food animals dutiable and meat free, oats dutiable and oatmeal free, wheat dutiable and flour free, poultry dutiable and canned and preserved poultry free. Nevertheless the various provisions relating to agricultural products constitute the bill a monument of indifference to and outrageous disregard of the rights and interests of the millions of our fellow citizens who are engaged in agricultural pursuits. This is not a good time to discriminate against the farmer, and every principle of sound policy, fair play, and square dealing cries out against such action.

The best interests of the Nation, now perhaps more than ever before, demand that every possible encouragement be given to agriculture. We are closely approximating—if, indeed, we have not already arrived at—a period where great changes in the conditions under which agricultural production must be carried on are imperative. Farming will now be more than ever an intensive pursuit and will require quite as much ability, ingenuity, and patience as manufacturing occupations require.

Rough treatment has been accorded to the products of the farm. On the free list have been put broom corn, buckwheat and buckwheat flour, corn, corn meal, eggs, flax straw, hemp, milk and cream, potatoes, rye, rye flour, cattle, sheep, swine, wheat, wheat flour, and wool—all of them products of the farm and all of them subject to severe competition from contiguous countries, and especially from our northern neighbor. The placing of these products on the free list and the wholesale reductions on barley, oats, butter, cheese, hay, and fruits, and vegetables generally, fall heavily on the farmers of the North, Northeast, and Northwest; but rice, surely a food product of the masses, continues to bear a heavy duty. This discrimination is most unfair, unstatesmanlike, and exposes the majority to deserved criticism. I do not like to raise the cry of sectionalism, but I do not propose to ignore that which is plainly to be seen, and it can not be denied that duties which are plainly protective are retained on many products mined, grown, or made in the southern sections of this country, such as barytes earth, mica, zinc ore, sugar, tobacco, coarse cotton cloth, Angora goat hair, and tops and yarns of Angora goat hair. The same selfish partiality and discrimination are exhibited in

the transfers made to the free list. The bagging which is used for covering bales of cotton and the metal ties or bands that secure the bales, for both of which the southern producer receives the price per pound of cotton, are made free of duty. So are the press cloths that are used by the rich cottonseed-oil producers of the South. Yet the making of bagging, cotton ties, and press cloths are important industries in the North and East and give employment to large numbers of men.

## SCHEDULE I.

The cotton schedule of the new bill was certainly made by the rule of thumb. It is a mass of conflicting provisions, doubtful constructions, and verbal puzzles, whereby in some instances, possibly unknown to its authors, rates are actually made higher than those in the present law. Here, too, we find evidences of the same baleful policy of discrimination, for fine fancy cottons have been subjected to the same measure of reduction as the coarse simple weaves. The former are, even under the present law rates, the subject of large and growing importations, and a reduction of duty on them is not good business sense from the revenue standpoint, while of the latter few or none is imported.

The explanation is that the former are made in New England and the latter in the Carolinas and Georgia. In this schedule, too, certain industries which are largely followed in the State which I have the honor to represent in part have received what will in some instances prove a mortal blow. In Philadelphia the manufacture of tapestries and other woven figured upholstery goods had attained a high degree of perfection under the fostering influence of the present law. Beautiful fabrics, equal in design, coloring, material, and finish to those made in Europe, have been turned out in large quantities to beautify American homes with a combination of good taste and a small expenditure. Quite naturally in this class of work the labor costs here are materially higher than in Europe, for they include the compensation of artists and designers who can be had very cheap in France and Germany, but who command high wages in this country. Yet, without regard to any of these considerations and to the advantage of no human being whatsoever excepting the foreign producer the duty on these goods has been reduced 30 per cent, and all the effort which has been expended in building up the industry goes for naught and the men who have been trained to make these fabrics must seek other employment.

The item of hosiery furnishes a striking example of the advantages to the consumer brought about by an active domestic competition made possible by a protective duty. Never before has hosiery been better or cheaper than it has been under the present law, and the domestic industry has been fairly prosperous. Yet the importations have been very large and there has been at all times active competition between the foreign and the domestic product. It would seem that the existence of these facts provided no reason for the extraordinary reduction of duty which has been made on hosiery, but it is perfectly apparent that reason had no place in the lucubrations of the majority. It is idle to say that the consumers will get any benefit from these reductions. Stockings will be sold no cheaper. Already, I am informed, the German manufacturers have been quick to absorb the benefit of the reduction in duty and have raised their prices accordingly. This, I may say, is not peculiar to hosiery, for I have information from many lines of business that the same action is being taken by foreign exporters. My friends of the majority will find that the promises they have made to the people of reductions in the cost of living will not and can not be made good.

## SCHEDULE K.

It is difficult to review with moderation or patience the action taken in reference to the wool schedule of the tariff law. The changes and reductions made in it are utterly senseless and unjustified upon any economic or political theory. All duty has been taken from raw wool, and yet manufacturers of woollen goods are protected by a duty. This is opposed to what passed for Democratic doctrine. On the other hand, the reductions in duties on the manufactured goods are out of all proportion to whatever benefit the manufacturers may realize from free wool, and what duty is left is totally inadequate to enable them to compete with foreign producers. This is opposed to Republican doctrine.

The throwing away of the large revenue received from importations of wool is opposed to the doctrines of those who favor a tariff for revenue purposes. In this schedule, too, we find one of the most glaring of the many instances of discrimination that is characteristic of this bill. Wool and the varieties of goat hair that are suitable for spinning have been treated alike for tariff purposes for a great many years. They are used for the same purposes and they closely approximate each other, it being a fact that in some varieties the distinction between hair

and wool is not very well marked. Any wool which is raised in a great many States in this country, chiefly in the West, North, and East, is put on the free list, while Angora goat hair, the bulk of which is raised in a single congressional district in Texas, is protected by a duty of 15 per cent, although it is a raw material as that term is generally used. This action is indefensible. This duty is purely a protective duty because the revenue to be derived from importations of this material is as nothing compared to the revenue which the wool duties bring in now. It is an exhibition of the rankest favoritism, and it is wholly unworthy of the representatives of a great party. To make matters worse, notwithstanding the placing of a duty on the raw hair and corresponding compensatory duties on the tops and yarns made therefrom, an enormous reduction in duty has been made upon the plushes and other fabrics which are made from Angora goat hair. The result is disaster to an industry which has been built up in this country entirely by reason of protective duties. Many years ago one of the largest of the English houses established a manufacturing branch in this country which now employs several thousand people, but whose activities will be very materially curtailed. It is quite impossible for manufacturers of such fabrics to compete with England and continental manufacturers under the conditions imposed by this bill. I have information that a very large manufacturer remarked some weeks ago that he expected to reduce his weekly pay roll by about \$10,000 in consequence of the transfer of the manufacture to England. That remark was made during the stage of the bill when Angora goat hair was on the free list along with wool. The action of the conference, of course, puts this man in a more unfavorable position than ever and seems likely that the curtailment he mentioned that time was an underestimate.

Mr. JONES. Mr. President, I simply desire to ask the chairman of the committee a question relating to shipping, but I do not see him present. I should like to ask if any of the other members of the conference committee on the part of the Senate can tell me how many countries there are with whom we have no treaties that would be affected by the provision inserted by the House. I know the chairman of the committee has a letter giving the countries with which we have no treaties, and I should like to have that letter inserted in the Record. I will ask permission, Mr. President, to have that letter inserted in the Record when the chairman of the committee comes in and I can get it. That will answer the question I desire to have answered and which I want to appear in the Record.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent to have a certain letter incorporated in the Record. Is there objection? There being none, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF STATE,  
OFFICE OF THE SOLICITOR,  
Washington, October 1, 1913.

MY DEAR SENATOR: Referring to your letter of September 30, 1913, addressed to the Secretary of State, requesting certain information relative to treaties concluded between the Government of the United States and other nations, which may be affected by the enactment into law of the paragraph in the pending tariff act providing for a discount on importations brought into this country in American vessels, I beg to invite your attention to certain treaty provisions which it would seem pertinent for you to consider in connection with the proposed legislation. As you of course understand, the interpretation of treaties between this Government and other countries is a judicial question, and the department therefore is not in a position to give you an authoritative answer as to the matters referred to in your letter.

Nearly all of the so-called commercial treaties between this Government and other nations contain provisions securing for the citizens and subjects of each of the contracting parties reciprocal equality in the matter of duties imposed on the cargoes of the vessels of each country in the ports of the other. The following is an example of a comprehensive provision of this character:

AUSTRIA-HUNGARY, August 27, 1829.

## ARTICLE III.

"All kinds of merchandise and articles of commerce, either the produce of the soil or the industry of the United States of America or of any other country, which may be lawfully imported into the ports of the dominions of Austria, in Austrian vessels, may also be so imported in vessels of the United States of America, without paying other or higher duties or charges of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or produce had been imported in Austrian vessels. And, reciprocally, all kinds of merchandise and articles of commerce, either the produce of the soil or of the industry of the dominions of Austria or of any other country, which may be lawfully imported into the ports of the United States, in vessels of the said States, may also be so imported in Austrian vessels without paying other or higher duties or charges, of whatever kind or denomination, levied in the name or to the profit of the Government, the local authorities, or of any private establishments whatsoever, than if the same merchandise or produce had been imported in vessels of the United States of America."

Provisions similar to that quoted above are found in treaties concluded between this Government and the following-named countries: Argentine Republic, July 27, 1853, article 6; Belgium, March 8, 1875,

article 5; Bolivia, May 13, 1858, article 4; Colombia, December 12, 1846, article 4; Denmark, April 26, 1826, article 3; Greece, December 22, 1837, article 3; Hanseatic Republics, December 20, 1827, article 1; Italy, February 26, 1871, article 5; Japan, February 21, 1911, article 8; Liberia, October 21, 1862, article 3; Mecklenburg-Schwerin, December 9, 1847, article 1; Netherlands, August 26, 1852, article 1; Paraguay, February 4, 1859, article 6; Prussia, May 1, 1828, article 3; Spain, July 3, 1902, article 8; Sweden and Norway, July 4, 1827, article 3.

Presuming that the effect of the enactment into law of the provision granting to importations in vessels of the United States a discount of 5 per cent on the duties levied by the act would be to permit the entry of goods imported in American vessels at a lower rate of duty than that charged on the same kind of goods imported in foreign vessels—a judicial question—then there would seem to be no question that the result would be a violation of treaty provisions, such as those above referred to, obligating this Government not to impose on the cargoes of the foreign vessels higher or other duties than those imposed on the cargoes of its own vessels.

I beg further to invite your attention to certain treaty provisions which appear to have a narrower scope than those to which attention has been called. Article 2 of the convention of commerce and navigation, concluded between this Government and Great Britain July 3, 1815, contains the following provision:

"The same duties shall be paid on the importation into the United States of any articles the growth, produce, or manufacture of His Britannic Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannic Majesty's territories in Europe of any article the growth, produce, or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States."

You will observe that this provision appears to guarantee to the contracting parties equality in the matter of duties only on such articles of commerce as are the "growth, produce, or manufacture" of each country; and that in the case of the British Government, the stipulations of the treaty apply only to articles having their origin in British "territories in Europe."

Provisions which appear to be of the same scope and effect as that in the British treaty are found in the following treaties: Costa Rica, July 10, 1851, article 6; Honduras, July 4, 1864, article 6.

I have not referred above to the commercial convention concluded between the United States and Cuba December 11, 1902. I understand that the pending tariff measure specifically provides that nothing therein contained shall be so construed as to abrogate or impair the effect of the provisions of this agreement.

The following countries which have diplomatic representatives in this country do not appear to have any treaty provisions which would be violated by the enactment into law of the paragraph under consideration: Brazil, Chile, China, Dominican Republic, Ecuador, France, German Empire, Greece, Guatemala, Haiti, Mexico, Nicaragua, Panama, Persia, Peru, Portugal, Russia, Salvador, Siam, Switzerland, Turkey, Uruguay, and Venezuela.

It should be observed that while no commercial treaty has been concluded between the United States and the Government of the German Empire, agreements of this character, concluded with certain of the independent German States which now form parts of the Empire, as indicated above, are regarded by each of the contracting Governments and by the central Government of the Empire as being still in effect.

Trusting that the above may answer your inquiries satisfactorily, I am,

Yours, very sincerely,

JOS. W. FOLK, *Solicitor.*

Hon. F. M. SIMMONS,  
*United States Senate.*

Mr. LA FOLLETTE. Mr. President, I present to the Senate some telegrams and one letter which I have received to-day protesting against certain features of the conference report; also a telegram directed to the senior Senator from Utah [Mr. SMOOT], who is unavoidably detained from the Senate. It was given to me by his secretary with the request that I present it to the Senate.

The PRESIDING OFFICER. The Senator from Wisconsin presents certain telegrams and a letter and asks unanimous consent to have them incorporated in the RECORD, the Chair understands.

Mr. LA FOLLETTE. I ask that they be presented to the Senate.

The PRESIDING OFFICER. And read at the desk?

Mr. LA FOLLETTE. Yes.

The PRESIDING OFFICER. The telegrams and letter will be read, as requested.

The Secretary read as follows:

NEW YORK, September 30, 1913.

Hon. R. M. LA FOLLETTE,  
*Washington, D. C.*

Proposed glucose rate victory for starch and glucose trust controlling 80 per cent of entire domestic business; not 1 pound of potato glucose made here; proposed potato dextrin rate a victory for incompetency of domestic tapioca dextrin makers who enjoy free tapioca starch clause conflicts with tapioca clause, tapioca starch, and flour cassava starch, and flour both used as starch in dextrin making and also in the sizing of textiles and by many others using same as starch; all these proposed duties are for the big interests and the incompetents. Where is the promised consideration for the consumer who uses these superior products?

CHAS. MORNING STAR & Co.

APPLETON, WIS., September 30, 1913.

ROBERT M. LA FOLLETTE,  
*Washington, D. C.*

We are advised woven-wire cloth schedule has been canceled by House and duty placed at 15 per cent. We protest vigorously against reduction to below 30 per cent. We have produced figures to show that difference in wages in United States and abroad entitle us to at least

30 per cent protection. Fifteen per cent ruinous to Fourdrinier wire-cloth industry.

LOUIS A. SCHROEDER,  
*President.*

C. E. MAESER,  
*Executive Board Wisconsin Division,  
American Wire Weavers' Protective Association.*

APPLETON, WIS., October 1, 1913.

Senator ROBERT M. LA FOLLETTE,  
*Washington, D. C.*

HONORABLE SIR: We beg to call to your attention the action taken by the House September 30 on paragraph 116, H. R. 3321, referring therein to Fourdrinier wire cloth. Ways and Means Committee had cut from 45 to 20 per cent, Finance Committee raised it back to 30 per cent, House yesterday reduced it to 15 per cent. If you will investigate, you will find this unfair. Read Schedule C, No. 5, metals and manufactures of, for our brief; also CONGRESSIONAL RECORD, May 1, page 782.

Yours,

C. E. MAESER,  
*American Wire Weavers' Protective Association.*

APPLETON, WIS., September 30, 1913.

Senator ROBERT M. LA FOLLETTE,  
*Washington, D. C.*

We are advised that 30 per cent duty on woven wire cloth recommended by Senate has been cut to 15 per cent by House. American wire weavers receive about three times as large wages as wire weavers abroad, and only 15 per cent duty would be a severe blow to our industry and work great hardship to our workmen. We have facts and figures to show that we are entitled to at least 30 per cent protection. We urge 30 per cent can be restored.

APPLETON WIRE WORKS.

MILWAUKEE, WIS., September 30, 1913.

Hon. ROBERT M. LA FOLLETTE,  
*Washington, D. C.*

Am advised that an ad valorem duty is proposed on cheese. I believe that duty on cheese should be made a specific one, no matter how high, as an ad valorem duty will lead dishonest importers to make crooked declarations. Will you kindly use your influence?

H. B. STANX CHEESE IMPORTING Co.

NEW YORK, September 30, 1913.

Senator R. M. LA FOLLETTE,  
*Washington, D. C.*

Ad valorem on cheese invites fraud; must be specific.

REYNOLDS & Co.

NEW YORK, September 30, 1913.

Senator R. M. LA FOLLETTE,  
*Washington, D. C.*

Ad valorem on cheese invites fraud; new tariff no material reduction.

O. ROTH & Co.

SPOKANE, WASH., September 30, 1913.

Hon. WILLIAM LA FOLLETTE,  
*Washington, D. C.*

Representing Spokane Business Property Association, I respectfully request use your influence with conferees tariff bill; have provision income-tax law stricken, which authorizes lessees deduct tax certain rentals. It is only fair and right that owners should pay net income tax direct, same as any other corporation or individual.

R. F. HANKE, *Secretary.*

NEW YORK, October 1, 1913.

Hon. R. M. LA FOLLETTE,  
*United States Senate, Washington, D. C.*

Income-tax proviso re collectors contains clause that employees when not employed on income-tax work shall be employed on general internal-revenue work. Would allow packing service with politicians by avoiding appointments through examination for two years. Can it be shown up in Senate?

ROBERT W. BELCHER,  
*National Civil Service Reform League.*

AMERICAN SWISS FILE & TOOL Co.,  
*New York, September 30, 1913.*

Hon. ROBERT M. LA FOLLETTE,  
*United States Senate, Washington, D. C.*

DEAR SENATOR: From this morning's report in the Times on the tariff bill I notice with deep regret that the duty of 35 per cent on hand-cut files and "files of precision," which the Senate Finance Committee agreed to after you had so kindly interested yourself in our case, has been reduced in conference to 25 per cent, on a dead level with common files and rasps.

As this is positively unjust to the higher branch of the file industry, which we represent, I would ask you to do what you can to give us the 35 per cent duty asked for, since without it we are positively unable to compete in price with the same class of files made in Germany and Switzerland.

Should we be compelled to abandon our specialty the consumers as well as ourselves would surely suffer, for if we once give up the manufacture of hand-made files and "files of precision" the importers will have no competition and will monopolize the market, charging their own prices.

Can nothing be done to ward off this blow from an industry which while small yet leads the world in the excellence of its product and surely deserves preservation?

Over 100 of the very best file makers to be found anywhere in the world will bless you for anything you can do to restore that little 35 per cent of needed protection against labor which costs 150 per cent

less in Switzerland, though of course not equally as efficient as are our American file makers.

Twenty-five per cent is entirely too low to preserve the industry. Asking your pardon for again troubling you in this matter, I remain, with kindest regards,  
Very truly, yours,  
E. P. REICHHELM.

APPLETON, WIS., October 1, 1913.

Senator REED SMOOT,  
United States Senate, Washington, D. C.

HONORABLE SIR: We beg to call to your attention the action taken by the House September 30 on paragraph 116, House bill 3321, referring therein to Fourdrinier wire cloth; Ways and Means Committee had cut from 45 to 20 per cent; Finance Committee raised it back to 30 per cent; House yesterday reduced it to 15 per cent. If you will investigate, you will find this unfair. Read Schedule C, No. 5, metals and manufactures of, for our brief; also CONGRESSIONAL RECORD, May 1, page 782.

Yours,  
C. E. MAESER,  
American Wire Weavers' Protective Association.

The PRESIDING OFFICER. The question is, Shall the Senate agree to the report of the conference committee?

Mr. BRANDEGEE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BORAH (when Mr. BRADY's name was called). I desire to state that my colleague [Mr. BRADY] is unavoidably absent. If he were present, he would vote "nay."

Mr. NELSON (when Mr. CLAPP's name was called). I desire to say that my colleague [Mr. CLAPP] is unavoidably absent, and, I believe, unpaired. If he were present, he would vote against the adoption of the conference report.

Mr. CLARKE of Arkansas (when his name was called). I have a pair with the junior Senator from Utah [Mr. SUTHERLAND]. That Senator is not present, and I therefore withhold my vote. If that Senator were present, I should vote "yea."

Mr. FLETCHER (when his name was called). I have a pair with the Senator from Wyoming [Mr. WARREN]. He being absent, I withhold my vote. If he were present, I should vote "yea."

Mr. GRONNA (when Mr. McCUMBER's name was called). My colleague [Mr. McCUMBER] is unavoidably absent on important business. If he were present, he would vote "nay."

Mr. PITTMAN (when Mr. NEWLANDS's name was called). I desire to announce the unavoidable absence of my colleague [Mr. NEWLANDS] and to state that he is paired with the junior Senator from South Dakota [Mr. STERLING].

Mr. O'GORMAN (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. If I were at liberty to vote, I should vote "yea."

Mr. PENROSE (when Mr. OLIVER's name was called). My colleague [Mr. OLIVER] is necessarily absent from Washington. Were he present in his seat and permitted to vote, he would vote "nay."

Mr. CLARKE of Arkansas (when Mr. ROBINSON's name was called). My colleague [Mr. ROBINSON] is absent on official business. If he were present, he would vote "yea." He is paired with the junior Senator from Michigan [Mr. TOWNSEND].

Mr. SHAFROTH (when his name was called). I have a pair with the junior Senator from California [Mr. WORKS], and therefore withhold my vote. If I were privileged to vote, I should vote "yea."

Mr. WEEKS (when Mr. SHERMAN's name was called). I desire to state that the junior Senator from Illinois [Mr. SHERMAN] is absent on account of important business. If he were present, he would vote "nay."

Mr. SMITH of Georgia (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. LODGE]. I therefore withhold my vote. Were I at liberty to vote, I should vote "yea." In this connection I wish to add that our pair has this qualification, that either of us may vote when necessary to constitute a quorum.

Mr. REED (when Mr. STONE's name was called). My colleague [Mr. STONE] is necessarily absent, his absence being occasioned by sickness in his family. If he were present, he would vote "yea" upon this vote, as he would have voted on all other votes to sustain the report of the conference committee. He is, in his absence, paired with the Senator from Wyoming [Mr. CLARK].

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Wisconsin [Mr. STEPHENSON]. If he were present, I should vote "yea." I will announce that that pair was made under the same conditions as the pair just announced by the Senator from Georgia [Mr. SMITH].

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). As announced by the Senator from Arkansas [Mr. CLARKE], my colleague [Mr. TOWNSEND] is paired with the junior Senator from Arkansas [Mr. ROBINSON]. I merely de-

sire to say that if he were present my colleague would vote "nay."

Mr. WALSH (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. LIPPITT]. It does not, however, extend to the vote on the conference report. I accordingly vote "yea."

The roll call was concluded.

Mr. SHEPPARD. My colleague [Mr. CULBERSON] is unavoidably absent. He is paired with the Senator from Delaware [Mr. DU PONT].

Mr. LEA. I am paired with the senior Senator from South Dakota [Mr. CRAWFORD]. If I were at liberty to vote, I should vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence, I am compelled to withhold my vote. If permitted to vote, I should vote "yea."

Mr. JONES. I am requested to state that the senior Senator from Kentucky [Mr. BRADLEY] has been necessarily absent during the evening and is absent on this vote. If he were present, he would vote "nay."

Mr. KERN (after having voted in the affirmative). On account of the absence of the Senator from Kentucky [Mr. BRADLEY], with whom I am paired, I withdraw my vote.

Mr. BANKHEAD. I have a general pair with the junior Senator from West Virginia [Mr. GOFF]. If he were present, I should vote "yea."

Mr. WEEKS. The junior Senator from Georgia [Mr. SMITH] has stated that he is paired with my colleague [Mr. LODGE], who on account of illness will be absent until the completion of this bill. I wish to say that if my colleague were present, he would vote "nay."

Mr. PENROSE. In order to complete the record, I think I ought to state that the junior Senator from Maine [Mr. BURLING] is detained at his home away from Washington on account of illness; and that the Senator from New Mexico [Mr. CATRON], the senior Senator from Vermont [Mr. DILLINGHAM], the junior Senator from Vermont [Mr. PAGE], the Senator from New York [Mr. ROOT], and the Senator from Utah [Mr. SMOOT] are necessarily absent from Washington. While I am not authorized to speak for any of these Senators, I feel confident that they all, if present, would vote "nay" on the pending question.

The result was announced—yeas 36, nays 17, as follows:

YEAS—36.

Ashurst	Johnson	Pittman	Smith, Ariz.
Bacon	La Follette	Poindexter	Smith, Md.
Bryan	Lane	Pomerene	Smith, S. C.
Chilton	Lewis	Reed	Swanson
Gore	Martin, Va.	Saulsbury	Thomas
Hitchcock	Martine, N. J.	Sheppard	Thompson
Hollis	Myers	Shields	Vardaman
Hughes	Overman	Shively	Walsh
James	Owen	Simmons	Williams

NAYS—17.

Borah	Gronna	Norris	Thornton
Brandegge	Jackson	Penrose	Weeks
Bristow	Jones	Perkins	
Burton	McLean	Ransdell	
Colt	Nelson	Smith, Mich.	

NOT VOTING—42.

Bankhead	Cummins	Lodge	Smoot
Bradley	Dillingham	McCumber	Stephenson
Brady	du Pont	Newlands	Sterling
Burleigh	Fall	O'Gorman	Stone
Catron	Fletcher	Oliver	Sutherland
Chamberlain	Gallinger	Page	Tillman
Clapp	Goff	Robinson	Townsend
Clark, Wyo.	Kenyon	Root	Warren
Clarke, Ark.	Kern	Shafroth	Works
Crawford	Lea	Sherman	
Culberson	Lippitt	Smith, Ga.	

So the conference report was agreed to.

Mr. SIMMONS. I move that the Senate disagree to the amendment of the House of Representatives to Senate amendment numbered 609.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

Mr. SIMMONS. I offer the following resolution:

*Resolved*, That the Senate recede from their amendment No. 609 to said bill.

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from North Carolina.

The resolution was agreed to.

HOOR OF DAILY MEETING.

On motion of Mr. KERN, it was

*Ordered*, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

EXECUTIVE SESSION.

Mr. BACON. There are one or two small executive matters requiring attention, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 8 minutes spent in executive session the doors were reopened, and (at 8 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Friday, October 3, 1913, at 12 o'clock m.

CONFIRMATIONS.

*Executive nominations confirmed by the Senate October 2, 1913.*

ASSISTANT TREASURER OF THE UNITED STATES.

Irving Shuman to be Assistant Treasurer of the United States at Chicago, Ill.

COLLECTOR OF INTERNAL REVENUE.

William H. L. Pepperell to be collector of internal revenue for the district of Kansas.

UNITED STATES MARSHAL.

Henry H. Wilson to be United States marshal for the western district of Pennsylvania.

APPOINTMENT IN THE NAVY.

Roscoe M. Waterhouse to be an assistant surgeon in the Medical Reserve Corps.

REGISTER OF THE LAND OFFICE.

Hilmar Schmidt to be register of the land office at Wausau, Wis.

POSTMASTERS.

ARKANSAS.

James L. Cannon, De Queen.  
William E. Floyd, Little Rock.

NORTH DAKOTA.

Nicholas Johnston, Aleta.

PENNSYLVANIA.

James W. Hatch, North Girard.  
James F. Timlin, Taylor.

SOUTH CAROLINA.

George M. Anderson, Ninety Six.

HOUSE OF REPRESENTATIVES.

THURSDAY, October 2, 1913.

The House met at 12 o'clock noon.

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

We bless Thee, our Father in heaven, for the preservation of our lives, the sanctity of our homes, the stability of our Republic, that we may worship Thee according to the dictates of our conscience and none shall make us afraid. Strengthen us for the duties of the hour, that we may go about our Father's business doing whatsoever our hands findeth to do in the spirit of the Lord Jesus Christ. Amen.

The proceedings of Tuesday, September 30, 1913, were read and approved.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. SHARP, indefinitely, on account of illness in his family.  
To Mr. ALLEN, for five days, on account of illness in his family.  
To Mr. KINKAID of Nebraska, indefinitely, on account of the death of his sister.

REPORT OF ENGINEERS ON FLOODS IN THE OHIO RIVER, ETC. (H. DOC. NO. 246).

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I desire to submit a request for unanimous consent. Last spring, after the floods in the tributaries of the Ohio River had wrought such great havoc, the President requested the Secretary of War to have the Engineer Corps of the Army make an investigation and ascertain, if possible, the cause of the floods, and report a plan by which they might be prevented in the future, and so forth. The engineers have made the investigation and have just made their report. This was not done in response to any resolution by Congress. The report which the engineers have made is sim-

ply a typewritten report to the Secretary of War, and I ask unanimous consent that this may be printed as a public document.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the document which he names be printed as a public document. Is there objection?

Mr. MOORE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Mississippi if this is the report in which the engineers dealing with the flood question suggest that there have been constructed innumerable bridges across streams, which have affected the flow of the water?

Mr. HUMPHREYS of Mississippi. Yes, sir.

Mr. MOORE. Mr. Speaker, that report ought to be published so we can get it. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RAGSDALE. Mr. Speaker, if the gentleman will permit an interruption—

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. RAGSDALE. I would like to know how these documents are to be distributed.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, my understanding is that on a request of this sort there are about 1,500 or 1,600 printed. They go to several places in the Government that are designated, and enough go to the document room for each Member to receive one copy. That will happen on the request I have submitted just now. Of course, if a larger number is to be printed, then it will have to be stated in the request.

Mr. BATHRICK. Mr. Speaker, will not the gentleman make a request for a larger number? I ask him to do so for this reason: In my district we were sufferers by this flood and the people there are very much interested in this report. Agents of the department have been through my district, as well as other districts, and the people would like to read that report, and I ask the gentleman to make his request for a number sufficient to be sent out for that purpose.

Mr. MCKELLAR. Mr. Speaker, I ask the same request for the same reason.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I would not object at all to make request for just as many as are desired. I do not believe the chairman of the Committee on Printing is in the House. My understanding is that if the printing will cost more than \$500 it would have to be by joint resolution.

The SPEAKER. The rule is that you can not exceed \$500 except by joint resolution.

Mr. HUMPHREYS of Mississippi. I take it, Mr. Speaker, as this is a very short report that it will cost very little to have it printed. I would suggest, then, to the gentlemen who are interested in it, that if it is printed as a document they can then introduce a resolution and have just as many printed as they desire. Suppose I ask for 5,000 copies now?

Mr. BATHRICK. That will be all right.

Mr. HUMPHREYS of Mississippi. I am quite sure that will come within the \$500.

Mr. RAGSDALE. I would suggest to the gentleman from Mississippi [Mr. HUMPHREYS] that he exhaust the amount that is now allotted for this purpose, and, if necessary, and they want a further publication, it can be had by joint resolution.

Mr. BATHRICK. Mr. Speaker—

Mr. SPARKMAN. Mr. Speaker, that is a very important report, and I would suggest there be no objection to printing the larger amount mentioned.

The SPEAKER. The Chair will admonish all gentlemen that the rule is they can not have a print of anything that costs over \$500 without a resolution.

Mr. TOWNSEND. Mr. Speaker, I have made inquiries and have learned that something more than 20,000 copies can be printed with the amount allowed under the rule.

The SPEAKER. Why not make it this way, if the Chair will be permitted to make a suggestion, namely, for the largest number or quantity that can be printed in the \$500 limit? That will be a very simple solution of the matter.

Mr. HUMPHREYS of Mississippi. I make that request.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] asks unanimous consent that this report be printed as a public document to the number of the largest quantity that can be printed under the \$500 limit. Is there objection?

Mr. ELDER. Reserving the right to object, will they be equally distributed among the Members?

Mr. HUMPHREYS of Mississippi. They will go under this resolution to the document room and would not be distributed equally among the Members.

Mr. ELDER. Then I object.

The SPEAKER. Is there objection?

Mr. ELDER. Reserving the right to object, I would like to ask the gentleman—

Mr. HUMPHREYS of Mississippi. I will not change my request, because I think that would be a very poor way to have them printed.

Mr. ELDER. I object.

The SPEAKER. The gentleman from Louisiana [Mr. ELDER] objects.

VOCATIONAL EDUCATION.

Mr. HUGHES of Georgia. Mr. Speaker, I move that we proceed under the regular order.

The SPEAKER. The regular order is to call the roster of the committees, which the Clerk will do.

The Clerk proceeded with and concluded the call of the committees.

Mr. HUGHES of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering Senate joint resolution No. 5.

The SPEAKER. The gentleman from Georgia moves that the House resolve itself into the Committee of the Whole House on the state of the Union to consider Senate joint resolution No. 5.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of Senate joint resolution 5, providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education, with Mr. FITZGERALD in the chair.

Mr. HUGHES of Georgia. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the resolution.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Georgia [Mr. HUGHES] is recognized for one hour.

Mr. HUGHES of Georgia. Mr. Chairman, the Committee on Education, to which was referred the Senate joint resolution No. 5, providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education, having had the same under consideration, report it back to the House with the following amendments, with a recommendation that the amendments be agreed to and that the resolution as amended do pass:

On page 1, line 4, strike out the word "men."

This amendment was adopted because of the fact that the committee was under the impression that the President should have full power to exercise his discretion in that appointment.

Page 1, lines 5 and 6, strike out "not later than."

On page 1, line 6, after the word "next," insert "or as soon thereafter as practicable."

The reason for those amendments was that when this joint resolution was submitted to the House or referred to the Committee on Education, could action have been taken at once, the commission would have had a sufficiency of time to have made their report by the 1st day of December, or soon thereafter; but action was so delayed the committee believed it would be impossible for the commission to make a report in the time named. That, Mr. Chairman, is the reason of the amendment granting more time.

Now, Mr. Chairman, I wish to state that this resolution was agreed to by Senator PAGE, of Vermont, and Senator HOKE SMITH, of Georgia. It also passed the Senate. Senator PAGE, however, had introduced a very comprehensive bill on the subject of vocational education. That bill passed the Senate, but owing to the magnitude and importance of this great question it was taken under consideration both by Senator PAGE and Senator HOKE SMITH, and they agreed to the proposition that it was wise and best to authorize the President to appoint this commission to submit a plan of vocational education.

I wish to say, Mr. Chairman and gentlemen of the House, that this merely means a plan to be submitted to this House. It is not in any manner, form, or shape binding; no more so than it would be for a man who wished to build a house to have plans submitted to him for the purpose of his consideration. In the event they did not suit, he would reject them.

This question of vocational education is a question which today is occupying the attention of the people throughout the broad limits of every State of this Union. Sooner or later we must act on this great and important question—a question which reaches every home in this land, from the fact that it reaches every child in the Nation.

It appears to me that the consideration of this question as to the adoption of this resolution should occupy a very short time and that the resolution should meet the approval of this entire

House. I wish to say, Mr. Chairman, that this resolution meets the approval of the Senate. It meets the approval of Senator PAGE, the author of a bill on this subject.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HUGHES of Georgia. I do.

Mr. MOORE. This bill proposes to create a commission?

Mr. HUGHES of Georgia. It does.

Mr. MOORE. To take up the question of national aid in the matter of vocational education?

Mr. HUGHES of Georgia. It does.

Mr. MOORE. And proposes to expend \$15,000 for the purposes of the commission?

Mr. HUGHES of Georgia. Yes, sir.

Mr. MOORE. Will the gentleman say whether the appointment of such a commission would mean that bills like the Page bill and the Lever bill will be considered by the commission, or will they be brought into the House and brought up for consideration here before the commission reports?

Mr. HUGHES of Georgia. I understand, sir, that that commission will merely make or submit, after thorough investigation, a plan for a bill on vocational education.

Mr. MOORE. The Page bill is now before the Senate.

Mr. HUGHES of Georgia. It has passed the Senate.

Mr. MOORE. And the Lever bill is before the House?

Mr. HUGHES of Georgia. The Lever bill is also pending before the Senate.

Mr. MOORE. The Page bill has not been before the House, but the Lever bill has?

Mr. HUGHES of Georgia. Yes; and passed the House.

Mr. MOORE. And these bills differ upon certain material points?

Mr. HUGHES of Georgia. Yes; they differ upon certain material points, upon which both Senator HOKE SMITH and Senator PAGE differ.

Mr. MOORE. Would the appointment of the commission mean that the question of vocational training would be taken up anew, independent of those bills and without reference to those bills?

Mr. HUGHES of Georgia. I think so.

Mr. MOORE. Then we would treat those bills as not being longer under consideration by Congress, but would wait until a new plan is reported?

Mr. HUGHES of Georgia. That is my idea, that the bill on vocational education is to remain as it is and not be acted upon until this commission presents its plan. I do not think that observation appertains to the Lever bill, however.

Mr. MOORE. Can there be any understanding that action will be deferred upon those two bills until they, along with any new project, can be considered by this commission?

Mr. HUGHES of Georgia. My understanding is that it is already understood that action on the vocational educational bill which has passed the Senate will be deferred until this plan shall have been submitted.

Mr. MOORE. Then we may have the benefit of the views of this commission before any further action is had on either of the pending bills?

Mr. HUGHES of Georgia. I think the Lever bill is a bill that is not to be considered, perhaps, in this plan of vocational education. I am quite sure that is Senator SMITH's opinion.

Mr. MOORE. I want to know, if the gentleman can give the information, whether there will be an understanding that we shall not take up the question of vocational education until this commission shall have reported.

Mr. HUGHES of Georgia. So far as a man can say so, that is my understanding, that the vocational education bill will not be urged until this plan, to be submitted by this commission, has been presented to the House.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. HUGHES of Georgia. Yes.

Mr. AUSTIN. Is it true that Senator PAGE, the author of that bill, agreed to the passage of this resolution?

Mr. HUGHES of Georgia. Yes; he did. I am much obliged to the gentleman for his inquiry.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Iowa?

Mr. HUGHES of Georgia. I do.

Mr. HAUGEN. Is not the status this, that the Lever bill passed the House?

Mr. HUGHES of Georgia. Yes.

Mr. HAUGEN. And the Page bill passed the Senate?

Mr. HUGHES of Georgia. Yes.

Mr. HAUGEN. And it went to conference, and has been considered for as long as a year?

Mr. HUGHES of Georgia. Yes.

Mr. HAUGEN. Now, here is a proposition to appoint a commission, that will delay action, to begin with, up to December 1, or whatever date is fixed in the resolution, or for whatever time is consumed by the commission. And is it not a proposition to delay the work rather than to expedite it?

Mr. HUGHES of Georgia. As I understand it, it is a proposition not to delay the work, but it is a proposition to urge the work forward and to give it proper consideration.

Mr. HAUGEN. I will ask the gentleman if this matter has not been under consideration by the committees both of the Senate and House, and if they have not given it the most exhaustive investigation for years past, so that no additional information can be had through any commission? It would simply get us further away from the subject which we are trying to reach.

Mr. HUGHES of Georgia. I am sorry to say that I disagree with my distinguished friend. The very object of the introduction of this resolution is to secure a more speedy result. There are differences of opinion even as to the Page bill and the necessity of it, and it is desired that the subject be carefully considered by a commission of nine, who will give their thoughtful attention to the plan which is to be submitted, so that a bill may be presented that will meet with the approval of both the Senate and House.

Mr. TOWNSEND. The gentleman from Pennsylvania [Mr. MOORE], in what he said, intimated his belief that the provisions of this resolution, if adopted, would affect the subjects of the Lever bill. I want to ask the gentleman if I am right in my assumption that the subjects treated in the Lever bill will not be investigated by this proposed commission?

Mr. HUGHES of Georgia. The gentleman is correct. They will not be investigated at all.

Mr. BATHRICK. Will the gentleman yield?

Mr. HUGHES of Georgia. Yes.

Mr. BATHRICK. I notice that the Senate in this resolution has stricken out the words "not later than December 1" and amended the resolution so as to read "or as soon thereafter as practicable." What was the purpose of that?

Mr. HUGHES of Georgia. The purpose was this: This matter is just being brought before the House now. It is impossible for that commission to take up this great question and formulate a plan by the 1st of December.

Mr. BATHRICK. I did not finish my question. Why not have it read "not later than January 1" or "February 1," or have some definite time fixed?

Mr. TOWNSEND. Or "during the next session"?

Mr. BATHRICK. Or "during the next session," or something of that kind?

Mr. HUGHES of Georgia. The committee had that very point under consideration, and they were united in the conclusion that these words were the best words to adopt.

Mr. BATHRICK. Is it the gentleman's impression that that commission will report early in the next session?

Mr. HUGHES of Georgia. I think they will report at the very earliest possible moment.

Mr. WILLIS. While the gentleman is yielding I want to ask him a question or two. I understand that the Lever bill, providing for a system of agricultural education, has passed the House and is pending in the Senate. Is that true?

Mr. HUGHES of Georgia. That is true. It has passed the House, but it has not passed the Senate.

Mr. WILLIS. I said it has passed the House and is pending before the Senate.

Mr. HAUGEN. Not in this session of Congress.

Mr. TOWNSEND. It has not been introduced.

Mr. HUGHES of Georgia. Another bill, incorporating perhaps somewhat different ideas than those incorporated in the original bill, has been introduced in the House by the gentleman from South Carolina [Mr. LEVER], and that bill has been introduced in the Senate by Senator SMITH.

Mr. WILLIS. Then the correct statement is that the Lever bill, providing for a system of agricultural education, passed the House in the last Congress?

Mr. HUGHES of Georgia. Yes.

Mr. WILLIS. And the Page bill, providing for a system of vocational training, passed the Senate in the last Congress?

Mr. HUGHES of Georgia. Yes.

Mr. WILLIS. I am asking these questions because I am greatly interested in both these branches of work. How will the passage of this resolution in any way expedite this matter? Does not the gentleman think these two committees, the Committee on Agriculture of the House and the Committee on Education and Labor of the Senate, that have already given a great

deal of attention to these subjects, can more quickly reach a conclusion than a new commission can?

Mr. HUGHES of Georgia. My belief is that they did not reach the same conclusion as that of my distinguished friend, because they favor this very resolution. It is thought that this plan, submitted by nine gentlemen who would go into the question with all carefulness and diligence and thoroughness, would be better than the other and would meet with the approbation of both the Senate and the House.

Mr. POWERS. Will the gentleman yield?

Mr. HUGHES of Georgia. I will.

Mr. POWERS. Is it not the purpose to have nine men appointed who have given years of study to this particular proposition, men chosen from among the best educationists in the country?

Mr. HUGHES of Georgia. That is correct.

Mr. POWERS. And these men, of necessity, will be much better prepared to deal with this question than the committees of the House, swamped with numerous other duties to perform.

Mr. HUGHES of Georgia. I will say to the gentleman that that statement fully expresses the idea.

Mr. HAUGEN. Let me suggest that the very gentlemen referred to by the gentleman from Kentucky have appeared before the committee of the House and also of the Senate, and numerous volumes of testimony have been printed, and there is no new information to be had on the subject.

With the new language injected into this bill it delays action indefinitely, for it leaves the matter to the discretion of this commission. You have injected new language which practically leaves it to the discretion of this one commission, and that commission may see fit to report at the next session of Congress, or it may take years from now.

Mr. HUGHES of Georgia. Mr. Chairman, I will say to the gentleman that I apprehend the President will appoint capable, earnest gentlemen to consider this very important question. I say this, that I believe the commission will push the matter to the limit, and come to a conclusion at the very earliest possible moment.

Mr. HAUGEN. After all, it leaves it to the discretion of the commission.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. HUGHES of Georgia. Certainly.

Mr. McLAUGHLIN. Mr. Chairman, I think the gentleman from Georgia has given a wrong impression in regard to the status of the Lever bill, and as to the effect the passage of this resolution may have upon it. The Lever bill was passed in the last Congress by this House and went to the Senate. The Page bill was passed by the Senate with the Lever bill as an amendment. As thus amended, or the two incorporated into one, the bill did not pass the House. The Lever bill has been reintroduced in this Congress, has been considered by the Committee on Agriculture, and has already been reported favorably. I want the House to understand, if we pass this resolution, it does not and ought not to affect the status of the Lever bill. It is not a vocational educational bill. It provides for an appropriation for practical demonstration and instruction, in the field, as you may say, to farmers in their practical work. It is not vocational education. The Page bill does provide for vocational education, and there is considerable difference of opinion among members of the Committees on Agriculture in the House and in the Senate as to what kind of a bill along those lines ought to be framed. In my opinion this commission may very well be appointed to study this great question, and give the committees of the House and the Senate the benefit of its research; but I want it distinctly understood that the Lever bill, which is not a vocational educational bill, will not be influenced or affected by this resolution, and that the Committee on Agriculture proposes at the first opportunity to bring up the Lever bill.

Mr. HUGHES of Georgia. Mr. Chairman, that is what I tried to make plain to the House.

Mr. HAMMOND. Mr. Chairman, if the gentleman from Georgia will yield, I would like to make an inquiry of the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. HUGHES of Georgia. Certainly I yield.

Mr. HAMMOND. Mr. Chairman, the gentleman has stated that his committee has had consideration of the Lever bill. May I inquire about what expenditure of money will be entailed if that bill passes?

Mr. McLAUGHLIN. Mr. Chairman, the Lever bill calls for an appropriation of \$10,000 a year for each State for extension purposes, and for an increase of \$300,000 a year for 10 years, or until the total increase reaches \$3,000,000, making a total of \$3,480,000.

Mr. HAMMOND. A year?

Mr. McLAUGHLIN. Yes; finally, at the end of 10 years.

Mr. HAMMOND. That is the maximum?

Mr. McLAUGHLIN. That is the maximum to be expended in the States in cooperation with the Department of Agriculture; but this increase above \$10,000 a year will be conditional upon the State appropriating an equal amount.

Mr. HAMMOND. The point I want to get at is this, that there will be finally an expenditure of something like \$3,500,000 a year under the Lever bill?

Mr. McLAUGHLIN. Yes; to be exact, \$3,480,000.

Mr. HAMMOND. Can the gentleman tell me about what the proposed expenditure will be under the vocational educational bill?

Mr. McLAUGHLIN. It could only be estimated, but it was thought it would call for \$14,000,000 or \$15,000,000 annually, and the Page bill involved a great and complicated plan.

Mr. HAMMOND. So that the two measures together will approximately take some \$20,000,000 a year?

Mr. McLAUGHLIN. Yes; but their purposes are entirely different and distinct, and I was afraid that if the House accepts the statement of the gentleman from Georgia [Mr. HUGHES], or if it is permitted to go unchallenged, when the Lever bill comes before the House, as it will very soon, from the Committee on Agriculture, that it may be thought it is improperly before the House. That bill is not a vocational educational bill; it will provide for practical assistance, by way of advice, to farmers, right on the farms. Vocational education is good and ought to be provided for by Federal law which will carry sufficient appropriation, but plans suggested involve so much, and call for such large sums of money, that it is advisable, it seems to me, to have the entire subject thoroughly investigated and the best possible plan suggested to Congress. The Committee on Agriculture will finally frame the bill for vocational education and present it to the House; the committee needs all information that can be obtained.

Mr. HUGHES of Georgia. Mr. Chairman, I wish to say that I agree with the gentleman from Michigan, and I intended to convey the very idea that he has expressed. His idea conforms altogether with mine.

Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 45 minutes remaining.

Mr. HARDY. Will the gentleman yield before he takes his seat?

Mr. HUGHES of Georgia. I do.

Mr. HARDY. Has the gentleman considered that farming is one vocation, and other vocations would come in on the same level of right to be cared for, and that if we start into this matter with the prospect of \$14,000,000 to be annually expended by the Federal Government we are entering on a wide field, which in the near future will place the general welfare of the people in the care of the Federal Government and end State care for their own citizenship?

Mr. HUGHES of Georgia. I will answer the gentleman by saying that is one of the very objects in appointing this commission to conduct this investigation.

Mr. HARDY. Just one question. Do we need any commission to tell us what the effect of such a program would be if we go into all fields of vocation?

Mr. HUGHES of Georgia. It seems as though the Senate thought so. Mr. PAGE, who introduced this bill on the subject of vocation, thought so, and Senator HOKE SMITH, who introduced the Lever bill in the Senate, thought so.

Mr. HARDY. Does not the gentleman from Georgia see where it will go without the aid of a commission?

Mr. HUGHES of Georgia. I am in favor of a commission, because I believe it is the right course, and there will be men upon the commission of such information and of such experience that they will facilitate the settlement of this great question.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. HUGHES of Georgia. I yield to my colleague.

Mr. BARTLETT. The gentleman has no apprehension, in the event this commission is appointed and the purposes these gentlemen who are probably to be appointed have in view are carried out, that eventually the control and regulation of schools of the character here proposed to be established will be under the control of Congress and the Government of the United States?

Mr. HUGHES of Georgia. Not at all. It is expected that the State autonomy will not be affected, and that is one question that will be considered by this commission.

Mr. BARTLETT. If my colleague will pardon me, I want to say to him I know that is the expectation, and I will say to my colleague they could not get such a proposition ordinarily

unless they claimed that to be their purpose; but from correspondence with quite a number of men—presidents, teachers, and others—the purpose seems to be to have the Treasury of the United States opened for this purpose, and an indifference is manifested—I do not mean by my colleague, but the gentlemen with whom I have corresponded—an indifference is manifested as to what power should exercise the authority in controlling and regulating these schools, and for one I do not mean to say that I am going to oppose this resolution, but for one I shall never bring myself to the point of voting for any proposition that will transfer from the local authorities of the State to the national authorities the regulation over their schools.

Mr. HUGHES of Georgia. Mr. Chairman, I yield the balance of my time to the gentleman from Alabama [Mr. ABERCROMBIE].

Mr. GOULDEN. Will my friend yield for one question?

Mr. HUGHES of Georgia. I yield for one question.

Mr. GOULDEN. I would like to ask the gentleman why he has stricken out this definite period of December 1 and inserted "as soon thereafter as possible"?

Mr. HUGHES of Georgia. From the fact that it was impossible for the commission to report by December 1.

Mr. GOULDEN. Why not fix it some definite time—February 1 or March 1? I have had some experience with these commissions and they run along almost indefinitely, and I think it is well to fix some definite date.

Mr. HUGHES of Georgia. I assure the gentleman that the Committee on Education considered every possible feature of that question, and they thought it was best to give that latitude, believing they would present their report at the very earliest possible moment.

Mr. GOULDEN. I am willing to yield to the superior judgment of the committee.

Mr. HUGHES of Georgia. I thank the gentleman.

Mr. POWERS. Mr. Chairman—

Mr. HUGHES of Georgia. I now yield the balance of my time to the gentleman from Alabama [Mr. ABERCROMBIE].

The CHAIRMAN. The gentleman from Alabama is recognized for 38 minutes.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FLOOD of Virginia having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 7596. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.;

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.;

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9 in township 20 north, range 5 east, being a short distance south and east of the town of Corning, Clay County, Ark.; and

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River in Beaufort County, S. C.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 99) to fix the times and places of holding district court for the district of Arizona.

## VOCATIONAL EDUCATION.

The committee resumed its session.

Mr. ABERCROMBIE. Mr. Chairman, the Democratic platform of 1912 contained the following declaration:

We recognize the value of vocational education, and urge Federal appropriations for such training and extension teaching in agriculture, in cooperation with the several States.

The pending resolution was introduced in the Senate by Mr. SMITH of Georgia, and, as amended by the Committee on Education of the House, is in the following language:

*Resolved, etc.*, That the President of the United States is hereby authorized to appoint a commission consisting of nine, whose duty it shall be to consider the need and report a plan December 1 next, or as soon thereafter as practicable, for national aid to vocational education.

Sec. 2. That the members of said commission shall be paid their actual traveling expenses and subsistence while engaged upon the work of said commission.

Sec. 3. That said commission shall have authority to employ a secretary and to make such investigations of the respective States as they may deem necessary, the entire expense of the commission not to exceed the sum of \$15,000.

Sec. 4. That the sum of \$15,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated to meet the expenses of the said commission.

Every Member on this side of the aisle is committed to the policy which this resolution seeks to inaugurate, and is therefore under obligation to give it prompt and serious consideration. It is the hope of the committee that the subject will appeal with equal interest to the Members on that side of the aisle, for if there is a matter of paramount concern to all of our people, regardless of party, creed, or race, it is their adequate preparation for productive capacity and efficient citizenship.

## OUR NATURAL RESOURCES.

In natural resources that portion of the earth's surface embraced within the boundaries of the United States of America has been "favored by heaven o'er all the world beside." No other country can boast a greater variety or a more bountiful supply of nature's gifts. None other possesses soils more diversified and fertile, minerals more numerous and valuable, forests more extensive and useful, streams more plentiful and serviceable, climatic conditions more varied and healthful. Sky and air, earth and sea, forest and stream, mountain and valley, soil and climate, all conspire to make our land a delightful habitation for man.

## HUMAN DEVELOPMENT.

And the greatest of nature's productions is man. Man himself is the most important of our natural resources and his development is inseparable from the development and use of those things over which he has been given dominion. Indeed, those things can be developed and appropriated only to the extent that man develops himself. Self-development is peculiar to man, and it is one of nature's laws that his development must precede the development of brute life and the utilization of things inanimate.

The power to acquire and utilize knowledge is the characteristic which, more than all others, save his spiritual nature, distinguishes man from other branches of the animal kingdom, and through the exercise of this power he has made wonderful progress in civilization. Nowhere else in the world has this progress been greater than in the United States of America. Considering the obstacles to be overcome, the hardships to be endured, and the problems to be solved, our advancement in commerce, industry, and government has been marvelous.

## A PRIME REQUISITE FOR DEVELOPMENT.

But marvelous as has been this advancement we, as a people, are still lacking in one of the requisites for complete development, namely, a thoroughly and generally efficient citizenship—a citizenship whose masses have been adequately trained individually and collectively to live sanely and ethically, and to utilize wisely and in fullest measure the unrivaled natural advantages with which our land has been endowed. In other words, except here and there, our progress in educational achievement has not been such as to render certain or possible the best of development—civic, social, or economic.

## TWO TYPES OF EDUCATION.

That education which has for its chief aim preparation for social life through personal culture is called "liberal education"; that which has for its primary object the development of productive capacity through the cultivation of individual efficiency for the performance of the world's work is designated "vocational education." Except as preparation for the so-called learned professions of law, medicine, and theology, most of the education of the past has been liberal rather than vocational, and has been given in colleges and universities, institutions that are beyond the reach of the average man. Within modern times certain other callings, notably engineering, archi-

ture, journalism, and so forth, have come to be regarded as learned professions, and for preparation for these provision is also made in the higher institutions. The tendency is to extend the designation of "learned profession" to all occupations for admission to which special academic or vocational training is generally conceded to be necessary.

Much of the so-called "liberal education" given in colleges and universities and most of such education given in elementary and secondary schools is largely vocational. All of it that serves as a necessary foundation for or as a natural concomitant of the preparation for one's life work, whatever such life work may be, is essentially vocational.

On the other hand, much of the training designated as "vocational education" is liberal. All of it that tends to widen one's mental horizon, to expand one's store of general information, to broaden one's sympathies, is essentially liberal.

Indeed, it is impossible to determine definitely just where liberal education ceases to be vocational or where vocational education ceases to be liberal. The two are so related, so inseparably connected, that it is impossible to draw a line of demarcation.

As before stated, the distinction is to be found in the chief aim, in the dominant purpose. If that be personal culture, the education is liberal; if that be preparation for efficiency in one's occupation, it is vocational.

Until within a recent period, except for the learned professions, the chief aim of education the world over has been cultural, the vocational feature being minimized. Especially has this been the case in our own country. It has been taken for granted that our youths would naturally choose or drift into the calling for which they were best adapted. As a result there are and have been countless misfits, millions of failures, and much of unhappiness, poverty, and crime.

## EDUCATIVE AGENCIES.

Educative powers and processes are broadly distributed. Of the numerous agencies for education the most potent are home, school, church, press, stage, library, occupation, workshop, playground, and community life. Each is supplemented and reinforced by some or all of the others.

The distribution of educative functions among these agencies of society is continually shifting. Under the rapidly changing social and industrial conditions of modern life new and perplexing adjustments are constantly taking place. As a natural result some of these agencies are growing less powerful as educative forces, while others are becoming more effectual in influencing and fashioning the lives of the people.

When the various means upon which we have relied for incidental and informal training in the vocations have proved to be inadequate to meet the demands of an increasingly complex social environment, the failing functions have been transferred by common consent to the school, the public school—the one educative instrumentality that is completely under governmental direction. This changing of conditions, this breaking away from long-established customs, this shifting of the offices and processes of vocational training from former agencies to the school, has produced one of the most perplexing of educational problems. Indeed, the most important problem confronting State and Nation to-day is that of providing adequate vocational instruction for the masses of the people. It overshadows tariff reductions, currency revisions, and preparations for war, for upon its wise solution depend the peace, prosperity, and happiness of our people individually and collectively. The person who is adequately trained vocationally is qualified both for efficiency in citizenship and for success in life.

Mr. MOORE. Mr. Chairman—

The CHAIRMAN. Will the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. ABERCROMBIE. I will.

Mr. MOORE. Considering the magnitude of the question, does the gentleman think this commission can complete its work and give to Congress an intelligent report by the 1st of December, as provided in the resolution?

Mr. ABERCROMBIE. In my opinion it is doubtful, and it is for that reason that the committee recommends that the resolution be amended so as to extend the date somewhat.

Mr. FESS. Mr. Chairman, would the gentleman from Alabama allow me to answer the gentleman from Pennsylvania?

Mr. ABERCROMBIE. Briefly. But I will try to do that later myself.

Mr. FESS. I was going to say that the original resolution was introduced and passed the Senate in April, and the 1st of December was a sufficient time if it had come over here and been acted upon promptly, but now it can not possibly be done by the 1st of December.

Mr. ABERCROMBIE. I thank my friend for his suggestion. As amended the resolution calls for a report by the 1st day of December or as soon thereafter as practicable.

#### THE NEW EDUCATION.

The world is coming to a realization of the fact that the vocationally educated man or woman succeeds best in business and industry as well as in the so-called learned professions; that commercial and industrial callings are as important and honorable as are civic, cultural, and professional pursuits, requiring as high a type of intelligence and character; and that if, as individuals or as a people, we would equal or surpass our competitors in skillfulness we must possess equal or superior skill. [Applause.]

Experience has shown that the chances for success and distinction of the person who possesses native talent alone, whatever may be his occupation, are far inferior to those of the person who combines with native ability the systematic and disciplinary training of a thorough and wisely selected course in vocational instruction. An education of the eye to see, a training of the hand to do, a teaching of the mind to think, a discipline of the will to execute—these, combined with a properly cultivated conscience, are absolutely essential in this age of specialization in material development. [Applause.]

The old type of education, which was dominantly liberal in its purpose, no longer suffices, and is called upon to make place for the new; and the new type, which must be dominantly vocational in its aim, will be varied and specialized, as specialized and as varied as are the occupations of the human race.

The task with which we are confronted is a most difficult one and raises many questions that educational tradition and civic experience do not answer. Lawmaker and schoolmaster must cooperate in finding a solution. Meantime our school system enters upon a period of transition. Unfortunately the situation is complicated by the confusion incident to the conflict of two sets of ideals, one of them old and rooted in tradition, the other young and extremely vigorous. As is usually the case under such conditions, sane reasoning is hindered by the controversies engendered.

#### SUGGESTED SOLUTIONS.

Various methods have been suggested for the solution of this problem. By some students of education and sociology it is contended that the solution is to be found in the revival and extension of the apprenticeship system; by some that it lies in the establishment of independent trade schools; by some that it can best be secured through vocational courses of study given by specially trained teachers in the schools already in operation.

There is a difference of opinion also as to the attitude that the Federal Government should assume in the matter of providing vocational training for the masses. Some contend that it should remain a State function, while others, perhaps a majority, favor national aid. Personally I believe that it is as much to the interest of a State that the people of every other State should be adequately educated as it is to the interest of a county in a State that the people of every other county in that State should be properly trained. If it is the duty of the richer counties to assist the poorer counties in the State, equally is it the duty of the wealthier States to assist the less wealthy States in the Nation. This is essential to national solidarity and national efficiency. [Applause.]

Mr. HARDY. Will the gentleman yield for a question there?

Mr. ABERCROMBIE. I will yield for a moment.

Mr. HARDY. Does not that same reasoning apply to all education? And under that reasoning, would not you establish national schools from A to Z?

Mr. ABERCROMBIE. In great measure the same reasoning does apply to all education, and I favor Federal appropriations for general educational purposes; that is, I favor cooperation of State and Nation in the support of education, especially elementary and secondary education of a vocational type.

It is probable that the solution will be found in a wise utilization of all of the methods suggested. Our commercial, industrial, occupational, and educational conditions are so numerous, diversified, and complex as to render it practically impossible to apply everywhere exactly the same method to the solution of any social problem. But so far as it is possible there should be uniformity of method, and so far as they can be utilized existing agencies should be employed. Such a policy will conduce to economy in both school and governmental administration.

#### RESULTS OF VOCATIONAL TRAINING.

Vocational education of the right kind for everybody would remedy many untoward conditions, check many alarming tendencies. Briefly stated, these would be some of the results of such education:

First. It would hold in the schools for a longer period the millions of children who under existing conditions withdraw at about 14 years of age, vocationless, aimless, and helpless. The majority now quit school at that age, most of them to follow juvenile occupations—blind alleys that lead nowhere.

Second. It would equip for productivity and self-support a majority of the 95 per cent of the people who are now forced to enter upon life's work untrained vocationally. It is estimated that under present methods not more than 5 per cent receive special vocational training. Preparation for life is the great desideratum.

Third. It would check the rapid and alarming drift of population from the country to the city, and thereby promote the development of agriculture, one of the results of which would be a reduction in the cost of living. The country boy moves to the city because he believes that there the possibilities of success are greater.

In former times one or two members of a farmer's family moved to the city—now the entire family moves. In 252 counties of the United States, nearly all of them rural, the population is less than it was 30 years ago; in numerous others it is stationary in rural communities. If this tendency is not checked, we will ultimately cease to be a food-exporting Nation. We may become a food-importing people in a country whose agricultural possibilities can not be estimated.

Agriculture is a national problem, and the people must be taught what is possible in agriculture. Soil depletion must be supplanted by soil repletion. Let us not forget that food production must precede food consumption.

France, the greatest producer nation in the world, has in great measure solved the problem of agriculture. She maintains numerous agricultural schools. Why not follow her example?

Fourth. It would tend to make producers rather than consumers of the boys and girls reared in the cities, a large percentage of whom are foredoomed under existing conditions to lives of idleness and failure.

The city youth, no less than the country child, suffers from lack of vocational guidance and preparation. Only 38 per cent of our people are breadwinners. The Nation's greatest task is to convert its idlers into producers.

Fifth. It would greatly ameliorate the condition of those who labor, whether in mine or factory, in countinghouse or field, in commerce or industry. The sons and daughters of the men who toil should no longer be neglected.

Every child should be guaranteed an equal chance in life with every other child. For the untrained there can be no equality of opportunity.

Sixth. It would diminish poverty and crime, which in large measure are due to lack of definite occupation and inadequate vocational instruction.

Pauperism and criminality are usually the results of untrained or misdirected energy.

Criminals and beggars come chiefly from the ranks of the unskilled and vocationless.

Ignorance and idleness, shiftlessness and inefficiency, imperil State and Nation. Prevention is the remedy. [Applause.]

#### A FOREIGN VIEW.

But, Mr. Chairman, it is impossible in the time allotted for me to enumerate the benefits that would accrue to individuals, to the States, and to the Republic from the operation of a properly organized, adequately supported, and efficiently administered system of vocational education.

Mr. CLAYTON. Mr. Speaker, may I interrupt my colleague just a moment?

Mr. ABERCROMBIE. Yes.

Mr. CLAYTON. I understand that two propositions have had the consideration of the Congress, one known as the Lever bill and the other known as the Page bill, and that the object of the pending resolution which my colleague now advocates is to have appointed by the President a commission of experts who have given thought and study to the matter to consider the subject and bring to the Congress a plan for our intelligent guidance, so that we may formulate proper legislation on the matter of vocational education. And I want to say, Mr. Speaker, before my colleague answers that question, that I am in hearty sympathy with the object of his resolution. And I want to say further to the House, because he is too modest to say it himself, and perhaps the House does not know it, that there is no Member here who has devoted more years and more intelligent thought to the great and overshadowing question of education than my colleague who now addresses the House. He has distinguished himself in the line of educational endeavor in my own State, and I am glad that he is here to contribute his services to this great cause of the country at large. [Applause.]

Mr. ABERCROMBIE. I thank my colleague and friend for his compliment, and in further reply I will say that he is entirely correct as to the object of the pending resolution. There is great diversity of opinion among the people and among the Members of Congress as to what is the best method of procedure. Some claim that we should enact the Lever bill, others that we ought to pass the Page bill. Whatever legislation is enacted will result in great and increasing expenditures on the part of the Government. Congress will be called upon ultimately for very large appropriations, and the Committee on Education is of the opinion that we ought not to run the risk of making a mistake in the very beginning; that we ought to know where we are going before we start; that before the Government enters upon the policy of making large expenditures for education in any form, time should be taken to have a committee of experts, as is suggested by this resolution, investigate the subject thoroughly and recommend a plan of action.

Mr. TALCOTT of New York. Will the gentleman yield?

Mr. ABERCROMBIE. I will.

Mr. TALCOTT of New York. Is it the idea of the gentleman from Alabama that this commission will take under consideration matters in the scope of both the Page bill and the Smith bill?

Mr. ABERCROMBIE. That is my idea. I believe it ought to do so, because agricultural training is as much vocational education as is any other form of occupational instruction. Indeed, in my opinion, agricultural training is the most important form of vocational education.

Mr. TALCOTT of New York. I understand the idea is that the proposed commission shall take up for consideration matters of a larger scope, including matters of law, for example, and things of that kind.

Mr. ABERCROMBIE. That is not my idea, and that is not the contention of the committee. How much time have I left, Mr. Chairman?

The CHAIRMAN (Mr. ALEXANDER). The gentleman has three minutes left.

Mr. ABERCROMBIE. I see very clearly, Mr. Chairman, that I shall not have time to complete the line of thought that I had in mind.

Mr. ELDER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. ABERCROMBIE. I will yield for a question.

Mr. ELDER. If this is started, and the Federal Government should start the general control of the schools, does the gentleman think that we people of the South could afford to turn over our public schools to the Federal Government?

Mr. ABERCROMBIE. I do not think we could, and I do not advocate that, and this committee does not advocate that. I favor Federal aid under State supervision; but I will answer that question more fully later when I come to it.

Mr. ELDER. Does not the gentleman think that would be the logical conclusion of it?

Mr. ABERCROMBIE. I do not. The Federal Government is making appropriations to-day, and has for 50 years, for education in every State of the Union. The land-grant colleges of the various States are supported in large measure by Federal appropriations, and we have had no trouble there in the matter of Federal intervention or interference.

Mr. CLAYTON. Mr. Chairman, I ask unanimous consent, in view of the interruptions that have been made of my colleague, and in view of the most excellent argument that he is giving us, that his time be extended for 30 minutes.

Mr. ABERCROMBIE. I should appreciate that, although I do not ask it.

Mr. CLAYTON. I ask it, Mr. Chairman. I know the modesty of my colleague.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama [Mr. CLAYTON]?

Mr. PAYNE. Mr. Chairman, I hope there will be no objection to that. I unite in the gentleman's request.

The CHAIRMAN. Without objection, the time of the gentleman will be extended 30 minutes.

There was no objection.

Mr. ABERCROMBIE. While in a few widely separated communities considerable progress has been made in the establishment of vocational schools, it is recognized by students of education that the task is only begun. This neglect of duty upon our part not only weakens our capacity for internal production and trade, but also gives encouragement to our competitors in international commerce and hampers us in our efforts to secure our share of the business of the world.

Not long after the St. Louis Exposition had been closed certain German critics who had visited the exposition reported to their countrymen that, notwithstanding our superior natural

advantages and wonderful industrial achievements, Germany had nothing to fear from the United States in competition for international trade. With all of our advantages, they found offsetting disadvantages sufficient, in their opinion, to warrant them in reassuring their fellow citizens of Germany's ability successfully to continue to compete with us in the markets of the world.

Perhaps the most significant of the offsetting disadvantages reported was that described as "a feeling of complacent satisfaction with everything American." As an evidence of this "complacent satisfaction with everything American" they called attention to our lack of adequate provision for the industrial training of the masses and to our "reliance on a general and more or less superficial education, together with natural adaptation." Overconfidence and inadequate vocational education were, in their opinion, sufficient to retard greatly the development of the most favored nation on earth.

It behooves us to investigate the conditions upon which this intelligent criticism is based.

#### PHYSICAL RESOURCES AND INDUSTRIAL TRAINING.

In this connection permit me to quote from Industrial Education, by Dr. Harlow Stafford Person, of Dartmouth College:

Had these German critics—

He says—

wished to give an analysis of the advantages possessed by the United States they could have done no better than to adopt \* \* \* the analysis presented by our own Federal census. The industrial strength of the United States is to be attributed to five primary causes:

1. Agricultural and similar resources; in the production of wheat, corn, cotton, animal products, and forest products the United States stands first.

2. Mineral resources; in the production of coal, iron ore, and copper, basic materials of industry, the United States stands first, and in the production of the precious metals ranks with the leading countries.

3. The development and perfection of her transportation system the United States possessing more miles of railroad than all the countries of Europe combined, maintaining lower rates than obtain in any other country.

4. Freedom of trade between all the States and Territories, which combines into one commercial area regions as diversified climatically as Italy and Scandinavia, thus forming the greatest home market in the world.

5. A doubly selected population possessing a freedom from inherited and over-conservative ideas; energetic, active, adventurous, but not undisciplined.

For a similar analysis of the disadvantages suggested—

Continues Dr. Person—

they (the German critics) might have offered the following:

1. The very prodigality of nature in this virgin region has made the acquisition of wealth so easy that there has developed on the part of the American people a liking only for the accomplishment of big things at whatever cost—a wasteful disposition. Such a wealth of resources has been offered to the relatively sparse population of this extensive region, that nature has in effect borne the cost of this waste—as in the exploitation of forest resources—and has developed a careless confidence. But now that the surplus of natural wealth has been generally appropriated success must come to the individual, not as a matter of the mere further appropriation of nature's wealth, but by the creation of wealth by effort. Under these new conditions a careless, wasteful disposition handicaps the American in his competition with more thrifty peoples.

2. The freedom from inherited and overconservative ideas and the individualistic habit of thought of the settlers, accentuated by a physical environment which has promoted the success of individual as opposed to concerted effort, has tended to cause self-reliance to degenerate into a state of mind approaching conceit, into a careless confidence in the success of all things American.

3. The physical wealth of the country has been so reflected in a high standard of living on the part of all classes, in large profits and high wages, that success in competition by the cutting of wage cost, on the one hand, or by accepting decreased profits, on the other hand, can be accomplished only with great confusion.

4. The vast supplies of cheap power and cheap raw material have been already appropriated by a limited number of industrial explorers, and their future value already capitalized in "prospective earnings" and distributed by "business enterprise" to the public. To the great mass of enterprisers in the United States, therefore, their properties do not represent nature's bounty but capital invested. Nature's bounty has been gathered in in advance by comparatively few. For the great number of enterprisers to conserve invested capital means to resist any considerable decrease in profits based on values partly artificial. The necessity of maintaining fictitious values is a handicap in international competition.

5. Notwithstanding their great system of public education, the American people do not yet possess, and do not seem to appreciate the value of, the most efficient human instrument for increasing competitive efficiency under given conditions of natural resources—a system of technical education. This the Germans do possess, and it gives them an advantage in competition with the Americans.

In short—

Concludes Dr. Person—

the German observers console themselves by recognition of the plain fact that now, except for a few world monopolies, such as the mineral-oil industry, the profit on invested capital for the individual producer in the United States is narrow; that the German or any other people, in spite of inferior natural resources, by careful, economical methods, by the development of the greatest skill not only in the fashioning of goods but in the art of exploiting markets, may compete on equal terms with a people possessing superior resources but self-confident, complaisant, and disdainful of effort.

For a continuance of the ability to cope with us in international trade Germany relies not upon superior natural advantages—her resources are very meager in comparison with ours;

not upon extraordinary climatic or agricultural conditions—her climate is rigorous and her soils are unfertile; not upon a rapidly increasing population—no other country excels ours in that respect; not upon her supply of raw materials—most of her raw materials are imported from other countries, some of them from our own; not upon a superior type of citizenship—in grade of citizenship America is unexcelled.

Germany places reliance in her one advantage—an acquired advantage—a highly developed system of technical (vocational) education. And she competes with us not only in foreign markets, but also in our home market. Even in America the best recommendation that a manufactured article can bear is expressed in these words: "Made in Germany."

What is true of Germany is true in great degree of several other foreign countries. It is clear, therefore, that we can not longer rely entirely upon our unrivaled natural resources for success in the markets of the world. Our chief resource, the children of the land, must be trained as well or better than the children of other lands. Nothing short of this will suffice.

#### OUR EDUCATIONAL POLICY.

Our educational policy, whether State or National, should be all-comprehensive in scope and extremely individualistic in application.

Unwise and full of error is the contention that the citizen is under obligation to provide educational advantages for his own children, and his own children only. Equally untenable is the contention when applied to States. Woe unto that government which makes provision for courthouse, prison, and scaffold and at the same time neglects adequately to train its children for self-support and for the responsibilities of citizenship!

If there is a matter of supreme importance to both State and Nation, surely that matter is the establishment and maintenance in each of the States of a well-organized, adequately supported, and efficiently administered school system—a system which will guarantee to every child such training of head and hand and heart as will fit for intelligent, independent, and patriotic citizenship and as will qualify for successful effort in the occupations of life.

This should be our educational ideal; this our educational policy.

#### EDUCATIONAL CONDITIONS IN THE SOUTH.

Each of the States has established a system of public schools, but this ideal has been attained in few, if any. Certainly no Southern State has reached that standard. And I will speak now of educational conditions in that section.

Prior to the War between the States conditions in the South, civic, social, and economic, were not such as to conduce to the development of the doctrine of universal education at public expense. Not until the close of the period of reconstruction did that principle take deep root, and not until within a recent period did it become popular. Even now there are many people who, if they do not openly oppose, are extremely lukewarm in their advocacy of government-supported schools for all of the people.

This attitude upon their part is due chiefly to the fear that the education of the negro along old-time conventional lines will tend to disturb social, civic, and industrial conditions, and thereby render more acute the already tensely acute racial situation. That such fear exists, and that upon the part of many it is an honest apprehension, there is no question.

Our policy relative to negro education in the South has to do directly with several perplexing problems, among which are the labor problem and the problem of the adjustment of the races. Every section is engaged in the solution of a labor problem, and every section is coming to have an increasing interest in the solution of the problem of the races.

Each of these problems calls for prompt and serious consideration. Alike to both races do they appeal, and so related, so inseparably interwoven are they, that it is impossible to consider them as distinct propositions. With us the labor problem is largely a race problem, and for the same reasons the race problem is largely a labor problem.

On account of the enormous influx of people from other nations, amounting to more than a million annually, the problem of labor as it relates to the entire country is growing in complexity. Indeed, labor and capital seem to be destined to the waging of an unending contest. At times the fierceness of the conflict shakes the foundations of government, threatens a disruption of business and industry, and presents an appalling spectacle of man's inhumanity to man. Students of government, lovers of justice, friends of humanity, all have been shocked and dismayed.

The South's labor problem is peculiar to the section, and grows out of the occupancy of the same territory by two very dissimilar races, one of which was for generations under involuntary servitude to the other. It would be useless to undertake in this presence to place the burden of blame for the existence of slavery. Suffice it to say that all impartial students of history are agreed that the sections were jointly responsible, and that so long as slavery was financially profitable, neither section questioned either the ethics or the wisdom of its continuance.

While its abolition was accomplished through the most stupendous expenditure of blood and treasure known to history, the people of both sections, of the South no less than of the North, rejoice that human slavery no longer exists. [Applause.]

#### SOME RESULTS OF SLAVERY.

The effect of slavery upon labor was to degrade it—to degrade it in the estimation of each race. To the white man, labor, especially physical labor, came to be regarded as fit only for the slave. To the negro, it came to be looked upon as an attribute of slavery, and therefore to be despised and evaded. Is it any wonder, then, that freedom brought to both races economic confusion and industrial disaster? The negro regarded it as freedom from work; the white man as subjection to an ignoble existence. The natural, the inevitable result was many mistakes upon the part of each. Each suffers to-day from those mistakes, though many of them were committed almost a half century ago.

But, Mr. Chairman, the southern whites and blacks were not the only people who blundered in the beginning of freedom. The greatest of the mistakes of that exciting period was committed by those who administered the affairs of the Federal Government. The sudden and wholesale enfranchisement of three millions of people steeped in ignorance and superstition, and who had received no preparation whatever for the grave and exacting duties of citizenship, was the colossal mistake of the times, and was as unfair to the ex-slave as it was unjust and cruel to his former master. It drove a poisoned dagger to the heart of the white South, and retarded temporarily, if not for all time, the civic growth and educational development of both races. It complicated if, indeed, it did not create the race problem. The disastrous effects of that stupendous error are still visible and burdensome. For almost 50 years they have obscured the visions of men.

#### THE RACE PROBLEM.

And there is a race problem. Close our eyes to it as we may, try to evade it as we will, the problem remains. To teach two dissimilar races to live upon the same soil in harmony and mutual helpfulness, to develop without friction a race within a race, to establish a civilization within a civilization—that seems to be the problem of the races. There has been nothing like it in history; there is no lamp of experience by which to guide our footsteps.

The problem is not open to immediate and complete solution. If it is ever solved, the solution will come through cooperative efforts upon the part of intelligent and patriotic representatives of both races and all sections. Great intelligence, unswerving honesty, unflinching patriotism, wisest discretion, and untiring consecration will be necessary. There will be needed also much of toleration, patience, confidence, earnestness, courage, and true religion.

In other words, for the race problem, as with all other problems, there is no solution outside of education. This education must be of the right kind and must be universally applied. The most ignorant are not the most efficient, even in the performance of so-called menial tasks. On the contrary, the most ignorant are the most inefficient and at the same time the most immoral, the most criminal, the most dangerous to society and government.

Every white home in the Southland is jeopardized by the presence of the great horde of ignorant, superstitious, unclean, disease-breeding members of that race. The negro cooks our food, nurses our children, washes our clothing, tends our homes, and in self-defense, if not from a spirit of altruism and patriotism, it devolves upon the dominant race in both State and Nation to see to it that he is taught how to live intelligently, morally, and hygienically. He must be trained for his environment, and his education must be industrial, technical, and moral rather than literary, professional, and cultural. [Applause.]

#### NATIONAL AID NECESSARY.

While each of the Southern States has recognized the necessity for universal education at public expense, while each is striving heroically to meet its obligations in that respect, and while under existing conditions each is making commendable

progress, in many of them the task is only begun. Indeed, to students of economics it is coming to be clear that the task of providing adequate educational facilities for all of the people is beyond the power of some of the States to perform.

Mr. AUSTIN. Mr. Chairman, in that connection I want to ask the gentleman if we did not make a great mistake in not passing what is called the Blair educational bill, so far as the interests of the South were concerned?

Mr. ABERCROMBIE. In my opinion, yes; and I may say that it was then, as a schoolboy, that I became an advocate of Federal aid to education.

Mr. KINDEL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Colorado?

Mr. ABERCROMBIE. I do.

Mr. KINDEL. If you had better freight rates in the South, would you not fare better in your section? Is not the lack of better freight rates a hindrance to the development of the South, the same as it is of the West?

Mr. ABERCROMBIE. I think, perhaps, that does contribute somewhat to the material conditions there.

Mr. KINDEL. And is not that one reason why Germany and other European countries are better situated than we? Take, for example, the parcel post. You can ship an 11-pound package by parcel post from Germany to this country for 81 cents. The same package sent from here to Salt Lake City, for example, would cost \$1.32.

Mr. ABERCROMBIE. I can not answer that question. I am not so well posted on parcel-post rates as is the gentleman from Colorado.

Mr. KINDEL. In addition to vocational education, would it not be well to add commercial geography, as you might put it?

Mr. ABERCROMBIE. Perhaps so. However, I am unable to yield further at this time.

If the South were as wealthy and productive as other sections of equal area and population, which is not true by reason of the ravages of war and the presence of the negro, it would require about one and one-half times their rate of taxation to give to her children advantages equal to those provided by other sections for theirs, for the reason that the South is confronted with the irremovable necessity of maintaining a dual system of schools. To provide equal advantages under existing conditions would require a rate of taxation many times larger than that levied elsewhere. Such a rate would be oppressive, impoverishing, confiscatory, and most of the burden would have to be borne by about half of the population.

If this be a correct diagnosis of the case, what is the remedy? In the absence of action by the National Government there is no hope of prompt and effective relief. Congress should make an adequate annual appropriation for purposes of education, general and vocational, to be apportioned among all of the States, chiefly upon an illiteracy basis, and to be expended under the supervision of the several States. Such apportionment would place most of the appropriation where it is most needed and therefore where it would accomplish most good for the entire country. It would also leave the direct administration of the fund with the individual States, where it properly belongs.

Shall the Federal Government make appropriations for the building of locks and dams, for the deepening of rivers and digging of canals, for the irrigation of arid lands, for the construction of public highways, for farm demonstration purposes, for the eradication of the boll weevil and cattle tick, and at the same time neglect the nobler and more important duty of preparing the masses of its people for intelligent, productive, and patriotic citizenship? Such a policy is little less than social and governmental suicide. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. FIELDS. I ask unanimous consent that the gentleman be permitted to conclude his remarks.

Mr. ABERCROMBIE. Five minutes will suffice.

The CHAIRMAN (Mr. ALEXANDER). The gentleman from Kentucky asks unanimous consent that the time of the gentleman from Alabama be extended five minutes. Is there objection?

There was no objection.

Mr. ABERCROMBIE. In view of the importance of this question of adequate vocational training for all of our people, in view of the fact that the Federal Government will probably be called upon ultimately for many millions of dollars, in view of the great diversity of opinion in this House and the other, the Committee on Education believes that before we enter upon a policy we should authorize the President, who is eminently qualified for that service, to appoint the commission proposed

in the resolution—a commission to be composed of students of education, of experts in vocational training. The House will not be compelled to adopt the report which may be submitted; but it is the opinion of the committee that it would be wise to authorize the appointment of the proposed commission, defer action for two or three months, and get the benefit of the opinion of recognized experts.

Senator SMITH of Georgia, who advocates one of the theories advanced here, and Senator PAGE, of Vermont, who leads another school of thought, appeared before the Committee on Education and requested jointly that the resolution be reported favorably. I hope every Member will vote for its adoption. [Applause.]

Mr. LAZARO. Mr. Chairman, I have received two letters on this important pending question, one from T. H. Harris, superintendent of public education of Louisiana, and the other from Thomas D. Boyd, president of Louisiana State University, and I ask unanimous consent that these letters be published in the RECORD.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to print two letters in the RECORD. Is there objection?

There was no objection.

The letters referred to are as follows:

STATE OF LOUISIANA,  
DEPARTMENT OF EDUCATION,  
Baton Rouge, June 17, 1913.

Hon. L. LAZARO,  
Washington, D. C.

DEAR DR. LAZARO: I understand that a joint resolution (S. J. Res. 5) has been introduced by Senator HOKE SMITH, of Georgia, and reported favorably out of the Senate Committee on Education and Labor, providing for a commission charged with the duty of investigating carefully the question of industrial education, with the view of making a report to the National Congress which would be of value to that body in determining what should be done, if anything, in the way of aiding the States in promoting education of a practical nature.

I am perhaps not far wrong when I say that one of the most important educational questions before this country is this question of what should be done in bringing the industries into the schools and fitting boys and girls for efficiency along practical lines. A commission of able men with the National Congress behind it ought to be able to gather information of great value and to make a report which would in some measure, at least, settle this important question. I trust, therefore, that you will give your hearty support to the resolution mentioned above, using your influence to have such a commission appointed and to supply it with the funds that will place it in position to gather valuable information.

With good wishes,  
Yours, sincerely,

T. H. HARRIS.

LOUISIANA STATE UNIVERSITY AND  
AGRICULTURAL AND MECHANICAL COLLEGE,  
PRESIDENT'S OFFICE,  
Baton Rouge, September 13, 1913.

Hon. L. LAZARO,  
House of Representatives, Washington, D. C.

DEAR SIR: On the 6th instant a bill was introduced in the Senate by Mr. SMITH of Georgia, and in the House by Mr. LEVER, of South Carolina, which is of special interest to the university as the agricultural college of Louisiana. It is designated S. 3091 and H. R. 7951, and provides for agricultural extension work by the agricultural colleges in cooperation with the United States Department of Agriculture.

This bill is the outcome of efforts that have been made for several years to secure congressional legislation on this subject. After numerous revisions, the bill is now in such shape that it should be entirely satisfactory to the agricultural colleges, the United States Department of Agriculture, and the friends of such legislation in Congress. The passage of this bill will be of vast benefit to the people of Louisiana. It will enable the university to continue and extend the agricultural extension work begun some years ago. This work has already accomplished much good for the farmers of Louisiana and there is a growing demand for its extension. It is impossible for the university to meet this urgent demand from the farmers of the State with its present limited means. I hope, therefore, that you will give to the agricultural extension bill your earnest and active support, not only because it will be especially beneficial to the State of Louisiana at this time, but because it will satisfy the universal demand of American farmers for legislation of this kind.

This bill is less complicated and carries a smaller appropriation than the bill for vocational education introduced by Senator PAGE, but there is no necessary opposition between the two. In my judgment, it would be better to pass the Smith-Lever bill now, because it meets a pressing need, while the Page bill, of much wider scope, may safely be left for future consideration.

Very respectfully,

THOS. D. BOYD, President.

Mr. MONDELL was recognized.

Mr. MOORE. Before the gentleman from Alabama [Mr. ABERCROMBIE] takes his seat, I want to ask him a question.

The CHAIRMAN. The time of the gentleman from Alabama has expired. The gentleman from Wyoming [Mr. MONDELL] has the floor.

Mr. MOORE. Will the gentleman from Wyoming yield?

Mr. MONDELL. I will yield.

Mr. MOORE. I would like to ask the gentleman from Alabama, who is unquestionably an authority on this subject, how long he thinks it will take this commission to make this investigation and complete its report?

Mr. ABERCROMBIE. Personally I believe it will take anywhere from three to six months, but I may be mistaken about that.

Mr. MOORE. The resolution fixes December 1, or as soon—

Mr. ABERCROMBIE. Or as soon thereafter as practicable.

Mr. MOORE. Does not the gentleman think we had better fix a definite time?

Mr. ABERCROMBIE. The only trouble about fixing a definite time is that the commission may not be able to report within the time fixed.

Mr. MOORE. We have two other bills to consider, and it is indicated by the chairman of the committee that one of them will not be affected at all by this resolution; that is to say, the Lever bill, which pertains to agricultural education. It might be important for us to have whatever information we can get from this commission before we consider either of the pending bills.

Mr. ABERCROMBIE. That is my opinion. However, I am not speaking for the committee. Personally I have no objection to fixing a definite time.

Mr. MOORE. Does the gentleman think three months would be sufficient?

Mr. SIMS. No.

Mr. ABERCROMBIE. I doubt it.

Mr. MOORE. Does the gentleman think the 1st of April would be time enough?

Mr. ABERCROMBIE. I think they might report by the 1st of April.

Mr. MONDELL. Mr. Chairman, we have listened with a great deal of interest, and I think with much profit, to the remarks of the gentleman from Alabama [Mr. ABERCROMBIE]. I think most of us agree to a very large extent with the views he has expressed. He expressed one view, however, just at the close of his remarks, that I can not altogether approve, in view of the fact that we had hoped that through the passage of the contemplated legislation we might derive some benefit up our way. If, however, the suggestions of our good friend from Alabama [Mr. ABERCROMBIE] are adopted, that Federal appropriations when made ought to be based on illiteracy, we in Wyoming will not get much benefit, for we have very few illiterates in our State.

Mr. ABERCROMBIE. May I interrupt the gentleman?

Mr. MONDELL. Certainly.

Mr. ABERCROMBIE. Does not the gentleman believe that such appropriations ought to be placed where they will do the most good?

Mr. MONDELL. I agree with the gentleman, and I appreciate and sympathize with the peculiar difficulties that confront the people of the South in the matter of education by reason of the fact that they must maintain two systems.

Mr. ABERCROMBIE. Another question. Leaving out the peculiar conditions in the South, leaving out the special needs of the South, does not the gentleman think adequate vocational training for all the people is desirable?

Mr. MONDELL. I do; but does not the gentleman think that it might be a temptation to increase illiteracy in order to get Federal appropriations if appropriations were based on illiteracy?

Mr. ABERCROMBIE. Will the gentleman yield further?

Mr. MONDELL. Certainly.

Mr. ABERCROMBIE. That is simply my personal opinion. Of course, the committee is not committed to any such proposition.

Mr. MONDELL. I realize that, and personally I would be favorable to legislation that would have the effect of giving the greatest aid where it is the most needed; that is, in sections where there is the largest amount of illiteracy; but I should scarcely want to have Federal appropriations for these purposes based on the percentage of illiteracy any more than I should want to have the appropriations for roads, which gentlemen hope to get in future, based on the depth of the mud, because we do not have much mud out our way, except very rarely, and if appropriations for roads were based on the depth of mud that had to be traversed, as the gentleman from Oklahoma [Mr. MURRAY] suggests, our name would be mud, so far as appropriations are concerned, while Oklahoma, with its rich and rare gumbo, would probably benefit very largely.

Mr. Chairman, on August 23, 1912, the House passed a bill to establish agricultural extension departments in connection with agricultural colleges in the several States, and so forth, providing for agricultural extension work in the agricultural colleges, and, through the agricultural colleges, agricultural extension work of a practical character upon the farms. That bill was amended in the Senate by striking out all after the enacting clause and inserting legislation the effect of which

would be to make direct appropriations for agricultural and vocational instruction in the higher and intermediate schools of the country. The conferees were unable to agree as between these widely differing propositions, and it is now proposed to have the President appoint a commission of nine, whose duty it shall be to consider and report a plan by December 1, or as soon thereafter as practicable, for national aid to vocational education.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MOORE. Will the gentleman advise us if the bill he refers to is not commonly known as the Lever bill?

Mr. MONDELL. Mr. Chairman, the bill to which I refer is commonly known as the Lever bill, and the amendment made in the Senate is commonly known as the Page bill.

Mr. MOORE. So that we may clearly understand what we are discussing, the Lever bill does not pertain to vocational education, generally speaking, but pertains only to agricultural education, or the sending out of lecturers to farmers?

Mr. MONDELL. No; the Lever bill would to a certain extent aid vocational education in the agricultural colleges and in connection with the agricultural colleges; but it is more distinctively a bill for agricultural education and practical agricultural extension work.

Mr. MOORE. It has been stated here by the chairman of the committee presenting the resolution that if this commission were appointed to investigate and report upon the matter of vocational education, in all probability it would not in any way affect the so-called Lever bill to which the gentleman refers. Does that mean, then, that the matter of instruction to the farmers of the country, as contemplated by the Lever bill, would be taken away from the commission and would confine its work solely to investigating the question of educational instruction in other occupations, such as the mechanical arts and the industries?

Mr. MONDELL. Mr. Chairman, I would say that the suggestion made by the gentleman from Pennsylvania has a good deal of merit in it, unless we consider agricultural education as vocational and agricultural instruction as vocational, and I think the resolution is open to that criticism.

My objection to the resolution, Mr. Chairman, is not due to the fact that the language does not clearly indicate what I assume to have been the thought of the committee in reporting it. There are few Members of the House—at least from the agricultural districts—who are not well informed with regard to the two general plans of Federal aid which have been proposed, and there are many Members of the House who are, in my opinion, as well informed on that subject as any gentlemen whom the President could possibly select as a commission. To mention only two out of a multitude, the gentleman from South Carolina [Mr. LEVER] and the gentleman from Michigan [Mr. McLAUGHLIN] have given a great amount of study to these questions, and they and many of our colleagues are as well informed in the matter as any members of a commission which the President may appoint. The House generally is as well informed on the subject; the Senate is as well informed on the subject.

The two plans differ from each other very greatly, and most Members have considered the matter sufficiently that their minds are pretty well made up with regard to them. It is true that there is a difference of opinion between the House and the Senate, and it seems to have occurred to some gentlemen that the differences between those opposing views might be composed by the appointment of a commission. I can not think of any new facts, of any convincing arguments that might be presented that have not already been presented or that have not already occurred to gentlemen in regard to the relative merits of those two plans or of any possible combination of them. But when there is a difference of opinion between Members of the House and the Senate or between the committees of the House and Senate in regard to matters of legislation passed by one body or the other a plan is provided whereby those differences may be composed, if it is possible to accomplish that result. If gentlemen can be brought into agreement, we have a way in which that can be accomplished, to wit, through a committee of conference, and a committee of conference of the House is just as well qualified—in my opinion, very much better qualified—to hear the arguments of both sides, to judge of the views of the two bodies, and to reach an agreement with regard to the differences between the two Houses, if it is possible to reach such agreement. This is a most unusual method to adopt in an attempt to compose differences between the two Houses, and it is, in my opinion, a method which would be much more honored in the breach than in the observance.

If every time we have a disagreement between the two Houses and conferees are unable to agree the suggestion is made that the President or some one else appoint a commission to investigate the subject matter—if every time that condition occurs we proceed along those lines, it is an admission that the method established by the Constitution does not work well, is not effective, and I do not think gentlemen are willing to admit that at this time. It further involves an admission that somewhere outside of Congress the President or some one else may find some gentlemen who as members of a commission can bring arguments which will influence Members of Congress or inform them on important subjects and influence them when their colleagues are unable to do so. Now, I do not claim that Congress is all wise or that in the breasts and minds and hearts of Members of those two bodies reposes all the information in the world by any manner of means, but I do believe that on subjects which properly come before the two bodies in the regular way Members can generally be found who are quite as well informed on those subjects as anyone in the country; and if they are not, certainly the membership of this House is capable of securing information in the usual way and proceeding to an adjustment of the differences which may exist between them. The precedent, I say, is a bad one, an unfortunate one; it is one that will have a tendency to incline gentlemen who by reason of pride of authorship or for other reasons are inclined to insist on a disagreement to do so in the hope that by the appointment of a commission an easy method may be provided whereby gentlemen may recede from positions they have taken without loss of prestige. There is another thing about this appointment of a commission. If the House approves the appointment of a commission, the House is to a certain extent bound by the report of the commission.

Mr. HUGHES of Georgia. Will the gentleman allow me to ask him a question there?

Mr. MONDELL. Yes.

Mr. HUGHES of Georgia. In the event that this commission is appointed, the object of that commission is to report a plan for vocational education. That does not, in your opinion, does it, bind the House to that plan? Could they not reject it if they saw fit and proper to do so?

Mr. MONDELL. Well, I will say to my friend that we have been trying for some time to evolve a plan. The House did evolve a plan for agricultural training. The Senate evolved a plan for vocational training. The conferees were unable to agree as between them. I do not believe that it is necessary to go outside of Congress and ask the opinion of a commission of gentlemen, no matter how well informed they may be, as to what, in their opinion, would be a feasible and a workable and a satisfactory plan.

But if I were to arrive at the conclusion that that was necessary, that the appointment of a commission was the only way of arriving at an agreement as to what the plan should be, I should feel that I was under obligation, at least, if I did not fully agree with the plan, to very largely accept the judgment of the commission that I had proposed should be appointed. I do not think that we ought to abrogate our functions as legislators in that way. If we had not considered this subject at all, if this were comparatively a new subject, and if the Congress before beginning an investigation of the subject desired all the information that experts could give it, then it might be all right to appoint a commission, as we did in the case of the monetary commission, to study the subject and to make suggestions and recommendations. But the House has considered the matter fully. I assume that the Senate has done so also. There are gentlemen in the House who have given years of study to these questions, and I think are as well qualified to pass upon them as any commission that the President might appoint.

There is another proposition involved. The differences between the two Houses are in a sense fundamental. As between the extension of Federal aid through channels already established, intended to reach the farmer primarily and principally, and a proposition that the Federal Government shall take out of the Public Treasury large sums of money and turn them over to school districts for the purpose of having those sums used for various educational purposes throughout the country, whatever your views may be with regard to the merits of those two systems we must all agree that they are radically and fundamentally different.

I for one am not inclined to suggest the appointment of a commission to tell me whether or no I should depart from the views I now hold with regard to the relative merits of those two plans. I have a very clear idea in regard to them. I do not believe that I will be persuaded in a matter of principle by a commission that might be appointed, and that is one reason why I am not inclined to vote for a commission which would

possibly recommend a policy which would be an unwise one—an unwise one because of the precedent it would establish with regard to Federal expenditures generally.

Mr. MOORE. Will the gentleman yield?

Mr. MONDELL. I will be glad to do so.

Mr. MOORE. Has the gentleman indicated that he does not intend to support the resolution?

Mr. MONDELL. The gentleman supposed that he had so indicated. If the gentleman from Pennsylvania has been out of the Hall while I have been speaking and desires definite information on the subject, I will say I do not expect to support the resolution.

Mr. MOORE. In view of the statement of the gentleman, I want to ask him two questions: The first is as to our common understanding of the Lever bill, which is that it is intended to afford national aid to the various States for educational purposes in an agricultural way. That is my understanding of the Lever bill.

Mr. MONDELL. Yes.

Mr. MOORE. That it is intended to extend Federal aid to the States to promote agricultural education.

Mr. MONDELL. That is the fundamental idea of the Lever bill.

Mr. MOORE. That is the gentleman's understanding?

Mr. MONDELL. That is my understanding.

Mr. MOORE. In view of the fact that the majority of this House has voted for the Lever bill and is likely to do so again, and as a majority of the Senate apparently has indicated its favor toward the bill having the provisions of the Lever bill, would it not then leave all other vocational educations high and dry if we pass the Lever bill without passing a resolution of this kind?

Mr. MONDELL. Well, I am not so sure about that. In fact, I do not think so at all. I do not think that necessarily follows.

But I did not rise to express any opinion as to the details of these matters. I think as a matter of fact I have not thus far indicated which of the plans I approve, although if the gentleman will read the RECORD of some time since he will discover that I voted for the Lever plan.

My objection to the resolution is that it attempts, in an unusual way and a way that, in my opinion, ought not to be adopted, unless it shall be absolutely necessary, to compose the differences between the two Houses in regard to a legislative matter. I think that we will have no difficulty whatever in coming to an agreement in regard to the matter, and whether the agreement be in the line of the views of the gentleman from Pennsylvania [Mr. MOORE] or in the line of my views or in the line of the views of both of us, we shall at least have arrived at it in the usual and orderly way provided by the Constitution of the United States and the statutes of the United States thereunder.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. Very briefly, because my time flies.

Mr. POWERS. I want to inquire of the gentleman if he is constitutionally opposed to commissions?

Mr. MONDELL. Oh, no.

Mr. POWERS. I believe the gentleman voted for the continuation of the Tariff Commission.

Mr. MONDELL. I am in favor of tariff commissions; yes.

Mr. POWERS. Then why oppose this character of a commission, since the educational matter is as much confused between the Senate and the House as the tariff has been?

Mr. MONDELL. Well, we never had the President appoint any commission of nine gentlemen to compose any differences between the House and the Senate in the matter of the tariff. The House and the Senate appointed very select committees of their own to perform that function.

Mr. MOORE. Will the gentleman answer my second question?

Mr. MONDELL. I will answer a brief question. There are other gentlemen who desire to be heard.

Mr. MOORE. Notwithstanding the gentleman's position in regard to the resolution, he is in favor of educating the farmer's boy?

Mr. MONDELL. I am very much in favor of doing so.

Mr. MOORE. Which means to educate the farmer's son.

Mr. BUTLER. Tell us something about the education of the farmer's daughter. [Laughter.]

Mr. MONDELL. It means to raise the standard of agricultural education. It means the wider dissemination of knowledge relative to country life. It means practical information to the farmer. It means help in the direction of returning the urban population to the farm. It means aid in the reduction of

the high cost of living in case the Democratic tariff, soon to be enacted, does not accomplish that happy result. [Laughter on the Republican side.]

Mr. MOORE. Then why not extend that sort of education to the boy on the street, to the boy who works in the mill, or to the boy who takes up some other vocation than, that of farming?

Mr. MONDELL. I am perfectly willing to have that done, and, as I said to the gentleman a moment ago, I am not discussing the relative merits of these two plans. I have simply remarked that the two plans are dissimilar.

Mr. MOORE. Would not the resolution give a half loaf to the boy on the street?

Mr. MONDELL. It would probably settle the difference between the two Houses, unless there may be gentlemen somewhere—I can not imagine that there are—who have become so fixed and set in their views that they want an unusual way of coming to an agreement.

Mr. PAYNE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. Yes.

Mr. PAYNE. Does not the gentleman think, considering the majorities of these two committees of the Senate and the House, that it would be better to refer this matter to a commission than to refer these differences to a Democratic caucus? [Laughter.]

Mr. MONDELL. A joint Democratic caucus, does the gentleman mean?

Mr. PAYNE. Joint or several; any kind of a Democratic caucus.

Mr. MONDELL. Well, I have never been particularly enamored of Democratic caucuses, and yet it can be said in their favor that Democratic caucuses are composed of Members of the legislative branch of the Government.

Mr. WILLIS. The Democratic caucus is the legislative branch.

Mr. MONDELL. As the gentleman from Ohio suggests, for the time being it is the legislative branch of the Government. It is the whole thing when the President does not intervene to upset or fix the decision of the caucus.

But this is an altogether different matter. This is a proposition to ignore the Democratic caucus, which, from the standpoint of our Democratic friends, has been doing such glorious work. This is a time when it is proposed to ignore the Democratic caucus, to proceed to the creation of a commission outside of the legislative branch of the Government, the duty of which commission is to inform the Members of Congress how they ought to vote with regard to a matter we have had under consideration for the last two or three years.

Mr. GOULDEN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GOULDEN. I should like some information, because the gentleman from Wyoming, aided by my distinguished colleague from New York [Mr. PAYNE], is making a very illuminating address. I would like to ask wherein the Democratic caucus is different from caucuses of the Republican Party, in which the gentleman took part for a number of years, when he was a very faithful adherent to that plan of legislation.

Mr. MONDELL. I regret that my friend from New York has exposed, in this little speech of his, failure to listen to remarks of mine in which I have called attention to the fact that you gentlemen have been bound by caucus action more times in 1 year than the Republicans were in the 18 years that preceded. As the gentleman was not here when I made that statement the other day, I reiterate it for his benefit and satisfaction.

Mr. BUTLER. Can not the gentleman enlarge on it?

Mr. MONDELL. If pressed, I might do so. I have no desire to add to the agony of the gentlemen on the other side.

Mr. GOULDEN. I want to say that I served here for eight years when the House was Republican, and I know that the Republican caucuses were very frequent and very binding, and their action was usually in the shape of a rule when it came into this House.

Mr. MONDELL. As the gentleman never attended one of them and never had any opportunity to attain any particular information with regard to them, I am sure that his testimony on the subject would not be held to be the best in the world. But to return to our muttens, Mr. Chairman, I am opposed, and earnestly opposed, to this proposition. Some gentlemen here seem to be jocular about this, seem to be under the impression that I am not serious and earnest in what I have said. That is not the fact at all. I hope that in the near future Congress will pass a bill providing for agricultural extension work, for vocational education as a part of that work in the

agricultural colleges, for the extension of aid in the practical teaching of agriculture and allied industries. I hope that will occur soon, and I fear that the reference of this matter to a commission will delay action by Congress. It may delay it indefinitely.

Mr. BUTLER. Can we not provide for a commission to report in about two days?

Mr. MONDELL. I presume that would do just as well. The appointment of this commission may delay action indefinitely, and in any event if it has any effect at all it must somewhat bind Members who vote for it to approve the recommendations of that commission, whatever those recommendations may be. In view of the fact that the House is full of Members, numbers of them on both sides, who are thoroughly familiar with these subjects and that there are numbers of gentlemen in the Senate who, I assume, are well informed; in view of the further fact that the Constitution has provided a method, in use every day, under which differences between the two Houses may be adjusted, I am very much opposed to this unusual plan of attempting to secure an agreement with regard to legislation.

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

Mr. MONDELL. Yes.

Mr. COX. I wish to say that the gentleman has discussed this question of the difference between the two Houses very intelligently. Can the gentleman inform the committee now how much what is known as the Smith bill carries on its face?

Mr. TOWNER. It is practically the same as the Lever bill.

Mr. MONDELL. The Smith bill and the Lever bill are practically the same.

Mr. COX. I refer to the amount of money.

Mr. WILLIS. Three million dollars.

Mr. COX. My recollection is that the Smith bill carried \$20,000,000.

Mr. TOWNER. It is the Page bill the gentleman has in mind.

Mr. FESS. The Page bill carries \$13,000,000 and the Lever bill \$3,000,000.

Mr. MONDELL. My understanding is that the Senate provision would lead to a very much larger expense than the House bill, but that may not be a good argument against it. If the work to be done is work that ought to be done by the Federal Government, it is no argument against it that it is going to cost a considerable amount of money. That is not the proposition. Without regard to the merits of the two plans, the two Houses have the subject before them. They can pass upon it at any time that these gentlemen can reach an agreement, and there is no more reason why they should fail to reach an agreement with regard to this legislation than with regard to the vast volume of legislation that is taken up and passed through the two Houses of Congress. There is no more reason for the appointment of a commission in regard to these matters than in regard to scores of other matters of legislation which come before us. It means delay, I fear, and I am therefore opposed to it.

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Twenty minutes.

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I do not know whether I shall desire to occupy all of the time that has been so generously yielded to me, but I do want very seriously to say something about this resolution. I am strongly in favor of national aid for vocational education. I am strongly in favor of national aid for agricultural education. I voted for and spoke for the Lever agricultural extension bill, and will do so again if I have the opportunity. Every time the agricultural appropriation bill has been before the House I have strongly advocated by vote and voice enlarged appropriations for the cooperative demonstration and farm-management work of the Department of Agriculture. I did this because I believe in agricultural education that will bring the benefits of scientific investigation right to the farmer's door. Because I am thus in favor of national aid to both agricultural and vocational education I am opposed to this resolution. The adoption of this resolution means further delay; I want action now. It seems to me that by no stretch of the imagination can it be made clear that the adoption of this resolution will be an aid in the advancement of either of those two forms of education. As I understand the situation, it is substantially this: The House by a large vote passed the Lever bill, which provided for a system of agricultural extension and education. The Senate passed the Page bill, which provided a very extensive system of vocational educational training, and, as I understand, there the matter is suspended, as it were, between the two Houses. In this case, instead of having the two committees of these two branches of the legislative department get together and work out some sort of a measure, as they do

upon every other proposition that comes before the Congress, it is proposed that a commission shall be appointed, in the first place, to spend \$15,000, and, in the second place, to report some time, we do not know when.

Mr. Chairman, I agree with what the gentleman from Wyoming [Mr. MONDELL] has said with reference to the ability of the committees of this body and of the body at the other end of the Capitol properly to draft legislation along these lines.

I mean it as no matter of pleasantry or fulsome eulogy when I say that I would rather trust the chairman of the House Committee on Agriculture, the gentleman from South Carolina [Mr. LEVER], aided by the gentleman from Iowa [Mr. HAUGEN] and the gentleman from Michigan [Mr. McLAUGHLIN]—I would rather trust those three gentlemen to draft the legislation that we have in mind than to trust any commission of theorists and experts that might be appointed for this particular purpose. [Applause.] The difference that is alleged to exist, which to some extent does exist, between the two Houses is a difference that arises not out of a lack of accumulation of facts, but out of lack of agreement as to constitutional theories. My friend from Kentucky [Mr. POWERS], in the inquiry that he propounded to the gentleman from Wyoming [Mr. MONDELL], suggested that there was some analogy between this and a tariff commission. There is not the slightest analogy on earth. The object of the tariff commission, or Tariff Board, is to collect the facts upon which a tariff law may be based. We already have the facts here. Everybody who has looked into the subject at all admits the necessity for and desirability of vocational training. Everybody admits the desirability of and necessity for national aid to agricultural training, but a question has come up as to certain constitutional principles. Some gentlemen say these matters ought to be in the control of the States, and other gentlemen say these questions ought to be settled by the Federal Government. When the dispute is not as to questions of fact, but as to questions of fundamental policy and constitutional law, why, forsooth, should we appoint a commission to settle those questions? But it has been said here that we do not need to adopt the plan that this commission shall propose. Then, if we are not to adopt the plan, what is the use of spending \$15,000 of the people's money when there is to be no result. It is alleged that the formation of a plan is to be the only thing. They are not to collect the facts, for we already have the facts. They are to work out a plan and draft a bill. Then, if we are not to adopt that plan, we will have made no progress at all, and \$15,000 of the taxpayers' money will have been spent in vain.

It has been alleged here, and in the most perfect good faith I am sure, that the passage of this resolution will not interfere at all with the passage of the Lever bill. I am opposed to the adoption of the resolution because, in my opinion, the passage of this resolution at this time will unavoidably and necessarily delay, if it does not actually defeat, the Lever agricultural extension bill and probably also the Page bill, and thus prevent the immediate national aid to agricultural and vocational training which the farmers and the boys and girls of the country desire and expect, and which the welfare of the Nation demands. Mr. Chairman, the chairman of the committee [Mr. HUGHES of Georgia], with his usual foresight and absolutely unflinching ability, eloquence, and frankness, stated the matter correctly before he was led to change the statement by the gentleman from Michigan [Mr. McLAUGHLIN]. What is the fact? It is simply this: If you pass this resolution, then there will be no legislation along the line of agricultural extension or of vocational training until you get a report from this proposed commission, and nobody on earth knows when that report will be made. Why do I say that? Because, as was suggested by the gentleman from Michigan [Mr. McLAUGHLIN], the very moment a bill to provide national aid to agricultural or vocational training is called up, gentlemen will rise in their places and say: "We have a commission investigating this general subject of vocational and agricultural training. Let us wait until the commission reports."

Mr. Chairman, I am opposed to this resolution because the inevitable result of it will be delay. Where the character of our citizenship and the welfare of our people depend, as they do in this case, upon prompt action, delays are dangerous. It should not be forgotten that more than 90 per cent of the pupils in our public schools never reach the high school at all. These 90 per cent go into active life from the grades. Are we doing for them all that we ought to do? Are we sending them forth as well equipped as they ought to be? Do they leave the schools feeling that what they have obtained helps them to earn a better living and live a better life? When a boy studies carpentry or blacksmithing or agriculture it does not necessarily mean that he is to be a carpenter or blacksmith or farmer. His work has helped him to find himself, to discover his own possibilities; he has learned that toil is honorable; that

it is as meritorious to plow a field or make a chair or shape the glowing iron as it is to sell goods or write a book. Agricultural education will solve economic problems and elevate our citizenship.

Hence the desirability of the earliest possible legislation in the direction of Federal aid and encouragement to agricultural and vocational training.

I am further opposed to this resolution because it is an abdication of the proper functions of this House and of its committees. It has been said here, and well said, by others that we have ample ability in the membership of our own committees. I have already suggested some gentlemen on the Committee on Agriculture who are thoroughly equipped to draft this bill. If there are not enough gentlemen on that committee, certainly additional ones can be found in the Committee on Education. I would be perfectly content to intrust the drafting of this bill to the three gentlemen I have already named, aided by the gentleman from Alabama [Mr. ABERCROMBIE], who has spoken here so instructively to-day, and by my colleague from Ohio [Mr. FESS], both of whom are experienced school men and educators of national reputation, both of whom understand the needs of the hour and have the ability to draft the necessary legislation. In view of this situation, when we have upon our committees men who have already spent a lifetime in investigating these questions and getting at the facts, why not proceed to do the work that ought to be done and not wait on a commission? Simply because we have now come up against a position where there is a difference of opinion, largely upon constitutional grounds, between the House and the Senate, why should we come to a full stop and say, contrary to our practice upon every other kind of legislation, "We will appoint a commission to settle it"? Why not go right ahead and settle it now through the instrumentality of the able Committees of the House on Agriculture and Education instead of courting delay by adopting a program of procrastination? Here we are waiting for the return of the tariff bill, waiting for the conferees to compose the differences between the two Houses. What would be thought if we would say, "Well, let us appoint a commission of nine gentlemen to report upon this thing some time, we do not know when, but whenever they get ready"?

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

Mr. WILLIS. I will.

Mr. RAKER. Is the gentleman constitutionally or otherwise opposed to a committee being appointed from both Houses to go into this question fully and report back to the two Houses?

Mr. WILLIS. I do not know what the gentleman implies by the use of the word "constitutionally." I do not think there is any objection from the standpoint of constitutional law, but I am opposed to the appointment of a commission to attend to the business of Congress—

Mr. RAKER. I meant objection.

Mr. WILLIS (continuing). I will say to the gentleman, as clearly as I may, that when we have a proposition as nearly thrashed out as we have this one, when every man in the country who has investigated the subject at all admits the necessity for vocational training, when every man admits the necessity for agricultural training and for national aid to both, when the committees of the House and the Senate have been at work upon these subjects, and there are Members in both Houses who have spent years in working out this proposition—now, when we have got that far, I say to the gentleman that it is a mistake to say we will stop and appoint a commission and spend \$15,000 to do what the committees of the House ought to do, and can do better and more quickly than a commission can do it.

Mr. RAKER. What I desire to get at is this: Suppose the committee of the House and the committee of the Senate felt as though they are not thoroughly prepared at the present time? Now, could not the gentleman's objection be entirely eliminated if a joint committee of the House and Senate be appointed, five taken from the House and five from the Senate, to report to their respective bodies as provided in this resolution?

Mr. WILLIS. I should have no special objection to that, but I do not think it is necessary.

Mr. RAKER. I was asking the gentleman if further information is necessary in his view—

Mr. WILLIS. I do not think there is need for further information as to the necessity for the legislation, as to the collection of facts; I think we are prepared to vote. We were prepared to vote a few months ago on the Lever agricultural-extension bill, and did vote for that measure; I did and the gentleman did.

Mr. RAKER. That being the case, the committee from the House reporting this resolution and the committee of the Senate reporting the resolution, does not it to some extent—

Mr. WILLIS. The committee in the Senate did not report this resolution.

Mr. RAKER. Oh, yes—

Mr. WILLIS. All right.

Mr. RAKER. That being the case, is not that some evidence of the fact that the committees are lacking in some information desired in this case, and ought not the committee to be a joint committee from the House and the Senate to go into this matter?

Mr. WILLIS. I should have no objection to a joint committee of the House and Senate, but I want to say to the gentleman further, in reply to his observation, that sometimes it becomes necessary to save a man from his friends; and, likewise, it sometimes becomes necessary to save a bill from its author and from its friends.

It has been stated here, and it is shown in the hearings, that two distinguished Senators appeared before the House committee and urged that this resolution be adopted. While I have great deference for their opinions, I think they are in error in the program they have mapped out in this case. I believe the best way to advance this legislation is to proceed along the lines that we follow with reference to every other kind of legislation in the House.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. WILLIS] has expired.

Mr. MONDELL. Mr. Chairman, I yield the gentleman five minutes more.

Mr. COX. A parliamentary inquiry.

Mr. RAKER. Will the gentleman yield?

Mr. WILLIS. Very briefly.

Mr. RAKER. If neither the Committee on Education of the House nor the Committee on Education of the Senate reported this bill, would it not be some evidence that they wanted further light, and would not the House and the Senate get better results if the members of those respective committees were appointed to go into the matter and make a full investigation and report?

Mr. WILLIS. I agree with the gentleman if further investigation is necessary that it should be done by the committees of the House and Senate.

Mr. RAKER. I agree with you on that.

Mr. WILLIS. Then we are agreed on that point at least. I do not see any reason for having a commission appointed to spend \$15,000 of the people's money without any tangible results.

I just want to say one more word, and then I think I will have expressed all I care to say on this proposition, and that is as to the absolute necessity for early action along the line of aid to vocational education and agricultural education. I wish that every Member of the House could have the pleasure of coming in personal contact with the work that is being done in many of the great schools of this country along the line of vocational training. I have in mind one school just now, not so very far from here, in the city of York, Pa. I have gone into the shops with the high-school boys, where I have seen them working at the anvil and the forge, working in the carpenter shop, working in the foundries and machine shops, and studying all the things that would be necessary in order to develop them as skilled mechanics. They work there in the shops one week, and the next week are back in the high school, and the next week back in the shops. That is the system they have worked out there. The same system has been applied in the schools of Cincinnati, Ohio, Fitchburg, Mass., and some other places. It is splendid work, and I think it is perfectly proper and highly desirable that there should be national aid along this line of vocational training.

Mr. HARDY. Will the gentleman yield?

Mr. WILLIS. For a brief inquiry.

Mr. HARDY. I do not know as I ought to ask, but are those schools under State supervision entirely?

Mr. WILLIS. Entirely so. Along the line of agricultural education everybody from every section of the country knows of the immense advantage of that work. In December we will have here in Washington 1,000 corn boys from Ohio to show you what work is being done in agricultural education in that State. I think the Federal Government ought to take up the work of agricultural education and ought to aid, so far as it may be able, to bring to all the boys and girls of our country the benefits of agricultural training, a training that makes for better citizenship, with a larger and loftier outlook upon life.

Mr. GARRETT of Tennessee. Does the gentleman think that aid ought to be in the form of making appropriation conditioned upon an appropriation by the State?

Mr. WILLIS. That was the plan that was adopted in the Lever agricultural-extension bill, as the gentleman will remember.

Mr. GARRETT of Tennessee. I know that.

Mr. WILLIS. And was probably about as wise a plan as could be thought of. The gentleman voted for the Lever bill?

Mr. GARRETT of Tennessee. No; I did not.

Mr. WILLIS. Well, I did. Now, Mr. Chairman, I repeat what I said in the beginning: That it seems to me it is important that we act. The people of the country expect us to do something along these lines, and to do it now, and in my judgment they will not be at all satisfied if we put them off by saying, "Well, we have appointed a commission to investigate this question and make a report some time in the dim and distant future, after it has spent \$15,000 of the taxpayers' money to do what we are already amply prepared to do through the committees of the House and Senate."

Mr. MONDELL. I reserve the balance of my time.

Mr. POWERS. Mr. Chairman, I have no set speech, but will make a few impromptu remarks.

There has been no objection raised on the part of the opponents of this resolution to vocational education. The difference has arisen as to the way that object can be most efficiently and thoroughly met. I want to state for the information of the House that Senator PAGE, who is the author of the Page bill in the Senate—and a bill that passed that body—appeared before the Committee on Education and urged the adoption of this resolution. This resolution has already been adopted by the Senate, and Senator SMITH, who is heartily in favor of the Lever bill, likewise appeared before the Committee on Education and urged the adoption of this resolution.

Naturally, in the discussion of a measure of this character a good number of questions arise. When this matter finally comes before the House for action, there will probably be those who will oppose this national aid to vocational education, not that they are opposed to vocational education, but they take the position that the States and not the Federal Government are the proper instrumentalities to appropriate the money to further the interests of vocational education in the respective States of this Union.

None of these questions is presented, so far as this individual resolution is concerned. This resolution merely empowers the President to appoint a committee of nine to consider the needs—that is the language of the resolution—of vocational education in the various sections of this great country and to report a plan to put in operation that character of a system.

The argument was made here by the distinguished gentleman from Wyoming [Mr. MONDELL] that the House would be bound by the report of this commission. The gentleman is entirely mistaken as to the purport of the resolution that we are considering. We are not bound by anything of the sort, and will not be. By voting for this resolution the House is not bound to support the plan brought in. It does not even bind the House in favor of vocational education of any character. All that this resolution proposes to do is to empower the President of this great Republic to appoint a committee of nine men who, by reason of their learning, by reason of their intense interest in this subject, by reason of their study of this great question, can bring to light the facts and formulate some kind of a plan to be put in operation.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. POWERS. I will yield with pleasure.

Mr. WILLIS. If Congress should not adopt the plan that would be formulated under this resolution, what would be gained by the expenditure of this \$15,000?

Mr. POWERS. I will answer the gentleman. Suppose Congress does not adopt the plan reported by this commission? There is no doubt in that event but that Congress will get a good deal of needed information, by reason of the report of the learned men whom the President of this country will undoubtedly appoint. And I want to say for the present occupant of the White House that he is as well qualified and knows the people of education and those interested in vocational education throughout this country equally as well if not better than any President who ever occupied the White House. He is a school man. His life has been devoted to work of this character. He knows the people throughout this country who have made a study of this great question. I shall have every confidence in the ability of the men that he will appoint upon this commission; and although this House in all probability will change the report of the plan in some particular, and we do not expect the House to adopt bodily the plan brought in, yet we do expect from the men appointed by the President much needed information upon this great question.

Mr. COX. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. POWERS. With pleasure.

Mr. COX. Does the gentleman believe for a moment that if a committee of nine were appointed by the President of the United States, no matter how high their character and standing, they will ever be able to report a plan to Congress that, if adopted by Congress, will enable the farmers of this country to increase their yield of wheat from 15 to 30 bushels an acre, or their yield of corn from 20 to 40 bushels an acre?

Mr. POWERS. If I did not believe that this commission could aid a plan of that character, I would be opposed to this resolution. I have no doubt but that they can help solve that problem.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. POWERS. With pleasure.

Mr. MOORE. Is it the gentleman's understanding of this resolution, he being the ranking member on the minority of the committee, that its passage would result in a report by the commission upon vocations other than agricultural?

Mr. POWERS. I do so understand it.

Mr. MOORE. The Lever bill applies solely to agriculture. Those occupations not pertaining to the farm would also receive consideration at the hands of this commission? Is that the plan?

Mr. POWERS. That is one of the purposes of this resolution. And I want to say further in regard to this proposition, and in answer to the gentleman from Ohio [Mr. WILLIS], that an erroneous intimation has been given that the purpose of this resolution is to again force delay in the passage of needed legislation along this line.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. POWERS. Yes.

Mr. WILLIS. I wish to disclaim any suggestion that I thought that was the purpose. I did not mean that. I meant to say that was the probable effect, but surely not the purpose of the committee.

Mr. POWERS. And in further answer to the gentleman from Ohio I desire to say that both the author of the Page bill in the Senate and the Committee on Education in the House, all of whom are in favor of this legislation and all of whom are extremely anxious that this matter get under way at the earliest possible moment, are of opinion that this resolution, instead of retarding needed legislation along this line, will greatly accelerate legislation of this character.

The objection has been made here that there is no time limit within which this commission shall report. That can easily be modified in this resolution. It could be provided that they should report not later than the 1st of April or the 1st of May or the 1st of June, giving them ample time to consider this matter. But I have no doubt in the world that these men, appointed by the President, will make the earliest possible report. They are to get nothing for their services. The nine men appointed by the President on this commission do not get a cent. They are to receive no salary; they are to do it for the love they have of the cause; and men who are so intensely interested in vocational education as to devote their time and labor to it without a cent of compensation will, I believe, accelerate the work with the utmost speed consistent with gathering the information necessary to make a proper report.

Mr. GOULDEN. Will the gentleman from Kentucky yield?

Mr. POWERS. I yield with pleasure.

Mr. GOULDEN. I have no doubt the gentleman has given considerable attention to this matter. How long will it take a commission of this character to complete their work and make a report if the House passes this resolution?

Mr. POWERS. Giving merely my own opinion, in my judgment it ought not to take longer than two months, or three months at the outside. I think we will have a report in three months if this resolution is adopted. I am expressing merely my personal opinion.

Mr. GOULDEN. Would there be any objection, then, to inserting an amendment limiting the time to three months or, say, to the 1st of February or the 1st of March?

Mr. POWERS. I am not the chairman of this committee.

Mr. GOULDEN. I am simply asking for the gentleman's opinion.

Mr. POWERS. I am merely giving my own personal views on the matter. I would have no objection to making it three months, except for the delay which might necessarily come about by reason of the fact that this resolution would have to go back to the Senate.

Mr. RUPLEY. Will the gentleman yield?

Mr. POWERS. I yield, with pleasure.

Mr. RUPLEY. I am asking the gentleman as a member of the committee: As I understand the proposition, the Page and Lever bills are at the present time tied up in the Senate for want of knowledge of a plan on the part of the United States Senate?

Mr. POWERS. That is correct, as I understand it.

Mr. RUPLEY. I ask the gentleman, as a member of the Committee on Education, do we have the knowledge, do we know where to obtain the information as to a plan to cover this great work of vocational education?

Mr. POWERS. I can only state for myself; I have not the information.

Mr. RUPLEY. I notice that in this resolution the word "men" has been stricken out, and if the resolution passes the President can appoint nine persons—nine men or women—on this commission.

Mr. POWERS. He will be so empowered, as I understand it. I think he could have done it anyway.

Mr. RAKER. The very purpose of striking out the word "men" is to give the President power to appoint, and with the idea that he will appoint, women educators as part of the members of this commission.

Mr. POWERS. I can not speak for the President.

Mr. RAKER. No; I mean the intention of the committee in striking out the word "men."

Mr. POWERS. There is some question about the word "men," and it was stricken out so as to give the President all the power he wants in the premises.

Mr. RAKER. Without any restriction whatever.

Mr. POWERS. Without any restriction whatever.

Mr. RAKER. He can appoint women educators if he sees fit.

Mr. POWERS. He can if he so desires, under this resolution.

Mr. RAKER. Sure.

Mr. POWERS. How much time have I consumed, Mr. Chairman?

The CHAIRMAN (Mr. RUSSELL). The gentleman has consumed 15 minutes.

Mr. POWERS. I shall consume no more time in my own right, but will yield 10 minutes to the gentleman from Iowa [Mr. TOWNER].

The CHAIRMAN. The gentleman from Iowa [Mr. TOWNER] is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I am very sure there is no man who really favors any form of vocational education in this country—or, rather, national aid for it—who would oppose this resolution if he thoroughly understood the conditions under which it is presented to us. I think I can make that clear to everyone here. I agree with the gentleman that if originally this resolution had been suggested without any seeming or actual necessity for it, I would not have favored it particularly. I rather would have acquiesced in the view of those who said that, perhaps, it was unnecessary. But we must take conditions as they exist. And now I ask the attention of gentlemen of the committee while I state very briefly the reasons why I favor the passage of this resolution. The Committee on Education, of which I am a member, have thoroughly examined this matter, and we have ascertained, as we think, the conditions that surround this bill and its consideration at the present time. Originally this proposition came from the agricultural colleges of the country. It was introduced into the Sixtieth Congress by the gentleman from Michigan [Mr. McLAUGHLIN], and was then practically what is now known as the Lever bill. No action was taken by the Sixtieth or the Sixty-first Congresses, but in the Sixty-second Congress Mr. LEVER introduced a bill which has since been known by his name. It was considered by the Agricultural Committee and favorably reported and passed by the House. It then went to the Senate; but in the Senate Senator PAGE, of Vermont, had introduced a bill, which was known as the Page bill, very much more extensive in its scope, not limited by any means to vocational education in agriculture, but extending aid to all vocational schools of every kind and character in the United States. It was ably supported in the Senate, and after a time passed the Senate.

The Lever bill having passed the House, went to the Senate. The Senate bill having passed the Senate, came to the House. These bills were referred to the respective committees of the Senate and House. Nothing was done in that Congress, as gentlemen may well believe. Various efforts were made to secure some plan by which the various supporters of both bills could perhaps agree on a compromise, but nothing resulted from these efforts. Such was the condition of affairs at the beginning of this Congress, when Mr. LEVER again introduced into the House the Lever bill. Senator SMITH, who strongly advo-

cated the Lever bill in the Senate in the Sixty-second Congress, introduced substantially the same bill in the Senate in this Congress, and Senator PAGE again introduced his vocational bill in the Senate. When the matter came before the Senate for consideration neither of these bills could muster enough votes to insure passage in the Senate. Gentlemen should thoroughly understand, those especially who favor the Lever bill, that the Smith bill introduced in the Senate is substantially the Lever bill introduced in the House, and if they favor the passage of the Lever bill here, they would favor the passage of the Smith bill there, and its friends and supporters and sponsors there have the same view of it that you have here. What should these gentlemen do? The committee could not agree or did not think it wise to attempt to agree, and those especially who supported the Smith bill said that while there had been a vast amount of testimony taken on the Page bill and a large amount of evidence in favor of that, there had not been a like opportunity afforded for those who favored the Smith or the Lever bill to make their showing. So, upon the suggestion of Senator SMITH, this resolution was prepared. It was urged by him before the committee.

The committee finally favorably reported it unanimously, and it went before the Senate and was unanimously passed, because it was understood by each side that some compromise must be made. Of course, gentlemen will understand that the Senator from Georgia probably thought it would further the interests of his bill to have this commission appointed, and the Senator from Vermont probably thought it would favor the interests of his bill to have this commission appointed. But that makes no difference. The question is this: Are we in favor of doing something? The House committee, when it came to consider this resolution, called Senator PAGE before it and received his testimony. It also called Senator SMITH, representing the other idea, and his testimony is published. Both of these gentlemen stand for their respective bills, but they are a unit in declaring that in order to get some legislation passed they must adopt some plan of compromise such as this.

Mr. Chairman, I ask the attention of the House to this proposition. Both of these gentlemen say it is not likely or probable that they can secure the passage of any legislation unless this resolution is passed. Gentlemen here say that the passage of this resolution will delay legislation. In view of the facts I have stated I can not see how gentlemen who really favor legislation can so believe. They say they are in favor of the Lever bill, and yet they are opposing this proposition which, if defeated, will have the practical effect of killing the Lever bill, because it is admitted that if the Lever bill should pass the House, this or some other resolution would be substituted in the Senate. Of what use is it for gentlemen to cavil? They say this will cause delay. Their constituents, the farmers of the country, will not believe that.

They will understand that conditions are such as to demand the passage of this resolution if legislation is to be secured. They will understand that the passage of this resolution will facilitate and not delay substantial legislation. Gentlemen object to the expense, when every dollar spent will secure for Congress and the country information which is greatly needed and without which intelligent action can hardly be taken. Gentlemen object to a commission whose report and recommendation they say may be entirely ignored. It should be remembered, on this side at least, that the reports and recommendations of the Tariff Commission were not carried out. But the information which they accumulated has been used by all students of the subject, ever since it became available, to the manifest benefit of all. Such objections ought not to go far in influencing the action of this committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY. Mr. Chairman—

The CHAIRMAN. The gentleman from Kentucky [Mr. POWERS] has the floor.

Mr. HARDY. Mr. Chairman, I thought the gentleman's time had expired.

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining.

Mr. HARDY. Will the gentleman permit me to ask a question which is in the interest of what seems to be nothing more than fair discussion? Nearly all the speeches so far have been made in support of this measure. I want to speak against it, and only for about 10 minutes, and I will ask the gentleman if he could not allow me to present a few observations now, and thus break the one-sided flow of argument.

Mr. POWERS. Without coming out of my time?

Mr. HARDY. Without prejudice to the gentleman's time.

Mr. POWERS. That is satisfactory to me.

Mr. HARDY. The gentleman can reserve the balance of his time.

Mr. POWERS. I want to state, however, that I do not yield the floor except for that purpose.

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. When the gentleman from Texas has finished, I again obtain possession of the floor, do I not?

The CHAIRMAN. If there is no objection to it. The gentleman could not yield the floor to the gentleman from Texas and reserve that right if any objection is made to it.

Mr. POWERS. I will yield to the gentleman with that understanding.

Mr. MONDELL. Mr. Chairman, before the gentleman yields the floor I wish the gentleman would yield two minutes to the gentleman from Iowa, as I desire to ask the gentleman a question.

Mr. POWERS. Well, I can not possibly do that.

The CHAIRMAN. It is the understanding of the Chair that the gentleman from Kentucky reserves his time.

Mr. POWERS. I will yield to the gentleman from Texas, but I understand I am not to yield the floor, the time not to be taken out of my time, and when the gentleman from Texas has finished I am to have the floor for the remainder of my time. With that understanding, I yield to the gentleman from Texas.

Mr. HARDY. Mr. Chairman, at this late hour of the day, with the few Members present who have studied this question more than I, doubtlessly there is no opportunity for me to change anybody—if, indeed, I otherwise could—but I mainly wish to make these remarks to let the people I represent understand the situation here and the position I take. I want to say that this country could live and would live if our General Government were one perfectly centralized in form and if the several States were converted into mere districts or provinces; but I do say it would not be the country or Government it has been and, I hope, will always be—that is, a federal or confederated Government of sovereign States. Through the gold-baited hook which is being held out by the Congress and the Treasury of the United States to the different States we are in danger of being caught and landed in the net of complete centralization. We are in danger of surrendering to the Federal Government all of the natural powers of our original State governments. Now, I want to say furthermore that the Democratic Party has twice given utterance in its platform to expressions upon this subject, or one similar to it. In 1908 they used this expression:

The Democratic Party favors the extension of agricultural, mechanical, and industrial education. We therefore favor the establishment of district agricultural experiment stations and secondary agricultural and mechanical colleges in the several States.

And that would cover the broad scope of this resolution to extend national aid to vocational education. But mark you how that clause in our 1908 platform is concluded:

We therefore favor the establishment of district agricultural experiment stations and secondary agricultural and mechanical colleges in the several States.

Evidently that platform plank was put there with reference to a special bill something like the Lever bill, passed by a Democratic House, to aid agricultural training, and while it starts out with agricultural, mechanical, and industrial, it winds up with only agricultural. This was in pursuance of the policy of aiding agricultural and mechanical colleges, a policy inaugurated, as I remember it, largely on account of the fact that we had a great public fund in the National Treasury that came not from taxation but from a sale of public domain. In its inception it was fought, I think, by some who feared the encroachment of Federal upon State authority and powers, and its opponents were silenced or beaten by safeguards against what was deemed its evil trend and by the golden bait it held out to the States. We have traveled this road some time, and the Agricultural Department is doing all it can to aid the farmer, and the Bureau and Department of Labor is doing all it can to aid labor, and I am in favor of all these things, as my votes will show, in so far as we can go within the purview of our Constitution and without surrendering the rights of local self-government.

A similar plank occurs in the platform of 1912, as follows:

We recognize the value of vocational education, and urge Federal appropriations for such training and extension teaching in agriculture in cooperation with the several States.

Mr. POWERS. Will the gentleman yield?

Mr. HARDY. Certainly.

Mr. POWERS. Is it your construction of the Democratic platform that it meant to indorse only agricultural education?

Mr. HARDY. Specifically it does only indorse agricultural education, or agricultural aid, but it says that "we recognize the value of vocational education."

Mr. MURRAY of Oklahoma. Will the gentleman yield?

Mr. HARDY. Most assuredly.

Mr. MURRAY of Oklahoma. I want to suggest to the gentleman that in all agricultural colleges there is also the allied principle of mechanical arts, and the intention of that language was to continue that system. I might say I drew that plank and submitted it to the committee at Denver.

Mr. HARDY. That all the more confirms my view that the plank was drawn with reference to bills favoring such agricultural institutions and specifically aiding agriculture and not in the broad sense of vocational education in general.

Mr. MOORE. Will the gentleman yield?

Mr. HARDY. Certainly.

Mr. MOORE. Under those conditions, would the gentleman oppose a resolution providing for an inquiry as to education other than that of agriculture?

Mr. HARDY. Under my present apprehension of my duty, I would oppose a resolution of inquiry on agricultural education or any other, but I would not oppose such a bill as the Lever bill, for the simple reason that I feel bound by my platform to support that bill or some similar bill.

Mr. MOORE. That would not prevent the gentleman from considering the propriety of educating boys that are not being trained in agriculture exclusively?

Mr. HARDY. I want to say, probably to meet the point the gentleman is thinking of, that as a Democrat, as an American, as a citizen, I believe that every other vocation ought to stand on a level with agriculture.

Mr. MOORE. That is fair.

Mr. HARDY. And therefore as a matter of principle, I would support or favor the National Government providing training schools for the miner, the engineer, and for every other vocation as quickly as for agriculture. That is the reason why this broadened resolution has a tendency to open my eyes to the ultimate consequence of embarking on this sea of legislation.

Now, let me see what it amounts to when we get fairly embarked on the sea, as the policy has been unfolded here to-day by its friends. Its early years will cost the Government fourteen million to fifteen million of dollars per annum, and I apprehend before we are long on the voyage it will cost the Federal Government up in the hundreds of millions of dollars.

Now, why do I oppose it? I oppose it because the Democratic platform of 1912 gives me ample and just reasons why I should oppose it in principle, notwithstanding I might be bound to vote for a specific bill. In another paragraph of that platform we say:

Believing that the most efficient results under our system of government are to be attained by the full exercise by the States of their reserved sovereign powers, we denounce as usurpation the efforts of our opponents to deprive the States of any of the rights reserved to them and to enlarge and magnify by indirection the powers of the Federal Government.

I want to tell you the danger to the State governments in the future years will all come from the fact that the Federal Treasury hangs its glittering and alluring bait of dollars and cents before our patriotism and the local self-government principle that we have espoused and stood by for so long. We do not stop to think of the hook when we look at the bait. The temptation comes when we see the opportunity to get our hands into the Federal Treasury, to reach them down and pull out a little of the coin of Uncle Sam and devote it to the uses of the State. I am not a stickler for restricting the powers of this Congress by strained construction of the Constitution when the rights of the people are sought to be upheld, but I do want to warn the Democrats of this country that every time we take a step toward putting our hands into the Treasury of the United States for the benefit of our people, without full or at least strong warrant of the Constitution, we are surrendering the policies and principles of our fathers, and not only that but we are surrendering the soundest policy that was embedded in the framework of this Government when the Constitution was instituted; that is, the policy of local self-government.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Kentucky?

Mr. HARDY. Certainly.

Mr. POWERS. May I ask if the gentleman from Texas is opposed to Federal aid to the agricultural colleges throughout the country?

Mr. HARDY. I am going to give the gentleman my view on that as I go along.

The gentleman from Alabama [Mr. ABERCROMBIE] in a very able address stated, in answer to a question of mine, that the logic of his argument was that the Federal Government should aid in the training of children for all vocations, and when I asked him if his logic did not lead him further to the conclusion that the Federal Government should aid in the education of the children of the land in all lines from A to Z, he said it did; and then he supplemented that by saying that he was in favor of that proposition; that is, to start in with our common schools, with the toddling child learning its letters, and go on up to the ripe and finished scholar or industrial expert.

I want to tell you that when you take from the local governments the right to have something to do with the training of the minds and principles of the children that are coming up and surrender it to the Federal Government, which comes in due order and in due season, following the policies foreshadowed by this resolution, you will say to California: "It is not a matter for California to say whether the oriental races and her people shall go to school together." You will say to the South: "It is not a question for you to determine whether the white child and the black child shall go to school together," for where the pocketbook which runs the institution is, there the control evermore must be.

I know that the bills which have been introduced have provided that the Federal Government shall pay one-half and the States one-half, but if we take as our warrant the general welfare clause of the Constitution, so eloquently presented by the gentleman from Alabama, and say that every State is equally interested in the education of the children of every other State, and therefore their education is a duty devolving upon the Federal Government, then we will soon reach the point where we shall call upon the Federal Government to supply all the funds necessary to run our schools; and when you do it, who will control your schools but the Federal Government?

Mr. Chairman, I propose to stand bound by the platform of my party, but whenever that platform, in my judgment, is wrong I shall not go further than the platform calls on me to go, and if a bill in aid of an agricultural college within the purview of that platform came before this House I should vote for it, not because I wanted to, but because I thought in honor I was bound to. But I think it is high time now to utter a word of warning and strike a note of alarm to notify our people of the direction in which we are tending and where we are going.

You people on that side, as well as our people in the Southland, do not want to surrender the autonomy of your States, to have them become provinces or districts of a single State. When the Federal Government interfered with the enforcement of your railroad legislation in Iowa, a Republican attorney general of that State was the first attorney general in the United States to go to jail rather than to submit to the authority of the Federal Government forbidding him to bring a suit under a State law.

If we are lured by the golden bait the time will come when we shall have spread the authority of the Federal Government over all walks of life in all this land, North and South, East and West, and in the little State of Rhode Island and in the big State of Texas we will find our people appealing from the power of the Federal Government when it is exercised contrary to their sense of justice and right, but I fear appealing in vain. [Applause on the Democratic side.] This precedent will rise to plague us, as bad precedents always do.

Our Government is now being carried along various lines by good men who, however, are looking at things with a oneness of vision that sees but in a straight line—sees but the end desired. They are asking that the Federal Government take up this line of treatment and another line of treatment. Now it is education—vocational education; soon it will be—indeed some are now ready to ask—that the Government shall see to the education of all the children in all matters.

And there is another thing that I want to say, and that is that when you remove the power of training your children from your locality and place it in a central control—for instance, at Washington, where general knowledge of conditions exists but local knowledge of your conditions does not exist—you will lose interest in the training school, especially when you do not pay direct taxes for it. I have paid taxes since I reached the age of maturity in order to uphold the public-school system in my State, and I am glad of it. I want to say one thing about that. While we have a magnificent school system, yet the patrons of that system do not take as much interest in it now as they took in schools when each parent went down in his pocket

to pay the tuition of his child, as they did when I was a child. And in future, further pursuing the idea, if instead of paying 1 per cent tax for the support of a public school, as we do in Texas now, we learn to know that the fund to support the public school comes from the National Treasury, derived from the collection of duties on imports or from income taxes on the wealth of the land, how much will our people be interested in the character of the schools or the system of schooling? Little by little you will turn over to the Federal Government the entire training of the children of this land. [Applause.]

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

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. I understood the gentleman from Texas desired more time. How much time does he desire?

Mr. HARDY. I shall not take longer, Mr. Chairman. I had not thought of discussing this subject till it came up unexpectedly to me, and I want to apologize for having detained the committee thus long.

Mr. POWERS. I will yield further time to the gentleman if he desires.

Mr. HARDY. I thank the gentleman. I want simply to add that I want our people to study this question before we again put a plank in our platform about it.

The CHAIRMAN. Did the gentleman from Kentucky yield to the gentleman from Texas [Mr. HARDY] out of his own time?

Mr. POWERS. No.

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining.

Mr. POWERS. I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I have been very much interested in the remarks of the last speaker, the eloquent gentleman from Texas [Mr. HARDY], and I have been particularly struck with one vein of thought which he has brought out here, and that is the bringing into this debate of the element of partisanship. I am extremely sorry that that thought seems to be uppermost in the mind of the gentleman from Texas, because to my mind, if there is any one thing wherein we all, Republicans, Democrats, or Progressives, ought to lose sight of our party allegiance, it is in the question of the education of the rising generation. [Applause.]

The Committee on Education listened attentively to the representative of the Democratic Party, Senator SMITH, and to the representative of the Republican Party, Senator PAGE, not as Democrats or Republicans, but as men interested in the uplifting and welfare of our country and in the proper education of our children. I am surprised that any gentleman on this floor is disposed to say that his judgment will in any way be warped on the question of education by some plank that may or may not at some time have been included in some party platform. I say let us put partisanship to one side when the question of education arises. I am very glad to say that that is what has been done by the Committee on Education under the able leadership of the chairman of that committee, Mr. HUMPHREYS of Georgia.

Mr. Chairman, I do not propose to take the time of the House to elaborate upon what in my own mind I consider to be the origin and the desire on the part of the proposers of this resolution. My colleague on the committee, the gentleman from Iowa [Mr. TOWNER], has described the difference of opinion between the two branches as regards the so-called Page bill and the so-called Lever bill. Sufficient it is to say, perhaps, that the enactment of the Lever bill calls for an appropriation of something like \$3,000,000, while the enactment of the Page bill calls for something like \$15,000,000.

In the committee I suggested a change in the phraseology of one clause, because of the fact that it seems to me when we ask this commission to "study the need and report a plan" we are to a certain extent binding the House and Congress to affirmative legislation looking toward Federal aid to industrial education. I for one believe that the point this commission ought to study principally is the broader question whether or not Federal aid shall be granted to vocational education. It seems to me that that is the basis and foundation of this legislation; but I was perfectly willing not to raise that point to the extent of personally offering that amendment. I think that is the great question, whether or not we are to change the policy of our Government and bring in Federal aid for education, a subject which, as the gentleman from Texas [Mr. HARDY] has said, has so far been limited to a State proposition. Let us first study that question. If the commission are to do anything at all, let them study that question first; and then, if Congress sees fit to adopt a policy of Federal aid, report a plan under which that aid shall be given. I for one am heartily

in favor of vocational education, the extension of the opportunity for the young people of the land to better their mental condition and at the same time secure a means of livelihood. But this relationship between the State and the Federal Government is a very broad one, indeed, and, as I have already stated, should be given the first consideration. It seems to me it will be difficult to establish the true relationship between the National Government and the general education already in vogue as provided by the separate States.

In that connection I want to say that about 10 years ago the State I have the honor in part to represent in this body adopted a law whereby a commission on vocational education was established. It was soon found that it was impossible to separate the relationship between the subject of general education and that of vocational education, so that eventually the two boards were consolidated. It seems to me that some trouble is liable to arise when Federal aid is established in its relationship with the other forms of education. Let me state briefly the condition as we find it to-day as the result of the one board having both lines of work to do in Massachusetts.

From the latest report of the board of education I find the present situation to be that 23 approved State-aided vocational schools are in operation in 19 cities and towns of the Commonwealth, having an enrollment of 7,164 pupils and a force of 233 teachers. A number of schools in process of organization have asked for the approval of the board also. The variety of instruction is shown by the fact that during the school year 1911-12, 99 courses in 40 different subjects were given in the evening industrial schools, covering the building trades, electrical trades, engineering, granite workers, jewelry workers, machine trades, ship fitters, woodworking trades, textile trades, and household arts for women. In the day schools in the larger cities very thorough courses are given in the mechanic arts.

Agricultural education is also receiving its rightful attention in our State. Under a law passed by the legislature of 1911 State aid is furnished to the extent of two-thirds the salary of special instructors having approved agricultural departments of a distinct vocational character in rural high schools. A special agent is employed by the board for the sole purpose of stimulating the interest in this department among the various high schools of the State.

The subject of vocational education is regarded as so important that some of our large corporations conduct schools of their own while the pupils are employed by the corporations. Great advancement has been made in Massachusetts, and I am informed similar results have been obtained in other States.

I submit that these State boards, in hearty sympathy with the great subject, are better able to meet the local needs than any Federal authority would be. Should Federal aid be established there will be one of two results—either the National Government will interfere in local and State affairs or else the States will feel themselves in a sense pensioners upon a national bounty, neither condition a desirable one to bring about.

Let this commission be appointed to study this question of the relationship between Federal and State aid before positively binding Congress to furnish Federal aid to industrial education. It has been a success under State authority. Why disturb that present arrangement? Let us do everything possible to extend the system whereby the most practical results may be obtained in behalf of those in whom we are so deeply interested. It must first be positively demonstrated that there will not be a conflict of authority between the Nation and the State which will be prejudicial to the interests of those intended to be benefited. We know that vocational education along with agricultural extension can be successfully carried out under State authority, and the resulting benefits are being daily proven. I therefore urge that a most careful study shall be made of the principle involved before we take any chances of destroying the good methods already in vogue and experiment under a new system and a new principle of national method. Experimenting with education is a dangerous proposition, and Federal aid to industrial education is bound to be an experiment. I therefore urge this House to be very sure that we do not commit ourselves to this policy before thoroughly studying its results and realizing the necessarily complete reorganization of our educational system and the relationship in educational matters between the Nation and the State that would result in Federal aid being granted to vocational education.

Mr. COX rose.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. COX. For the purpose of getting recognition in my own right.

The CHAIRMAN. The gentleman from Kentucky has yet remaining 25 minutes of his hour.

Mr. POWERS. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the statement of the gentleman from Massachusetts [Mr. TREADWAY] is certainly very interesting. I did not understand him to say that anything had been done in his State along the line of carrying vocational training out on the farms. In the State of North Dakota a considerable fund of experience has already been gained along this line, where education is being taken directly to the farmers. There is a corps of able, well-educated, trained men, who go right out on the farms. It is their business to carry education to the farmers, to come in personal contact with them as they do their work throughout the State. The first year under that system, partly supported by subscription and partly by taxes raised from the different counties served, with only 12 counties partially covered, there were over 2,346 farmers who had received instruction directly on the farm from these field demonstrators. So if this resolution should pass and if this commission should be named, I believe that they can find in North Dakota some very useful information gained from actual experience under a very direct system of vocational education.

The kind of vocational training which was proposed in the Lever bill is perhaps better illustrated in the work now being done in North Dakota than anywhere else in the Union. First of all it should be understood that the work is not done by or through the agricultural college, though our agricultural college is friendly to it. The work is under the direction, management, and supervision of the Better Farming Association of North Dakota, of which Prof. Thomas P. Cooper is secretary and director. Prof. Cooper was formerly a member of the faculty of the University of Minnesota School of Agriculture, and was selected as director of the work of the association in North Dakota on account of his special training and fitness for the work.

The money to carry on the work of the association is partly furnished by personal or private subscriptions and partly from taxes levied by the county boards of such counties as desire to cooperate in raising the money necessary to carry on the work of the association.

The first year of demonstration work was that of 1912, and the association from the beginning realized that the present agricultural problems are so broad and far-reaching that a comprehensive plan of development must touch the very foundations of the economic and social life of those who actually live on the farms. In planning the work it has been clearly kept in mind that progress in any industry is dependent on the individual, and this is particularly true on the farm, where the unit of production consists usually of a family and perhaps one employee, seldom more than that. Hence the plan, very wisely worked out by the Better Farming Association, has been based on the principle of personal contact with the individual who is actually engaged in production.

The plan consists of demonstrations to illustrate certain agricultural facts as they apply to the locality, culminating finally in a general advisory work in regard to the management of the farm and any special farm problems which may exist, and consists of field demonstrations, live-stock demonstrations, and farm-management advisory work.

The demonstration work has been done along the lines indicated in a very interesting statement made by Prof. Cooper, as follows:

Field demonstrations have been instituted in the following forms: (a) Demonstration plats, areas of 20 to 150 acres, on which a rotation has been adopted involving methods of culture and tillage that are applicable to the local conditions.

(b) Demonstration fields, areas of one-third to several acres, on which the growing of new and special crops is demonstrated.

(c) Demonstration farms in which the farm as a whole, including its live stock and all its operations, is used to demonstrate the application of modern agricultural knowledge.

Live-stock demonstrations: The demonstrations in live stock consist in assistance in compounding rations, the breeding, selection, or methods of care of the various classes of stock now found in the State.

Advisory farm management work: Farmers in districts where work is carried on find that with the development of the specific field and live-stock demonstrations there is need for further information in regard to the development of the farm as a unit or in the solving of some particular problem which may not be definitely connected with the demonstrations as given. Hence, there arises a demand for forms of advisory work which shall deal with the specific problems at hand on the individual farm. This form of work is born out of the confidence that has developed from thorough systems of demonstration and will eventually be found most useful to the community and the State, although it must first be based upon careful demonstrational work which shall develop the confidence of the people to the extent that they will accept the advice and aid of the agricultural expert.

Agricultural experts of broad training and experience are placed in counties or districts thereof to develop agricultural interest and induce a change in method. Each man is assigned to a county or part of a county, consisting of from 500 to 800 square miles. He makes

his home at some central point and covers the territory often and thoroughly, and is ready to assist and advise those who care to avail themselves of his services.

The work is primarily not one of investigation but of taking personally to the individual operating his own farm the results of investigations as obtained by the Department of Agriculture, the experiment stations, and similar agencies. The field men of this association interpret the results of work and experiments and show their possible application to local conditions. The field demonstrations and personal contact of the field have as their purpose the converting of knowledge now existent into the common practice of large numbers of people engaged in agriculture. All forms of experimental work on the farm are carefully avoided, and only those methods which have been amply demonstrated and worked out are applied to the farms in each locality.

All field or live-stock demonstrations are carried on in cooperation with the farmers without expense to the association. The farmer furnishes labor, machinery, land, seed, etc., and is required to operate under the direction of the agriculturist and is the owner of all crops or products obtained. Summarized, the features of the plan of work are, first, the competent agricultural field agent in personal contact with the farmer receiving assistance, and, second, the cooperation of the farmer in the demonstration, thus securing a maximum of interest.

I believe I have already said that each county pays one-half the cost of the demonstration work. During the first year, 1912, there were 12 counties that went into this very practical scheme of vocational training. The actual work done by the association last year is told in a most interesting statement made to the association in the annual report of Prof. Cooper, from which I quote a few paragraphs, as follows:

The form of work is such that it is difficult to properly convey to the mind the various activities that have been carried on and their effect upon the community. It is only after a period of years that the value of work can be shown, and then as reflected in the changed conditions that prevail in the community or county. Specific forms of field work have been carried on the past year with 2,346 farm cooperators. Each of these men carried on some special form of work under the direction of the representative of the association. The results of the work, so far as possible, are expressed in numerical terms. The following summaries show, so far as possible, the classification of the work and the cropping results obtained this year:

Summary of cooperative work for the season 1912.

Demonstration plats operated under supervision	84
Demonstration fields operated under supervision	643
<b>Acreage of demonstration plats operated under supervision</b>	<b>3,996.9</b>
<b>Acreage of demonstration fields operated under supervision</b>	<b>8,377.8</b>
<b>Total acreage operated under supervision</b>	<b>12,374.7</b>
Farmers signing cooperative agreements	801
Farmers cooperating but not signing agreements	238
Farmers with whom definite advisory work was carried out to completion—no agreement other than verbal	555
<b>Definite advisory work—no agreements:</b>	
Live-stock demonstrations	16
Building construction	57
Planning farmstead and layout of same	8
Live-stock purchases	35
Special feeding methods	25
Special cropping methods	58
Special tillage methods	43
Seed-corn work	151
Weed eradication	31
Live-stock work	288
Miscellaneous work	144
Drainage	5
<b>Total</b>	<b>861</b>
<b>Total number of farmers carrying advisory work not under agreement</b>	<b>306</b>
<b>Individuals accepting definite advice on farm problems, returns unreported</b>	<b>446</b>
<b>Total number farmers cooperated with</b>	<b>2,346</b>

The field agent of the association covers his territory regularly, yet he must be available at practically any time to a cooperator needing assistance. Each demonstration is carefully watched, and the agent endeavors to be at the farm whenever a critical condition exists, making it possible to give the directions needed at the time. The number of visits made each cooperator depends upon the character of the cooperation. Some forms of work require but two visits, while others will require several during the season. The fact that there are certain periods during which the great majority of cooperators must be reached promptly is the limiting factor in the number of cooperators each agent can care for.

Acreages and yield per acre in field demonstrations in 1912 compared with individual averages and State averages.

Crop.	Acres under demonstration.	Yield of field under demonstration.	Yield of field in locality.	Average yield for State.
Corn	2,520	42 Bushels.	30.5 Bushels.	26.7
Wheat	1,172.3	23.2	18.5	18
Oats	783	59	57	41.6
Barley	828	39.25	31.3	29.7
Flax	1,118.6	15	11.5	9.7
Potatoes	196.2	142.7	105.9	128

The yields on the demonstration plats and fields as obtained in 1912 are presented as a matter of record rather than of comparison. One year's time is insufficient in which to obtain results from systematic rotations and tillage methods. The results of rotation and better tillage methods will not be developed for a period of from three to five years. Any increase in the crop yields that has been obtained this year has been due solely to better tillage methods, better varieties of grain, or the use of better seeds, and to the extremely favorable year for crop production.

The results of demonstration work have already been reflected in the desire of many farmers to adopt some form of rotation to the entire farm. The results of the year's cropping have not proven the value of a rotation, but the rotations adopted for use on the different farms appear so logical that already farmers are preparing to adopt them bodily on the entire farm. No standard form of rotation has been adopted. Varying conditions of soil, altitude, and climate have presented different problems. The effort has been made to consider each individual case and to adopt a system of cropping that would fit its need. So far as possible clover and timothy have been made use of as the grass crop. The farm manures have been applied on sod or to the corn ground.

The methods of cultivation and tillage recommended by the field agents have been such as were capable of adoption on the entire farm. The economics of the farm business have been kept in mind and the application of labor limited to the amount that would prove profitable. Generally speaking, the extra cost of farming land under direction of the association has been approximately \$1 per acre. It is seldom that additional labor of men and horses would exceed in cost \$1.50 over the ordinary methods of culture.

Demonstration plats or fields have been located so far as possible on soils that represent the average conditions of the locality. Average land has been obtained and soils avoided that were to a marked degree better or worse than the surrounding lands. Thus the future results as obtained from demonstration should reflect the possibilities of the vicinity.

Special attention should be given to the acreage of alfalfa sown this year under the direction of the association. In the districts where work is developed a much larger acreage, three to four times as much, has been sown, due to the interest aroused in this crop by the field agents. There is little question but what the crop will be uniformly successful over the greater portion of the State. The work of this year will result in the seeding of a very large acreage in 1913. Experience of this past year and the condition of the alfalfa crop before going into the winter give every reason to believe that with more common knowledge as to the successful methods of culture the crop will become important and profitable.

Attention is being directed to the production of corn more generally throughout the State. In spite of its manifest advantages as a crop the latest estimates of the Bureau of Statistics of the United States Department of Agriculture show an average of slightly over 4 acres of corn per farm. The acreage sown to the corn crop should be much increased and varieties of corn grown which will mature in the average season. The results of this year's corn contest have demonstrated that corn may be matured in all sections of the State and that satisfactory average yields may be secured. Future corn production in the State depends almost entirely upon the use of home-grown seed and the development of suitable local strains or varieties. This is to be accomplished locally through the demonstration fields and breeding plats.

The development of interest and the use of live stock on the farm is an essential part of the work of the association. Demonstrations in this phase of the work have been limited the past season because of the necessity of starting field work and preparing a sound basis for the future development of the live-stock industry. Interest is very much increased in this phase of agriculture. Some definite cooperation in the way of feeding, care, and selection of the dairy cow, swine, and poultry has been given. Much additional help will be offered this winter. Already plans are well developed for the organization of cow-testing associations, community breeding circuits, and the purchase of special types of live stock for these groups.

In addition to the work which has been presented in tabular form a large amount of work has been reported which is of definite value to the public, but which can not be estimated numerically. The representatives of this association have assisted the farmers along practically every line of endeavor which affects the profit and home life of the farm. To illustrate some of the features of the field work which have not been otherwise presented, but which represent actual accomplishment, the following examples are given:

The furnishing of plans and assistance in the construction of all farm buildings, including special assistance and advice in the construction of silos; securing and distributing farm labor—two representatives of the association secured and placed where most needed 320 farm laborers; the organization of marketing associations and the construction of potato warehouses; the reorganization of farms for better systems of farm management or crop rotation; securing and distributing large quantities of special varieties of grains and grasses; the adjustment of farm machinery; simple veterinary work; the organization of community breeding circuits; purchase of live stock; organization of circuits for testing of cattle for tuberculosis; work in the country schools—instructing the boys and girls as to better agricultural methods or forming corn clubs; cooperation with local commercial clubs; county superintendents of schools interested in work affecting rural conditions; the holding of numerous local fairs, grain and corn contests, and a colt show; the oversight and judging of the State acre-yield corn contest; and much special work in relation to the farm home, the planning of grounds, the growing of wind breaks, and numerous other forms of work, small in themselves, but significant from the viewpoint of the farmer as showing actual accomplishment that is on a par with the production of more or better grains.

The board of directors consists of Hon. J. E. Phelan, Bowman, N. Dak.; H. C. McCartney, Oakes, N. Dak.; Hon. F. W. Cathro, Bottineau, N. Dak.; R. C. Kittel, Casselton, N. Dak.; R. S. Adams, Lisbon, N. Dak.; Hon. E. Y. Saries, Hillsboro, N. Dak.; J. J. Nerling, Jameson, N. Dak.; C. W. Kelley, Devils Lake, N. Dak.; C. L. Timmerman, Mantown, N. Dak.; E. J. Weiser, Fargo, N. Dak.; C. B. McMillan, Hannah, N. Dak.; Hon. J. Austin Regan, Fessenden, N. Dak.; A. R. Rogers, Minneapolis, Minn.; P. L. Howe, Minneapolis, Minn.; L. M. Davis, Minot, N. Dak.; W. L. Richards, Dickinson, N. Dak.; H. S. Helm, Minneapolis, Minn.; Hon. J. D. Bacon, Grand Forks, N. Dak.; Hon. W. C. McDowell, Marion, N. Dak.; Hon. Charles MacLachlan, New Rockford, N. Dak.; Hon. C. F. Mudgett, Valley City, N. Dak.

Prof. Cooper concludes his report to the Better Farming Association in these words:

The ideal of education and instruction has been to make knowledge useful to a large proportion of the population. This the Better Farming Association has attempted to do from an agricultural standpoint. With the counties of the State as schoolrooms, the farm, the growing crops, and the live stock as illustrative material and texts, and with the farmers and their families as cooperating students, the representatives of this association have, under all kinds of conditions, endeavored to present the fundamental agricultural truths in a way and in such a form that they would be immediately useful. The year's work has proven that the method of organization and forms of work adopted by the association are effective; that farmers are ready to cooperate along lines that promise results, and that many people find use for a district or county agriculturist who is in position to give definite advice and help. Work of this nature is no longer an experiment. With a force of 20 men in the field, the year past has convinced all who have watched the progress of the association that this is one of the most effective methods of carrying on agricultural work that has been attempted. It may safely be assumed that with the foundation for work that has been laid this year the next year will show much greater results along more specific lines. It may be expected that in time the cumulative effect of the succeeding years' work will take an important part in placing the agriculture of North Dakota upon a permanent and profitable basis.

A number of additional counties of our State have been added to the list this year for field and other demonstration work, and while I have no official report and no statistics respecting what has been done this year, the work of the Better Farming Association, Director Cooper, and his very able corps of assistants, has received the commendation and approval of those who live in counties where the vocational training is being done.

Mr. Chairman, permit me to again suggest that if this joint resolution is adopted the commission appointed by the President should investigate with special care the results of the Better Farming Association of North Dakota working in cooperation with certain of its counties, which furnish perhaps the best practical example in the United States of vocational training as applied to agriculture.

Mr. POWERS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN. Mr. Chairman, there seems to be some confusion in the minds of the committee as to what vocational education is, and as to the provisions of the two great bills, the names of which we have heard so often this afternoon, the Page bill and the Lever bill. I understand the purpose and object of those bills are entirely different, and that there is no reason in the world why they should be considered together, or why there should be confusion in the mind of anyone respecting them. The Page bill provides for Federal aid to teach vocations in the schools and for the establishment of schools. The Lever bill provides for the employment of educated, experienced, practical men to go from the agricultural colleges and from the Department of Agriculture right out into the country and onto the very farms themselves and give to the farmers the results of experiments and investigations which the department and colleges have been making during years and years by the use of Federal and State money. The Lever bill passed the House and it went to the Senate. A great deal had been done in making sentiment favorable to that bill.

It was found to be very popular. The author of the Page bill and those who were particularly anxious to secure its passage through the Senate realized the popularity of the Lever bill, and, thinking that they might have a chance to pass their bill by attaching it to the Lever bill, they offered it as an amendment to the Lever bill and passed them together through the Senate. The House refused to accept the Lever bill so amended, and the two measures, or the one composite measure as it were, died between the two Houses. Now, when the suggestion is made that the question of vocational education be investigated and studied and a report made to Congress, it is suggested that that will delay consideration of the Lever bill. It seems to me that can come only from those who altogether misunderstand the purpose and object of the Lever bill and misunderstand altogether what vocational education is.

A word in regard to the Lever bill. Starting away back in 1862, when the Morrill Act was passed, agricultural colleges were established in the States by Federal aid, and from time to time acts have been passed by Congress providing money for assistance to those colleges in the establishment and maintenance of experiment stations. Those colleges have been making experiments and investigations, and have been piling up results until the shelves are literally loaded and groaning with the information, and the heads of the men who have been devoting their time to this work are filled with this information, but there has been absolutely no means by which the information could be taken out to the people who needed it and could make use of it. It was thought at first when those appropriations were made, when the colleges were established, when

the Hatch Act and the Adams Act supplemented the Morrill Act, that it would be only necessary to conduct those colleges, where the scientific part of agriculture could be studied and investigated and the result could be taken to the farm by way of bulletins and other literature and by way of institutes and lectures. But it has been found that those methods have entirely failed. Educated men representing the department and the colleges within the last year, almost without number, have come before the Committee on Agriculture and told us that their methods of work and their methods of acquiring knowledge have been effective, but their methods of disseminating it have been found altogether wanting, they have been found ineffective, and they are with one voice now advocating the Lever bill, which provides for practical instruction, not in the schools, not by way of teaching a vocation, but by sending men who know right out on the farm to get down to the soil alongside the farmer, who wants to know, to talk to him about the results of the investigations and the experiments which the agricultural colleges and the department have made.

The Lever bill, which passed this House a year ago, contained a provision that 75 per cent of all the money appropriated by Congress and by the States for this particular purpose should be spent in this practical work, realizing as we did that when money was appropriated by Congress heretofore it was used within the colleges. When we asked them to take some of the money appropriated under former laws and use it outside, they said the laws did not permit them to do so; that they must use that money within the colleges, so it is absolutely necessary to have the money provided by the Lever bill to carry the practical work out to the men upon the farms. Now, that bill provides for one line of work and the Page bill for one radically different from it, as it provides for work within the schools. The Lever bill when it has matured, if it becomes a law, will carry an annual appropriation of \$3,480,000. The Page bill, if it were to become a law, would call for an annual appropriation of upward of \$15,000,000. I have examined the Page bill, I have read it over and over again in an effort thoroughly to understand it, and I fail to comprehend what it means, and I doubt if anyone—well, I doubt if the ordinary man can read that bill and understand the line of work to be provided for under it. I was very forcibly impressed, Mr. Chairman and gentlemen of this committee, with the broad nature of this vocational-education proposition and the need of much more study than any committee of this House has ever given to it before a proper bill can be framed and a proper plan put into operation.

I do not doubt the ability of the Committee on Agriculture of the House or the Committee on Agriculture of the Senate, by giving plenty of time, to devise a proper plan. But I have favored this resolution because I have confidence in the President that he will appoint good men to give exhaustive study to the question of vocational education, and I have thought that they will present to Congress a mass of information that will be valuable to the committee, and suggest a plan that will be the beginning of the work to be done by the committee in framing a bill for vocational education.

Mr. KINDEL. Mr. Chairman—

The CHAIRMAN. Will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. KINDEL. I would like to ask you as to the adoption of a plan for geographical education, or commercial geographical education, as well as vocational education. What would the one be without the other? If you had everything at hand, with the knowledge to perform it, and did not have the wherewith to get there, how would you make the people prosperous? In other words, without the transportation-question study in connection with the vocational, how would you make them prosperous? Has the gentleman given that any thought? That is what I wanted to ask him.

Mr. McLAUGHLIN. That kind of education has not been suggested to us in committee as vocational education, although I suppose it might be included, and it might be proper for Congress to make appropriation to carry it on. [Applause.]

Mr. HUGHES of Georgia. Mr. Chairman, I ask unanimous consent that the discussion of this resolution shall be closed at 5 o'clock.

Mr. FOSTER. Mr. Chairman, reserving the right to object, I can not agree to that. Nearly all the speaking has been done by those who favor the resolution. It is now about 4 o'clock, and I do not believe that the gentlemen can finish the consideration of it to-day. I suggest that the committee rise and the House adjourn.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] objects.

Mr. FOSTER. I have not objected yet.

Mr. GARRETT of Tennessee. The general debate can not be closed in Committee of the Whole House on the state of the Union.

Mr. HUGHES of Georgia. There is a gentleman whom I am very anxious should present his views, and as he leaves here this afternoon I sincerely hope that the gentleman will withdraw his motion until we hear from the gentleman from Ohio [Mr. FESS]. It will only take a short time. He is a member of the committee.

Mr. FOSTER. I do not think any arrangement ought to be made whereby Members may leave here at this particular time. So if it will help to hold Members in the city of Washington I think I should object for that reason.

Mr. MONDELL. May I inquire how long the gentleman from Ohio [Mr. FESS] desires to talk?

Mr. HUGHES of Georgia. He desires 30 minutes.

Mr. FESS. Mr. Chairman, I do not care to be heard, but I would like to have the privilege of extending some remarks in the RECORD.

Mr. FOSTER. No. I would like to hear from the gentleman from Ohio.

Mr. TOWNER. Let me make this suggestion. Suppose the time be yielded to the gentleman from Ohio [Mr. FESS] to make his address, with the understanding that the committee at the end of the address shall rise.

Mr. FOSTER. That would be satisfactory to me.

Mr. HUGHES of Georgia. I agree with that.

Mr. COX. I do not know whether we will all agree to that or not, Mr. Chairman.

Mr. FOSTER. How much time does the gentleman want?

Mr. POWERS. Mr. Chairman, I want to ask unanimous consent that any Member of the House, whether he has spoken on this resolution or not, shall have the right to extend his remarks in the RECORD.

The CHAIRMAN. The Chair understands that you can not make a blanket order like that in the Committee of the Whole House on the state of the Union.

Mr. POWERS. I will make this proposition, then, namely, that any Member who has spoken—

The CHAIRMAN. The Chair understands such an order can not be made in the Committee of the Whole House on the state of the Union. Each individual can ask it for himself, but not for anyone else.

Mr. POWERS. I will grant the remainder of my time to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized for 14 minutes.

Mr. KINDEL. Before the gentleman proceeds—

The CHAIRMAN. Will the gentleman from Ohio yield to the gentleman from Colorado?

Mr. FESS. Certainly.

Mr. KINDEL. I would like to ask unanimous consent to publish some statistical reports on transportation, freight, and parcel post in connection with the remarks I have made here to-day.

The CHAIRMAN. The gentleman from Colorado [Mr. KINDEL] asks unanimous consent to extend his remarks upon transportation charges and parcel post in connection with his remarks made here to-day. Is there objection?

There was no objection.

Mr. MOORE. Mr. Chairman, will the gentleman from Ohio yield to me so that I may make a request?

Mr. FESS. Certainly.

Mr. MOORE. I desire to offer an amendment fixing the time when this resolution shall go into effect.

Mr. TOWNER. That can only be done when the resolution is taken up under the five-minute rule.

The CHAIRMAN. That is not in order under general debate.

Mr. MOORE. If I may be permitted to make my request, I wanted to have it offered now and read for information and have it considered as pending.

Mr. FOSTER. I make the point of order, Mr. Chairman, that that can not be done now.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] makes the point of order, and the point of order is sustained. The gentleman from Ohio [Mr. FESS] is recognized for 14 minutes.

Mr. FESS. Mr. Chairman, one-fifth of the entire population of the United States is in school now. As much money is being expended by the States and the Nation for education as for almost any other subject. There is no one phase of national life that ought to be a subject of national concern with deeper meaning than that of education. [Applause.] And while we in Congress are speaking of the wealth of our country and saying that the farms in a single year will produce something like

\$0,000,000,000 and that the manufactures of the country are producing in wealth so many billions of dollars until the wealth of our whole country would approximate something like \$125,000,000,000; while we are doing that—sometimes I think that the real source of the wealth of the country is in the children of the country and its surest guaranty is in the education of those children. [Applause.]

While we become very enthusiastic here upon the floor in speaking for the material advantage of the country, the one thing that this Congress ought never to forget is that the real source of this wealth is not to be measured in the markets. You can not measure it out by the yardstick. It can not be measured by the bushel. It can not be estimated by dollars. It is a matter of soul and heart culture, and the one chiefest of all functions of a government is to supply the needed education of the boys and girls who are to become the energizing forces in the production of this wealth in the future. [Applause.]

Everybody seems to be agreed that something ought to be done, but gentlemen are at some variance as to how it should be done. They are also a little in doubt as to who should do it. Of the millions of children that go to school, less than 2 per cent graduate in college and less than 6 per cent graduate in high schools. Ninety-three per cent of all the children that enter the schools of this country in every State leave the schools before they reach the high school. Ninety-three per cent.

I ask, What are we doing for the benefit of the 93 per cent that leave the schools in the grades? What is their position, going out of the grades, in order to do the work with which they have to make their living? Is our education adapted today to enabling my child when he leaves the grades to live a better life, a more productive life? What have we done to insure this? State after State has tried to do something. The Federal Government, assisted in 1862 by the Morrill Act, and then again in the second Morrill Act of 1890, and then again in 1906, and still again in 1907, and there did not seem to be very much objection to the Nation helping at that time.

I am sorry that my distinguished and eloquent and fair-minded friend from Texas [Mr. HARDY] is not at this moment present here. Every single objection that that distinguished Member of the House offered to this proposed vocational education resolution could be opposed legitimately to every effort of this Government, whether it be in the line of agricultural or industrial education or along the line of education in improved transportation, as suggested by the gentleman from Colorado [Mr. KINDEL].

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Tennessee?

Mr. FESS. Certainly; with pleasure.

Mr. GARRETT of Tennessee. I wanted to ask the gentleman from Ohio what he thinks about the principle involved in the Lever bill, and that is that an appropriation out of the Federal Treasury shall be conditioned upon an appropriation by the State? That is, the State shall not obtain an appropriation from the Federal Government unless it first makes an appropriation itself. Does the gentleman think that is a correct principle?

Mr. FESS. I want to answer my good friend from Tennessee that I have not sufficiently gone into the merits of the specific question he asks, which demands a specific answer, to enable me to commit myself here. But I will say this: I oppose any plan in this Congress in matters of education that would take the education out of the States. I do, however, want such a mutuality between the State and Nation that if the Government assists the State the State will also pull up and do its part. However, that is not in this resolution.

Mr. GARRETT of Tennessee. Oh, no; it is not in this resolution.

Mr. FESS. My point is that State after State has offered certain things. Individual after individual has proposed certain things. Association after association has proposed certain things. We have a national association for the promotion of industrial education, a great movement in this country. They have proposed a certain thing. We have the famous National Educational Association of the country. They have proposed a certain thing. We have the National Association of Superintendents of the country. They have proposed a certain thing. We have 17 different fugitive associations that have interests in the vocational life of the country suggesting certain things, but we do not unify on anything. One pulls this way and another pulls that way. Here is a suggestion raised by my friend from Tennessee [Mr. GARRETT], which indicates a difference, and we do not get together. The Lever bill offers some objections, and we do not reach them. The Page bill offers some

objections, and we do not reach them. There seems to be a lack of a clarifying plan to unify a system of vocational training. And let nobody confuse the idea of vocational training with the idea of agricultural training or with the idea of industrial training. Industrial training is one thing. That is for the urban community. On the other hand, agricultural training is another thing, and that is for the rural community. But vocational training is a combination of the industrial and the agricultural, and this bill is to provide for the appointment of a commission of experts to look into these conflicting ideas and to report back to this House a clarifying plan, if they can decide upon it, for us to have something concrete to work upon. And that is no reflection upon the committees of this House. These committees have plenty of work.

What we want is not a Member of this House to devote his time to making this investigation, but we want—and I am sure every Member here will understand the sentiment and the spirit in which I speak it—we want one of the best-equipped men in the world to make this appointment, and I want it done when he is in the presidential chair. For there is no man who touches upon the needs of education, both industrial, agricultural, and cultural, in a more clarifying sense than Woodrow Wilson. [Applause.] He knows how to do it, and if we do not do it at this time I do not know whether we will come any closer to it hereafter. And the thing that concerns me is, Why can not we who believe in vocational education, who believe in industrial education, who believe in agricultural education, who believe in cultural education, agree to have a commission of experts to make their report? Then we will have something to work upon. This, to me, is the thing that is most important.

Now, who are objecting? One is objecting upon the constitutional ground. That can be relieved. If the Nation is to take full control and dominate the education of my State of Ohio, I am opposed to a measure like this, because education is a local matter, and I think most of this House would oppose the idea of national domination of local education. Others are objecting upon the ground that vocational education is not a function of this Government; that we do not have a national system of education, and should not have a national system of education; that we ought to have 48 State systems of education, but not a national system; and they say education is not a national function. Do we really, sincerely believe that education is not a function of the National Government? We found bad food and we passed the pure-food law for the sake of the stomachs of our citizens. We found bad conditions in labor centers, and we passed laws here making better conditions for labor in the country by saying to certain centers of business, "You must improve; you must do away with certain things, and make sanitation a greater asset of the Government." If we have not yet regulated child labor, we will do it, because that is a function of this Government. We can go into the subject of a national law on divorce and marriage, because that reaches the home, and that is what we are going to do.

Mr. COX. Why not religion, then?

Mr. FESS. Religion is a horse of another color. There are too many. There is only a man and a woman to be married.

Mr. COX. And there is only one soul to be saved or lost.

Mr. FESS. And does the gentleman think the Government ought to save it?

Mr. COX. That is your argument.

Mr. FESS. The biggest thing you can do is to save a soul to the usefulness of a useful life, and there is nothing like education to put a boy on his feet and help him to do that. [Applause.]

Mr. COX. By law?

Mr. FESS. Make the law help him. This good friend from Indiana wants to reduce the cost of living. You can not do it by tariff legislation—and you will find that out later on—but I will tell you how you can do it. You will increase the production of the acreage of this country through scientific agriculture, and as you increase the production you will meet the demand and your prices will come down. [Applause.]

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. FESS. Certainly.

Mr. COX. In my judgment you will never increase the yield of the acreage in this country by virtue of a few theoretical professors, as the gentleman from Ohio [Mr. WILLIS] said a moment ago, but you will increase it by virtue of the farmer who knows what is practical.

Mr. FESS. I would say to my friend from Indiana, if the theoretical professor is an obstacle to legislation, what about your President to-day? Is he an obstacle? [Applause.]

Mr. COX. He is a practical man in addition to being a theoretical professor.

Mr. FESS. And we want a practical man to appoint a practical commission to report a practical plan of vocational education.

Mr. COX. But are you going to get him?

Mr. FESS. Yes.

Mr. COX. Have you got him selected?

Mr. FESS. Oh, we do not presume to say what the President will do. I say to you, my friend, that President Woodrow Wilson has his eyes now upon 20 men, any one of whom has become a tremendous power in vocational training. Think about President Van Hise, of the University of Wisconsin, and other men who can be named. Think of your own Secretary of Agriculture, Prof. Houston, and others—Dr. Claxton, if you please. But, then, we do not want to take them out of Congress, and we do not especially want to take them out of the Cabinet or out of the Presidency. We want President Wilson to use his best judgment in the selection of the men who will not do it for political reasons, but who will do it for the good of the public.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to conclude his remarks.

Mr. POWERS. Mr. Chairman, I ask unanimous consent that the gentleman may continue for 15 minutes more. I promised the gentleman that much time, but was compelled to give it to others.

Mr. ABERCROMBIE. Mr. Chairman, I hope the gentleman from Kentucky will modify his request and ask that the gentleman be permitted to conclude his remarks.

Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman from Ohio is speaking now in the time of the gentleman from Kentucky. The gentleman from Ohio would be entitled to recognition if he should rise and ask for it. There is no need for asking unanimous consent.

The CHAIRMAN. He is entitled to recognition, except that the Chair has promised to recognize the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman from Tennessee will waive his rights.

The CHAIRMAN. The gentleman from Ohio, then, is recognized in his own right.

Mr. MONTAGUE. Mr. Chairman, may I ask the gentleman a question?

Mr. FESS. Certainly.

Mr. MONTAGUE. The gentleman spoke just now of a unified system of education. Would it be the gentleman's idea that there ought to be a unified system of vocational education throughout the length and breadth of the Union?

Mr. FESS. I would say to the gentleman that I used the phrase very loosely.

Mr. MONTAGUE. The gentleman would not hamper the States in their initiative?

Mr. FESS. Oh, no.

Mr. MONTAGUE. Or in any given measure that would differentiate their education from that of any other State?

Mr. FESS. Certainly not. I would not want to make a system that would apply to every State alike, or make boxes all of the same size and put everybody in those boxes. I think there is not anything so serious in educational matters as to cut the cloth for everyone after the same pattern. I thank the gentleman for bringing that question to my mind. I used the expression in a very loose manner.

Mr. TAYLOR of New York. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. TAYLOR of New York. The gentleman's idea and purpose is to offer inducements to the States in the form of money so the States might perfect their system along the line of the system outlined by the National Government?

Mr. FESS. That was the idea.

Mr. TAYLOR of New York. That is substantially the gentleman's idea.

Mr. FESS. That is the idea. There is not to be a uniform system that every State must follow out.

Mr. TAYLOR of New York. The gentleman did not intend, as was implied by the gentleman from Texas, that this Government should take over the entire educational system and say to one State, "You have got to do just what we want," whether its conditions required it or not?

Mr. FESS. No; I would oppose that.

Mr. TAYLOR of New York. The gentleman just offers inducements to the States by the payment of money. You say to them, "If you will live up to this requirement in your educational system and in accordance with this resolution, we will give you so much money."

Mr. FESS. That is the idea. Or, in other words, it seems to me we ought to appeal to the man who is making the laws for the Nation to plan for an increased productiveness of the citizens of the State and the citizens of the Nation, and productiveness is not to be confined to this or that particular field. For example, we have a decline of agriculture in the New England States. As you know, people have gone to the West, and now they are working the farms of the West until the farms there are not producing as much as they used to produce when they first began cultivation. In other words, our population is increasing by leaps and bounds. The demands upon our people are increasing, and yet our supply of the needs of these demands are not increasing, but rather are decreasing. That is what I think we ought to look after, and the gentleman from Michigan [Mr. McLAUGHLIN] made it very clear that we should not simply build schools for the education of teachers in the schools, for the education of trainers of agriculture, but we ought to establish a system or create an atmosphere whereby the boy or the girl who will go to a training school in agriculture or in any industry, when that boy and girl gets through they will return to the farm; so that they will not be educated away from the farm, but will be educated back to the farm. In other words, we ought not simply to train teachers or experts, but we want our experts to take their children and train them to be producers in anything they themselves have studied.

Mr. MOORE. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. MOORE. The discussion always comes back to the farm, and I am very glad to have it come back there; but the question of industrial centers always arises, and we ought to consider that, and that comes to me in view of the question raised by the gentleman from Virginia—that among the producers of the country are not only the farmers, and we propose to provide for that particular industry, but there are other industrialists who ought to be considered—those who live in the congested cities, the men who toil in the mines, the men who fish for a living, all of whom are producers and conduce to the wealth of the country just as much as the farmer does in proportion. Now, how are you going to educate those; how are you going to provide for those by this system of educational aid?

Mr. FESS. The gentleman from Pennsylvania asks a question that certainly gives new impetus to the argument for the need of such a commission. He puts a question which goes beyond what we have here discussed. We have been confining what we have said to what could be done on the farm. Now, the question of the gentleman from Pennsylvania is, What are you going to do with the child who is not in the centers, who is not some specialist, who is some unskilled worker; what are you going to do for those who are unskilled? It seems to me that so much more is the need of a commission to study the needs of our people; and while this commission probably would not cover it, it might be so enlarged that it could cover it.

Mr. RAKER. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. RAKER. Do I understand that the gentleman is in favor of this commission reporting by the 1st of December?

Mr. FESS. The bill was introduced early in the Senate, and then it was reported, I think, some time about June, and at the time it was introduced they put in it the phrase "December 1st," and when it came to our committee we at once said that no commission that would go into the details of the work could scarcely report that soon, and we asked that that be changed.

Mr. RAKER. Now, what I was driving at was this: How long does the gentleman, from his experience, believe that it would take a commission to gather the appropriate data on which to report back to the House a plan on which the House or the Congress could act?

Mr. FESS. I would answer the gentleman from California that there can be men named in the United States, known to President Wilson, who could report it, I think, in two months easily.

Mr. RAKER. Now, I want to ask the gentleman this question: Is it not peculiar and is it not strange that we have been driving the boys from the farm and from industrial education when we have had these great men who could have given them a plan, but who have not given them any, when now in two months you are going to select 10 men that are going to revolutionize this whole thing?

Mr. FESS. I would answer my friend from California that there has been plan after plan proposed, submitted to committees, and special committees of investigation—dozens of them—have reported plans, but every single committee was voluntary, and there was no official character about it at all. Now, why do you not give it an official character?

Mr. RAKER. Then the real purpose is, whoever is appointed, to give it an official character, and if anyone differs from the report of the commission when they bring it back then he is opposed to all educational propositions along this line?

Mr. FESS. No; nothing of the kind. No committee should be so arrogant as to think that they have recommended a plan that must not be modified.

Mr. RAKER. I am seeking information. There have been several committees appointed and have made reports. Are not those reports accessible?

Mr. FESS. Those reports are accessible in the records of these associations.

Mr. RAKER. Can they not be obtained?

Mr. FESS. I will insert some of those reports in my address if the House will allow.

Mr. RAKER. I am more than willing to let you do it.

Mr. FESS. They will be in the RECORD.

Mr. RAKER. They are all different?

Mr. FESS. They differ in detail—that is, in minor matters.

Mr. RAKER. But in the principal proposition there is no difference?

Mr. FESS. No difference. There are certain elements of objection, and, strange to say, they come from college men.

Mr. RAKER. That is nothing against them.

Mr. FESS. That is nothing against them; but, strange to say, it comes from them. Their objection is that you are going to destroy the value of education if you enter the field of vocational education. They say that education should be for culture, and not to make a living.

Mr. RAKER. It ought to be determined under resolution by the House and Senate that if you are going to have vocational education the subject you speak of now ought to be eliminated.

Mr. FESS. Which subject?

Mr. RAKER. Culture.

Mr. FESS. We do not have to eliminate it, because it is not in this resolution.

Mr. RAKER. Do not misunderstand. If that is the only objection, it ought not to defeat vocational education.

Mr. FESS. That is the objection of some college men. I do not mean that is the only objection. There have been other objections made here; but that is the objection of college men.

I will say to my friend from California that objection grows out of a misconception of education. Simply because a man can read Greek and translate Latin is no evidence that he is cultured; but if a man who does not know any Greek and can not understand Latin can do a piece of work, and every man who sees the work sees the mark of reflection and thought, that man is a man of culture, as well as the fellow who can appreciate a piece of music. And why not make skilled workmen out of the men who are going to make a living by the work of their hands, and when they are making the living they are making a life at the same time? And the chief pleasure is in the life rather than in making the living. [Applause.] In other words, if Sallie, your daughter, is an artist on the piano, the question is, Can she at the same time bake a biscuit that is not a sinker? [Laughter.]

Mr. RAKER. She ought not to be able to play on the piano until she has learned to bake biscuits first.

Mr. FESS. Yes; and we want her to be able to do both.

Mr. MONTAGUE. Referring to the statement the gentleman has made in regard to the young lady, does not the gentleman think she should be a first-class cook rather than a musician?

Mr. FESS. I do. Both are worthy accomplishments.

Mr. MOORE. Does the gentleman think a young man who understands Greek should also be able to black his own boots?

Mr. FESS. I do. In that case he would not need to do both.

Mr. TAYLOR of New York. The gentleman does not think that this education should be confined to agricultural pursuits?

Mr. FESS. No; certainly not.

Mr. TAYLOR of New York. The gentleman thinks that Members from the cities should be just as much interested in this as Members from sections where the people are engaged in agricultural pursuits?

Mr. FESS. Yes.

Mr. TAYLOR of New York. Take the boy who wants to become a plumber. He does not need to study botany and biology and psychology, and all that, but he wants to receive thorough instruction in reading and writing and spelling and then receive instruction in the art of scientific plumbing, so that when he goes out into the world and engages in his trade he can not only wipe a joint, but he can also make a set of specifications.

Mr. FESS. Exactly. The gentleman has it exactly.

Now, Mr. Chairman, I desire to thank the members of the committee for listening to this disjointed discussion of a subject that is so near to my heart, to which I have given a good deal of study. In conclusion I want to say most sincerely that it seems to me the best education for the children of this great Nation of ours is that which will send the child from the school-room better equipped to live the life in the environment he is bound to live in. If he is going to be a farmer, let him be a skillful farmer. If he is going to live in an industrial center, let him be a skillful workman, as much so as he can be in an industrial center, so that while he is making a living he will at the same time have the discipline that will enable him to have some culture beyond it.

Mr. Chairman, I ask the privilege of extending my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio [Mr. Fess] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, the first and chief duty of any Government republican in form, in which its character must depend upon the intelligence of the body politic, is education, the broadest possible training for service to the State and Nation.

The real function of government is to produce a high-grade citizenship. Indeed, that is the ground for government, with all the burdens entailed. This citizenship may and must be viewed from two angles—first, the State, and, second, the individual. The character of the citizen's activity is twofold; it is purely mental, which until recently expressed itself in professional occupation, or it may be physical, largely, which is seen in manual labor. The latter represents the great bulk of any nation's people. The educated product of a community is divided into three groups, viz, the college graduate, the high-school graduate, and those who leave school before the high school is reached. The college graduate represents less than 2 per cent, the high-school graduate numbers less than 6 per cent, while those below the high school are at least 93 per cent. Most obviously the 93 per cent must be the chief concern of the State.

With no systematic vocational program, our present system does not reach the great mass of the youth by giving that sort of education that will best fit them to adjust their lives to the work they must follow after leaving school. The maximum results of education stop short of the professional rank. It is not adapted to the most needed knowledge and training; it does not seek to produce the highest skill, and really is that unsettling process that educates for failure rather than success.

The country's error with the great mass of our people is due to the wrong conception of the object of education, which is confined to simply culture, with little reference to the real work of the citizen.

Broad general culture is the chief goal of the teacher—the altruistic leader. In this class are placed all great educational lights and leaders—Pestalozzi, Kant, Fichte, Arnold, Channing, Wayland, Horace Mann, and Emerson.

Most of these spiritual leaders regarded education as its own reward. A boy or a girl should be educated primarily because of the human soul, which would be most sinful to allow to remain unopened. The chief measure of any system of education is the amount of soul power expressed by spiritual appreciation that can be realized.

While this conception should be kept before the Nation, it is perfectly apparent in this workaday world that this goal is not the lot of the vast mass of the human family. The Nation must face the problem as it is and not as it ought to be; however, the final goal should not be lost sight of. In the condition which confronts the Nation rather than a theory, over 90 per cent, or nine pupils out of every ten, will be called on by the State to make a living by the employment of manual labor—work with their hands. A system of education that does not care for the nine-tenths is notoriously faulty. This great body of pupils are not necessarily what they are by choice, but by circumstances which they can not control, whether by lack of foresight and ability is not at issue. However, the State by a proper system of education can minimize the evil influences and multiply greatly the useful products of the talents awaiting development. This system should seek to enable the youth to command his environment. If he is on the farm and is to follow the plow, sow the crop, and reap the harvest he should be trained to do it, not as his father did, necessarily, but in the best way to compel the earth to yield its maximum product with a minimum expenditure of energy. His agriculture should be scientific. If he is in the city, then the work of his hand should

not be after the methods of his ancestors for generations past, but should reflect knowledge of the subject, science, and skill in handling—art.

The interests of the farm call for agricultural training schools. The congested urban life calls for vocational schools, combining the science of the technical school and the art of skill of the industrial school.

What has been accomplished, and how, on the farm? What can and should be done among the urban peoples?

The real purpose of the State should be to keep open to every youth an equal opportunity to make the most of life. It should assist in clarifying purpose and presenting opportunity. The boy who is to till the soil should be led to it in the best possible way. The boy or girl who is to work in a shop should be educated for it. In other words, the State should assist in preparing every citizen for some vocation. This duty is twofold—first, its reflex upon the worker, and, second, its effect upon the State.

It was Paschal who said every faculty of the mind existed for the sake of activity. This dictum may be viewed from a positive and a negative angle. The use of the faculty gives pleasure to the possessor, as well as increasing the good of the community. Negatively speaking, if it is not used it will be lost. The old adage, "Use or lose, rest and rust," is herein applied. Malebranche said: "The chief joy in life is in pursuit; therefore were truth a bird, and I held her in my hand, I should let her go that I might have the superior joy of recapturing her."

The reflex influence of a thing accomplished upon the doer is apparent. The performance of something by dint of compulsion and without thought is irksome. It becomes a task. It may be most burdensome. If, on the other hand, it is by a skillful hand, directed by a trained mind, it becomes a real accomplishment, a satisfying achievement. It not only bears the marks of reflection, but it has the brand of discipline, of skill. It has been well said that character can be best read in the manner in which we end our work. A piece of work slovenly performed displays a slovenly character. Herein is the serious evil of allowing anything short of best performed to satisfy the worker. The "about correct" pupil is not bad because of an error in result, but because of the serious effect that such habits of work will have upon the life of the worker. Work that is slovenly thrown off never adds anything worth while, either to the sum of accomplishment or to the good of the worker. "The good is the evil of the best," says the Spanish proverb.

The old cobbler sitting at his bench day after day doing nothing but driving the wooden pegs into the soles of the shoe was asked whether his work did not become wearisome to him. He replied: "No; I do not allow it, because I always try to drive the next peg just a little slicker." Here is the philosophy of work.

Every citizen should be trained to do some one thing, not only because of its value to the individual citizen but because of its ethical value to the community in which he lives. Too many citizens measure life by what they get out of it. The real measure is what one puts into life. The chief worth of a citizen is not what he has been able to get out of a community, but rather what he is able to add to a community. The successful accomplishment of a task often has its largest meaning by its influence upon others in a community. In other words, instead of its meaning being selfish it is altruistic, instead of it being individual it is community in its real significance. A deed useful in character, well performed, can not be confined to the doer, but is community wide. The ethical value to a community of vocational education is apparent. This is why such a system of education is not for the poor boy or girl alone, but is also for the child of the well-to-do family, who never needs give a thought to the task of a mere livelihood. It must be for such as well, since he has no assurance that he will always thus find the world. But entirely aside from such a consideration he should be admitted to the real joy of an appreciation of accomplishment and should be taught also to respect the pupil who is compelled to accomplish for a livelihood. In this manner he will not confine himself to the making of a living, but rather will make his chief purpose in the making of a life, which is very much better, for, after all, the wealth of any community does not lie in the thing to be measured off or weighed out or marked, but in the men and women in the community.

Herein may be seen the common error so oft expressed in the argument against vocational training. The chief opposition in certain educated circles is the charge that such education is inevitably at the expense of culture. This is an error, first, because culture as the chief desideratum is limited to a very small proportion of pupils; second, such education, rather than being a hindrance, would be supplemental. It would not necessarily subtract from the cultural classes, but more cer-

tainly add to them. Again, this contention arises out of the proposition so well stated by Emerson. He declared it was not the educated farmer the country needed, or the educated artisan, or the educated professional man, as lawyer, minister, teacher, and so forth. The country demanded the educated man on the farm rather than the educated farmer. The latter's knowledge is confined to the farm, while the former extends beyond the farm, and includes the education needed by a wide-awake citizen of the community.

All will agree that Emerson's dictum is ideal, and is worthy the goal of any community, but the deduction that skill of hand means want of heart; that ability to do is loss of ability to feel or think; that vocational education is versus cultural education, such deduction is entirely erroneous. The field of Edison or Burbank may not be classified as classical culture, yet it is a matter of serious doubt whether a knowledge of the letters and languages indicates a higher degree of genuine culture than the insight into the laws of nature that are brought to light by the wizards of the scientific world. When the real astronomer broke forth, "O God, we but think Thy thoughts after Thee," he was expressing one type of culture. We usually confine culture to subjects that arouse emotions, intellectual and spiritual. We say our imaginations are enlarged, our feelings are edified, our purposes and determinations are ennobled, and so forth. Herein are the suggestions of culture. Their trappings are not in things material; they can not be handled, even though they are skillfully worked. Anything which has its product in the market excludes culture. The time is here when such definitions will no longer rule. Limits are not so placed in the world of culture. In other words, culture extends beyond the make-believe, and takes in the real accomplishment.

Some one has said the eighteenth century was marked by authority. Few gave the command; the many obeyed. Its chief result was a blind obedience which suppressed individuality.

The nineteenth century was marked by opinion. The ruling passion was independence almost to the approach of arrogance. This opinionated century gives us the work of protest in all fields of thought and action.

But the twentieth century is marked by achievement. To-day the biggest word known to man is service. The supreme question is not, Who are you? or What is your name? or Whence came you? The one question asked of all alike by the present century is, What can you do? The answer to that question fixes the rank of the queried. It matters not whether it is in the field of science, letters, or arts, or out in the big world of invention and discovery in the various applications of these various bodies of knowledge; the differentiation between success and failure is here.

If the real purpose of public education is the character of citizenship, then the desirable character results from the skill of vocation as certainly as from the knowledge of profession.

A painting is the product of culture. An appreciation of it is also a mark of culture. The great musical composition is the product of culture. An appreciation of the symphony is the mark of culture. But often the great musician is totally incompetent to appreciate the great painting, and vice versa. However, one would scarcely deny to either the title of culture. So it is with the product of the vocation. Anything well done need not blunt appreciation of other things well done; neither need vocational schools prevent desirable qualities of appreciative culture in the higher arts.

The common objection of certain citizens to vocational training generally arises out of a total misconception of results.

The need of vocational schools in our country is quite apparent to all. Growth of sentiment within the past decade has been phenomenal. It has been recommended by both the employer of labor and capital and by the employee, as indicated by the position of the leading associations and various organizations.

Commissions are at work investigating the progress of such schools in Prussia and various parts of Europe. Also systematic investigations are in progress in the United States. These demands have been responded to by consistent efforts and some fugitive plans. Hundreds of cities have undertaken the work of manual training for the boys and domestic science for the girls within the last 10 years.

The agitation has almost assumed the character of a propaganda. A glance at the bibliography will reveal the surprising fact that every phase of the subject has been most copiously covered. In the last decade there have come from the press 120 books upon industrial education alone in this country, to say nothing of the great number from each of the countries in Western Europe.

Aside from this, a most distinctive work has been done, and is now being done, by associations, committees, and commis-

sions. Not less than 50 reports have been made by associations and committees, and at least 30 commission reports have also been made. In these various reports every phase of the subject has been covered. In addition to these reports, books have been published on the trade-unions phase of industrial education. At least a dozen books touching this phase have come from the press within the past decade. A bibliography of the subject issued this year by the Bureau of Education, including periodicals with the monographs, reports, and books on the various phases of vocational education, numbers 885 publications, all of comparatively recent issue.

No propaganda can succeed without a healthful backing of public opinion. In this realm there has been a most marked activity. The Bureau of Education issued this year a statement of this side of the movement, which I wish to incorporate in this address.

#### INDUSTRIAL PROPAGANDA.

Much of the credit of creating and directing public opinion along the lines of vocational needs, both as to training and vocational guidance, is due to the aggressive publicity of the Educational Department of the National Government. Recently there have come from the Bureau of Education the following important bulletins:

- 1911, No. 2. Opportunities for graduate study in agriculture.
- 1912, No. 1. Courses of study for rural school teachers.
- 1912, No. 4. Mathematics in technical secondary schools.
- 1912, No. 6. Agricultural study in secondary schools.
- 1912, No. 9. Country schools for city boys.
- 1912, No. 18. Teaching language through agriculture and domestic science.
- 1912, No. 20. Readjustment of an American rural high school to the needs of the community.
- 1912, No. 28. Cultivating school grounds in Wake County, N. C.
- 1913, No. 3. Training courses for rural teachers.
- 1913, No. 6. Agricultural instruction in high schools.

Mr. C. A. Prosser, secretary of the Association for the Promotion of Industrial Training, said in a recent address before the National Educational Association:

The unquestionable tendency in American education is toward broadening the responsibility of the State for the educational conservation of the child up to 16 years of age. In this forward movement the following principles and steps seem to be demanded in connection with vocational as well as general education: (1) The State should have the care and the responsibility for the training and educational welfare of all children, at least until they become 16 years of age. (2) No child under 16 years of age should be permitted to go to work unless he is at least 14 years of age and has reached a prescribed minimum educational standard which should not be less than that necessary to meet the test for entering the sixth grade of the regular schools or its equivalent. (3) All children between 14 and 16 years of age should be compelled either to attend school or to enter employment, and when not employed should be required to return to school. (4) Where State-wide action is not yet practicable, local communities should be authorized by law to decide either by a referendum or by the action of a local board of control whether children between 14 and 16 years of age, employed during the day, should be required to attend part-time classes for a period of not less than four hours a week out of their working time. (5) As fast as conditions permit, we should move in every State in the direction of State-wide compulsory part-time education for those between 14 and 16 years of age who are employed as wage-workers.

The almost universal demand for vocational training is voiced by the following organizations, representing the best thought upon the subject in the Nation:

- National Metal Trades Association.
- National Association of Manufacturers.
- American Federation of Labor.
- National Society for the Promotion of Industrial Education.
- National Child Labor Committee.
- National Committee on Prison Labor.
- American Association for Labor Legislation.
- National Education Association.
- American Society for the Prevention and Study of Infant Mortality.
- Southern Commercial Congress.
- Southern Educational Association.
- General Federation of Women's Clubs.
- United Textile Workers of America.
- American Society of Equity (representing more than 6,000,000 farmers).
- National Farmers' Grange.
- National Farmers' Congress.
- Department of Superintendence, National Education Association.
- International Congress of Farm Women.
- American Foundrymen's Association.
- National Domestic Science Association.
- National Committee on Agricultural Education.
- American Education and Cooperative Farmers' Union.
- Chamber of Commerce of the United States of America.

This is not a movement by professional educators. It appeals to all phases of our life. The National Association of Manufacturers, fairly representing the employers' side of the question, asserts that the loss of the Nation from children leaving school in the grades would be at least \$250,000,000,000. Much of this loss can be prevented by a systematic vocational training which is in easy reach of the Nation. At its annual meeting in 1912 it made the following recommendations:

1. Continuation schools for that half of the children who leave school at 14 years of age, and mostly in the fifth and sixth grades, these continuation schools to be liberally cultural and at the same time

to be extremely practical and related as directly as possible to the occupations in which the several students are engaged.

2. The development of a modern apprenticeship system, wherein by contract the respective and equal rights of employer and employee are fully recognized, the entire trade is taught, together with such other subjects as are essential to good citizenship.

3. The development of secondary continuation or trade schools, by which the more efficient of the great army of boys and girls who will enter the continuation schools may progress from these lower continuation schools, as in some other countries, to the foremost places in industry and commerce.

4. Compulsory education through adolescence, being until the seventeenth or eighteenth year, attendance being in the all-day school until the fourteenth year, and thereafter in either the all-day schools or in the continuation schools for not less than one-half day per week, without loss of wages for hours in school.

5. The strengthening of all truancy laws and the development of public sentiment in support thereof.

6. The training of teachers in thoroughgoing methods of industrial practice, including as part of such training extended experience in actual shopwork.

7. The establishment of independent State and local boards of industrial education, consisting of one-third each, professional educators, employers, and employees, thereby insuring, as in the more successful European countries, the proper correlation of the schools and the industries.

8. The development of the vocational and creative desires of the concrete or hand-minded children now in the grades, discouraged, anxious to quit, and often called backward, only because the education now tendered them is abstract and misfit.

9. The establishment of shop schools and part-time schools whenever practicable.

10. The establishment of departments or centers of vocational guidance, so that the great majority of the children who now enter industry at 14 with no direction, 85 per cent falling into the "blind-alley" occupations, may with the reversal of these figures, as in some other countries, enter, under advice, intelligently and properly into the progressive and improving occupations.

Resolved by the National Association of Manufacturers, That it is the imperative need of the industrial workers and employers of the country that thoroughgoing systems of industrial education be everywhere established, so that our factories may be more constantly and better employed, that standards of skill and of output may continuously be improved, and that foreign and domestic markets may be better held and extended.

One of the most widely effective associations of the country is the one for the promotion of industrial education. Its latest pronouncement was in the following resolutions:

State aid is necessary to stimulate and encourage communities to carry on work in vocational education.

Vocational education includes all forms of specialized education, the controlling purposes of which are to fit for useful occupations, as industrial education, agricultural education, commercial education, and household-arts education.

Industrial education denotes the field of vocational education designed to meet the needs of the manual wage-worker in the trades and industries and the household.

Agricultural education is that form of vocational education which fits for the occupations connected with the tillage of the soil, the care of domestic animals, forestry, and other useful work on the farm.

Commercial education denotes the field of vocational education designed to meet the needs of the wage earner employed in such business and commercial pursuits as bookkeeping, stenography, typewriting, clerical work, salesmanship.

Household arts education is that form of vocational education which fits for nonwage-earning occupations connected with the household.

Vocational schools include all agricultural, industrial, commercial, and household arts schools, the controlling purpose of which is to fit for useful occupations, and which deal with pupils above 14 years of age and below college grade, as indicated below.

An all-day vocational school is a school giving training to young useful employment, which provide instruction directly related to such preparation before entering employment.

A part-time vocational school is a school for persons engaged in useful employment which affords instruction during a portion of the working time of the pupils that is supplementary to such employment.

Evening schools or classes in industry or agriculture are schools or classes attended by persons over 16 years of age, already engaged in useful employment, which provide instruction directly related to such employment.

Evening schools or classes in household arts are schools or classes giving instruction in home making to pupils over 16 years of age however employed during the day.

The proper expenditure of State moneys for vocational schools should be fully safeguarded, but initiative should be left to local authorities. State aid should be sufficient to justify participation by the State in control and administration. Experience seems to show that the best results are secured when the local community furnishes the plant and equipment and pays approximately half of the operating expenses.

This very broad insistence by so numerous voluntary associations is finding expression in concrete plans introduced in many towns by local authorities, and in a larger sense in many States by statutory enactment. At least a score of States have taken action. Literally hundreds of towns have made some effort. Some form is in operation in such considerable cities as the list given out by Mr. Prosser:

Hammond, Lafayette, Muncie, Indianapolis, Terre Haute, Vincennes, Ind.; Saginaw, Kalamazoo, Grand Rapids, Detroit—Cass Technical High School and the Detroit Technical Institute, Detroit University, Mich.; Harrisburg, Scranton, Philadelphia, Pittsburgh, and Lancaster, Pa.; Hartford, Waterbury, Bridgeport, New Britain, Conn.; in Chicago, the Lewis Institute part-time class carried on under the auspices of the National Metal Trades Association; the Lucy Flower Technical High School, the Crane Technical High School, and the Lane Technical High School and evening industrial classes; Moline, Decatur, Springfield, Joliet, Rock Island, Rockford, Ill.; David Ranken, jr., School of Mechanical Trades in St. Louis, Mo.; Bayonne, Paterson, Newark, Trenton, Jersey City, Passaic, in New Jersey; Cleveland, Toledo, and

Cincinnati, Ohio, through cooperative part-time and continuation courses; Portland, Oreg.; Chattanooga, Tenn.; Baltimore, Md.; Boise, Idaho; and Providence, R. I.

In Massachusetts alone there are 35 towns and cities reported using some form of vocational training, serving nearly 11,000 pupils. In 1911-12 the following schools were approved by the State authorities:

Boston Continuation School of Home Making.  
Everett Independent Evening Industrial School.  
Holyoke Independent Evening Industrial School.  
Lowell Independent Industrial School.  
Quincy Independent Evening Industrial School.  
Somerville Industrial School for Girls.  
Springfield Day Industrial School for Boys.  
Watertown Evening Industrial School.  
Westfield Day Industrial School for Boys.  
Worcester Trade School for Girls.

Other States active in the movement are Wisconsin, Indiana, Illinois, New York, Pennsylvania, Connecticut, New Jersey, Rhode Island, and Washington.

The success of many cities has attracted sufficient attention to warrant the Bureau of Education here in Washington to publish special monographs setting forth the work. This was done for Columbus, Ga.; also Worcester, Mass. A similar publication was made of the gardening work done in Wake County, N. C. In all of these specific investigations and reports the advocate of vocational training is abundantly rewarded by the results achieved.

A scheme for the education of boys was worked out by some of the leaders in the movement, including Dr. Snedden, commissioner of education in Massachusetts:

#### TEACHERS FOR BOYS' WORK.

1. One of the most serious problems of the industrial school of the future is to deal with adolescents, taking them as they come and fitting them for practical tests of social and industrial efficiency.

2. The ordinary type of pedagogical training given to prospective teachers will not serve to adequately prepare them for successful service in such industrial schools.

3. Successful teaching must be based upon the real experience in the line taught.

4. Trade training alone will not make good teachers.

5. The industrial school has problems peculiar to itself which call for special training for teachers in such schools.

6. We are not likely to secure good teachers for industrial schools by drawing teachers from regular public schools and giving them additional training.

7. Pseudo experience, such as is gained by ordinary students in school and college shops, will not replace actual practical experience.

8. "Student" experience under real conditions, such as is gained by a short period of contact with industrial environment, will not replace real experience.

9. A person who has passed through college, whether general or technical, by a continuous school process, is not likely to make a successful industrial-school teacher nor to afford good material for a special training course for such teachers.

10. We can not secure as teachers in industrial schools those competent to hold desirable and profitable positions in industry as long as we pay them on the same basis as regular public-school teachers.

11. In training competent industrial-school teachers we must expect a greater per capita cost than we are in the habit of expecting in the training of ordinary school-teachers.

12. A scheme for training industrial-school teachers, starting with adults who have already had successful experience as teachers in regular schools, is not likely to succeed.

13. A scheme of training will not be efficient which proposes to deal with those who bring to it only a general secondary school preparation, and which proposes to give them during the college phase of their education all necessary training to fit them for successful teaching in industrial schools.

14. The evening course, which proposes to train persons with experience employed during the day, is only a partial solution of the problem, owing to its inability to afford an opportunity for observation and practice in teaching during the course.

15. The German experience shows that the most effective teachers must be drawn from the industries.

16. The most effective scheme known thus far is the German scheme, involving the following steps: (a) A technical training in the middle technical school, followed by (b) a prolonged experience as an actual worker in the industry which is to be taught; (c) a return to a training course giving special training for teaching in an industrial school, accompanied by an experience as an assistant teacher in an actual school.

17. In view of the fact that (a) we must get our efficient teachers from the industries, and (b) that these people can not afford to take full-time day courses, the most promising plan would seem to be a course which provides for a series of evening unit courses, each unit dealing with some specific phase of the special instruction required for an efficient teacher; following this by employment in industrial schools as an assistant teacher, with an obligation on the part of the industrial school to conduct a certain amount of further normal training work with these assistant teachers.

18. The most promising plan for training teachers for industrial schools would involve the following steps: (a) The gathering of the pupils with successful experience in the industries; (b) evening unit courses for the student while he continues to work at his calling; (c) each unit dealing with some phase or factor of the preparation required for an efficient teacher; (d) followed by employment as an assistant teacher in an industrial school; (e) with obligation on the part of the school to give a certain amount of additional normal training to him after he enters the service.

Many States have instituted an elaborate survey of the conditions, both rural and urban, of the public-school situation. While these various surveys in city, county, and State have been fairly complete, they can serve this House but little, as they are

all independent, fugitive, as it were, in character, and can therefore observe no unity whatever. What the research department of the Women's Educational and Industrial Union of Boston did for the city of Worcester this committee desire this Congress shall do for the entire Nation. The scope of the investigation is suggested by the outline of the committee's activity:

1. Industrial opportunities for women in Worcester.
2. The exodus of young girls from the schools:
  - (a) Number of girls leaving school.
  - (b) Age of girls leaving school.
  - (c) Schooling grade when leaving.
  - (d) Nationality.
  - (e) Status of family, economical and intellectual.

These inquiries showed very significant facts:

- (a) More than 700 girls under 16 years of age left to go to work.
- (b) Sixty per cent leave at the earliest age the law allows—14.
- (c) Eight per cent were unable to pass fifth grade; 33½ per cent were unable to pass seventh grade; 50 per cent were unable to pass the ninth grade.
- (d) Leaving school is not due to economic status of parents.
- (e) Out of over 200 families studied, over one-half lived in comfortable homes.
3. Industries entered by girls:
  - (a) Less than one-fourth go into mercantile industries.
  - (b) Three-fourths go into factories and mills.
4. Kinds of work done by young girls:
  - (a) Unskilled industries.
  - (b) Mercantile establishments.
  - (c) Medium-skilled trades.
  - (d) Instability of workers in factories.

These facts show that the girl of 14 or 16 can not enter any but unskilled work. This makes a monotonous life, which causes drifting from one to another kind of work, thereby preventing proficiency in anything. The almost inevitable result is that the masses which enter unskilled work never leave it for a higher grade.

5. Women-employing industries in Worcester:

Seven hundred women and 138 minors were employed in mercantile industries, while 8,000 women and 1,000 minors were employed in manufacturing. Four industries employ 90 per cent of all the women employed in the city.

These are the machine-operating trades:

1. Textile industries.
2. Wire and metal goods.
3. Metal trades.

The other small per cent are engaged in dressmaking and millinery.

Summarizing these figures, we find the following results:

- (a) The exodus of young girls from the schools is both very large and unnecessary.
- (b) Most of the girls go into a small number of industries.
- (c) The unskilled labor or "blind-alley" occupations claim most of these school delinquents. Their entrance into such employment closes the door to opportunity. Unskilled they enter, unskilled they remain.

These employments are further classified into groups:

1. Where little training is required (textile mills, paper industry, and metal trades).
2. More or less skill is required.
3. Where skill is demanded (dressmaking and millinery).

The problem of the city of Worcester, as shown by this survey, is to care for this 90 per cent of her girls in such a way that they may become productive personalities, useful citizens instead of mere automaton machines eking out a livelihood, and in turn sapping all the womanhood dormant in them, and inevitably unfit them for home life.

The solution is the training school which will enable each to either enter a high-grade industry or else elevate the lower grade. If nothing is considered save the effort to perform, work becomes irksome. But if the manner and skill of hand is considered it may become a joy. What has been done for individual places in a larger sense may be done for the State or Nation.

President Wilson, with his keen perception, due to his training and devotion to matters educational, and his extended acquaintance with the leaders in education in its every phase, would be admirably prepared to select a commission to make a Nation-wide report.

Personally, I am in most hearty accord with the recommendations of the committee to create this commission with power to investigate the needs and to report to this Congress at its earliest convenience the results of its finding, together with recommendations.

#### AGRICULTURAL TRAINING.

Fifty-three and seven-tenths per cent of population is rural; 58.5 per cent of children of school age are rural. Therefore 53.7 per cent of our population have the task of educating 58.5 per cent of the pupils. The urban, or 46.3 per cent, need educate but 41.3 per cent of the children. The burden is not measured by numbers, but rather by work. The illiteracy in the country is estimated to be twice as great as in towns, notwithstanding the vast foreign population drifting to centers. In this classification of rural and urban preparation all towns below 2,500 population are placed in the rural column.

The following figures from the department of education are suggestive of the superior advantages of the urban over the

rural schools in school organization, and the less burdens to bear:

*Urban and rural school population and school attendance.*

	Total population.	Illiterate (10 years of age and over).	School population.	School enrollment.	Average daily attendance.	Aggregate attendance.	Days in annual session.	Aggregate amount paid teachers.
	Per ct.	Per ct.	Per ct.	Per ct.	Per ct.	Per ct.		Per ct.
Urban.....	46.3	5.1	41.5	37.7	41.5	48.7	184.3	54.5
Rural.....	53.7	10.1	58.5	62.3	58.5	51.3	137.7	45.5

The Bureau of Education is active in the work, and has already done much with its limited means and authority at its disposal.

I desire to incorporate the following from one of the department's bulletins:

**DIVISION OF RURAL EDUCATION IN THE BUREAU OF EDUCATION.**

In the United States Bureau of Education a division of rural education was created November 1, 1911. This was made possible by a provision included in the legislative, executive, and judicial appropriation bill for the year ended June 30, 1912, approved on March 4, 1911. This congressional act provides the sum of \$6,000 to be expended "for the investigation of rural education, industrial education, and school hygiene, including salaries."

During the one year of its existence the work of the division has been largely a study of the status of rural education in the United States, the results of which are included in Bureau of Education Bulletin, 1913, No. 8. This publication contains data relative to the rural population, illiteracy, school enrollment, attendance, and the one-teacher school; also a summary of the present status of the rural school teaching force, the supervision and the organizations for the management of school affairs. The information for the bulletin was obtained from State reports, from the Bureau of the Census, and from personal visits to rural schools by representatives of the bureau. The division also collected the material, and with the assistance of President Robert H. Wright, of the East Carolina Teachers' Training School, Greenville, N. C., prepared and published Bureau of Education Bulletin, 1913, No. 2, Training Courses for Rural Teachers. It also assisted in preparing for publication several other bulletins mentioned under the section on recent publications on rural education included later in this chapter.

The division has affiliated with it about 50 special collaborators, each appointed at a nominal salary, to cooperate in keeping it in touch with the best things done in rural education. These collaborators are all persons whose work is directly connected with rural education in State departments of education, in State normal schools, or in other similar positions. Several of them are making special studies for the division on various phases of rural education, the results of which will probably be published by the bureau.

In the appropriation bill approved August 23, 1912, the amount allotted for "rural education, industrial education, and school hygiene" was increased from \$6,000 to \$15,000.

The next most significant movement on behalf of the country schools was taken by the National Educational Association at its annual meeting in 1911, when the following committee was appointed to investigate and make a report upon the needs of our country schools, with recommendations for improvement:

E. T. Fairchild, president of New Hampshire College of Agriculture and Mechanic Arts, Durham, N. H., chairman.

L. H. Bailey, dean of the State College of Agriculture, Ithaca, N. Y.  
Henry C. Morrison, State superintendent of public instruction, Concord, N. H.

A. C. Nelson, State superintendent of public instruction, Salt Lake City, Utah.

Edward C. Elliott, University of Wisconsin, Madison, Wis.  
Miss Adelaide Steele Baylor, State Department of Education, Indianapolis, Ind.

T. H. Harris, State superintendent of public education, Baton Rouge, La.

John B. Kirk, president State Normal School, Kirksville, Mo.  
Edward Hyatt, State superintendent of public instruction, Sacramento, Cal.

Luther L. Wright, State superintendent of public instruction, Lansing, Mich.

James Y. Joyner, State superintendent of public instruction, Raleigh, N. C.

Charles H. Keyes, president of Skidmore School of Arts, Saratoga Springs, N. Y., and president of the National Council of Education. (Added to the committee by vote of the council.)

This committee set forth the following statement of facts:

Of the 12,000,000 rural school children less than 25 per cent are completing the work of the grades. The teaching body is immature and lacks proper training. Terms are too short. School buildings are poor, insanitary, and ill equipped. The school enrollment is constantly decreasing. The supervision is wholly inadequate. High-school privileges are denied to the great majority of these boys and girls. The strong, virile rural school of a generation ago has gone, and in its place is a primary school weak in numbers and lacking in efficiency. The country boy and girl of this strenuous and complex twentieth century are not afforded equal educational opportunities with the city children.

With this knowledge it seems unnecessary to enter upon an extensive investigation having as its aim the gathering of information relative to the present rural school situation. The committee on rural schools, therefore, will address itself to the problem of suggesting ways and means for the betterment of these schools and for awakening the public to a definite sense of the needs of the rural schools.

The committee's work was designed to cover the following heads:

**I. ORGANIZATION.**

- A. The unit of school organization.
- B. Consolidation.
- C. Classification.
- D. Minimum term.

**II. ADMINISTRATION.**

- A. Funds—source and application.
- B. Compulsory attendance.
- C. School plant.
- D. Libraries.
- E. Supervision.
- F. Statistics.

**III. INSTRUCTION.**

- A. Courses of study.
- B. Textbooks.
- C. Preparation of teachers.
- D. Training courses in high schools.
- E. Tenure of teachers.

**IV. SOCIAL ELEMENTS.**

- A. Cooperation—school as a social center.
- B. The home and the school.
- C. Organized games and plays.

**V. SECONDARY EDUCATION.**

- A. Free tuition.
- B. Consolidated township and county high schools.

Mr. Chairman, this is the most significant voluntary movement in the country, the most comprehensive yet undertaken to study the needs of the country and to suggest ways and means of improvement. These movements by voluntary associations are not confined to professional educators, but they extend to farmers' organizations, women's clubs, and various other cooperative associations for rural betterment.

**STATE RURAL SCHOOL COMMISSIONS.**

In addition to these purely voluntary efforts, many of the States are taking action through State commissions. Iowa is a good example. The commission of 21 members subdivided itself into 9 subcommittees, each to cover a different phase of the school situation in Iowa.

- A. Administration—State, county, and local.
- B. Rural schools.
- C. Graded schools.
- D. High schools.
- E. Industrial education.
- F. State aid.
- G. School as community center.
- H. Publicity.
- I. Teachers—training, etc.

The committee on rural schools report that they find—

The Iowa rural school shows unwarranted weakness. This is due to several causes rather than to any one. There is no definite purpose in the minds of patrons to improve the schools. They are meagerly equipped and in some instances very much neglected. There is a lack of definite standards of work on the part of teachers, and in many instances the schools are presided over by young teachers of little training or experience. Close supervision under the present system is an impossibility. The greater sources of weakness in our rural schools are a dearth of properly trained teachers, a cumbersome system of government, a lack of close supervision, and failure to apply a thorough business policy in handling them.

The committee makes eight recommendations, as follows:

1. We favor voluntary consolidation for Iowa schools with a minimum area of 16 sections, with State aid annually from \$500 to \$1,500, to be classified by the department of public instruction; the teaching of agriculture and domestic science to be required, and no consolidated school to have less than two departments.
2. We recommend that the rural independent districts be discontinued.
3. We recommend that rural schools be under the inspection and supervision of the department of public instruction.
4. We recommend one rural inspector, one grade inspector, and one high-school inspector, under the supervision of the department of public instruction.
5. We recommend that provisions be made to properly safeguard the health of rural school children.
6. We recommend that practical courses of study be adopted for the rural schools.
7. We recommend the enactment of a law providing a suitable and sane plan for the adoption of textbooks, which will protect the people.
8. We recommend that additional normal schools be established and that normal training be provided in every high school that can successfully carry on such a course.

This same committee made the following report covering the needs of the farm boys and girls for vocational training:

1. That the county educational board be empowered to employ two special supervisory teachers to have charge of the industrial work of the rural schools.
2. That some form of State aid be granted counties employing special teachers.
3. That State aid be given to township high schools when a satisfactory course in industrial work is offered.
4. That all State-aided schools be required to maintain courses in agriculture, domestic science, and manual training and be under the direct supervision of State inspectors.

On the matter of agricultural needs and possibilities in the education of our boys and girls on the farm the committee made the following recommendations:

1. An extension of normal training facilities to all high schools of the State which can properly qualify for it.

2. Legislation providing for a knowledge of the subject of agriculture on the part of those who are to teach.

3. Further summer-school facilities for the instruction in agriculture of teachers who are already in the service but not qualified to teach agriculture.

4. Courses of study which shall classify and outline the work in elementary agriculture and suggest methods of procedure which will enable the great mass of the teachers to apply effectively the teaching of agriculture along with the other essential branches in the general courses of study.

5. Further provision for training special teachers of agriculture for work as high-school and normal-school instructors.

In no part of the country has the need of agricultural training taken deeper hold than in the Southern States. Students of the history of ante bellum days will recall the insistent claim of many scientific writers that the southern half of our country was suffering most from the total dominance of cotton culture to the almost entire exclusion of other farm products. That country in the new South era is to-day teaching the Nation along lines of scientific agriculture. In at least a dozen States the "supervisors of rural schools" are heading the new work of agriculture. This movement is made possible by the great work of the Southern Education Board and the Peabody fund.

Activities on behalf of the boys and girls on the farm looking to keep them on the farm are directed by many organizations, official and unofficial. The Bureau of Plant Industry here in Washington, the farmers' cooperative demonstration work in the South, have been quite active in the stimulation of various agricultural clubs, whose purposes are given in the following statement:

1. To afford the rural teacher a simple and easy method of teaching practical agriculture in the school in the way it must be acquired to be of any real service, mainly by actual work upon the farm.

2. To prove that there is more in the soil than the farmer has ever gotten out of it; to inspire boys with a love of the land by showing them how they can get wealth out of it by tilling it in a better way, and thus be helpful to the family and the neighborhood.

3. To give the boys a definite, worthy purpose, and to stimulate a friendly rivalry among them.

The organization and methods of the girls' garden and canning clubs are similar to those of the boys' corn clubs. The usual crop raised is one-tenth of an acre of tomatoes. The girls cultivate the crop under the directions furnished by the Department of Agriculture. They preserve the tomatoes in glass or tin cans. The object of the work is—

1. To stimulate interest and wholesome cooperation among members of the family in the home.

2. To provide some means by which the girls may earn money at home and at the same time get the education and viewpoint necessary for the ideal farm life.

3. To encourage rural families to provide purer and better food at a lower cost and to utilize the surplus and otherwise waste products of the garden and orchard.

4. To furnish earnest teachers a plan for aiding their pupils and helping their communities.

In college circles it is not so long since agriculture had no standing whatever. Even the ridicule carried in the nickname "Ags" is still heard on the campus. No standing in scholarship was permitted. No entrance requirements of significance were published. To-day over 50 universities and technical colleges, the best in the country, offer courses to candidates for graduation in agriculture. In most of these institutions the courses rank with the courses given in the liberal arts departments. The entrance requirements range from one to four years' high-school work. One year is required by each of five States—Alabama, Mississippi, North Carolina, South Carolina, and Texas. Two years are required by five States—Connecticut, Kansas, Maryland, Oregon, and Virginia. Three years high school are required by Florida, Delaware, South Dakota, Tennessee, Utah, and West Virginia. Four years are required by 34 States. These agricultural colleges, most of which are State institutions, in 1912 catalogued 7,582 teachers, 906 of whom were women. These teachers were classed under the head of professors, assistants, instructors, extension workers, and experiment-station investigators. The total number of students enrolled was 93,000. Over 7,000 diplomas were granted with the bachelor of arts degree. Nine hundred and fifty-one degrees of master of arts, master of science, and doctor of philosophy. These degrees represent agriculture and home economics.

A glance over the courses offered for graduate study in these higher institutions of learning will indicate the advanced rank agricultural science is taking. No longer will the student of the chemistry of the soil be regarded with an apology. It is not saying too much to assert that the agriculturist of the near future will be regarded equal to any of the devotees of any of the professions. Already it is admitted that the requirements of ability to scientifically work the soil make greater demands upon the intellect than do the liberal professions.

The successful agriculturist must know the chemistry of the soil, what depletes it, how it is replenished, and how it is enriched; how can he compel the soil to yield to human wants and still increase its fertility. Glance at these subjects:

Agronomy, bacteriology, entomology, pomology, plant pathology, agricultural chemistry, agricultural engineering.

One institution, in announcing the range of its work, listed the following:

Farm crops; soils, including drainage, fertilizer, soil chemistry, and soil management; animal husbandry; dairy husbandry; experimental plant and animal breeding; poultry husbandry; bacteriology; plant pathology; agricultural chemistry, including animal nutrition, plant nutrition, and beet-sugar analysis; entomology; agricultural engineering, including rural architecture, farm machinery, and road building; horticulture; agricultural economics; farm accounting; agricultural education; agricultural journalism.

Another names the following subjects:

Farm crops; soil technology; drainage; animal husbandry; dairy husbandry; poultry husbandry; agricultural and dairy bacteriology; animal parasites and parasitology; plant physiology and pathology; agricultural chemistry; agricultural engineering; farm mechanics; horticulture; pomology; plant breeding; floriculture; rural art, including landscape gardening; nature study; rural economy; farm management; rural sociology; agricultural education.

My own great State university, at Columbus, modestly enumerates the following subjects:

Animal husbandry; the education, training, care, and management of the horse; dairy husbandry; animal nutrition; bacteriology; plant pathology; agricultural chemistry; economic entomology; farm equipment and agricultural engineering; rural economics; farm accounting and records; farm management.

#### AN OBJECT LESSON.

On the 30th of September of this year I, in company with a group of public-spirited men called at the famous — farm just outside of Wheeling, W. Va., owned by Mr. W. Oglebay, a member of the State board of regents. Here is one of the finest examples of what may be done by a man of brains and means it has ever been my lot to witness. The manner in which a farm of a thousand acres has been formed out of many smaller farms; the way worn-out farms have been replenished and made to yield abundantly; the heavy yield of alfalfa on the hilly portions in proof that the oft-repeated statement that alfalfa can not be grown upon such hills is groundless. The superior advantage of keeping high-grade stock, hackney horses, Guernsey cows, Shropshire sheep, hogs, and so forth; the insight displayed in the location of the various orchards to insure the advantage of shelter and protection; the growth of the small wood lots which dot the great farm; and the beautiful landscape gardening, both by fruit and flowers and shrubs—the wonderful plan that is unity in variety, in which nothing seems left undone to approach the perfection of life upon the farm—all combined, is a liberal education to any honest inquirer after the possibilities of modern agriculture.

One of the most encouraging phases in this campaign for intensive farming is the activity of great business organizations like railway corporations, speaking through their presidents, and banking associations, speaking through their representatives in annual meetings assembled.

For the past half decade the name of President Brown, of the New York Central lines, has become identified with the new era of farm production. It is nothing against his efforts to charge that he is not speaking on behalf of the producing farmer, but rather on behalf of the transporting railroad. Even were this statement true, his service is none the less valuable.

He has called attention to the possibilities of the soil when scientifically treated; how soil is being depleted by lack of scientific agricultural methods; how farms of virgin wealth are becoming poor, to-day returning a less yield than formerly. He has also called attention to the possibility of making over these declining farms, some of which are already abandoned, into veritable gardens of production. He is now establishing a second of the great farming stations in the State of New York, which will become an eye opener to the entire country interested in the problem of production.

Similar interest and activity have been displayed by James J. Hill, of the great Northwest. While this name will always be connected with railroading, it will also be identified with the possibilities of the soil.

Similar interest has been displayed by President Elliott, of the New Haven lines. His observations in the Northwest while at the head of the Northern Pacific have convinced him that the many New England farms which have been given up for richer soil in the great West can and will be reclaimed under scientific, intensive farming. This new era will be ushered in when the agriculturally trained man will apply his training to the farm. The close proximity to the world's greatest markets will induce the rejuvenation of the soil. Experimentally it is now well known that New York can rival any State in the production of apples.

Many denuded hills under proper care will be made to support the finest live stock, both in quality and quantity.

The organized interest of these men, whether transportation agent or banker, is discovering what certain sections of the country can do best. They assure the country that while the great Northwest will continue to produce wheat, it must and will find a secret by which the yield will be greatly augmented.

While the great Middle West will continue to be the corn belt, many of our investigators assert that the Southland, and especially Louisiana, will become the great corn country of the earth.

They also claim that in the southern belt along the Atlantic and Gulf coasts at least 5,000,000 acres are admirably adapted to small fruits, which to-day yield so small a proportion of their possible yield as to be almost negligible.

The striking information that science is revealing on the possibilities of the soil, through both the organized and the fugitive efforts of our people, has stimulated some men wonderfully in their devotion to this real constructive business of life. This remarkable activity of interest in the possibilities of the farm is due to an awakening of our democracy to its greatest needs. This conviction finds expression in the following avenues:

1. Extension work, where university assistance is given to the farmers at their own doors.

2. High schools, where an army of trained teachers are conveying fresh knowledge to the youth.

3. Cooperative farm associations, where the wide-awake of each community are emphasizing the value of improved methods to farmer and community.

4. Grange, representing the most important organized movement for generating public opinion in support of agriculture in the land.

5. Agricultural county and State associations—fairs where the latest in the interest to the farmer is on exhibition.

6. Farmers' institutes, which bring to the towns in the winter season experts from State and Nation to discuss before both farmer, wife, and family specific phases of farm life.

7. Women's clubs, which are enlisting the women of the town as well as of the country. What can be of more interest to the housewife of the city than a knowledge of home economics, based upon the farm?

8. Chautauquas, of which there are over 2,000, which supply the platform and audience for such topics of rural interest. Here is perhaps one of the chiefest of all the agents of publicity.

9. Kindred to the latter, the press publicity is closely allied.

10. All this created public opinion finally embodies itself in legislation by the State and Nation. Every State has taken a step. What should be done by the Nation?

When it appears for the welfare of the citizen, the Nation enacts sumptuary laws. When the rights of trade are infringed, the Nation, under the head of interstate-commerce power, regulates rates, forbids discriminations among shippers, and so forth. When it appears for the general welfare, the Nation defines a day by limiting the hours of labor, designates safety conditions for labor, provides against occupational diseases, enacts workmen's compensation laws, and even provides a minimum wage. For the same reason it proposes to enact laws regulating child labor, employment of women, and even suggests old-age pensions. The chief province of government is for justice, welfare, and liberty of the citizen. In the interest of the citizen it deals with the question of high cost of living which is not answered by tariff legislation. In the present legislation we have offered by the sponsors of the Underwood tariff bill the chief reason for its enactment the reduction of the high cost of living. If this statement is a sincere expression of the authors, the results of the legislation must be woefully disappointing. Meat on the free list is not the way to reduce the price to the consumer. The national way is to increase the production of meat.

One of the chief causes of high cost of living, aside from our decrease of production and our growing extravagance, is seen in the exodus from the farm to the city of the farmer's boy, who ought to be induced by a better system of education and a more attractive community life to remain on the farm and become a producer rather than a consumer. Every time a farmer's lad, who by education might have made a scientific agriculturist, leaves the farm for the city to make a mere clerk, a consumer of the product he could produce, you have an additional cause of high cost of living.

Placing farm products upon the free list will not do it. But make the farm life attractive. Make the soil more productive. Increase the output per acre, so that a small farmer with his small capital can own and till his land. Make it possible for these small farmers to profitably cultivate their small holdings, keep their families together, educate them in the way in which

they can best pursue their future occupation with assurance of a balance between the outgo and income, and the high cost of living will not have its terrors.

The problem is not one of consumption so much as production. Legislation should attempt to facilitate production in the interest not only of the farmer but for the thousands in the commercial and industrial centers who must inevitably feel the stress of prices which will ultimately reach distress. The best antidote is to increase the ability of the small farmer, to augment the output of his small acres. Where it now produces but a modicum, induce him to enter the fields of discovery, to increase his yield twofold, fourfold, or tenfold. Here, together with his lessons of rational economy and his defense against foolish extravagance, is the solution of the high cost of living. It is within the province of education. It is an educational situation. It will be solved only by education.

The Illinois bankers' annual meeting reported on income, population, and condition of the State, which report indicated that the State had declined as an agricultural State. It recommended, among other things—

- (a) Better rural conditions to make farm life more inviting.
- (b) Improvement of schools, providing better plans for making the child's schooling respond to his after avocation.
- (c) Better roads.

These recommendations are in keeping with the newer ideas of the Government's functions.

Whatever act can have a civil reason assigned as its real purpose is within the sanction of legislation. A citizen has a right to work in unhealthy trades at unhealthy times or under unhealthy conditions, just as he has a right to consume unhealthy food and drink, provided by so doing he does not injure the public. If he is forbidden, it is not placed upon individual grounds, but for the general welfare.

The law would not forbid me as a railroad engineer working 15 hours a day, so far as I am personally concerned. But for the sake of the public, whose citizens I am carrying, 15 hours per day may cause frightful loss of life by wrecks induced by an overworked engineer. Here the law steps in and interferes with personal contracts.

So in the care of regulation of employment of women, so far as she is personally regarded, the law does not concern itself so much; but so far as an employment in fields dangerous, immoral, unhealthy, the State has a right to interfere for the sake of the public.

Upon the same basis of reasoning the Government has regulated night labor to a certain degree. For the same reason it is within the province of the Government to regulate life in tenement houses against vicious violations of the laws of health. On the same basis of reasoning the Government has a clear right to regulate racial relations.

It has already done some service. The Morrill Act, back in 1862, made the start. The 30,000 acres to each Congressman amounted to about \$13,000,000 national aid to education. This was supplemented in 1887 by the Hatch Act, which added an annual appropriation of \$15,000. In 1890 the second Morrill Act gave an additional \$25,000 annually. In 1906 the Adams Act provided an additional \$15,000 annually. The Nelson amendment, in 1907, provided \$25,000 additional, making in all the munificent sum of \$80,000 additional annual assistance of the work begun back in 1862.

The Government's right to do this will not be questioned seriously. Whether it ought to enlarge upon it is no question in my mind. Education is most certainly a suitable field for national concern. The Government in the past has been active in its relation to slavery. It will act as freely to-day against any form of peonage. It has in the past taken position on sumptuary laws. It is to-day aggressive in reducing the evils of the use of narcotics by similar laws.

It will in the future be more active on regulation of capital and labor to conserve the rights of both factors in the interest of the public. Employers' liability, workmen's compensation, social and industrial readjustment, are all prominent topics of legislation by this body. The numerous efforts made, both voluntary and legal, by city, county, and State are more or less fugitive. There is no approach to unity and no attempt to systematize. The one feature of our education hard to understand by the educated foreigner is our complete lack of a national system of education. Perhaps we shall never have such a system, for it is not at all certain we want it, not, most certainly, if it means to supersede our various State systems.

But there are some features of which the Nation should take cognizance. Whatever affects citizenship is a matter the Nation is interested in. Whatever affects the health of the citizen, the Nation takes notice. Whatever affects the rights and welfare of the citizen, the Nation becomes interested. The very end of

government, as stated in the Constitution, is to establish justice, to promote the general welfare, and to secure the blessings of liberty to the people.

When the health of the citizen is in question, the Nation enacts the pure-food laws; exercises its police power in regulation of the quarantining of its subjects, for the good of the public. It also can supervise, if it so desires, certain elections, with some authority over the citizen. The Government also has a right to regulate, in a sense, the laws of marriage and divorce; while this entire subject is generally left to the State, it is of such general importance that Congress is free to exercise a controlling influence.

The law is free to enter upon the protection of the public from the evils of child labor. The real grounds are to conserve the child's time for the better employment of schooling. No action is taken on a single topic that does not find its reasons for it in the public weal.

National highway or road building is a theme which has from the beginning held the attention of our people as a whole. In Washington's day next to canal building "better roads" was of interest to the erstwhile surveyor boy. The history of the Cumberland Road, generally known as the National Pike, is familiar to all Members of this House. For the past decade no question has been more forcibly brought to the attention of State and Nation than the best method of road building. Just now one of the most important congresses held in the country is that in Detroit in the interest of a national system of good roads. While there will be a sharp difference on method, most people are agreed upon the importance and the assurance that the need will be met in a satisfactory manner. At least few will question the wisdom of making more easy the communication and transportation among our people.

In all this present legislation on the tariff-reform agitation, the chief reason assigned is to reduce the burden of the consumer, to reduce the cost of living. Some of us have insisted that the chief concern of the Government should be to insure the consumer the ability to purchase the needed article rather than to lose sight of the producer in an attempt to so legislate that an imaginary benefit will come to the consumer in the way of lower prices. Low price is not a boon to the consumer if he does not possess the wherewithal with which to buy. However, cost of living is a subject of legislation. The Government should investigate into the causes of ascending prices. In the face of the continued increasing price of meats, due not to a tariff—and free meats will not lower the price—but to a disturbance between the amount demanded and the amount supplied, the former increasing while the latter is decreasing, what is the plain duty of the Government, acting within its domain in relation to the high cost of living?

The same reports which tell us of the decreasing production of meat and the subsequent increase of prices also tell us that millions of acres in New England and the Atlantic States are available for stock raising.

The finely watered and well-sheltered pasture sections of the mountains stretching from the north into the south country, comprising the States of New York, Pennsylvania, Maryland, the Virginias, the Carolinas, Tennessee, and Georgia, are ready to support millions of sheep, cattle, and hogs in close proximity to the great markets of this eastern section. These millions of heads of live stock would give added enthusiasm to the agriculturist in the production of the needed corn, oats, wheat, alfalfa, and other farm products, which would relieve the price of meats, dependent upon the big western rancher thousands of miles from the consumer. If high cost of living is a legitimate subject of legislation, why does not the Government enter upon a constructive policy, looking not for a foreign market in which to buy, but rather inducing a development of our home resources, to increase our home production and thus reduce the cost to the consumer by increasing the supply of the producer? Why does not the Government set out upon an investigation of this problem?

It is purely a matter of education. The greatest farming lands under the sun are ours. But instead of their increasing in production per acre they are decreasing, and at the time when our demands are increasing. This can be changed only by education.

We have the finest mountain ranges, well watered, ready for abundant stock raising. But in the face of all this, we are declining in this enterprise at the very time when meats are soon to become prohibitive in price, due not to tariffs but lack of wisdom in keeping the supply apace with demand. This policy can only be changed by education.

What is the most important problem of production?

In the face of phenomenal growth of population, and a consequent increase of demand upon production, our source of supply—the acreage of the country—remains stationary. What is the problem? How to make the acre produce beyond what it now does.

This can not be done by our boys and girls living in the rut of our fathers. The farmer is not the man who holds the plow and drives the team. He is the thinker, the student of production, distribution, and consumption. The farm must become something more than a workshop. It is now a laboratory. Its chief labor is not of the hand, but of the head as well. It must not remain the place simply to work, eat, and sleep. It must be the unit of the social and industrial interests of a community and, in a still larger sense, the State.

When this position of the farmer is recognized by our legislators, keeping the boy or girl upon the farm will no longer be a problem. The frightful drift from country to city, with all its consequences, will be reversed. The boy and girl as to the "manor born" will see not only his interests but his joy and pleasure on the farm. Our people will be producers as well as distributors and consumers. After all, it is a matter of education.

If the country is warranted in its interests in the multiform classes of legislation involved in the past activities of the Government in behalf of a better citizenship, why should it not investigate the real source of the cure? A commission of nine distinguished educators and citizens such as President Wilson, so well qualified for the purpose, would appoint, could set the agencies at work covering such fields as in their judgment, in conjunction with that of the President, should be covered, and report their findings to the President, who would in turn report to this body. Such a commission would render the country a service difficult to estimate.

All the work heretofore done, however well done, has been purely voluntary, by private enterprises or public-spirited and professional organizations. They have been without official stamp, fugitive and various in character; their efforts have been attenuated, detached parts of no possible whole, no unity of effort in any sense, and at best are simply commendatory. What our country now needs most is to unify these reports, classify the recommendations, proceed as upon an educational platform to define the needs and suggest the remedy. I am satisfied there is no greater field of useful investigation than vocational needs, agriculture, and industrial training, and I express the hope that no serious objection may be raised to the proposition that this first step be taken, so that after this commission makes its report this Congress may thence proceed in legislation on the lines suggested by previous attempts to care for these great and important factors in our national life.

Mr. TAYLOR of New York. Mr. Chairman, I had some remarks I would like to have made in regard to vocational education. I would like to have permission to extend them in the RECORD if possible.

The CHAIRMAN. The gentleman from New York [Mr. TAYLOR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUGHES of Georgia. Now, Mr. Chairman, I move that the committee rise.

Mr. RAKER. Before the gentleman does that, will he yield to me for a moment?

Mr. HUGHES of Georgia. Yes.

Mr. RAKER. I understand that this resolution is to be taken up again to-morrow.

Mr. HUGHES of Georgia. That is my understanding.

Mr. RAKER. So that some of us who have gone into the matter will have an opportunity to be heard on it?

Mr. HUGHES of Georgia. Yes.

Mr. TALCOTT of New York. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York [Mr. TALCOTT] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HUGHES of Georgia. Now, Mr. Chairman, I renew my motion that the committee do now rise.

The CHAIRMAN. The gentleman from Georgia [Mr. HUGHES] moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration Senate joint resolution 5 and had come to no resolution thereon.

## PRESIDENTIAL APPROVAL.

A message from the President of the United States informed the House of Representatives that he had approved and signed bill of the following title:

On September 30, 1913:

H. R. 8364. An act to authorize the President to provide a method for opening lands restored from reservation or withdrawal, and for other purposes.

## ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 99. An act to fix the times and places of holding district court for the district of Arizona; and

S. 2254. An act to amend chapter 1, section 18, of the Judicial Code.

## ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 8364. An act to authorize the President to provide a method of opening lands restored from reservation or withdrawal, and for other purposes; and

H. R. 7377. An act extending to the port of Perth Amboy, N. J., the privileges of section 7 of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

## ADJOURNMENT.

Mr. HUGHES of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Friday, October 3, 1913, at 12 o'clock noon.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LANGLEY: A bill (H. R. 8707) to provide cumulative sick leave with pay to storekeepers, gaugers, and storekeeper-gaugers; to the Committee on Expenditures in the Treasury Department.

Also, a bill (H. R. 8708) providing that storekeepers, gaugers, and storekeeper-gaugers shall be allowed their actual expenses, not to exceed \$1 a day, while on duty under an assignment away from their legal residences; to the Committee on Expenditures in the Treasury Department.

By Mr. BEALL of Texas: A bill (H. R. 8709) detaching the counties of Dallas, Ellis, Hunt, Johnson, Kaufman, Navarro, and Rockwall from the northern judicial district of Texas, and attaching said counties to the eastern judicial district of Texas, and changing the times of holding the terms of court of the eastern judicial district of Texas, and for other purposes; to the Committee on the Judiciary.

By Mr. RAUCH: A bill (H. R. 8710) to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: A bill (H. R. 8711) to amend an act entitled "An act for the widening of Benning Road, and for other purposes," approved May 16, 1908; to the Committee on the District of Columbia.

Also, a bill (H. R. 8712) for the extension of Maryland Avenue east of Fifteenth Street to M Street NE.; to the Committee on the District of Columbia.

By Mr. MOORE: A bill (H. R. 8713) designating the first Sunday in June of each and every year Father's Day; to the Committee on the Judiciary.

By Mr. ALEXANDER: A bill (H. R. 8714) to establish a fish-cultural station at some point in the third congressional district of Missouri; to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of New York: A bill (H. R. 8715) requiring the Secretary of War to assume control and jurisdiction over all docks and piers used for the landing of licensed passenger boats on the navigable waters of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGLEY: Resolution (H. Res. 271) instructing the commission in control of the House Office Building to consider a subdivision of the rooms of said building; to the Committee on Public Buildings and Grounds.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CROSSER: A bill (H. R. 8716) granting an increase of pension to Amelia C. Robertson; to the Committee on Invalid Pensions.

By Mr. DEITRICK: A bill (H. R. 8717) for the relief of George C. Bucknam; to the Committee on Claims.

By Mr. GUDGER: A bill (H. R. 8718) granting an increase of pension to Samuel M. Bradshaw; to the Committee on Pensions.

By Mr. KENT: A bill (H. R. 8719) authorizing the Secretary of War to procure a medal of honor for W. F. Ambrose, who distinguished himself during the War with Spain; to the Committee on Military Affairs.

Also, a bill (H. R. 8720) authorizing the payment of salary of ensign due to J. A. McCreary, of Forestville, Cal.; to the Committee on Naval Affairs.

By Mr. LONERGAN: A bill (H. R. 8721) granting an increase of pension to Joseph C. Bell; to the Committee on Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 8722) granting an increase of pension to Charles E. Weeks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8723) granting an increase of pension to John Taft; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 8724) granting an increase of pension to Catherine Riley; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 8725) granting an increase of pension to Henry Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8726) granting an increase of pension to Jacob Kuhn; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 8727) granting a pension to William Dickson; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 8728) granting a pension to Elizabeth L. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8729) granting an increase of pension to Julia A. Wilcoxon; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 8730) granting a pension to George L. Dikeman; to the Committee on Pensions.

By Mr. VARE: A bill (H. R. 8731) for the relief of Rose McIlwain; to the Committee on War Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Papers to accompany House bill 7439, a bill for the relief of Vincent Rust; to the Committee on Military Affairs.

Also, evidence in support of House bill 7397, a bill granting an increase of pension to Arthur D. Graham; to the Committee on Invalid Pensions.

By Mr. GARDNER: Petition of the Riverdale Grange, No. 330, of Gloucester, Mass., protesting against any legislation which will tend to decrease the efficiency of parcel post; to the Committee on the Post Office and Post Roads.

By Mr. HINDS: Memorial of the Portland Local of the Socialist Party, of Portland, Me., favoring a national constitutional amendment for female suffrage; to the Committee on the Judiciary.

By Mr. MAHER: Petition of the department of taxes and assessments of the city of New York, Borough of Manhattan, favoring gathering of facts about taxes and assessments through the United States Census Bureau; to the Committee on Ways and Means.

By Mr. RAINEY: Petitions of citizens of the twentieth congressional district of the State of Illinois, favoring passage of the pure-fabric bill; to the Committee on the Judiciary.

Also, petitions of citizens of the twentieth congressional district, favoring legislation to compel mail-order houses to pay taxes where goods are sold; to the Committee on the Judiciary.

By Mr. RAKER: Memorial of the Chamber of Commerce of San Francisco, Cal., protesting against the abolishment of the Commerce Court; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of New York: Memorial of the department of taxes and assessments, Borough of Manhattan, favoring gather

ing facts about taxes and assessments through the United States Census Bureau; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Memorial of the board of directors of the San Francisco Chamber of Commerce, protesting against the abolishment of the Commerce Court; to the Committee on Interstate and Foreign Commerce.

By Mr. UNDERHILL: Petition of the department of taxes and assessments of the Borough of Manhattan, favoring gathering facts about taxes and assessments through the United States Census Bureau; to the Committee on Ways and Means.

By Mr. WILSON of New York: Petition of International Association of Machinists, favoring revising the naval regulations so as to permit representation of the employees on the wage boards; to the Committee on Naval Affairs.

## SENATE.

FRIDAY, October 3, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OVERMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House recedes from its amendment to the amendment of the Senate No. 609 to the bill (H. R. 3321) to reduce tariff duties and to provide revenue for the Government, and for other purposes.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1681. An act to extend the time for constructing a bridge across the Red Lake River in township 153 north, range 40 west, in Red Lake County, Minn.;

H. R. 1985. An act to authorize the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.;

H. R. 3321. An act to reduce tariff duties and to provide revenue for the Government, and for other purposes;

H. R. 5891. An act authorizing the construction of a bridge across White River at Newport, Ark.;

H. R. 6378. An act to authorize Robert W. Buskirk, of Matewan, W. Va., to bridge the Tug Fork of the Big Sandy River at Matewan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 6582. An act to authorize the city of Fairmont to construct and operate a bridge across the Monongahela River at or near the city of Fairmont, in the State of West Virginia;

H. R. 6635. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, in the State of Tennessee;

H. R. 7469. An act to authorize the construction, maintenance, and operation of a bridge across the Little River at or near Lepanto, Ark.;

H. R. 7470. An act to authorize the construction, maintenance, and operation of a bridge across Black River at or near the section line between sections 8 and 9, in township 20 N., range 5 E., being a short distance south and east of the town of Corning, Clay County, Ark.;

H. R. 7472. An act authorizing Beaufort and St. Helena Townships, Beaufort County, S. C., to construct, maintain, and operate a bridge and approaches thereto across Beaufort River, in Beaufort County, S. C.;

H. R. 7506. An act to increase the limit of cost of the United States post-office building at Beloit, Kans.; and

H. R. 7875. An act to increase the limit of cost of the public building at Augusta, Ga.

### NATIONAL CORN EXPOSITION AT DALLAS, TEX.

Mr. SHEPPARD. From the Committee on Agriculture and Forestry I report back favorably without amendment the joint resolution (H. J. Res. 132) authorizing the Secretary of Agriculture to make an exhibit at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914, and I ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. JONES. I think it ought to be read if it is to come before the Senate.

The VICE PRESIDENT. It will be read.

The Secretary read the joint resolution, as follows:

*Resolved, etc.* That the Secretary of Agriculture be, and he is hereby, authorized to make such exhibit as may be convenient and practicable at the Sixth National Corn Exposition, to be held at Dallas, Tex., during the month of February, 1914.

Sec. 2. That the said exhibit shall be of such nature as the Secretary of Agriculture deems appropriate: *Provided*, That the Secretary of Agriculture shall make such arrangements with the proper officers of the said exposition that the Department of Agriculture shall be at no expense for transportation of said exhibit to and from the exposition: *Provided further*, That the Secretary of Agriculture shall also make such arrangements with the proper authorities of said exposition that there shall be no expense to the department for any breakage or damage that may occur to the exhibit nor for the living expenses of such appointees as he may see fit to send to said exposition to demonstrate the exhibit sent.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

### FLORENCE E. QUIGLEY.

Mr. WILLIAMS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 185, submitted by Mr. MARTINE of New Jersey on the 25th ultimo, reported favorably thereon, and it was considered by unanimous consent and agreed to, as follows:

*Resolved*, That the Secretary of the Senate be, and he is hereby is, authorized and directed to pay, out of the miscellaneous items of the contingent fund of the Senate, to Florence E. Quigley, widow of Thomas Quigley, deceased, late chief of police of the United States Capitol, a sum equal to six months' salary at the rate he was receiving by law at the time of his death; said sum to be considered as including funeral expenses and all other allowances.

### BILLS INTRODUCED.

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

By Mr. SHIVELY:

A bill (S. 3180) granting a pension to Josephine Moore; and

A bill (S. 3190) granting an increase of pension to Jefferson Thomas; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 3191) granting a pension to Jacob C. Robinson (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 3192) waiving the age limit for appointment as cadet engineer in the Revenue-Cutter Service of the United States in the case of John S. McKinney; to the Committee on Commerce.

By Mr. RANSDELL:

A bill (S. 3193) granting an increase of pension to John O. Ackerson; to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 3194) to remove the charge of desertion from the record of Orsemus B. Goldsmith (with accompanying papers); to the Committee on Military Affairs.

### TARIFF LAW OF 1913.

Mr. SIMMONS submitted the following concurrent resolution (S. Con. Res. 9), which was considered by unanimous consent and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed for the use of Congress 80,000 copies of the tariff law of 1913 in pamphlet form, indexed, with paper cover, to be apportioned as follows: Thirty-five thousand copies for the use of the House of Representatives; 30,000 copies for the use of the Senate; 5,000 copies for the use of the Committee on Finance of the Senate; 5,000 copies for the use of the Committee on Ways and Means of the House; 5,000 copies for the use of the document room of the Senate; and 10,000 copies for the use of the document room of the House; and that the Public Printer be authorized to print for sale such copies of said document as in his discretion may be required.

### SENATOR TILLMAN'S RETROSPECT OF 18 YEARS (S. DOC. NO. 210).

Mr. TILLMAN. Mr. President, a few days ago I asked unanimous consent for the publication of Hon. Charles Francis Adams's retrospect of his life, called "Tis Sixty Years Since." Senators who have not read it will enjoy it, I know, and find it most profitable reading.

I am going to indulge in something of the same kind for myself, and I ask unanimous consent to have published in the RECORD and also as a public document an article I prepared 18 years ago for the New York World, giving my impressions and the then beliefs about Wall Street and what is called "the money power."

I am asking for its republication because so much that was mere surmise and prophecy has come true, that I feel it very appropriate for me to reproduce it. I shall incorporate in it, if the Senate will permit, statistics and facts to make the