Also, petition of sundry citizens of Chemung County, Mecklenburg, Freeville, and Rathbone, all in the State of New York, favoring national prohibition; to the Committee on Rules.

By Mr. WHITACRE: Petition of 25 citizens of New Waterford, 60 citizens of Canton, and a mass meeting at Lakeville, all in the State of Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. WILLIAMS: Petitions of sundry citizens of Astoria, Ill., favoring national prohibition; to the Committee on Rules.

Also, petitions of sundry citizens of Kewanee, Ill., and the North American Skat League, protesting against national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of George T. Seibert, of Urbana, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on Rules.

By Mr. WOODRUFF: Petition of Rose T. Farrier, Edith M. Schmaler, and others, of Montgomery County; Olive N. Ewing, N. Kate Backus, and others, of Harbor Springs; and Harriett Jane Comstock, Mary L. Ulerflient, and others, of Alpena, all in the State of Michigan, favoring woman-suffrage legislation; to the Committee on the Judiciary.

Also, petition of sundry citizens of Hope and Onaway, Mich., favoring national prohibition; to the Committee on Rules.

SENATE.

THURSDAY, *July 2, 1914.*

The Senate met at 11 o'clock a. m.

Rev. A. J. Dickinson, D. D., of Birmingham, Ala., offered the following prayer:

Most gracious God, we thank Thee for our country and for the civilization that we hold in trust for coming ages. We pray Thee that Thy blessing may attend this great land. Guide Thou this House in its deliberations and promote peace and happiness among men. Guide, we pray Thee, the Senators in their taking of counsel one with another. Lead us to right ends. May we live to Thy glory, and may prosperity attend the land. And unto Thee Thou King Eternal, invisible, Thou only wise God, be the glory forever and ever. Amen.

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

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

Mrs. Vitha B. McClendon, administratrix of Joel McClendon, *v.* United States, and Jean Michael Vendenheim *v.* United States (S. Doc. No. 529).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

CALLING OF THE ROLL.

Mr. JONES. Mr. President, I see just two Senators on the other side of the Chamber. I raise the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Dillingham	Norris	Sterling
Brady	Fletcher	Page	Sutherland
Brandegee	Gallinger	Perkins	Thomas
Bryan	Hughes	Ransdell	Thornton
Burleigh	Jones	Sheppard	Townsend
Burton	Kern	Shively	Walsh
Catron	Lane	Simmons	Warren
Chamberlain	Martin, Va.	Smith, Ga.	White
Culberson	Martine, N. J.	Smith, Mich.	Works
Cummins	Newlands	Smoot	

Mr. SMITH of Georgia. I desire to state that my colleague, the junior Senator from Georgia [Mr. WEST], is still detained in his room on account of the injury he received a few days ago. I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I wish to transfer that pair for the day to the junior Senator from Georgia. So I will vote during the day, in view of the transfer of my pair, and I will not announce it again.

Mr. KERN. I desire to announce the absence of the junior Senator from South Carolina [Mr. SMITH], who is unavoidably detained, and also the absence of the Senator from North Carolina [Mr. OVERMAN], the Senator from Kansas [Mr. THOMPSON], the Senator from West Virginia [Mr. CHILTON], the Senator from Iowa [Mr. KENYON], the Senator from Minnesota [Mr. CLAPP], and the Senator from Tennessee [Mr. LEA], who are absent on business of the Senate, being in attendance upon a committee. This announcement may stand for the day.

The VICE PRESIDENT. Thirty-nine Senators have answered to the roll call. There is not a quorum present. The Secretary will call the absentees.

The Secretary called the names of the absent Senators, and Mr. STONE and Mr. VARDAMAN answered to their names when called.

Mr. DU PONT entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is not a quorum present.

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms is instructed to request the attendance of absent Senators. He will execute the order of the Senate.

Mr. O'GORMAN, Mr. POINDEXTER, Mr. CLARKE of Arkansas, Mr. CLAPP, Mr. KENYON, Mr. THOMPSON, Mr. CHILTON, and Mr. OVERMAN entered the Chamber and answered to their names.

Mr. SMOOT. I desire to announce the unavoidable absence of the senior Senator from Illinois [Mr. SHERMAN] on account of illness in his family. He has a general pair with the Senator from South Carolina [Mr. TILLMAN].

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

Mr. KERN. I move that the order directing the Sergeant at Arms to request the attendance of absent Senators be vacated.

The motion was agreed to.

ADJOURNMENT OVER THE FOURTH OF JULY.

Mr. KERN. I move that when the Senate adjourns on Friday evening, which is to-morrow evening, it be until Monday following, at 11 o'clock a. m.

The motion was agreed to.

MONUMENT TO PRESIDENT JOHN TYLER.

The VICE PRESIDENT. Some time since the Senate of the United States and the House passed a concurrent resolution calling upon the Chair to appoint five Senators to attend the unveiling ceremonies of the monument to be erected over the grave of the late President of the United States, John Tyler. In compliance with the provisions of the concurrent resolution (S. Con. Res 22) the Chair appoints Mr. MARTIN of Virginia, Mr. SWANSON, Mr. CHILTON, Mr. GOFF, and Mr. GALLINGER members of the joint committee on the part of the Senate to represent the Congress of the United States.

PETITIONS AND MEMORIALS.

Mr. DU PONT. I present a resolution adopted at a meeting of the Delaware Bankers' Association held at Lewes, Del., on June 18, remonstrating against the enactment of legislation so far as it relates to interlocking directorates of banks. I ask that the resolution may be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

DELAWARE BANKERS' ASSOCIATION,
Wilmington, Del., June 25, 1914.

Hon. H. A. DU PONT,
United States Senate, Washington, D. C.

DEAR SENATOR DU PONT: At a meeting of the Delaware State Bankers' Association, held at Lewes on June 18 the bill (H. R. 15657) relating to interlocking directorates was fully discussed, and the following resolution unanimously adopted:

"*Resolved*, That we are strongly opposed to this bill for the reason that we believe it will deplete the numbers and impair the efficiency of our bank boards by robbing them of many of our strongest members at the very time their services are most needed—particularly is this true of smaller cities and towns—and impair confidence by tearing down and lowering the tone of bank managements, and in many ways interfere with the successful launching and operation of the Federal reserve act, which fact is of such importance as to overshadow any legislation which under other circumstances might seem advisable. We believe that the bankers and business men are more anxious even than our legislators to eliminate from the new system the abuses that have crept into the old, and that legislation is unnecessary to accomplish this end. At least, give them a chance. We believe that the welding together of a great mass of strong banks and strong men is essential to the success of the plan, and that it is unwise to legislate against the whole country for the purpose of correcting abuses existing in one locality."

Respectfully submitted.

WILLIAM WINDER LAIRD,
Wilmington Trust Co.,
JOHN RICHARDSON, Jr.,
National Bank of Delaware,
EZEKIEL COOPER,
Farmers' Bank of Wilmington,
Committee.

Mr. DU PONT presented a petition of Capital Grange, Patrons of Husbandry, of Dover, Del., favoring Government ownership of telegraph and telephone lines, which was referred to the Committee on Post Offices and Post Roads.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

He also presented a memorial of sundry citizens of Delaware, remonstrating against the enactment of the so-called Clayton antitrust bill and alleging that certain provisions thereof are discriminatory in character, which was referred to the Committee on the Judiciary.

Mr. CUMMINS. I have received many petitions in the form of telegrams, letters, and resolutions, favoring the adoption of the joint resolution proposing an amendment to the Constitution of the United States prohibiting the manufacture, sale, and transportation of intoxicating liquors. I present the petitions and ask that they be referred to the Committee on the Judiciary.

The VICE PRESIDENT. The petitions will be received and referred to the Committee on the Judiciary.

Mr. BRANDEGEE. I have received a great many petitions, telegrams, and memorials in relation to the same subject, both for and against it. I have had great numbers of remonstrances signed by individuals and sent to me in packages, not exactly in the form of petitions, but I present them, together with several other petitions, and ask that they may be appropriately referred.

The VICE PRESIDENT. The petitions and memorials will be received and referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Medical Society of Riverside County, Cal., praying for the enactment of legislation to provide for the retirement of superannuated civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of sundry citizens of San Francisco, Cal., remonstrating against the enactment of the so-called antitrust legislation, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of San Francisco and Mountain View, in the State of California, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. DILLINGHAM presented petitions of sundry citizens of the State of Vermont, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Department of Maine, Grand Army of the Republic, assembled at Lewiston, Me., June 17, 1914, favoring the appointment of a soldier to the position of surveyor of the port at Portland, Me., which was referred to the Committee on Commerce.

Mr. WORKS presented telegrams in the nature of memorials from sundry citizens of California, remonstrating against the enactment of the so-called antitrust legislation, which were referred to the Committee on the Judiciary.

He also presented telegrams in the nature of petitions from sundry citizens of California, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of sundry citizens of Cheyenne, Wyo., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. CATRON presented a memorial of Local Union No. 330, International Union of the United Brewery Workers, of Albuquerque, N. Mex., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented a memorial of sundry citizens of Oregon, remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Oregon, praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a memorial of Local Branch, United National Association of Post Office Clerks, of Portland, Oreg., remonstrating against the recent dismissal of certain employees of the Washington City post office, which was referred to the Committee on Post Offices and Post Roads.

Mr. GALLINGER presented a telegram in the nature of a memorial from A. D. Grant, of Keene, N. H., remonstrating against the enactment of legislation providing for national prohibition, which was referred to the Committee on the Judiciary.

Mr. ROOT presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of New York, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Pastors' Union of Lockport, N. Y., praying for the enactment of legislation to prevent the sale of opium and cocaine except for medicinal uses, which was ordered to lie on the table.

He also presented a resolution of the Board of Aldermen of New York City, N. Y., remonstrating against the proposed appropriation for renovating and repairing the present post-office building in New York City and favoring an appropriation for a new Federal building on some other and a more suitable location, which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the Merchants' Association of New York City, N. Y., remonstrating against the provisions in the sundry civil appropriation bill and the pending antitrust bills exempting labor and farmers' organizations, etc., from prosecution under the antitrust laws, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Saranac Lake, Waterport, Odessa, Rochester, Buffalo, New York City, and Babylon, all in the State of New York, praying for the enactment of legislation to provide for Federal censorship of motion pictures, which were referred to the Committee on Education and Labor.

Mr. MARTIN of Virginia presented petitions of sundry citizens of Fairfax County, Newport News, and Staunton, all in the State of Virginia, urging Federal legislation for woman suffrage, which were ordered to lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13297) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. MURRAY of Oklahoma, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13920) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. MURRAY of Oklahoma, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14546) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. MURRAY of Oklahoma, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 15071) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. MURRAY of Oklahoma, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 15504) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. MURRAY of Oklahoma, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12914) granting

pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13542) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14234) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14738) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 15692) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 4938. An act providing for the issuance of patents to transferees of town lots purchased from the United States at public sale in certain cases; and

H. R. 16192. An act to authorize the issuance of patent to Rachel E. Dangerfield Boast for the southeast quarter of section 21 and the northeast quarter of section 28, township 1 south, range 57 west, of the sixth principal meridian.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 2823) relating to the temporary filling of vacancies occurring in the offices of register and receiver of district land offices, reported it with an amendment and submitted a report (No. 636) thereon.

Mr. BRYAN, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 963) for the relief of Mrs. Andrew Riganopolous (Rept. No. 637); and

A bill (H. R. 9362) for the relief of R. B. Whitacre & Co. (Rept. No. 638).

Mr. SHIVELY, from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 4232) to establish in the War Department and in the Navy Department, respectively, a roll designated as "the Army and Navy medal of honor honor roll," and for other purposes (Rept. No. 639); and

A bill (H. R. 16294) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 640).

BILLS INTRODUCED.

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

By Mr. DU PONT:

A bill (S. 6025) for the relief of the heirs of Lewis D. Brown; to the Committee on Claims.

By Mr. THOMAS:

A bill (S. 6026) granting an increase of pension to Mary A. Selleck (with accompanying papers); to the Committee on Pensions.

By Mr. O'GORMAN:

A bill (S. 6027) granting a pension to Ella M. Decker (with accompanying papers); to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 6028) to authorize the Commissioner of Navigation to cause the rebuilt bark *Simla* to be registered as a vessel of the United States (with accompanying papers); to the Committee on Commerce.

By Mr. OVERMAN:

A bill (S. 6029) granting a pension to William M. Miller; and

A bill (S. 6030) granting a pension to Daniel W. Setzer; to the Committee on Pensions.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. O'GORMAN submitted an amendment proposing to appropriate $1,000 to pay the clerk of the Committee on Interoceanic Canals for extra services, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

FEDERAL TRADE COMMISSION.

Mr. SAULSBURY submitted an amendment intended to be proposed by him to the bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes, which was ordered to lie on the table and be printed.

INDIAN LAWS AND TREATIES.

Mr. CLAPP submitted the following concurrent resolution (S. Con. Res. 25), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of Senate Document No. 719, Sixty-second Congress, second session, entitled "Indian Affairs, Laws and Treaties," volume 3, 500 of which shall be for the use of the Senate, 1,500 for the use of the House of Representatives, 200 for the Commissioner of Indian Affairs, 50 for the House Committee on Indian Affairs, 50 for the Senate Committee on Indian Affairs, 100 for the Department of the Interior, 50 for the compiler, and the remaining 550 shall be sold by the superintendent of documents.

THE FORESTRY SERVICE.

Mr. CATRON. I have here an article written by Mr. M. J. Nagel on the Forestry Service, which contains about two closely written pages. It pertains to a matter which, I think, would be of interest to the committee investigating this subject, and I ask that it may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the article was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Our system of agriculture is the most theoretic and impractical system in existence. It is the ruin of foresters and forest. It is the ruin of farmers and farms, wasting labor and money, creating floods and destruction, misleading the Government and public with theoretic statistics. The most important branch of our Government, the Forestry Service, is managed by theoretic professors and college boys. They are not acquainted with practical work.

The report of the special forestry committee of the conservation congress is misleading to the Government and public. The theoretic addresses are most impractical, and not a word is mentioned about how to correct the ignorance of practical forestry. If this system of forestry was advised by a man in France or Germany, he would be considered incompetent. This report says, on page 359, "It is estimated that seven and a half million acres of denuded forest land in the national forest require reforestation. Under the present plans 30,000 acres are reforested annually." I am sure not half of it has a stand. I can advise and teach the present force of men to reforest 500,000 acres annually at a much less expense than at the present time. The report says, "It will cost $12 per acre to reforest." I can teach and will take the contract to reforest every acre of denuded land, abandoned farms and fields in the United States for less than $5 per acre, and all will grow. By this method more than $50,000,000 can be saved in reforesting seven and a half million acres.

The report says nothing of how to prevent floods, regulate the flow of waters in the rivers; nothing of the useless and misleading publications by impractical professors and employees in agricultural colleges that are ruining the farm and forest. An investigation should be made by men who are experienced and competent in practical agriculture. I can prove what I say and can advise how to change our system of agriculture so as to better conditions.

If the Government, States, counties, townships, and farmers will work in harmony, we can reforest 2,000,000 acres each year, as can be demonstrated.

Statements about German forest and forester are false, erroneous, and misleading; such publications are to draw more money from the Public Treasury.

All abandoned farms and fields should be reforested, and dams should be built in all ravines and creeks to store the water and prevent the silt from washing into the rivers. This will regulate rivers and floods. No estimation can be made at the present time as to how much water could be stored for the benefit of farm and forest.

If the money appropriated by the Smith-Lever bill would be spent judiciously by practical experienced men of agriculture, men who know the conditions of farms and farmers and do know how to teach farmers, that bill would be a blessing and would help to double the crop of agriculture; but, as proposed, to send inexperienced college boys to instruct farmers, it will do very little good and will work harm.

The most important and vital question at the present time is how to improve our farms and keep the rural population on the farm. The

Roman Empire died of excess of urbanism. The Roman Empire, so strong and well-cultured in art and literature, erred in neglecting agriculture. To satisfy the plebeian in the cities they built magnificent theaters, temples, and monuments that we admire to-day but neglected agriculture, and it was ruined. The people have pressed to the populous centers until the cities are overrun with beggars, loafers, and tramps. The newly rich families only seek to spend their money so as to show their wealth and compete with older families in luxuries, causing the poorer class to envy them and curse the situation. The cities in competing with one another advertise the schools and the pleasures they have in the cities and attract the attention of the rural population. The high cost of living is unnecessary. The present condition of the United States is very similar to the condition of the Roman Empire in the second and third centuries. Our theoretic system of agriculture will be our ruin. This impractical system is ruining farm and forest. We have to change our system of agriculture to increase the rural population, improve farms and farming, and we soon will reduce the high cost of living. Impractical education is reducing the rural population and increasing the consumers.

The rural population can keep up prosperity of the land. The farmer has to provide for all. Ruin the farm and the country is ruined. Urbanism will be our ruin. The industries of the large cities will increase luxuries and wants. The increase of production does not keep pace with the increase of population. Our theoretical professors, without practical knowledge and experience, can not remedy this lamentable situation. The impractical education in our agricultural colleges is driving the children from the farm to the cities, thereby helping to ruin farm and forest. If we would model our system of agriculture after the English, German, and Danish systems, we could double our farm products and reforest each State in the Union with less expense than we have now.

The foresters at the James Reserve planted 6 acres with 10,000 seedlings. Mr. Mahoon planted at the Zuni Reserve 1,750 seedlings on 1¾ acres. Messrs. Peck, Hayes, Philips, and Myers hired Indians to plant 5,000 seedlings on 2½ acres The supervisor in Colorado says, in his report, we planted in three years 54 acres and in one of the years 27,000 pine seedlings and 3,200 Douglas fir seedlings on 15 acres. Colorado has more than 6,000,000 acres to go over.

With such reforesting it will take 10,000 years to get over the ground and will cost twenty times as much as a practical forester would spend.

The Bureau of Forestry published how much seed was sown, how many seedlings were planted, but did not publish how many seeds or seedlings grew.

The Bureau of Forestry published how many seedlings grew in the nurseries, but did not publish how much it cost to raise these tree seedlings. It can easily be demonstrated that they can be raised for one-tenth of the present cost.

The present system is responsible for reducing many poor people almost to the point of starvation by depriving them of the privilege of collecting dead wood and seeds, the collection of which is a benefit to the individual and the forest and if not collected is a determent to the forest.

This forest system was partly responsible for the forest fires.

This forest system has directly and indirectly wasted money and forest.

This forest system had impractical college boys to start nurseries, who did not know how to start nurseries on different elevations and kinds of soil. Most of this money has been wasted if not all. This forest system sent inexperienced college boys to estimate the standing timber who had no practical knowledge whatever, so that the boys had a picnic at Government expense and made no valuable report. Publications of last year stated that 530 pounds of pine seed were sown on 45 acres. So much seed, properly planted, would plant 6,000 acres. Publications say that the foresters will sow 5,500 pounds of seed on 700 acres. Properly planted, this would plant 25,000 acres. All such seeding is now feeding rats, mice, and squirrels. The present system is not teaching forestry, but is fostering a lot of useless employees who are ignorant of the business. Three thousand foresters and rangers are worse than idle, doing very little useful work, but harassing and tyrranizing farmers, miners, small sheep and cattle owners, making false reports, depriving poor citizens from collecting dry wood, cutting grass, collecting seeds, a benefit to the citizen and grave danger for fire if left in the forest. Foresters and rangers under this present system are a detriment rather than a benefit to the forest. The few acres seeded and planted are in such a condition that a real forester would be ashamed to mention it. Many men are driven to desperation to set fire to the forest. No practical work is done for future benefit. Nine-tenths of the forestry bulletins are useless. They are of no practical use to the farmer and the average citizen can not comprehend them. The publications of the forester say we have planted 20 acres with seedlings with 15 men in 20 days, and they expect half of those seedlings to grow; one practical forester can plant more than 20 acres in 20 days and all should grow. Forest Bulletin 98 says, on page 36, the foresters sow on 1 acre 700,000 seeds of the Engleman spruce and a practical forester needs only 2,000 seeds; they sow also 360,000 seeds of the lodgepole pine and 260,000 seeds of the Douglas spruce and only 2,000 seeds are needed to the acre. This is all the work of the impractical forester. At the present rate of wasting and selling available timber and no reforesting done in 10 years we will have no available timber to sell in the West.

Foresters and rangers make reports to suit themselves. No investigations of forest are made and no man is there who can make investigation and make a correct report. If a farmer or miner complains, he will never get a just hearing and no citizen can appeal, so he has to suffer. There were reported 3,138 forest fires in 1912; 2,164 were extinguished by the rangers. Like all reports of foresters and rangers it is impossible to believe that half of that number of fires started, except the rangers themselves set fire to the forest to make a good report to headquarters. If proper care was taken of the eastern and southern forestry, it would add thousands of millions of dollars to the national wealth. Every county in the United States should have a supervisor to see that all the waste and worn-out land should be reforested. The agricultural colleges in the States should teach forestry and agriculture. Too much theory and too little practical teaching is taught.

Every farm of 160 acres has from 5 to 100 acres of land idle that should be used for reforesting The State authorities should require that all this land should be reforested. It would add to the comfort of the farmer and his cattle and be a beneficial ornament. The present forest system is inefficient; the Agricultural Department needs practical men to direct the work. A forester should live in the forest, not 50 miles to 200 miles from the base of operations. A district forester should, every morning, direct his foresters, apprentices, and rangers to do certain useful work, especially to make fire guards and reforest, and not trouble miners and farmers. The district forester should be present while planting seedlings and not leave it to inexperienced boys and laborers.

Our president said, in his address in Kansas City, September 25, 1912, Mr. Holmes of the Agriculture Department says we can raise a bushel of wheat at the expense of 3½ cents and a bushel of corn at 10½ cents. The December crop report says it cost at the average 66 cents to raise a bushel of wheat, and in Iowa 31 cents; in Maine 72 cents to raise a bushel of corn; both are agricultural reports. The president said that in England and Germany they raise twice as much grain to the acre on land cultivated for 100 years as we do on new land. If we would model our agricultural system after the English, German, and Danish agricultural systems, we would soon raise twice as much to the acre. We have to combine the best methods of the three countries in our agricultural system to improve our farm and farmers. The publications say to use commercial fertilizers is a detriment to most farmers, without knowing how to use it for the different kinds of soil or how to use it for the different kinds of crops. The different kinds of soils and crops need different fertilizers, and if the soil is not enriched with stable or green manure the soil is impoverished with commercial fertilizers. Our theoretic college professors can not teach the plain farmers practical farming he himself does not know. Only an intelligent farmer can teach the plain farmers, and each county should have a few farmers taught how to analyze the soil and how to use the different fertilizers on different crops—farmers learn from the farmers. Our president said we have spent $100,000,000 on commercial fertilizer. More than half was wasted by ignorance, not knowing how to use it. I learn a league is formed to ask $500,000 of Congress to experiment improving and fertilizing the soil. It can be demonstrated in two hours how to improve and fertilize the soil most practically. The speakers in our conservation congress are lamenting the impoverishing of the soil of the farms. That we raise every year less grain is a calamity for the Nation, but nobody gives any practical remedy. A practical agricultural system would remedy it. The forest association is lamenting the depleting of the forest. Theoretic addresses never give a remedy; only a practical forest system will be a remedy.

The agricultural college can not teach practical farming on 10 or 100 acres in one part of the State; neither forestry on 100 or 1,000 acres. It takes a forest to teach practical forestry by a practical forester. If the money uselessly spent at agricultural colleges and experiment stations was used to help assist poor families in the cities to start on a farm, great benefit and improvements would be the result, as many a farmer boy and girl, by the wrong, theoretic education, has left the farm for the city and to-day thousands would go to the farm if they had the means to start again. This top-heavy education of the college is a detriment and ruin to our children.

M. J. NAGEL.

STATE REGULATION OF PUBLIC UTILITIES.

Mr. WORKS. Mr. President, I have here an article published in the May number of the Annals of the American Academy of Political and Social Science, by Hon. John M. Eshleman, president of the Railroad Commission of the State of California, entitled "Should the public utilities commission have power to control the issuance of securities?" It is one of the strongest arguments that I have yet seen or heard in favor of the control of the issuance of securities of corporations by railroad commissions; and as that is a live issue before the Senate at the present time, I ask that the article may be printed in the RECORD.

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

The article referred to is as follows:

SHOULD THE PUBLIC UTILITIES COMMISSION HAVE POWER TO CONTROL THE ISSUANCE OF SECURITIES?

[By John M. Eshleman, president Railroad Commission of the State of California.]

Inasmuch as this volume is devoted to a discussion of State regulation of public utilities, and as I am not informed whether the issue to be discussed is the propriety of regulation of utilities at all, or, admitting the propriety of such regulation, whether to State or to municipal authorities should be accorded the right of regulation, I am somewhat at a loss how to attack the subject upon which I have been requested to contribute a paper. I shall assume, however, that it is desired that I discuss the issue whether the control of the issuance of securities should be assumed at all by whatever regulatory authority to which the work of regulation is intrusted.

The propriety of the regulation of securities of utilities, with particular reference to railroads, was the subject of a report to the National Association of Railway Commissioners at its annual session in Washington, October 28 to 31, 1913, by the committee on railway capitalization. The report of this committee advocating regulation of securities of railroads by the Interstate Commerce Commission was adopted, but not without considerable opposition. It was not there urged, however, by anyone that there should not be some form of regulation, the principal question at issue being whether regulation should be by a method of control or a method of publicity. The report of the committee, which was adopted, recommended regulation by control as opposed to regulation by publicity. This report, with the discussion thereon, is found in the Proceedings of the Twenty-ninth Annual Convention of the National Association of Railway Commissioners, pages 114 to 223 and 238 to 257.

One of the first States which has attempted comprehensive regulation of the securities of utilities is Wisconsin. The fiscal affairs of utilities of that State, including railroads, have been under the jurisdiction of the Wisconsin Railroad Commission for several years. Regardless of that fact, the present chairman of the railroad commission of that State, a former chairman of that commission, now a member of the Interstate Commerce Commission, and the United States Senator who has heretofore most strongly urged the necessity of the regulation of securities of utilities, are now apparently inclined to the belief that the regulation there prevailing is improper. Furthermore, the Railroad Securities Commission appointed by President Taft in 1910, and consisting of Arthur T. Hadley, president of Yale University, chairman, Frederick N. Judson, Frederick Straus, Walter L. Fisher, and B. H. Meyer, transmitted a report to the President wherein, regardless of protestations on the part of members of this committee to the contrary,

in my mind, is advocated a merely passive policy with reference to railroad securities and not at all a definite positive program looking to the correction of evils found by this commission to exist or the prevention of the recurrence of such evils in the future. This demands that cogent reasons be given by one who advocates active regulation of securities of utilities. In the face of these eminent authorities and with what I believe to be a careful consideration of every argument adduced by them, I state definitely my belief, first, that regulation of the securities of utilities is necessary, and, second, that such regulation must take the form of control by the public authority and is not satisfied by publicity alone. In the limit of this paper it will be impossible, however, for me to discuss in detail the merits of regulation by control as opposed to regulation by publicity. My views on that question are fully set forth in the report above referred to.

The opponents of regulation of the securities of utilities by control present two important objections to such regulation: First, they urge that the regulation of rates and service of utilities does not require the regulation of the securities of such utilities; and, second, the regulation of the securities of utilities brings about a guaranty by the Government, if not in law at least in morals: (a) Directly of the securities approved, and (b) indirectly of the securities already outstanding and issued prior to control by governmental authority.

Some of those presenting these objections urge that they are insurmountable, and that no regulation whatsoever should be attempted. Others contend that they merely present difficulties inherent in the present scheme of regulation which is applied in Wisconsin, New York, California, and other States. Those who urge that some method other than the method of control applying in the States named should be applied generally favor a system of publicity, and some there are who suggest that we should adopt a method similar to that imposed by the English companies act.

I join issue on each one of the objections raised. I am of the opinion that not one of them is valid against the system of regulation which is growing up in the various States following the lead of Wisconsin, wherein the affirmative approval of the governmental authority is required before stocks and bonds may be issued, and I shall discuss these objections in the order named to the extent that is possible in a paper such as this.

FIRST, CAN ADEQUATE REGULATION OF RATES AND SERVICE OF UTILITIES BE BROUGHT ABOUT WITHOUT REGULATION OF STOCKS AND BONDS?

On this question Chairman Roemer, of the Wisconsin commission, in a letter to the National Civic Federation, says:

"As I view the matter, the regulation of the issues of corporate securities is and must be for the benefit of the investors. It has no bearing independent of statutory provision upon the question of rates."

Mr. B. H. Meyer, formerly of the Wisconsin commission, now of the Interstate Commerce Commission, in discussing this matter before the National Association of Railway Commissioners in October last, said:

"With power to establish the value of the public utilities on the one hand and adequate power to regulate rates and service on the other, I take it that the question of stocks and bonds is largely a question of public morals."

The Railroad Securities Commission has this to say on this point in its fifth recommendation:

"If we were compelled to assume that rates are to be materially influenced, either in their making by the railroads or in their regulation by the Government, by the amount and face value of the stocks and bonds outstanding, it seems to your commission impossible to escape the conclusion that these securities should be issued only under governmental regulation. Your commission, however, believes that the amount and face value of outstanding securities have only an indirect effect upon the actual making of rates, and that they should have little, if any, weight in their regulation."

Senator LA FOLLETTE, of Wisconsin, in the issue of La Follette's Weekly of January 31, 1914, editorially urges that regulation of the securities of railroads is not necessary to the regulation of rates. In this connection he says:

"The fair value of the property is the true basis. The public need not concern itself with all the villainies of overcapitalization which abound in the history of every railroad in the country."

It may be well at this point to state that it is generally conceded that there is no difference in principle between the regulation of securities of railroads and those of other utilities, and herein I shall make no distinction between the several classes of utilities in this regard.

Eliminating any consideration of the investor, who, according to some of these eminent gentlemen, deserves no protection, it appears that two fundamental fallacies exist in their reasoning: First, that they have forgotten apparently that the amount of the rate is not all that must be considered, but the character of the service as well. While the rate may remain the same, if the service deteriorates or the character of the commodity furnished by the utility is impaired, plainly the patron of such utility is paying a higher rate, when we have regard to what he is getting for his outlay. Second, they have neglected to inform themselves that, although legally they are correct and legally the financial condition of a utility need not be taken into consideration in fixing rates and requiring service, yet actually such financial condition can not be overlooked because it has always had and does now have a material effect on the rates and service of utilities.

That this is true in concrete cases is easily demonstrated. That it always will and must be the rule I believe is equally clear. Utilities, as other enterprises, are initiated, managed, and owned by men. Men, in the main at least, prefer their own advantage. Thus the natural inclination of those controlling the destiny of any public utility leads them, when a choice must be made between public service and private advantage, to choose private advantage. Gain has been, is now, and always will be the prime motive of those engaged in public utility as well as any other business, and the service of the public is only secondary thereto. Therefore we may naturally expect to find that procedure followed, in the absence of restraint, which is most likely to result in profits to those in control. In practice, those who initiate a public-utility enterprise attempt to get as much out of it as is possible and put as little as possible in, with the result that the enterprise starts with the maximum burden that can be imposed and not kill it in the beginning. Every dollar that is taken out, or rather withheld, by construction contracts, watered stock, or discount on bonds represents what is in effect a liability, and a liability which, if it take the form of a debt as a bond or a note, must be paid, and a liability which, if it represent water in stock, will be paid if those in charge of the property can possibly bring about such result. The design of every public-utility manager is, of course, to pay his bond interest and then to bring his stock to par or better. These results are sought regardless of the amounts which have been received by the utility for such bonds and stock. If obligations which netted the utility less than par are carried and paid off in the end, and if stock which has been sold for less than par ever goes to par, the extra funds to bring this about must come from the rates. When we view the history of utilities and see that in numerous cases the results here referred to have come about, we must conclude that, in such cases at least, capitalization has affected the rates; for such rates have been unquestionably higher by that amount than is necessary to pay the expense of doing the business and a reasonable return on the value of the property devoted to the public use. These men who have long studied this question, however, say that capitalization need not affect rates. We answer that historically it has done so, and we have no reason to believe that in the future it will not have a like effect. If we should put a certain amount of meal into a bag and go away and subsequently, on inspecting the bag, find more meal in it, we would probably be pardoned if we should conclude that the additional meal came from somewhere; and if only one person had had an opportunity to make the addition, we probably would not be far wrong in concluding that this individual was responsible. And when in the case of a utility certain funds, ascertainable in amount, go in from proceeds of stocks and bonds, and thereafter we find there are funds much in excess of these amounts in the utility and the only source from which money has been acquired in the interim has been the rates, we must here again be pardoned for believing the extra funds came from these rates. Of course, this reasoning overlooks appreciation in lands and kindred property, but the valuation theory, urged as a solution of our rate troubles by the very men who say capitalization does not affect rates, presents this same complication. As a matter of fact, however, practically the only public utility presenting the unearned-increment problem as a substantial factor is the railroad. And can anyone urge that the tremendous fortunes made from railroads by the Harrimans, the Goulds, the Hills, and others, not one of which resulted from dividends, but from sale or retention of securities with small, if any, return to the railroad corporation itself, can be accounted for on the theory that the lands owned by these railroads increased in value to such an extent? It is well known that much of the property now in use by public utilities has been purchased and is being purchased from funds realized from rates. Consequently such rates have been higher than necessary, and however able public authority is to make rates independent of and unaffected by capitalization, it has not yet done so.

Because, then, of a perfectly natural inclination of mankind, the tendency is to put the minimum into the utility at the beginning and take the maximum out in the form of stocks and bonds. The same natural inclination leads men in control to take the maximum out thereafter in rates in order to restore the margin between the minimum contributed in funds and the maximum retained in securities. It is idle to say that these inclinations working on the one hand to get the maximum out of the utility and on the other to get the maximum out of the public have no effect. Every one knows they have had an effect in the past and that, in the absence of restraint, they will have a like effect in the future.

It is very evident that corporations have but three sources from which to secure funds: Stock, borrowed money, and earnings. With stock all, or mostly all, out at the beginning, with bonds issued to an approximation of the value of the property and with consequent inability to sell more, there is left but the rates from which to secure funds. When we meet a situation such as this it always is necessary to secure more from the rates in order to get extensions or betterments, or else not have such extensions and betterments. We have to-day an exhibition of the result of impaired credit consequent upon the inability of the roads to sell more bonds under their present earning capacity, when we see the eastern roads applying to increase all of their rates in order that, with the higher earning power, additional money may be secured. When, as I have said, there is no possibility of getting money from the sale of stocks or bonds—the two main sources of revenue for the utility corporation—such corporation can not go forward unless it is enabled to do so from funds realized from its only remaining source of revenue, its rates. Thus by permitting those controlling the corporation without restraint to indulge their natural inclination and exhaust the two main sources from which revenue may be secured, as is always their tendency, we inevitably bring about a condition wherein through financial inability the utility can not accord to its patrons those rates and that service to which they are entitled.

Thus, if no regulation is afforded, we will inevitably have utilities tending toward overcapitalization. This tendency will result either in higher rates, as it has in the past, or in poorer service, for you will have utility managers by natural inclination and often of necessity, when proper rates are imposed, curtailing expenses, restricting service, and in every way possible tending toward the minimum service that can be rendered. Free to work their own will in their financial affairs and always tending, if not prevented, to overcapitalize and then held down to the minimum basis for earning through regulation of rates, utilities inevitably get into bad financial condition. This condition could be, at least, measurably prevented by putting restraint upon these natural inclinations by proper regulation of securities. I am prepared to cite examples from my own experience in regulation where needed extensions have not been made, added service denied, and exorbitant rates maintained, because of the necessity of the managers of such utilities to pay interest upon debts which too nearly approximated or were in excess of the value of the property devoted to the public use. It would seem to be clear that it is better, both in the interest of efficiency of utility operation and of economy in governmental machinery, to prevent such a condition being brought about, rather than wait until it is produced and then seek to force a utility to give the service at the rates that are justified but beyond its financial ability to give, with the result that a long contest ensues during which service is impaired, investors defrauded, and confidence shaken with no better condition after such contest than could have been brought about initially by proper regulation by the commission.

It appears, then, that failure to regulate securities permits bad financial conditions to grow up which impair the financial ability of the utility, and hence its service, until such bad financial conditions are remedied; and the remedy then unsettles conditions and defrauds investors, while less effort by way of prevention would maintain the financial ability and bring about conditions naturally that now must be forced through receivers, courts, and reorganization. In short, those who urge that the financial affairs of utilities should be let alone and that only rates should be regulated fail to see that they merely attempt to cure a condition which they admit is bad rather than try to prevent it. They further overlook the fact that, if it is right to cure it, prevention is certainly justified. If, as we contend, overcapitalization naturally occurs in the absence of restraint and that overcapitalization is the usual condition which we meet, it readily appears that its cure must always be made at the expense of some one, as the money diverted

through overcapitalization must be supplied from some source. Rarely will it be possible by human ingenuity to prevent its being supplied, partly, at least, from the rates; and what does not come from that source comes from the purchaser of securities. Prevention, on the contrary, through regulation, if effectively applied before it is too late, brings about readily the desired result, and the imposition of reasonable rates and the requirement for efficient service are secured without injustice to any innocent party and without the long period of bad service always occurring when a utility loses its financial ability to do that which it is legally obligated to do.

Therefore we conclude that the first objection, that regulation of rates and service does not require regulation of securities, is not well founded. It remains to consider the second objection, which is that—

GOVERNMENTAL CONTROL OF STOCKS AND BONDS MORALLY, AT LEAST, COMMITS GOVERNMENTAL AUTHORITY TO RECOGNIZE STOCKS AND BONDS WHEN FINDING VALUE FOR RATE-FIXING PURPOSES.

Every argument I have yet met in support of this contention indulges, indirectly at least, the presumption that the governmental authority acting is not equal to the job. Now, I quite readily admit, in the language of Dr. Milo R. Maltbie, of New York, that "I would prefer to have no regulation to that which is not effective, for a form of regulation without substance is worse than no regulation." What I have to say has reference solely to competent and effective regulation.

Those empowered to regulate should, of course, be advised as to the legal effect of their acts. They should know, as Mr. Roemer, of Wisconsin points out, that the contract between stockholders is protected against impairment by the Federal Constitution and that "each share of any class is entitled to all the privileges of every other share of the same class." Likewise bonds issued under the same trust deed stand on the same footing, regardless of when issued. And knowing these legal principles, they should avoid taking any step with reference to present issues of either stocks or bonds out of issues authorized and partly out without knowing the value behind those already issued. If, in the case of a corporation a part of whose securities have been issued before regulation was applied, it is found that overcapitalization exists, no new issue should be permitted which will be on a parity with what is already out, thereby becoming diluted by the water already in the enterprise. Under a proper stock and bond law the burden is upon the utility to satisfy the commission that the application is justified, and unless those in control of the corporation will take such corporate steps as are necessary to overcome the difficulty presented by equal participation, then no securities should be permitted. The financing by preferred stock, which is now being done in various States, is an answer made by utility corporations themselves to the argument here considered, and an answer that will always be made if utilities commissions are firm and have an understanding of their work. The California commission, for example, has laid down the rule, and adheres to it strictly, that any utility in a financial condition which the commission would not approve if presented originally to it, but, nevertheless, not actually insolvent or in such a bad way that its condition is doubtful, may take any financial step which leaves it in a better financial state. It is allowed to progress toward a satisfactory financial condition, but it must not go backward. Its option is to advance or issue no new securities of any sort. If an agency is actually, although not legally, insolvent by having debts in excess of its asssets, it must reorganize before it can issue more securities. By this rule the burden is placed, as it should be, upon the utility to present a satisfactory plan of finance; and if any of the legal difficulties suggested by Mr. Roemer are still present, the application is not approved. No utilities commission need, nor ever should, permit the issuance of stocks or bonds in any case where such permission will serve, by reason of participation, to imply a legal sanction of outstanding issues where such outstanding issues have not the proper property values behind them. In the case of doubt as to the property values behind the securities, the commission can quite properly withhold its approval until the applicant utility shall have presented satisfactory evidence upon which the commission can act. With all due respect to the opinion of the eminent Senator from Wisconsin, as voiced in his present opposition to the railroad securities bill pending before Congress, I am plainly of the opinion that he has overlooked the distinction between a rate case, where the burden is upon the public, and a securities case, where the burden is upon the utility. In the former some one wants something against the utility. In the latter the utility wants something, and to get it it must disclose and not suppress evidence. Overlooking this distinction, the Senator advises us, as regards railroads, to wait until the Interstate Commerce Commission shall have finished its labors in valuing railroad properties, and then, by rates having proper relation to such value, to get rid of the water then found to exist in the railroads by rendering them unable to pay their obligations which shall have been incurred in the meantime in excess of what should have been incurred. And it is also evident that it is thought that water now exists and that more water will go in in the future, while the valuation is being made, for plainly if it were expected that nothing but the proper financing would take place there could be no objection to, although, of course, no need for, governmental action on the ground that such action would serve to recognize improper financing. In short, the very argument that no governmental restraint should be imposed, on the ground that improper securities might thereby be validated, presupposes, of course, the fact of the issuance of such improper securities in the case. We are justified in assuming that the lack of restraint hereafter pending the final completion of the stupendous work of valuation of railroads, as required by Congress, will leave the roads open to do more of this very thing and further to impair the financial standing of these properties.

And this is the advice of those who urge that we must not regulate securities, because by so doing we incur a moral obligation with reference to such securities. Too many securities have been issued in the past under no regulation. Too many will be issued in the future we know. Yet in the face of this condition we should do nothing, because our hands may be soiled also with guilt. Having the power to prevent and not preventing a crime, it occurs to me, imposes some kind of moral obligation, which possibly may be greater than that which attaches after an unsuccessful attempt to prevent such crime. Knowing that securities are being and have been issued and sold that should not be issued and sold, nevertheless let us permit it until in our good time we get ready to contract the earning power of the utilities through rates so they may no longer pay their obligations with consequent loss to investors and impairment of financial ability of the corporations properly to serve the public, all because of our fear of incurring a moral obligation by attempting to do something. Admitting we incur no legal obligation by regulation, as I think I have shown is the case when we ought to escape such legal obligation, there is not one cogent reason advanced which leads me to believe that we are not morally more bound by failure to regulate than by regulation. The corporation is the creature of the State. Every step which may be taken in issuing stock or authorizing bonded indebtedness must be taken in compliance with some statute. The State now regulates utility corporations in this regard as it does all corporations, and by so doing empowers such corporations to take advantage of the public and empowers the officers of such corporations to take advantage of the corporations themselves to the hurt of such corporations and the public. Add to this the fact that Government knows not only that these things may be done, but also that they have been and are being and will be done, and to my mind we have a pretty large moral obligation in itself and one that is minimized rather than accentuated by taking additional steps to prevent abuses possible under the authority already conferred. To relieve ourselves of any moral obligation at all we must dispense with the corporation itself. But having created the corporation with power of oppression under present economic conditions, can we excuse ourselves, if it oppresses, by the plea that by an attempt to prevent such oppression we become particeps criminis? Being entirely responsible for every power of this fictitious person wherein it issues securities, we can not avoid responsibility for what it accomplishes by means of such powers.

As palpably erroneous is the contention that by approving securities we will mislead investors. The very able chairman of the Wisconsin commission in a letter to the National Civic Federation states that by authorizing the issuance of securities and directing their investment the governmental authority involved "is likely to cause certain investors who purchase such securities as an investment without knowing anything of the management of the corporation or the possibilities of the enterprise to rely upon the State's sanction of the issues. These are the investors who need protection and who, I am apprehensive, will often be the victims of investments in ill-advised and mismanaged public-service corporations whose securities have been authorized by State commissions. The business man who deals in such securities needs no protection."

These views of Mr. Roemer deserve respect because of his great ability and long experience; but at the risk of appearing presumptuous, I respectfully suggest that a little analysis will show them to be fallacious. Who buys the bad securities to-day? Not the business man who deals in securities, for he, with or without regulation, makes his own independent investigation. So as to him regulation effects no change. Who, then, buys securities to-day under no regulation, without making an investigation for himself? The unwary, of course. Who will buy them under regulation, according to this argument, without independent investigation? Here, again, the unwary. The whole argument, then, is "unwary investors are now misled into buying bad securities. Make your securities better by effective regulation and issue fewer of them for the same amount of property, and thereby victimize the man by protecting him and giving him more for his money."

I have attempted to deal with the more important controverted questions involved in regulation of securities. I am strongly of the opinion that not one of the arguments advanced against regulation will bear analysis. I am convinced that these arguments are adduced in contemplation of ineffective regulation and are directed more against what has been and is being done in some quarters by way of regulation than against what the State can do under proper statute carefully and intelligently administered.

In summarizing the argument on the first objection it is well to have in mind what the railroad securities commission had to say with reference thereto. In this connection I call attention to the following comment:

"They (the railroads) have therefore been less able to give the shippers or the travelers the facilities that are requisite no less for the convenience and safety of the public than for the profitable utilization of the railroad itself. To the extent that we lessen the debt we shall increase the power of the railroads to raise money when the public needs added facilities and shall at the same time reduce the chance of default and lessen the severity of commercial crises."

And to what Dr. Maltbie, of the New York Public Service Commission, first district, one of the clearest thinking men engaged in regulation work in the country, also says:

"The State owes a duty toward investors as well as it does toward shippers and passengers. Further, proper regulation of securities will ultimately affect rates and service. It may not immediately, but in the long run better service and lower rates will be given by corporations that are upon a sound financial basis than by those having a great overcapitalization and unsound finances."

In short, as pointed out at length herein, whatever ought to be the result of overcapitalization and however much men may theorize, the fact remains that it has and does now affect rates and service, and a proper regulation of rates and service can not be had without regulation of securities.

In answer to the second objection, it appears that the State, by methods easily available, can regulate and is regulating securities without directly or indirectly validating or approving existing outstanding securities that should not be approved. Besides, the State incurs an obligation from an ethical standpoint in putting a corporation, by permission, in the way of doing a thing which results in a fraud, and particularly is the State morally derelict if after having conferred power on a corporation, and having seen such power used in a way to work injustice, at having the power to step in and prevent such injustice, fails to do so. And any restraint applied which tends to prevent such improper procedure on the part of corporations, instead of morally involving the State to an extent beyond which it is now obligated, tends, on the contrary, to lessen the moral responsibility.

As regards securities that are approved by the State under the proper precautions pointed out herein, I can give myself no great concern as to the effect of such approval. If the public utility commission does its duty, the approved securities should be good; and if it sees to it that the proceeds are honestly invested in the property and takes care that securities approved are not diluted through participation with other securities not approved, then why should not these securities be recognized in the rates? But regardless of any difficulties that confront those empowered to regulate securities, the condition under regulation is so immeasurably better for utility, patron, and investor, as far as can now be determined, that I am at a loss to understand the Jeremiahlike attitude of those who some years ago indulged the same childlike faith in the efficacy of regulation that some of the rest of us now display. But I could the better understand and perhaps agree with those formerly urging regulation and now so fearful of its results if they would point out wherein it has failed where effectively applied, instead of contending that it may produce results that have not yet come upon us. The evils of overcapitalization

are familiar to us all. The logic of regulation seems to me to be irrefutable. Where properly carried on it is certainly preferable to the former condition, and until something more substantial than mere fears of results that can not be shown as yet to have materialized is urged against the propriety of regulating securities, such regulation certainly should not be rejected and a reversion to former admittedly bad conditions invited.

Mr. WORKS subsequently said: Referring to the article which I requested a moment ago to have printed in the RECORD, as it is of such importance, I think it might well be published as a public document. For that purpose I ask that it may be referred to the Committee on Printing.

The VICE PRESIDENT. Without objection, that action will be taken.

CONDITION OF THE TREASURY.

Mr. SIMMONS. I send to the desk a telegram received this morning from the Secretary of the Treasury, which I ask may be read.

The Secretary read as follows:

[Telegram.]

WASHINGTON, D. C., *July 1, 1914.*

Hon. F. M. SIMMONS,
Chairman Finance Committee,
United States Senate, Washington, D. C.:

Heartily congratulate you on the result of the operations of the new tariff and income-tax law for the fiscal year just ended. After paying all ordinary disbursements of the Government there was a surplus of $33,784,452.07, and after paying all Panama Canal expenditures for the year there was a deficit of only $1,010,058.81. These figures are subject to revision upon analysis of complete returns.

W. G. MCADOO.

Mr. GALLINGER. Mr. President, my attention was attracted in hearing read the communication from the Secretary of the Treasury, submitted by the Senator from North Carolina [Mr. SIMMONS]. I am pleased to know that the finances of the country are apparently in a satisfactory condition. Whether that be so or not, it is a fact that the industrial conditions of the country are in a very unsatisfactory condition, and I want to submit very briefly one or two items on that point.

A shoe-manufacturing concern in Nashua, N. H., had a customer in Baltimore, who formerly purchased $200,000 worth of shoes annually, who recently wrote the manager of that shoe factory that he had just made a bargain with an English house at a lower price than he was able to make with the Nashua concern, and that he would hereafter purchase his shoes from England. So that one concern has lost a customer who purchased shoes at the rate of $200,000 a year; and I may add that the shoe industry in New England is far from being in a prosperous condition.

On yesterday I received a letter from one of the leading citizens of Lebanon, N. H., an enterprising, industrial town. My correspondent says:

The two American woolen mills here in Lebanon in the past six months have run, on an average, only 48 looms out of 142, which is only one-third the capacity of the mills. At the present writing they are completely shut down, and the outlook is anything but hopeful, as no orders whatever are in sight.

The overall shops are rapidly receiving cancellations of orders for mackinaws, which they have been working on almost entirely of late, and the knitting mill has nothing in sight after the 1st of August. So that one can easily see that business in Lebanon is extremely dull.

I received through the mail two or three days ago a communication, which I doubt not other Senators have received, from the committee of Flax Dressers' Local 694, United Textile Workers of America, affiliated with the American Federation of Labor, of Paterson, N. J., in which they say:

We, the flax dressers of Paterson, N. J., beg to call your attention to the condition of our trade in this country since the duty of 3 cents per pound was taken off the dressed line, or hackled flax, at the last revision of the tariff, and appeal to you to aid us in having the flax dressed in this country. Our representative, in his evidence before the Ways and Means Committee at Washington, explained to them how any reduction in the dressed line would mean the extermination of our industry in this country. We also appealed to the Finance Committee to have the duty retained on the dressed line. Still it was placed on the free list in face of all the statements we made as to what would be the result, as the following facts will prove:

There are only 18 men working here now, whereas if our industry was protected the same as other American industries it would take 200 men instead of 18. All the other mills throughout the country are in just the same situation. But we can not expect to get the work here when they can get the flax hackled in their own mills in Europe at less than half the price than we can hackle it here, and ship it in free. It is evident that while our men are unemployed the big business men of this country and the cheap labor of Europe are enjoying the fruits of the 3-cent reduction in the dressed line. We court the fullest investigation of our statements made to the Ways and Means Committee and refer you particularly to our communications to the Finance Committee on this matter. Hoping you will give our appeal your very earnest consideration and use your influence in having the duty replaced on the dressed line. * * *

COMMITTEE OF FLAX DRESSERS' LOCAL 694,
UNITED TEXTILE WORKERS OF AMERICA,
Affiliated with the American Federation of Labor.

Mr. President, in my committee room I have numerous similar letters and appeals. I present these simply to show that, while the financial condition of the country may be satisfactory at this moment, doubtless in large part due to greatly increased importations of foreign goods, the industrial condition is almost as bad as it can be. I received a letter two or three days ago from a friend, formerly engaged in business in New Hampshire, but who has been engaged in business in San Francisco for the last five years, in which he said to me that the industrial situation on the Pacific coast is just as bad as it was during the last Cleveland administration. However that may be, I know that throughout New England there is very serious industrial disturbance, and that a great many honest and industrious men who want employment are out of work, and, hence, as a corollary to the communication submitted by the Senator from North Carolina, I wanted to put in the RECORD the facts which I have stated.

Mr. HOLLIS and Mr. MARTINE of New Jersey addressed the Chair.

The VICE PRESIDENT. The Senator from New Hampshire.

Mr. HOLLIS. Mr. President, I desire to state that I have been in New Hampshire recently, and though I made very diligent inquiries I could not learn of a single cotton mill or woolen mill or textile mill of any kind nor a pulp mill nor a paper mill that has closed. A few Republican managers of mills say they are going to close down, but they have not done so as yet. If they do, it will be merely for the ordinary repairs in the summer.

The McElwain Shoe Co. was cited to me as a plant that had closed. I have a letter from the manager of that company saying that they shall begin again immediately after the 4th of July. In my own part of New Hampshire, in the vicinity of Concord, you can not hire men at any sort of reasonable wages. Contractors are trying to get men to take care of their work; you can not get a carpenter to patch your roof, and you can not get a painter to paint a house. Labor has never been so well employed in New Hampshire as it is to-day. All these wails come from places that are farther away, based generaly on what some one says, some one writes, some one guesses, or some one predicts. I state on my authority, from actual investigation, that labor has never been better employed in New Hampshire than it is to-day.

Mr. MARTINE of New Jersey and Mr. THOMAS addressed the Chair.

Mr. HOLLIS. I yield to the Senator from Colorado.

Mr. GALLINGER. Perhaps my colleague had better go to Lebanon and look at the situation there.

The VICE PRESIDENT. The Senator from New Jersey.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. It is wholly impossible to have a chorus here.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. The Senator from New Jersey was recognized by the Chair.

Mr. THOMAS. I understood the Senator from New Hampshire had the floor and yielded to me.

The VICE PRESIDENT. The Chair thought the Senator from New Hampshire had taken his seat, and the Chair is quite sure that he did.

Mr. HOLLIS. That is true.

Mr. MARTINE of New Jersey. Mr. President, I will detain the Senate only a moment. It seems to me that the part of a statesman in times of distress and alarm is to allay apprehension, not to spread the flame and try to bring calamity to every household in the land.

Mr. President, the Senator from New Hampshire [Mr. GALLINGER] makes reference to the unsatisfactory conditions in this country. It is a notorious fact, and the Senator will not contradict it, I think, that affairs in business in a mercantile and manufacturing way are quite unsatisfactory the world over. Germany, if you please, and England as well, have been suffering more or less from this general condition of stagnation.

From the adjoining State of Connecticut I read most glowing accounts of the splendid prosperity that is there under way, and I want to bring to the notice of the Senate the fact that in the State of Pennsylvania a great tube plant, employing from eight to ten thousand workers, has started up with prospects that are most alluring and inviting.

In my own State, which is a great manufacturing community, i. the city of Elizabeth, the county seat of my own county, is a great plant, known as the Singer Sewing Machine plant, employing 10,000 hands. We put their product on the free list. We were told on all sides in Elizabeth that we were inviting calamity and were inviting our own defeat to advocate putting sewing machines on the free list; but what has been the result? It has been the annual custom at this time of the year of the

Singer Sewing Machine Co., during every year that I have had any knowledge of it—and they have been there 20 years or more—to close down for one month, as they said, for repairs and for other purposes. Within the past two or three days—I do not know whether I can put my finger on the clipping—but I learn from two papers published in the city of Elizabeth, one the Elizabeth Journal, the property and voice in days past of the distinguished and honorable John Kean, my predecessor, a protectionist and a Republican, that the situation has entirely changed, and instead of closing down the plant for four weeks this year they notified their workmen on Monday last that no such shutdown would take place; that a week would be as long as they could afford to have the plant idle this year; that they had sold out their stock of sewing machines, and that their orders were such as to keep the Singer Sewing Machine plant busy and humming for the rest of the year.

Further than that, take the Claflin disaster. Our friends have tried to make much of that. Everybody understands that the Claflin firm were a responsible and honorable firm, but that in common with the rest of our country they became inoculated with the microbe of avarice, and they have been living the life of a debauchee; they have been capitalizing and running not only their own plant in a wholesale way, but retail plants all over the country, and there must be a very favorable condition when a great firm, with ramifications spreading far and near in this country, can fail for the sum of $34,000,000, and yet have no more effect on the commercial and mercantile market than the dropping of a feather.

The fact is, Mr. President, we have been living the life of a debauchee, and we are reaping the headaches of the hereafter very largely, but a better day is in store. Take your own journals; take the conditions in Pennsylvania; in New Hampshire, as the junior Senator from New Hampshire [Mr. HOLLIS] has cited them; in Connecticut; in my own State of New Jersey, and you will find there is a picking up, a kindling up of mercantile interests. The shafts and spindles that have been silent and idle for a time past are to-day again busy, and men of business, including John Claflin himself, have said that the conditions generally are sound.

So I feel that it is falling far short of our duty when gentlemen, occupying the honorable, distinguished, and potent position of Senator, stand on the housetops crying alarm, rather than endeavoring to stay it and to promote a better feeling. That, to my mind, is the truer and better part of statesmanship.

Mr. THOMAS. Mr. President, the Senator from New Hampshire has been absent from the Chamber for some little time, on unavoidable business, of course; and during that period of time, I presume, he has been at home fixing his fences.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. THOMAS. I do.

Mr. GALLINGER. The Senator from New Hampshire was on a somewhat different mission from that. The Senator from New Hampshire has read both the CONGRESSIONAL RECORD and the newspapers during the time he was absent.

Mr. THOMAS. Mr. President, if the Senator from New Hampshire read the CONGRESSIONAL RECORD during his absence, he is entitled to, and I hereby offer him, my profound sympathy. I confess I have not read it much during that period. I presume that before long a number of others, including myself, will be absent and engaged in the same essential pursuit. Hence my reference to the absence of the Senator was not intended as a personal reflection, or as implying that he was engaged in anything that was not perfectly proper but very desirable.

In view of the lugubrious prophecies of disaster uttered last summer by the Senator and his confrères as to the inevitable results of tariff reduction, I have no doubt that the Senator is extremely delighted—mournfully so, perhaps; sadly so, perhaps; but nevertheless delighted—to ascertain that in individual instances there are conditions which seem to support his claim to the rôle of a prophet. Mr. President, I have no doubt that business is depressed in some sections in New Hampshire, just as it is depressed everywhere in the country, just as it is depressed all over the world; but that this depression is universal, that it is the consequence of revenue legislation, I utterly deny. It occurred to me while the Senator was speaking about the sorry condition of the woolen mills in New Hampshire that it might be due to the fact that wool, the raw material of those mills, is now selling for a great deal more per pound than it ever sold for during the prevalence of the high-tariff duties applying to this commodity, which always have been declared to constitute the citadel of the great American system.

I have no doubt that some reason for the depression in New England may be traced to the railway conditions there. I recall that a few years ago New York, New Haven & Hartford Railroad stock was selling for over 200 and paying a dividend of 10 per cent. You can not give it away now. The story of New Haven, Mr. President, is the most shameful episode in the shameful history of railway finance in America. The Senator knows that the Boston & Maine Railroad was dragged to its ruin through the machinations of the scoundrels who manipulated New Haven and who are to-day responsible for much of the poverty, and perhaps the suffering and the misery, resulting to the unfortunate shareholders of those unfortunate corporations, who in some instances invested all of their savings in their shares because of the faith they had in the integrity of those who controlled and directed their operations.

We have been told that the capacity of the consumer to purchase has much to do with prosperity in business. When you consider that the revenues derived from the dividends of these great railway corporations of New England have disappeared and that bankruptcy confronts them, we can easily understand, perhaps, why it is that some unfortunate manufacturers in New England are not so prosperous as they have been heretofore.

I am not going to occupy the attention of the Senate any longer upon this subject, however, beyond reading an extremely short editorial from the New York World of the day before yesterday. I think it has some bearing upon the subject matter of the discussion. It is entitled:

NAILING ANOTHER LIE.

The Journal of Commerce prints an infamous cablegram from London stating that—

"The cotton-cloth business at Manchester is the smallest for years, and the market is very irregular."

This, of course, is a deliberate and unqualified lie, circulated by English cunning to deceive credulous Americans as to the real operations of the Underwood-Simmons tariff. Our old friend Wilbur F. Wakeman, of the American Protective Tariff League, must get after it at once.

The Manchester cotton trade was never so prosperous. Every trans-Atlantic liner staggers into New York with the burden of Manchester cotton cloth, while billions of New England operatives are slowly starving to death, and some of the less prosperous New England mills are barely earning 40 per cent dividends.

But if it should really happen that the Manchester cotton-cloth trade is the worst in years, that is because President Wilson refuses to give business a rest and because Congress persists in debating the antitrust bills.

Mr. President, the Democratic Party has a program two-thirds of which it has accomplished. It is at the threshold of the remaining third, whose enactment will be effected before this Congress adjourns. For my part, I thank God that we have at the head of this administration a man who knows his duty and, knowing it, is willing to take the responsibility of performing it; and I for one am glad to follow his lead hereafter, as I have followed it heretofore, whenever I can do so with a clear conscience. He has the wisdom to perceive and the courage to pursue the pathway of public duty and has behind him the confidence of the public and the support of his party.

Mr. SIMMONS. Mr. President, I have intended for some days to present to the Senate at an opportune time some views upon the question which the Senator from New Hampshire [Mr. GALLINGER] has raised this morning; but on account of the fact that both sides of the Chamber have been so anxious that the river and harbor bill and the trade commission bill should go forward, I have not felt like trespassing upon the time of the Senate, and I shall not do so this morning; but at an opportune time I shall. However, I wish to read now—I shall consome only a minute or two—a letter I received on the 22d of June from the Secretary of Commerce, Mr. Redfield:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, June 22, 1914.

MY DEAR SENATOR: Some days ago gentlemen representing Leigh & Butler, importers of textile machinery and agents for Mather & Platt (Ltd.), one of the largest English manufacturers of textile machinery, called upon me. They said that although American makers of textile machinery were complaining of foreign competition, the fact was that in most cases, and in some lines in all cases, the American makers quoted prices which they (Leigh & Butler), as importers of English machinery, were quite unable to meet.

Mr. Coffin, who writes the inclosed letter of the 18th, which, I am sure, will interest you, is an experienced and intelligent man, having been in the employ of the American textile-machinery makers before he was employed by Leigh & Butler.

Now, I want to read just a few lines from the letter of this agent of this English importing house, referred to in the letter of the Secretary of Commerce:

Hon. WILLIAM C. REDFIELD,
Secretary of Commerce.

DEAR SIR: Referring to our conversation while at your office last Monday in regard to mill costs, I thought you would be interested in a report that I got from one of our largest bleacheries and finishing concerns yesterday.

That is a New England bleachery and finishing concern.

The agent told me that for a number of years they have been under contract with an English exporting house for 10,000 cases of finished white goods that were shipped direct from here to South America, China, and the Philippine Islands. He reported to me that the reason these goods were bought here by the Englishmen was because they could be bought in this country for much less money than in England, and that the goods were of better quality. My object in calling at this place was in answer to an inquiry for some finishing machinery. I found that it was impossible for me to compete with the American machine builders in price.

I called at another very large mill in New Hampshire, where a large order for card clothing is pending. I found also that after we had figured our price just as low as was possible it was impossible for us to compete with American card clothing.

Mr. President, a few days ago I had a conversation with the largest manager of cotton mills in my State. He is the manager, I think, of 13 of the largest cotton mills in my State. Right here, in passing, I want to say that we have something over 300 cotton mills in North Carolina, and if a single one of those cotton mills is under suspension, if a single one of them is not running at full time, it has not been brought to my attention. This cotton-mill manager stated to me that last year and up to this time this year he had had one of the best business years since he had been connected with the cotton-mill business, and he has been for many years connected with that business.

Mr. President, we can read letters, as the Senator from New Hampshire has, from people who take a pessimistic view of this question; and we can read letters, as has been done by many Senators here, from those who take an optimistic view of the question. The Senator from Missouri [Mr. REED] a few days ago in a very elaborate speech to the Senate upon present conditions, filled column after column and page after page of the CONGRESSIONAL RECORD with letters written from various and sundry sections of this country by men engaged in various kinds and classes of industry, taking an optimistic view of the present conditions and outlook.

I do not deny that there has been during the past year some slight halt at certain times in the business of this country. We could not expect it to be otherwise; but it is a fact, admitted by economic writers and students who have investigated the question, that if we have had a slight halt in the business of this country, growing largely out of the fact that we were reorganizing our system of tariff and our system of finance and the fact that such reorganizations are always accompanied with more or less disturbance, that as a matter of fact there has been less disturbance, less depression in business in this country during the last 12 months than in almost any other great industrial country in the world. Compared with the conditions which have existed in our neighbor just to the north, Canada, the conditions in this country during the last year could be described as boom conditions.

I shall have occasion a little later to go rather fully into this matter; but I shall not this morning trespass further on the time of the Senate. I should not have indulged in these remarks but for the fact that the discussion of the Senator from New Hampshire seemed to call for some answer.

Mr. SMOOT. Mr. President, I do not intend to take more than a very few minutes this morning; but I feel that it is only justice to the business conditions of the country to say just a few words upon the situation as it exists to-day as I see it.

The Senator from North Carolina [Mr. SIMMONS] may say there has been only a slight halt in business in this country of late. I want to call his attention to the fact that there has not been any halt whatever in the importation of goods into this country, notwithstanding there has been a halt in the consumption of goods.

Mr. THOMAS. Mr. President, will the Senator permit just one interruption?

Mr. SMOOT. Why, yes.

Mr. THOMAS. Is it not a fact that the house of Claflin was one of the greatest importing houses in the country?

Mr. SMOOT. I can not see that that makes any difference at all from what I said or to what I intend to say.

Mr. THOMAS. Perhaps not; but is it not a fact?

Mr. SMOOT. There is no question but that the Claflin house imported a great many goods; but I can not see the connection between that and what I intend to call the Senator's attention to.

Mr. THOMAS. It is merely this: I think the Senator is one who prophesied great prosperity to the importers of the country, at the expense of the manufacturers, in the event of a change in our revenue legislation.

Mr. SMOOT. Yes; but when I made the statement to which the Senator refers I had particular reference to the men who sit in offices, with not a dollar invested, who import goods as importers and sell them to the trade in this country, with not a single dollar of investment and little responsibility.

Mr. THOMAS. I do not recall that the Senator at the time limited his remarks to that class of importers.

Mr. SMOOT. I do not want to take the time this morning to go into that question.

I have here the importations of manufactured goods in 26 lines of manufacture for the month of May. In 1914 they were $35,952,822. The same identical lines of goods imported for the year 1913 amounted to $15,183,938, or an increase of $20,768,884, or an average increase of 136 per cent. On these same lines of goods I want to call attention to how steadily the importations have increased since December:

In December the increase was 54 per cent.
In January the increase was 58 per cent.
In February it was 64 per cent.
In March it was 71 per cent.
In April it was 129 per cent.
In May it was 136 per cent.

All of that great increase of importations simply means that they are not made in this country by American manufacturers.

Mr. President, that tells the story. I want to say to the Senator from North Carolina also that if I had the time now I could go into the RECORD and show him, as presented by a Congressman in the House, letters from many of the cotton mills of North Carolina that were running only three days a week. I do not know how many there were, because I did not take the time to count them at the time I was reading about them in the RECORD. But the importations of cotton cloths would show that this class of trade is interfered with. I notice that the importations of cotton cloths increased in the one month over 100 per cent. Even in the month of May cotton cloths imported into this country increased a little over 40 per cent.

It can not, Mr. President, have any other effect than to take that amount of business away from cotton manufacturers in this country; and we all must admit that the consumption is not as great as it was a year ago, and that decrease also falls upon the manufacturer.

Mr. President, I received a letter the other day from a mutual friend of the Senator from Missouri [Mr. STONE] and myself, which reads as follows:

MONSANTO CHEMICAL WORKS,
OFFICE 1800 SOUTH SECOND STREET,
St. Louis, June 22, 1914.

Hon. REED SMOOT,
United States Senate, Washington, D. C.

DEAR MR. SMOOT: I have read with much interest the newspaper report of your speech on the Treasury's statement of foreign trade showing the immense gain in imports and decrease in exports during the month of May.

Our Democratic friends who framed up the last tariff measure certainly must now realize how great were their mistakes, as now demonstrated by the Treasury's statement and the thousands now out of employment.

As an illustration of the mistaken policy of stopping American manufacture to help the American consumer, I desire to recall to your mind how hard I fought for a rate on chloral hydrate to enable my company to stay in the manufacture of that article.

We were denied the rate, and as a result we had to dismantle that department and most of the apparatus went to the junk pile, for the reason that the apparatus used for the manufacture of chloral hydrate can not be used for anything else.

The plant had not been dismantled 30 days before the German manufacturers put up their price on the article 11 cents per pound—over 50 per cent advance on the price previously ruling.

You knew what would happen just as well as I did, that as soon as the European manufacturer has no competition in this country he puts up his price to the highest limit possible, and who can blame him?

As matters now stand, the European manufacturers will supply all the chloral hydrate consumed in this country, while before that we stood between the American buyers and the foreign manufacturer.

With kind regards.

Very sincerely, yours, JNO. F. QUEENY.

Mr. KERN. Mr. President——

The VICE PRESIDENT. Will the Senator from Utah yield to the Senator from Indiana?

Mr. SMOOT. Certainly.

Mr. KERN. I simply rose to inquire whether that gentleman is still a friend of the Senator from Missouri after the efforts of the latter to ruin and destroy his business?

Mr. SMOOT. I think so, because I do not believe if the Senator from Missouri had had his way in that matter the rate would have been reduced to such an extent. I will say to the Senator I stood upon this floor and told the Senate that if the proposed rate was put into the tariff bill there would be no chloral hydrate manufactured in the United States, and it happens so. There was no question in my mind about it.

I wrote to Mr. Queeny and asked him if he had any objection to my calling this to the attention of the Senate, and he wrote back to me on June 27, 1914, and said:

MONSANTO CHEMICAL WORKS,
OFFICE 1800 SOUTH SECOND STREET,
St. Louis, June 27, 1914.

Hon. REED SMOOT,
United States Senate, Washington, D. C.

DEAR MR. SMOOT: I have your esteemed favor of the 25th instant acknowledging receipt of my letter of the 22d instant.

I have no objection whatever to your calling the attention of the Senate to the dismantling of our chloral hydrate plant. As a matter of fact, I should like to see you do it, because it confirms the statement that I made to the members of the subcommittee of the Senate Finance Committee, who had Schedule A in charge.

I stated to them that if they would not change the rate proposed, we would have to go out of business in the article, and this would give the two European manufacturers of the product a free hand to supply the world.

Senator HUGHES replied that it was a hothouse industry. If it was, they put it out of business all right; and the American buyer can now send his money over to the European manufacturer, who gets the 50 per cent advance in price, and the United States Government receives less than one-tenth of the duty previously obtained on importations of this product.

This subcommittee was, as you know, guided by the recommendations of Dr. Herstein. I went to Washington and told the truth, but I was met with the statement that Dr. Herstein was a Government expert, and his statement was taken against mine, although he had had no practical experience whatever in chemical manufacture, other than, as I understand, a few years in the manufacture of cream of tartar and tartaric acid.

I am not trying to pose as a prophet. I knew from actual experience what would happen if the rate stood. It has happened. We were put out of business on the article, and, as I have already said, the two European manufacturers now supply not only the requirements of American consumption but the requirements of the world.

Very sincerely,

JNO. F. QUEENY.

Mr. President, I could stand here for an hour and tell the Senate of just such cases as this.

I call attention to the manufacture of oxalic acid and the efforts undertaken to produce it in this country. What was the result? Almost the same as this. So instance could be added upon instance.

Mr. President, I was going to say more this morning in relation to this matter, but I will conclude by simply referring to the Singer Sewing Machine Co. The only reason I wanted a duty upon sewing machines was not for the protection of the manufacturers of sewing machines in this country, but to compel them to make the goods in this country and not make them in Scotland and France. They do not need a protection on sewing machines. The Singer Sewing Machine Co. did not claim that they did. What they wanted was free sewing machines so that if ever a time came when they had trouble with their workingmen in this country they could say to them: "We will make our goods in Scotland, in France, or in Russia, as we can ship them into this country free of duty."

Mr. MARTINE of New Jersey. They do not seem to be making them in Russia. They are making them in this country. I want to say to the Senator right here I have a statement from the Singer Sewing Machine Co. that they are supplying the market. There is a small amount of imports. There were less than 20,000 sewing machines imported into this country last year.

Mr. SMOOT. Certainly. That is just what I said.

Mr. MARTINE of New Jersey. They are made here.

Mr. SMOOT. The Singer Sewing Machine Co. is perfectly satisfied with free sewing machines.

Mr. MARTINE of New Jersey. The Senator did not think so when we were passing the tariff bill. We were told by the defenders of the tariff that if we passed the measure the mills in the city of Elizabeth and in Connecticut would rust to stagnation.

Mr. SMOOT. The Senator is wrong.

Mr. MARTINE of New Jersey. I do not think I am.

Mr. SMOOT. I want to say that I stood on the floor of the Senate and stated the only reason why I desired a duty on sewing machines was so as to compel the making of them in this country.

I called attention to the fact that it would be a splendid thing for the Singer Sewing Machine Co. to have free sewing machines. With their mammoth plants in Scotland, France, and Russia, if they ever came in conflict with their employees, they could say to them, "We will shut down and make all our machines in a foreign country."

Mr. MARTINE of New Jersey. It seems to have been a splendid thing for the 10,000 workmen who are working in this plant in Elizabeth. They have made a great addition to the plant, and the workmen have been notified that they will begin work again on Monday, with the prospect of continuous prosperity. So if that policy has been good for the sewing machine, it has been good for the workmen. God speed a policy that is good for the workmen and for capital. That is what we are defending.

Mr. SMOOT. Certainly it is good for them, and I am very pleased that it is.

Mr. MARTINE of New Jersey. What about this——

Mr. SMOOT. I want to say now that if the Singer Manufacturing Co. are prosperous they ought to be, because they have the whole world as their market. The machine is sold in every part of the world, and they are extending their plants. I am told now that they are going to start a great plant in Germany, besides the other plants they have in foreign countries. So there is nothing, as far as the tariff is concerned, that affects the Singer sewing machine, and that is all I desired to say.

Mr. MARTINE of New Jersey. We did put it on the free list.

Mr. SMOOT. Machines are on the free list.

Mr. MARTINE of New Jersey. I know; we placed them on the free list.

Mr. SMOOT. I want to say to the Senator now that if there had been a duty upon the machines there would not be a single solitary machine less exported, and the importation of all that have been received would have enriched the Treasury.

Mr. MARTINE of New Jersey. What has the Senator to say regarding the case I cited about the great tube plant at McKeesport, Pa.?

Mr. SMOOT. I have the figures in my office of the unemployed in the iron industry of the United States. If there is one plant that has been long idle and has secured orders enough to start up the plant, I am awfully pleased to hear it. I hope the men will be employed right along.

Mr. MARTINE of New Jersey. I do not know whether the Senator——

Mr. SMOOT. It would give me great pleasure to see the country boom.

Mr. MARTINE of New Jersey. I believe that.

Mr. SMOOT. It would give me great pleasure to see every workman in the land working at the highest possible wages. But I want to say to the Senate, with the rates of duties that we have upon many lines of manufactured goods, and with the wages that are paid in this country as compared with those paid in foreign lands, it will be impossible to keep people employed or to have the increase and extension and expansion of different lines of business as has been the case in the past.

Mr. STONE. I should like to ask the Senator from Utah what is the occasion, what is the motive that moves him to make these daily or almost daily lamentations?

Mr. SMOOT. I am not making a lamentation, and I do not think the Senator from Missouri has any right to so intimate.

Mr. STONE. Then why not——

Mr. SMOOT. I wish to say to the Senator from Missouri that I have made no statement here as to the importations or figures that I have not taken from the records of the Treasury Department.

Mr. STONE. I think the Senator has.

Mr. SMOOT. I do not propose at any time when I speak on this floor to try to misrepresent anything. Four or five Senators have been talking about the subject matter on which I have been speaking, and I simply have said what I have in answer to their statements.

Mr. STONE. The Senator should remember that he who excuseth himself before he is accused accuses himself. Nobody, as far as I have heard, has accused the Senator of deliberately making misrepresentations.

Mr. SMOOT. Well, the Senator has done it in the past, I am sorry to say.

Mr. STONE. No; not that the Senator deliberately made a misrepresentation.

Mr. SMOOT. It may not have been done deliberately.

Mr. STONE. The Senator made misrepresentations, but I think he did it without knowing it.

Mr. SMOOT. If the Senator can find one misrepresentation I have made, I will arise on the floor of the Senate and acknowledge it to the Senate.

Mr. STONE. The Senator will be very slow to make an acknowledgement of that character. He would prefer to undertake to defend what he said. Convince a man against his will and he remains usually of the same opinion still. The Senator gets impatient because I ask him why he surcharges the atmosphere of this Chamber with his lamentations from day to day. Everyone knows that the Senator is a veritable Jeremiah. I suppose to-morrow morning the Washington Post will have an article, editorial or otherwise, on the same line. If you could only yoke the Washington Post and the Senator from Utah together you would have a pair of Jeremiahs that would take the blue ribbon in any circus on the globe.

Mr. SMOOT. Mr. President, my name does not appear in the Washington Post very often, or other newspapers of the country, and I am not in the public service for that purpose. I have never sought at any time the headlines of the newspapers, and I never shall.

Mr. MARTINE of New Jersey. Mr. President, I want to say that I am a partisan, for I love my party. I have spent my life for it, and I am willing to spend it over again in the same direction.

Mr. GALLINGER. How could the Senator do that?

Mr. MARTINE of New Jersey. I could not, and that is a misfortune in the economy of nature. I may have failed in my efforts sometimes, but it has been a great pleasure to preach the gospel I believe in, and by the eternal I will preach it on every occasion, night, noonday, and Sunday. I respect a man who has convictions and has the courage to defend them. I believe the Senator from Utah is one of that class. I would not give a rush for a man who had not convictions, and I would give less for a man who having them did not have the courage to defend them.

I made some little desultory reference to the great tube plant and I sent over to my office and got a clipping from the Trenton Times, of New Jersey, June 26, 1914, a Republican paper. It as follows:

GREAT TUBE PLANT STARTS FULL TIME.

McKEESPORT, PA., *June 26.*

It was announced here yesterday that the National Tube Co., of this place, one of the largest plants, will resume operations in full next Saturday, and that two additional welding furnaces will resume work at once. It is stated that the entire plant, which employs many thousands of men, will be in operation by July 4.

For several weeks the mills have been working at about 75 per cent of their capacity, and but few of them were operated Saturdays. The order just issued will place the mills on day and night turns, with a full force of employees working.

I shall ask leave to print these two slips.

I want to say, Mr. President, this is not of Democratic authority. Nobody will accuse Judge Gary, of the steel plant, of that. Here is an editorial in the Journal of Commerce, and God knows nobody will accuse the Journal of Commerce as leaning very kindly toward the party of the Senator from New York [Mr. O'GORMAN] and myself. It is quite an extended article. It goes on to say:

We have been exporting iron and steel of late to the value of some $250,000,000 to $300,000,000 a year.

This editorial, which I trust the Senator will listen to, finally winds up in this way:

The trouble—

Now, mind you, this is from the gospel of the Republican press, and they do not agree with all your tariff notions—

The trouble which we are going through now, so far as it is due to tariff changes, results from the vast complication of the protective system and the necessity of adjustments in passing to a simpler one, which can not be effected in a day or without more or less of squeeze and strain.

I think no one will contradict the thought I mentioned a minute or two ago. We have been living at breakneck speed. The high tariff has overstimulated industries. It has crushed out minor ones and overstimulated others, and in railroads as well. We have been living, as I said, the life of a debauchee, and we are reaping the results of it.

Mr. GALLINGER. Mr. President——

Mr. MARTINE of New Jersey. I beg pardon. I should like that column in the Republican Journal of Commerce and Bulletin, of the city of New York, on "Iron and steel and the tariff," by Judge Gary, to be published. It is about a column long.

The VICE PRESIDENT. Is there objection?

Mr. BRANDEGEE. Mr. President, I must object to these newspaper clippings being put into the CONGRESSIONAL RECORD. We can all engage in that, and I think it is of no earthly consequence. If anybody is interested in the opinion of that journal, he can go out and buy a copy. I decline to have the Government advertise that paper or any other. If the Senator wants to read it, he can do so.

Mr. MARTINE of New Jersey. I do not want to inflict my poor elocution on the Senate.

Mr. BRANDEGEE. I enjoy the sound of the Senator's voice. I think it is always musical, and sometimes informing.

Mr. MARTINE of New Jersey. Cut that out.

Mr. BRANDEGEE. I think if Senators were compelled to undergo the physical labor of reading all the voluminous and continuous literature which pervades the press of the country, they would not perhaps inflict it upon the Government Printing Office in such a limitless quantity.

Mr. MARTINE of New Jersey. With the permission of the Senate I withdraw the request, so far as the Journal of Commerce is concerned. I would like to have the two minor clippings printed. I trust the Senator from Connecticut will not object. God knows I would not object to printing all the advertisements of wooden nutmegs in Connecticut that you might want. If the minor ones may be allowed to slip through, I will not ask that the larger one be printed.

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

[From the Elizabeth Journal, Republican, June 25, 1914.]

SHORT VACATION AT SINGER SHOP—TAKEN AS SIGN OF BUSY FALL SEASON—LAY OFFS CLAIMED DUE TO NEW MACHINES.

For the first time in several years, the Singer plant's midsummer vacation will last only one week, including Independence Day. Notice has been given that the factory will close Saturday at noon; will reopen Monday morning, July 6, and that Saturday and June 6 will be pay days.

The midsummer lay offs have run from two to three weeks in recent years; the three weeks' limit having been reached in 1907.

That conditions at the Singer plant have been showing a gradual improvement during the last few weeks, and that the short mid-summer vacation proves that things are on the mend, is the roseate view taken by many. Recent developments, it is, indeed, hoped everywhere, mean that a boom is in prospect.

There has been no actual closing down of the plant, but there has been an undoubted depression. This statement is proved by the number of employees put on part time, as well as the fact that a considerable number were laid off. The laying off has been due in a certain degree, it is admitted, to the installation of greater efficiency methods.

For instance, more machines in the polishing room are said to be one of the principal reasons why there are 50 employed there now, as against about 300 in 1908. In the needle department there was a greater number not so many years ago. Machines caused many of them to be laid off, and now 8 or 9 men are said to be getting out the work formerly done by 100 or more

The importation of machines since the new tariff went into effect, according to a reliable authority, has only resulted in about 20,000 machines coming into this country from abroad.

[From the Elizabeth Times, June 25, 1914.]

SINGER LOAF TO LAST ONLY ONE WEEK—SHORTEST LAY OFF IN FIVE YEARS IS JOLT TO CALAMITY HOWLERS—TUTTLE IS SUBSTANTIATED.

Announcement was made at the Singer factory yesterday afternoon that the annual "loaf" this year will last only one week. The factory will close down next Saturday afternoon and reopen Monday morning, July 6.

In view of the efforts of the calamity howlers to spread news of "hard times" in the plant because of the tariff revision, the news was received with much surprise. The short vacation shows that there is a large amount of work to be done in the factory now that the overproduction of 350,000 machines has been wiped out under the new system inaugurated by Superintendent Dosch.

This will be the shortest "loaf" in more than five years. During the past few years, and while the tariff was in its "upward" schedule, there have been two and three week vacations in the factory. The rumors spread by the alarmists caused anticipation of a four-week "loaf," or nothing less than three weeks.

The short vacation lends more credence to the statement published a few months ago by Congressman WILLIAM E. TUTTLE, who showed that any inactivity that might prevail at the plant was not due to the tariff revision. Those who know the conditions at the plant have declared that the lay offs during the past few months were caused by a new policy of Superintendent Dosch. When Mr. Dosch assumed the superintendency, he found an overproduction of 350,000 machines on his hands. He decided to eliminate the overproduction, and consequently work at the factory became slack for a time. The storage bins have been cleared of machines, and the factory is now in practically normal condition, as is indicated by the curtailed "loaf."

Mr. GALLINGER. Mr. President, I had no thought that the observations I made would result in so tumultuous a debate. The Senator from North Carolina informs us that he proposes to enlighten the Senate on the workings of the new tariff law in due time. I do not know when that will be, if we are to pass the three great bills that are now pressing upon us; but I will patiently await that day, and will, if I have an opportunity to do so, submit some observations in reply.

I simply want now to say, Mr. President, that I am fully satisfied in my own mind that there is a great deal of industrial disturbance in this country, including the State of New Hampshire. The Senator from New Jersey [Mr. MARTINE] says it is a "headache" that afflicts the industrial interests of the country; and I of my own knowledge know that a great many men are having headaches because of the fact that they are out of employment, and they are having heartaches likewise. It may be entirely "psychological," Mr. President, as has been suggested in a certain high quarter, but the people of New England, who are suffering and praying for relief, are of the opinion that it is something more serious. That is all I now care to say.

Mr. KERN. Mr. President, after these alternating wails of despair on the one side and hosannas of triumph on the other, I call for the regular order.

Mr. SIMMONS. I wish to ask the Senator from Indiana if he will not withdraw his request for a short while. The Senator from Utah [Mr. SMOOT] has promised that whenever he was shown to be in error in any of his figures he would be glad to correct them, and I thought this might be a very good time to call attention to some of his errors. I will not press it now, but at some other time I shall be very glad to call the Senator's attention to them.

Mr. KERN. I will withdraw my request for the present, to permit one more hosanna of triumph.

Mr. SMOOT. I shall be gald to have the Senator from North Carolina call my attention to the matters to which he refers.

Mr. SIMMONS. Before I proceed, Mr. President, let me say that I do not question that there has been an increase of imports into this country, and that the increase during the last two months has been larger than it before was. If you are going to reduce the tariff so as to give the people relief from the burdens of excessive tariff taxation, you necessarily have got to reduce the duties to a point where there can be importations. The Senator from Utah seems to be enamored of the old Payne-Aldrich tariff act, which, in a great many particulars, was so high that it made importations absolutely impossible. If we were to give the people any relief from the effects of those excessive duties, we had to reduce them; and, if we did not reduce them to a point that would permit and, under certain conditions, invite importations, the reduction would have been a farce.

Mr. President, when the Democratic Party came into power there was a great outcry of protest all over the country against high prices, the high cost of living, and the high cost of nearly everything. There was a demand that these prices be brought down to a reasonable level. In response to this the tariff was revised and duties were lowered.

For months after this act went into operation we were twitted by Senators on the other side of the Chamber with the suggestion that we had not carried out our promise to reduce the cost of living, to reduce the level of prices in this country through the tariff. Now, when importations begin to come in a little bit more freely, when we are approaching a condition when the reduction of the tariff will force down these prices, these same Senators rise in their seats and charge that this tariff law we have passed is flooding the country with cheap foreign products; that the industries of the country are about to be submerged under the weight of these cheap foreign importations.

In other words, these gentlemen denounce the tariff, first, because it did not reduce prices, and then, when it begins to operate so as to force reductions, they denounce it because it is about to become an effective instrument in reducing the high cost of living.

Mr. SMOOT. Will the Senator yield a moment? I want to ask the Senator a question in that connection.

Mr. SIMMONS. I fear I shall not be able to conclude before 2 o'clock; but the Senator from Utah may ask the question.

Mr. SMOOT. I simply want to ask the Senator from North California, Is it not a fact that the importations under the present tariff act are a great many million dollars more than it was estimated they would be?

Mr. SIMMONS. No; not for the first nine months of the year, but, as I said, they had been larger for the last two or three months.

Mr. SMOOT. The very statement of the Secretary of the Treasury has shown that there was an estimated shortage in the customs from importations of $52,000,000, and the actual results for the year show they were only about $25,000,000.

Mr. SIMMONS. I stated in the beginning of my remarks that the importations for the last two or three months were larger, but for the balance of the year they have not been very materially larger.

Mr. GALLINGER. How can we have more revenue under a reduced tariff unless the importations are larger?

Mr. SMOOT. Yes; $29,000,000 more revenue.

Mr. SIMMONS. There has been a considerable increase during the last two or three months over the estimates; before that the importations were below the estimates, I think.

Mr. LIPPITT. I should like to ask the Senator from North Carolina if the last two months are not really the best indication of what is going to happen under this tariff law?

Mr. SIMMONS. I do not think so. Importations are coming into this country and importations are going to come into this country in increasing quantity until the men who have raised the price of products in this country beyond a reasonable level have made up their minds that they have got to reduce those prices to a reasonable level. If importations are increasing, it is because the manufacturers, producers, and distributers of the products of this country have not yet realized the fact that they have got to give up these high trust and combination prices, and that, if they do not, they will be confronted with larger importations from abroad. For one, I hope that these importations will grow, and that they will continue to grow until the combinations controlling the prices of food products, controlling the prices of manufactured products, and stubbornly refusing to yield to the just demand for fairer prices and lower cost of living, make up their minds to reduce the prices to the bases of fair and reasonable profits. If this tariff does not succeed in forcing them to make that reduction, it will not accomplish its purpose. When they have made that reduction, when they have reduced prices to a reasonable level, then, if there is any excessive importations, they will cease.

The discussion of this phase of the tariff question, however, Mr. President, was not the purpose for which I rose. Several Senators have called the attention of the Senate to the fact that there has been an increase this year in importations into this country, especially during the last month or two, and in a speech delivered to the Senate a few days ago the Senator from Utah referred to the fact that there had been an increase in importations in April, I believe, of $29,000,000; and he said that was a wrong to the laboring people of this country; that that was taking so many jobs from the American laboring man and giving them to those of other countries.

Mr. President, I want to call the Senator's attention to the fact, taking the first 11 months of the fiscal years 1908–9, and 1909–10, and 1911–12, and 1912–13, the per cent increase of importations under the old tariff was greater than for the present fiscal year. For the first 11 months of 1908–9 the importations were $1,187,255,095.

Mr. SMOOT. Does the Senator deny——

Mr. SIMMONS. Let me finish this. The Senator does not want to interrupt me right in the middle of a statement?

Mr. SMOOT. I want to know, does the Senator deny that there was an increase of importations for the month of April this year over the importations for the month of April in 1913?

Mr. SIMMONS. Oh, no; I do not deny that.

Mr. SMOOT. Well, that is what I said.

Mr. SIMMONS. The Senator from Utah knows that I do not deny that he said that. The importations for the first 11 months of the year 1908–9 under the old law were, as I have said, $1,187,255,095.

For 11 months in the year 1909–10 the importations were $1,437,070,943, an increase of 20 per cent in one year in the importations to this country under the Payne-Aldrich law, or, in dollars, an increase in importations of something over $200,000,000. The Senator does not think there is anything wrong in that increase; he does not regard that increase as taking that many jobs out of the hands of American laborers.

For 11 months in 1910–11 the importations were $1,404,418,921, and for the first 11 months of 1911–12, $1,522,234,137, an increase of 8 per cent.

For 11 months in 1912–13 the importations were $1,681,762,357, or an increase, Mr. President, over the importations for 11 months in the year 1911–12 of 10 per cent under the Payne-Aldrich bill, depriving American labor of that many jobs.

For the first 11 months of 1912–13, as I have said, the importations were $1,681,762,357, and for the first 11 months of the year 1913–14 they were $1,735,885,740; that is, the importations for the first 11 months of the present fiscal year, compared with those of the first 11 months of the last fiscal year, show an increase of 3 per cent, taking the whole year.

Mr. President, the Senator from Utah has very frequently upon the floor of the Senate given expression to his great preference to the Payne-Aldrich law. I have no doubt that the Senator thinks that we will not have any prosperity in this country until we repeal the present act and reenact the Payne-Aldrich law in its essential features; but I think there are very few people in this country who will agree with the distinguished and able and industrious Senator from Utah with regard to that bill. I think the Senator will not live long enough, though he is a young man, to see the day when the American people will again tolerate any such system of tariff taxation as that imposed by the Payne-Aldrich law.

The Senator has boasted of his accuracy and of his disposition to be entirely fair. He says that he is always willing, if his inaccuracies are shown, to correct those inaccuracies. Mr. President, the Senator, in his statement made to the Senate on the 20th day of June, gave a table of imports ready for consumption, and from certain items that he selected in that table he showed that the increase of importations had been in that month 129 per cent. The first one of the items that I wish to call the attention of the Senator to is the item of laces given in his table. His table states that in April, 1914, the importations of laces and lace articles amounted, in round numbers, to $2,096,000.

Mr. SMOOT. I will say, Mr. President——

Mr. SIMMONS. I will ask the Senator not to interrupt me now. The importation of those articles, according to the statement of the Senator, for April, 1914, amounted to $2,096,036, while for the month of April, 1913, the value is given at $1,027,188, making an increase of 104 per cent. If the Senator will refer to page 889 of the Monthly Summary of Commerce

and Finance for April, 1914, he will find this state of facts: In the bracket, including these manufactures, embracing laces he will find that the aggregate of the importation of these various articles for April, 1914, was $2,096,036, just as the Senator gives it. That includes them all. The Senator gives that correctly, but when he goes back to the importations for April, 1913, he picks out of the seven articles—there are seven articles in that bracket—"lace and lace articles, including edgings," $1,027,000; and that amount he gives as the importations for the month of April, 1913, against a total importation of those seven articles for the month of April, 1914. If the Senator, after having given the table of importations for 1914 of those seven articles, had given the total for the same seven articles for 1913 he would have found that it amounted to $2,229,000 instead of $1,027,000, and that instead of an increase of importations, as he contends, of 104 per cent for that month, there was an actual decrease of 6 per cent.

I will ask the Senator to let me have my copy of the Monthly Summary of Commerce and Finance so that I can go on, for that is not all.

Mr. SMOOT. I have not a copy of the Monthly Summary of Commerce and Finance, to which the Senator is referring, but I will endeavor to secure one.

Mr. SIMMONS. I wish the Senator would; I am calling his attention to it in order that he may answer, for I want him to do so.

The Senator refers in his speech to silk and the manufactures of silk, and states that the importations for April, 1914, were $11,094,000 and for April, 1913, $2,212,000, and he finds that there was an excess of imports in the month of April, 1914, as compared with April, 1913, of $8,880,000.

Mr. President, if the Senator will turn to page 896 of the Monthly Summary of Commerce and Finance for April, 1914, to the bracket containing the manufactures of these cloths, he will find that in estimating the imports for April, 1914, he included "total unmanufactured silk" with "total manufactured," the total unmanufactured importations in that month being $8,254,000, making his statement that $11,094,000 of manufactured and unmanufactured silks were imported in that month correct; but when the Senator gave the importations for the month of April, 1913, he left out the total unmanufactured importations in that month, which amounted to $6,189,000, thus in that item making a mistake in favor of his contention, that the importations of April, 1914, were so much greater than those of 1913, of more than $6,000,000. I assume the Senator did that by inadvertence, and that he will correct it.

The Senator showed an increase of $8,881,000 by that improper calculation. The importations of silk for April, 1913, counted on the same basis that the Senator counted them for 1914, were $8,411,000, instead of $2,212,000, as given in the Senator's table. The increased importations were 24 per cent, therefore, instead of 401 per cent, as the Senator declared in this table, put in his speech, and circulated to the country.

Now, let us turn to page 889. The Senator selects a single item in the schedule of manufactures of cotton, "all other knit goods," of which the imports for 1913 were $41,090, in round numbers, and he concludes that the percentage of increase in that item was the enormous amount of 716 per cent. The old duty on this class of goods was from 50 to 63 per cent, and it was in large measure prohibitive, the consumption and production in this country being enormous, and only $41,000 being imported in April, 1913. The duty on these goods has been reduced to 35 per cent, so as to admit of reasonable competition, and so there have been reasonable importations. The total manufactures of cotton goods imported in April, 1913, were $4,796,000, in round numbers, while in April, 1914, they were $5,522,000, being about 15 per cent increase, while for the 10 months ending April, 1914, the imports were $61,773,000, and for the 10 months ending April, 1913, they were $58,262,000, being an increase of only 6 per cent.

In that case the Senator will find that he selected only a single item for comparison during the months of April, 1913 and 1914, while had he used the aggregate of all the items in that article during the months of April, 1913 and 1914, the per cent increase in importations would be only about 15, instead of 716, as stated by him.

The Senator takes up in addition to that, also, the subject of the "parts of automobiles." I wish to call attention to what seems to me to be a very remarkable oversight upon the part of the Senator when he was dealing with the subject of automobiles. The Senator makes a statement there from which it would appear—and that impression has gone out in the country from his speech—that there was an enormous increase in the importations in the automobile business that amounted to as much as 279 per cent. In order to reach that conclusion the Senator selected only "parts of automobiles," and he showed correctly that imports of these parts of automobiles in April, 1914, amounted to $94,000, and in April, 1913, only to $24,000. I presume his mathematics is correct; but right in the line, immediately above the line in the report from which the Senator gets the figures he gives to the country, on page 887, there appear the imports of automobiles for the month of April, 1913, and the month of April, 1914; and from those figures it appears that in April, 1913, there were imported into this country $106,000 worth of automobiles, while in April, 1914, the importations amounted to only $24,000.

In other words, the Senator gives the figures for parts of automobiles, which show over 200 per cent increase in April, 1914, and fails to give to the country the benefit of the facts that appear in the record from which he got his figures, in the very line above, that embrace the whole automobile business and that would have shown that the imports in April, 1913, were about 400 per cent greater than they were in April, 1914.

Of course that may have been an oversight on the part of the Senator; but as he was dealing with this subject, and as he expected his speech to go forth to the American people as indicating the great increase in imports with reference to the products of this great industry, I think ordinary fairness to the Senate and ordinary fairness to the country-wide audience to which he was making this appeal required that he should have given the facts in the column immediately above that, which would have shown the exact reverse of the condition which the Senator found in the importation of parts of automobiles.

There is much I should like to say this morning on this line and on other lines connected with this subject; but I do not feel that I can afford to do it, in justice to the Senate, in view of the present parliamentary situation.

Mr. SMOOT. Mr. President, I have not the monthly report from the Treasury Department with me, but I will look at the report and at the speech of the Senator when it is printed, and I will answer it hereafter.

The VICE PRESIDENT. Morning business is closed.

THE CALENDAR.

Mr. SIMMONS. Mr. President, I had supposed the Senator from Iowa [Mr. CUMMINS] would go on with his speech. He is not present, and I ask unanimous consent that the river and harbor bill may be taken up.

Mr. BURTON. The Senator from Iowa said that he would be out of the Chamber until 1 o'clock, and I think it is his intention to be here at that time.

Mr. SIMMONS. If there is any other matter to engage the attention of the Senate, I will not call up the river and harbor bill for only 10 minutes.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

Mr. SIMMONS. I would suggest, then, that we might take up the calendar for 10 minutes.

The VICE PRESIDENT. Without objection, the calendar will be taken up at the point where its consideration was suspended the last time it was before the Senate.

Mr. GALLINGER. I ask unanimous consent that we may commence at the point where we left off.

The VICE PRESIDENT. The Chair has announced that, without objection, that would be done.

DOMMICK TAHENY AND JOHN W. MORTIMER.

The next business on the calendar was the bill (S. 1058) for the relief of Dommick Taheny and John W. Mortimer, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to Dommick Taheny and John W. Mortimer the sum of $4,801.42, in full payment and satisfaction of their claim against the United States for loss sustained on account of the cancellation of contract for the erection and lease of quarters for the Frankford station of the post office in Philadelphia, Pa.

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

BILL PASSED OVER.

The bill (S. 4601) to authorize the Director of the Census to enumerate the population of the city of Tulsa, State of Oklahoma, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

SETH WATSON.

The bill (S. 1149) to correct the military record of Seth Watson was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Seth Watson, who was a first lieutenant of Company B, Twenty-eighth Regiment United States Colored Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 24th day of June, 1864: *Provided*, That no pay or bounty shall accrue or become payable by reason of the passage of this act.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill for the relief of Seth Watson."

JOHN CHICK.

The bill (S. 4045) to correct the military record of John Chick was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments, on page 1, line 5, after the word "of," to strike out "Battery" and insert "Company"; in line 8, after the word "said," to strike out "battery" and insert "company"; and on page 2, line 1, after the word "act," to insert "and no pay or bounty shall become due or payable by virtue thereof," so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, John Chick, late of Company K, Third Regiment United States Artillery, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 2d day of August, 1865: *Provided*, That no pension shall accrue prior to the passage of this act, and no pay or bounty shall become due or payable by virtue thereof.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill for the relief of John Chick."

LIGHTHOUSE AT WILLAPA HARBOR, WASH.

The bill (S. 3752) to authorize the construction of a lighthouse at Willapa Harbor, Wash., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 4, after the words "directed to," to strike out "construct a lighthouse" and insert "improve the aids to navigation"; in line 5, after the word "entrance," to strike out "of" and insert "to"; in the same line, after the word "Willapa," to strike out "Harbor" and insert "Bay"; in line 6, after the word "exceed," to strike out "$75,000, which amount is hereby appropriated, out of any money in the Treasury not otherwise appropriated," and insert "$50,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized and directed to improve the aids to navigation at the entrance to Willapa Bay, Wash., at a cost not to exceed $50,000.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill to improve the aids to navigation at the entrance to Willapa Bay, Wash."

THE PLAZA CASES.

The joint resolution (S. J. Res. 129) relating to the awards and payments thereon in what is commonly known as the Plaza cases was considered as in Committee of the Whole.

The Secretary read the joint resolution, as follows:

Whereas awards for the payment of property taken in the condemnation proceedings for what is commonly known as the Plaza cases were made some time ago and have been subject to examination by the Department of Justice to be approved by it and other authority; and

Whereas the President has found it impracticable to separate the payments which are not in controversy from those which are, leaving those property owners whose claims are not attacked so that payments can not be made to them, involving great consequent hardship: Now therefore be it

Resolved, etc., That the awards and payments thereon to be made in such proceedings be, and are hereby, declared to be severable, so that the Department of Justice and the President may order such awards as are not in question to be paid out of any appropriation made therefor, reserving the remainder for further consideration.

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

The title was amended so as to read: "Joint resolution relating to the awards and payments thereon in what are commonly known as the Plaza cases."

LANDS OF LIGHTHOUSE SERVICE.

The bill (S. 4875) to authorize the Secretary of Commerce to exchange rights of way in connection with lands pertaining to the Lighthouse Service was considered as in Committee of the Whole. It authorizes the Secretary of Commerce, whenever he shall deem it advisable, to exchange any right of way of the United States in connection with lands pertaining to the Lighthouse Service for such other right of way as may be advantageous to the service, under such terms and conditions as he may deem to be for the best interests of the Government; and in case any expenses are incurred by the United States in making such exchange, the same shall be payable from the appropriation "General expenses, Lighthouse Service," for the fiscal year during which such exchange shall be effected.

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

FEDERAL TRADE COMMISSION.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is House bill 15613.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15613) to create an interstate trade commission, to define its powers and duties, and for other purposes.

Mr. CUMMINS rose.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Fletcher	Martine, N. J.	Smith, Ariz.
Bristow	Gallinger	Nelson	Smith, Ga.
Bryan	Goff	Newlands	Smoot
Burleigh	Hollis	Page	Sterling
Burton	Hughes	Perkins	Stone
Camden	Jones	Pittman	Sutherland
Catron	Kenyon	Poindexter	Swanson
Chamberlain	Kern	Ransdell	Thomas
Chilton	Lane	Robinson	Thompson
Clapp	Lee, Md.	Saulsbury	Thornton
Clarke, Ark.	Lippitt	Shafroth	Townsend
Crawford	McCumber	Sheppard	White
Cummins	Martin, Va.	Simmons	

Mr. CAMDEN. I wish to announce that my colleague [Mr. JAMES] is necessarily absent and that he is paired with the Senator from Massachusetts [Mr. WEEKS]. I wish this announcement to stand for the day.

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from Mississippi [Mr. WILLIAMS] is unavoidably detained on official business, and that he is paired with the Senator from Pennsylvania [Mr. PENROSE]. This announcement will stand for the day.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The Senator from Iowa will proceed.

Mr. CUMMINS. Mr. President, during the course of the debate fears have been expressed that the prohibition contained in this bill against unfair competition and the interposition of the commission with its jurisdiction in working out and making effective that prohibition would in some way impair the strength of the antitrust law, and would permit offenders against the antitrust law to appeal to the commission for some kind of immunity for offenses committed against that statute.

This view, Mr. President, arises from a total misapprehension of the bill. The antitrust law is not touched by the bill under consideration. It is not amended in any way. The offenses under it remain the same. All the remedies for a violation of the antitrust law continue without any modification whatsoever.

In order to make this perfectly clear, although I think it is unnecessary, yet in order to quiet any possible apprehension with regard to this subject, I intend to offer an amendment to section 5. It is an amendment which I think was approved by the committee, attached, however, to another part of the bill when it was believed that the jurisdiction of the commission would be extended to other acts which tend to suppress competition. I hope the chairman of the committee will accept this amendment. I believe that he will, and I now offer it.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The Senator from Iowa offers an amendment to the amendment of the committee, which will be read.

The SECRETARY. Amend section 5 by adding thereto the following proviso:

Provided, That no order or finding of the court or commission in the enforcement of this section shall have any force or effect or be admis-

sible as evidence in any suit, civil or criminal, brought under the antitrust act, nor shall anything contained in this act be construed to alter, modify, or repeal the said antitrust act, or any part or parts thereof.

Mr. CUMMINS. In order that the debate may proceed, as I hope, upon the hypothesis that the section means precisely what I have said, I ask for a vote upon the amendment to the amendment.

Mr. SAULSBURY. May I interrupt the Senator for a moment?

Mr. CUMMINS. I yield to the Senator from Delaware.

Mr. SAULSBURY. The chairman of the committee has left the Chamber for only a few minutes, and will return quite soon, having asked me to stay during his absence. It seems to me that the amendment offered by the Senator is quite in accord with what I understand to be the general view of the committee, of which we are both members, but I would much prefer that, out of courtesy to the chairman of the committee, the Senator would withhold offering the amendment, as it was not anticipated at this time, until the chairman of the committee returns.

Mr. CUMMINS. I think the suggestion of the Senator from Delaware is entirely proper. When I sent the amendment to the desk I had not noticed that the chairman of the committee is absent from the Chamber. There is so large a crowd here, the Senate Chamber is so completely filled, that I did not notice his absence among the many who are present.

Mr. SAULSBURY. May I ask, then, Mr. President, that the amendment lie on the table, with others that have been offered, until we can take up the amendments in the committee and consider them by the committee or members of the committee?

Mr. CUMMINS. I intend to offer it on the floor of the Senate; but I am quite willing that its consideration shall be postponed until the return of the chairman of the committee.

The PRESIDING OFFICER. Without objection, that course will be taken.

Mr. CUMMINS. Mr. President, I repeat that the entire argument based upon the hypothesis that we have attempted in any wise to interfere with the antitrust law is without basis. That statute, one distinguished Senator has said, needs but courage to enforce it. I agree with him. I want to see it enforced, every line and letter of it. It would be most unfortunate if the country were to lose the impetus which in 20 years we have gained through the interpretations of the statute by the Supreme Court of the United States, and courage may well be invoked. I care not how often it is invoked. The spirit of the Department of Justice can not rise too high to meet the demands of the law-abiding people of the United States.

The argument, however, falls to the ground that we ought not to go further, simply because there may have been a want of courage or of persistence in the enforcement of the antitrust law. I am not prepared to say that it has not been enforced with that diligence and zeal that might fairly be expected. The truth is, Mr. President, that the affairs of this country are so tremendous, its business interests are so vast, the complicated commerce of the mightiest country upon the face of the earth is in the hands of a department that is crowded with a vast burden of work, and it is not surprising that now and then an offender under the antitrust law escapes the attention of the Attorney General of the United States and of his assistants.

What we propose to do here is not to arrest the enforcement of the antitrust law, not to weaken its remedies, not to allow any criminal under its provisions to escape, but to add to the Department of Justice an investigating tribunal of high character, of great experience, well equipped to bring to the attention of the Attorney General those instances which may have escaped the inquiries carried on in that department, and thus secure through the Department of Justice a more efficient enforcement of that law.

But we propose to do one thing more. We propose to make it an offense. We propose to make it unlawful for any corporation, or any person, indeed, to practice unfair competition, and wherever the practice of unfair competition has not reached a point that constitutes a violation of the antitrust law, then we intend to do what we can to maintain fair, full, free competition through the intervention of the trade commission.

Mr. President, I have now concluded my review of the bill as it is reported by the Committee on Interstate Commerce.

I said in the beginning, and I repeat, that I have sometimes doubted whether a tribunal of the character described in the bill is warranted unless we add to it other powers having for their general object the maintenance of competition, other powers that will make the commission still more helpful in carrying into effect the principle of the antitrust law.

I offered in the committee certain amendments, and at one time the committee added those features to this bill. I may not be at liberty to speak with much freedom of what happened in the committee, but I can at least express my belief that had it not been for a fear that these amendments embraced subjects that might create discussion, possibly give rise to difference of opinion, and thus delay the passage of the bill, they would now be a part of the measure as reported by the committee.

I reserved when I voted to report the bill which we are now considering the right to offer these amendments on the floor of the Senate. I have proposed them; they have been printed, five of them, and are now at the disposal of the Members of the Senate. I have very serious doubt whether a half dozen of the Members of the Senate have read them. I had doubt yesterday whether that number of Senators had ever read this bill. I deplore the utter lack of interest in this great subject. We are going to pass a bill which with its companions will affect the business of the United States to a degree possibly greater than that of any other statute which has been adopted in recent years, and yet I know that there is no disposition upon the part of Senators to become familiar with the bills or to study the subject which they embrace.

I am not now speaking of the indifference or the disinclination of Senators to listen to addresses. I am an offender in that respect myself. I hold no resentment because Senators are not inclined to hear these bills debated. My regret is founded upon an entirely different reason. I am constrained to believe that we are passing these bills without the individual consideration on the part of Senators which their importance involves. We are all familiar with the general subject. We all know what we desire to accomplish, but these bills are so intricate in their composition, necessarily so, in order to meet an industrial necessity the complication of which no man can exaggerate, that every Senator should study not only the subject but he should ascertain how the evil which is generally admitted can best be overcome.

I take up, Mr. President, the first of these amendments——

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to his colleague?

Mr. CUMMINS. I do.

Mr. KENYON. Before the Senator passes to those amendments I wish to ask him a question purely for information, as I know he has given this problem greater study than any other Member of this body has and I think knows more about it. In subdivision (g) of section 3 there is a provision that I can not find in harmonious relationhip to the bill:

(g) If the commission believes from its inquiries and investigations, instituted upon its own initiative or at the suggestion of the President, the Attorney General, or either House of Congress that any corporation, individual, association, or partnership has violated any law of the United States regulating commerce, it shall report its findings and the evidence in relation thereto to the Attorney General with its recommendations.

There is no provision, as I understand the bill, for the President to initiate any investigation or suggest any investigation. How does the phase "or at the suggeston of the President" get into the bill, what does it have to do with the bill, what does it relate to, and how does it corelate with anything in the bill?

Mr. CUMMINS. Mr. President, as I said yesterday, I do not think the commission should act upon the suggestion of the President, and I did what little I could to eliminate that provision from the bill while it was under consideration by the committee. I think the whole subsection might well be stricken out. It does not add to the strength of the bill and probably serves no useful purpose. The truth is, and I am not betraying any confidence because I am not saying anything that anyone ever told me, I am simply giving expression to my own belief, the administration desires that part of the bill. It undoubtedly thinks that this commission should be called into activity upon the suggestion of the President or the Attorney General. I do not think so, but I have not believed that the presence of that provision was sufficiently important to change my general view of the proposed legislation.

Mr. SAULSBURY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Delaware?

Mr. CUMMINS. I do.

Mr. SAULSBURY. May I ask the Senator if he does not think it might add to the value of the bill if the commission could be called upon to assist the office of the Attorney General in a special inquiry at some time respecting the doings of some of the corporations which he may be desirous of prosecuting and possibly this power be used? It, of course, implies the power to investigate at the suggestion of the Attorney General, and could not this power be used with benefit to the administration of justice?

Mr. CUMMINS. Mr. President, I have not believed so. I have always thought that a trade commission, as the Interstate

Commerce Commission is, should be an independent tribunal attached to no department of the Government, owing allegiance to no officer of the Government. I think it should be clothed with adequate power of investigation. I think that it should be free to prosecute an investigation whenever it believes that it would serve the public welfare to do so, and if in the course of the investigation a violation of the antitrust law or any other law of the United States relating to this subject is developed, I think it ought to report the result of its investigation to the Attorney General, whose duty it is to prosecute offenders; but I have never thought that we should put into the law a provision that would enable either the President or the Attorney General to command its activities.

The objection to it—and I am now repeating the objection to it that I made before the committee—the objection to it is that, as the Senator from Idaho [Mr. BORAH] said the other day, there have been times when the antitrust law has been made the instrument, as is alleged, of promoting political fortunes. The President is a political officer; the Attorney General is a political officer connected with the policy of the administration and of the country. The trade commission should not be affected by those influences; and it is my judgment—and I submit it, of course, with great deference to that of the Senator from Delaware—that it will accomplish more—it will establish itself more firmly in the confidence of the people if it acts upon its own motion or acts upon a petition properly brought before it under certain provisions of the bill.

Mr. SAULSBURY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Delaware?

Mr. CUMMINS. I yield.

Mr. SAULSBURY. I only desire to suggest that if we should adopt the course suggested by the Senator from Iowa probably all of the investigations that we have been conducting through resolutions of the Senate requesting the Interstate Commerce Commission to act in matters of railroad investigation would have been entirely impossible if the situation had applied to trade or to industrial organizations. While it is not my provision—and I do not profess to uphold it—yet it seems to me it might be very desirable at some time to use the powers given here in an implied fashion to the President or to the Attorney General or to either House of Congress to investigate, through this trade commission, certain violations of what Congress, for example, or the Attorney General or the President might suppose would be the laws of this country; and it might aid very greatly in the administration of justice.

If there is an objection to this commission acting on the suggestion of the President, the Attorney General, or either House of Congress, an amendment to that provision could be very readily made by striking out only two lines and leaving it as suggested by the Senator from Iowa. I have no particular objection to that, except that I think we may be called upon to insert this very provision later on if we now strike it out.

Mr. CUMMINS. Mr. President, I have not moved to strike it out. I think it ought to be stricken out, but I have not looked upon it as a sufficient objection to this bill to lead me to that course. However, when my colleague asked me what it meant and why it was there I was compelled to answer him candidly and to express my own opinion about it.

Mr. LANE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Oregon?

Mr. CUMMINS. I yield.

Mr. LANE. Mr. President, I should like to say a word. It seems to me that is about the best provision in the bill, for the reason that it leaves in the hands of the President the power to enforce this law. The people have confidence in the President. There are many times when the Attorney General, the House and Senate, and the commission may be so occupied with other business that they may not be able to act in a sudden emergency which may arise, so that, having an alert and honest President with the interest of the country at heart, he should be given the power to act. People never suspect him of an ill motive unless he is really guilty of one, and if you give him the power to initiate proceedings in cases where the other bodies were slow it would be of inestimable value to give that power directly into his hands. If it should do no other good, it would notify the commission that if they fail to do their duty and fail to be alert the man whom the people look to, their Chief Executive Officer, has power to enforce this law. You can get great good out of that. If the President is not honest or sincere, great harm may be done, and yet we must assume that the President is going to do his duty. It is a valuable provision in my opinion and is about the only provision in it in which I have much confidence.

Mr. CUMMINS. Mr. President, I know that all the reasons suggested by the Senator from Oregon [Mr. LANE] naturally occur to the mind and have great weight; but I think the objection that I have attempted to state overcomes any advantage that might arise from putting the commission under the charge of the President of the United States. There will be no difficulty, Mr. President, in calling into exercise the powers of the commission when any respectable suggestion is made to it with regard to a violation of the law. I take it for granted that if any citizen brings to the commission reasonable ground to believe that a violation of the law exists the commission, in the performance of its duty, will pursue the inquiry. So it would be with the President of the United States, and so with the Attorney General; and there never would be a failure to investigate simply because these officers were not mentioned in the statute.

The objection to the phraseology found in this subsection is that it appears to put the trade commission into a subordinate position; it appears to subject the tribunal to the order of the President or that of the Attorney General. I do not believe that it ought to be thus subordinate; nor do I think, as I have said before, that the advantages that might be gained by expressly declaring that the commission must act at the suggestion of the President or of the Attorney General are great enough to overcome the disadvantages which I have attempted to state.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield.

Mr. NORRIS. I want to call the Senator's attention to one word in the very clause which he has been discussing, which bears on another subject, and that is the word "individual," in line 21. What is the use of that word? As I understand, this act does not give to the commission authority to investigate an individual, yet in this particular clause there would seem to be an indication that it had that authority.

Mr. CUMMINS. Mr. President, I regret to say that the Senator from Nebraska is right with regard to it. The phraseology of the subsection ought to be amended. It is not the purpose, as I understand, to give this commission the authority substantively to investigate the conduct of an individual, but an individual may violate the antitrust law and, inasmuch as it is the purpose of this subsection to make it the duty of the commission to ascertain whether there had been violations of that statute and report them to the Attorney General, if it found that there had been, it was natural to include the word "individual" and the word "partnership," inasmuch as either an individual or a partnership may be a violator of the antitrust law.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further?

Mr. NORRIS. I should like to pursue that just a little further, if the Senator has no objection.

Mr. CUMMINS. I yield, of course.

Mr. NORRIS. I am not arguing that the commission ought to have authority to investigate an individual, or that it ought not to have such authority; but I am only calling attention to what appears to me to be an inconsistency in the measure. I understand that the Senator from Iowa has said that it is the intention of this bill not to give authority to investigate an individual.

Mr. CUMMINS. It does not give it.

Mr. NORRIS. I understand that; yet in this very particular, to which I am calling the Senator's attention, there is rather an implication that the commission has such authority. Either this word ought to be stricken out, or in the other part of the bill where authority is conferred upon the commission, its authority ought to be extended so as to include the investigation of an individual as well as of a corporation or partnership.

Mr. CUMMINS. That might well be.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. CUMMINS. Allow me to answer the suggestion of the Senator from Nebraska [Mr. NORRIS], and then I will yield to the Senator from Nevada.

I hardly think there is the implication which the Senator from Nebraska believes to exist. There is some confusion, but if the Senator from Nebraska will note the first two lines he will observe that they read:

If the commission believes from its inquiries and investigations—

Whether those inquiries and investigations are initiated by or upon its own motion or whether they are initiated by the suggestion of the President, the Attorney General, or either

House of Congress, they must still be the inquiries, and the investigations which the act authorizes the commission to carry on, and the mere use of the phrase "That any corporation, individual, association, or partnership has violated any law of the United States regulating commerce," does not, in my opinion, enlarge the real power of the commission in conducting inquiries or in making investigations. The Senator from Nebraska can strike it out in a moment; and I think it ought to be stricken out.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. CHILTON in the chair). Does the Senator from Iowa yield to his colleague?

Mr. CUMMINS. Yes.

Mr. KENYON. Mr. President, it seems to me that this is one of the most important questions in the bill, and one about which there is a great difference of opinion. I observe that, even after the caucus of last night, there are only four Senators on the other side of the Chamber. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The junior Senator from Iowa 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	Hitchcock	Overman	Smoot
Bankhead	Hollis	Page	Sterling
Brady	Jones	Perkins	Sutherland
Brandegee	Kenyon	Pittman	Swanson
Burton	Kern	Ransdell	Thompson
Camden	Lane	Reed	Thornton
Chamberlain	Lee, Md.	Saulsbury	Walsh
Chilton	Lippitt	Shafroth	Warren
Clapp	McCumber	Sheppard	Weeks
Cummins	Martin, Va.	Shields	White
du Pont	Martine, N. J.	Simmons	Williams
Fletcher	Newlands	Smith, Ariz.	Works
Gallinger	Norris	Smith, Ga.	
Goff	O'Gorman	Smith, Md.	

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum of the Senate is present.

Mr. NEWLANDS. Mr. President——

Mr. CUMMINS. I desire to say, in response to the suggestion of the Senator from Nebraska [Mr. NORRIS] that I realize that this subsection ought to be amended, and I very earnestly hope that the Senator from Nebraska will propose an amendment to it that will render its meaning absolutely clear. I now yield to the Senator from Nevada.

Mr. NEWLANDS. Mr. President, if the Senator from Iowa will permit me, I should like to say a word with reference to the objection urged by the Senator from Nebraska. He calls attention to the fact that in subdivision (g) of section 3 the commission is authorized, if it believes "from its inquiries and investigations, * * * that any corporation, individual, association, or partnership has violated any law of the United States regulating commerce," to "report its findings and the evidence in relation thereto to the Attorney General with its recommendations." He called attention to the fact that the bill does not apply to individuals in other provisions of section 3, but simply to corporations. I wish to call the attention of the Senator to subdivision (a), which gives the commission the power "to investigate * * * the organization," and so forth, "of any corporation engaged in commerce," and also the Senator will observe, "its relation to other corporations and to individuals, associations, and partnerships."

In the course of such investigation of a corporation and its relation to individuals or to partnerships the attention of the commission may be brought to a violation of the Sherman antitrust law, and so it is given the authority, under subdivision (g), to report that to the Attorney General with its recommendations.

Mr. GALLINGER. The Senator will observe that subdivision (b) employs the same language.

Mr. NEWLANDS. Yes; the same language is used there.

Mr. CUMMINS. Mr. President, that point was very carefully gone over yesterday, and I then expressed my opinion about it quite fully.

Once more, Mr. President, I attempt to advance to the amendments which I intend to propose to this bill. The first is a prohibition against the ownership by one corporation of the stock or other means of control of another corporation, the two carrying on a business which is in its nature competitive.

Again I say, Mr. President, that this additional prohibition in nowise affects the antitrust law. Intercorporate stock holding of competitive corporations is one of the things which, taken together with circumstances which we have often seen, constitutes a violation of the antitrust law. I do not propose to in anywise limit or restrict the operation of the antitrust law; but it has been discovered that there are a great many instances in which one corporation holding the stock of another, or a part of the stock of another, will prevent that independence of action, that freedom of trade and business, which we are endeavoring to preserve. Again, it is an effort to maintain competition.

There is another reason why one corporation should not hold the stock of another, the two being competitive. I go further; I believe, as a matter of law and policy, that one corporation ought not to be permitted to own the stock of another under any circumstances. That was the common law; but that probably concerns a field which is beyond, or partially beyond, at any rate, the power of Congress to enter. When two corporations, however, are doing the same kind of business, when the public have a right to believe that they stand as competitors and rivals of each other, it is wrong from every standpoint of wise policy that one of those corporations shall be permitted to control the affairs of the other or influence the affairs of the other by holding a part or all of its capital stock.

I think there is a well-developed public sentiment upon this particular subject. There is no man of any considerable observation or experience but who himself must have seen the unwisdom of permitting two corporations engaged in the same kind of business, holding themselves out to the world as independent organizations, yet commonly managed and controlled because of the ownership of the stock of one by the other. Therefore I propose this amendment as section 6 of the bill:

It shall be unlawful for any corporation engaged in commerce to acquire, own, hold, or control, either directly or indirectly, the whole or any part of the capital stock, or other share of capital, or any other means of control or participation in the control of any other corporation also engaged in commerce if the business of such corporations is naturally and by reason of character and location competitive.

This is the substantive law proposed in the section. It prohibits entirely, without any exception, the holding by one corporation of the stock of another if the business of the two is competitive in character.

I may pause here to suggest the other plan that is now before one of the committees of the Senate. In what is known as the Clayton bill there is a somewhat similar prohibition; that is to say, it is intended to cover the same subject; but the prohibition of that bill is that one corporation shall not hold the stock of another if thereby competition is substantially lessened or impaired as between the two corporations.

In my opinion, the bill as it passed the House, while it might be a terror to honest men, would be a shield and a protection for dishonest men. It might create much apprehension on the part of men who do not want to be brought under the condemnation of the law, and who therefore stand far away from the line of danger; but it would be no protection to the public against the scheming men, the men of guile and artifice, because when we are called upon actually to prove that the holding on the part of one corporation of the stock of another has actually lessened the competition as between them, we are called upon to perform a most difficult task.

I believe we ought to take the high, defensible ground that two corporations engaged in the same kind of business must be independent, and that the one must not hold the stock of another. We all know that whether the stockholding is large or small proportionately, it must influence the motives of the managers of the corporations. The stock is not acquired usually for any other purpose than to control or influence or direct the affairs of the corporation whose stock is thus acquired. Moreover, the bill now before the Judiciary Committee as it comes from the House refers only to future transactions. It is made unlawful to acquire in the future stock in this manner, but it practically legalizes and gives immunity to all the unwise, and, I was about to say, immoral relations which exist now between the thousands of corporations which are carrying on business in this country in which there is an intercorporate holding of stock or other means of control. Such is one of the differences between the amendment I have proposed and the bill now pending before the Judiciary Committee.

I have offered the amendment here, however, not so much because there is the difference I have pointed out, but because I believe that again the power and the jurisdiction of the commission can be employed wisely and beneficially to prevent this suppression of competition, this act the tendency of which must necessarily be to destroy or impair freedom of trade. Therefore in my amendment I have conferred upon the trade commission a certain power which I will now read:

The commission is hereby empowered and directed to forbid and prevent such unlawful conditions in commerce in the manner following, to wit:

Whenever the commission shall have reason to believe that any corporation so engaged in commerce has acquired or is owning, holding, or controlling, either directly or indirectly, the whole or any part of the capital stock, or other share capital, or any other means of control or participation in the control of any other corporation also engaged in

commerce, and that the business of the two or more corporations is naturally and by reason of character and location competitive, it shall issue and serve upon such corporation a written order at least 30 days in advance of the time stated therein for hearing, directing it to appear before the commission and show why an order should not be issued by the commission restraining and prohibiting it from such unlawful acquisition, holding, or controlling, and commanding it to bring itself into conformity with the law; and if upon such hearing the commission shall find that such corporation has acquired, or is holding, owning, or controlling the capital stock, or other share capital or other means of control, or participation in the control, of any other corporation contrary to the provisions of this section, it shall thereupon issue an order in such terms as the circumstances may warrant requiring that the said corporation shall bring itself into conformity with the law by ceasing to acquire, own, hold, or control the whole or any part of the capital stock, or other share capital or any other means of control or participation in the control, of such other corporation or corporations.

The commission may at any time modify or set aside in whole or in part any order issued by it under this section.

If, after the issuance of such an order the commission shall find that such corporation has not complied therewith, it may file a petition in the district court of the United States in any district wherein such corporation is located or carrying on business, praying the court to issue an injunction to enforce its order, and the court is hereby authorized to issue such injunction and to enforce obedience according to the law and the rules applicable in suits in equity: *Provided*, That this section shall not apply to banks, banking institutions, or common carriers.

I pause a moment to explain my view of the exception I have just read. I have no doubt the principle we are attempting to employ here can be used with great profit in many instances, as among banks and banking institutions; but I do not believe it is wise to draw their regulation into this measure or into any measure that we are proposing to pass at this session. Having created a Federal Reserve Board, the general purpose of which is to supervise the banking interests of the United States, I believe whatever law we pass with regard to the intercorporate stockholding or the interlocking directorates of banking institutions should be a law committed to the Federal Reserve Board for its enforcement and administration, and therefore I have excepted banks and banking institutions from the operation of this section. I have also excepted common carriers.

I will read in a moment a section applicable to common carriers. They are excepted from this section for two reasons: First, that the administration of any law regulating common carriers ought to be intrusted to the Interstate Commerce Commission instead of to the trade commission that we are now establishing. Second, the laws of some States require the ownership of railroads within their borders to be vested in corporations organized under their sovereignty; and in any regulation that we are proposing upon this subject we must remember the entire inability of complete consolidation in a single ownership as to common carriers.

The section has another exception or proviso:

Provided further, That no order or finding of the court or commission in the enforcement of this section shall have any force or effect, nor be admissible as evidence in any suit, civil or criminal, brought under the antitrust acts.

As I have already explained with regard to an amendment which I have offered to section 5, this proviso is intended to leave the antitrust law in all its strength and vigor. It is intended to leave all its provisions untouched. It is intended to leave its administration in the hands to which it is now committed; and the section simply adds a prohibition of an act which, under some circumstances, is forbidden by the antitrust law, but under other circumstances can not be reached by the antitrust law. In other words, the intercorporate stockholding, in order to come within the provisions of the antitrust law, must have proceeded to the extent and must have the effect of an actual restraint of trade or commerce before it can be prevented; and under the interpretation given by the Supreme Court of the United States it must not only have gone to the extent of a restraint of trade or commerce, but that restraint must be undue or unreasonable. I think the American people now demand, and this Congress is ready to give to the people, this further relief against the incipient stages of the war to preserve competition, so that we may prevent in the very beginning those relations which will finally lead these corporations into conflict with the antitrust law.

The second amendment which I offer——

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I yield.

Mr. NORRIS. I desire to ask the Senator a question or two about the amendment he has already read; but if he prefers to go on with the other amendment first I will gladly wait.

Mr. CUMMINS. I am quite willing to yield now.

Mr. NORRIS. I wanted to ask the Senator what would be the objection to a simple prohibition against the holding by one corporation of the stock of another corporation engaged in interstate commerce? I do not know, of course, but that there may be, and perhaps are, reasons for exceptions to the rule; but why could we not simplify it by simply prohibiting corporations engaged in interstate commerce from holding the stock of any other corporations?

Mr. CUMMINS. Mr. President, I am not prepared to say that we could not do it. It is, however, a doubtful exercise of power.

Mr. NORRIS. The Senator thinks it is of doubtful constitutionality. Is that the idea?

Mr. CUMMINS. I do. I am of the opinion that we have the power to do it; but inasmuch as all we are trying to do is to keep the competitive force in operation, I have hesitated to go to the length that is suggested by the Senator from Nebraska, fearing that the attempt might be overthrown.

Mr. NORRIS. The Senator does, in this amendment, prohibit the ownership of stock in some corporations.

Mr. CUMMINS. Precisely. It must be remembered that we are acting all the while under the constitutional power to regulate commerce among the States and with foreign nations. Everything that we do, in order to be valid, must be a regulation of interstate commerce or foreign commerce. To prohibit a corporation from owning the stock of any other corporation, even though it had no effect and could have no effect upon commerce among the States, enters a doubtful field.

Mr. NORRIS. I will say to the Senator that my question does not go to that. I have confined it to corporations engaged in interstate commerce. If we should by a simple amendment provide that no corporation engaged in interstate or foreign commerce should be permitted to hold the stock of any other corporation, is there any doubt about that being constitutional?

Mr. CUMMINS. I think the court would inquire why we prohibited it. Why do we prohibit it?

Mr. NORRIS. That question could be very easily answered. It is not difficult to answer it.

Mr. CUMMINS. We are not the sovereign creating the corporation. It is not for us to say what is wise or what is unwise for the corporation to do, except as it involves its conduct in commerce among the States.

Mr. NORRIS. Of course, and we have confined it to those corporations.

Mr. CUMMINS. If we were to prohibit a corporation which was carrying on a dry-goods business from owning any stock in a corporation engaged, we will say, in buying and selling coal, we would have to point out in what injurious way the intercorporate stockholding would affect commerce. Now, when we prohibit two corporations which are doing a competitive business from owning one the stock of the other, we are able to point out at once the evident fact that the ownership of the stock by one corporation has a tendency to destroy independence of action, and therefore to impair competition. I believe Congress has the power to exclude any corporation from entering interstate commerce.

Mr. NORRIS. Yes.

Mr. CUMMINS. But there are very few who are willing to go to that extent.

Mr. NORRIS. Take the illustration the Senator has given, that of prohibiting a dry goods company from owning stock in a coal company. Of course, the theory of my suggestion is to simplify the law.

Mr. CUMMINS. Yes.

Mr. NORRIS. It would be quite easy to draft the amendment. Now, what hardship could or would ever come to a dry goods company if it could not own the stock of a coal company?

Mr. CUMMINS. Personally I do not believe in laying the hand of the law upon commerce and interrupting the freedom of individual action unless it is necessary to accomplish some purpose.

Mr. NORRIS. Of course the Senator understands the purpose. The evil that he is trying to strike at is apparent to him, of course, or he never would have offered the amendment he has offered. He recognizes by his amendment that there is a great evil where one corporation holds the stock of another.

Mr. CUMMINS. When they are competitive corporations.

Mr. NORRIS. Yes.

Mr. CUMMINS. When they are doing a competitive business there is a very great evil, and one that is recognized, I believe, by every thinking man.

Mr. NORRIS. Yes. I think everybody will concede that, and while I am not saying that there are not legitimate objections, I can not see them, and I was asking mainly for information. If we should make it the simplest amendment we could possibly get it would be to exclude such ownership entirely.

Mr. CUMMINS. There are just two objections, as they appear in my mind. The first is the inadvisability of restricting the freedom of action in cases in which it is not necessary and

in which interstate commerce can not be injuriously affected. The second—and it is the one which has been most potential with me—is the doubt that many people feel and express as to our constitutional power thus to deal with corporations created by the several States.

Mr. NORRIS. We could exclude them entirely from interstate commerce.

Mr. CUMMINS. It is so asserted.

Mr. NORRIS. And we can let them enter interstate commerce on whatever conditions we please.

Mr. CUMMINS. I am inclined to think we could attach any condition which we deemed best to their entrance upon interstate commerce; but I wanted to accomplish something; I wanted to get near the evil; and I did not want to present a statute which we must fight for over a course of years before we know whether or not it can be enforced.

Mr. NORRIS. Of course, I want to accomplish something, too. I thought perhaps we might be able to do it by a simple and very short amendment instead of all this machinery.

Now let me ask another question. Suppose we provide by amendment that it shall be unlawful for any corporation engaged in interstate commerce to own any of the capital stock of any other corporation engaged in a competitive business, and then provide a penalty for such ownership?

Mr. CUMMINS. The difficulty then is that the section would never be enforced.

Mr. NORRIS. That would not be so difficult to enforce——

Mr. CUMMINS. It would be impossible to enforce in many instances.

Mr. NORRIS. It strikes me it would be quite simple.

Mr. CUMMINS. I will tell the Senator why. When you come to ascertain what are competitive businesses you have entered a very difficult field. You might think the business of furnishing gas was competitive with that of furnishing electric light, or the business of furnishing coal was competitive with that of furnishing the same power by electricity; but it is not fair to ask the business people of this country to determine such matters for themselves and be held criminals if they determine the issue incorrectly.

I could give the Senator from Nebraska instances by the half hour, I believe, in which there would be inevitably great differences of opinion as to whether a corporation doing this business is competitive with a corporation doing that business, or whether a corporation doing business in New York is competitive with one doing the same business in Chicago.

Mr. NORRIS. The Senator has not avoided that difficulty by his amendment. The first suggestion I made, if applied, would, of course, have avoided it entirely.

Mr. CUMMINS. Yes; I have avoided the difficulty because the trade commission takes possession of the matter at that point, and it calls the corporation involved before it and it enters upon a hearing, the inquiry being, Has the corporation violated the law? If the commission finds that the corporation has violated the law, it commands the corporation to cease; and if it does not cease, the commission then applies the most effective remedy known to modern times—the injunction of a court.

Mr. NORRIS. Let me suggest right there what, it seems to me, is one difficulty, and has been all the time, with the Sherman antitrust law. The Senator says injunction is the most effective remedy; but from the time the illegality begins until it is finally determined by the Supreme Court of the United States enough time elapses for the offending corporation to make a profit out of the business while the prosecution is going on.

Mr. CUMMINS. Unfortunately, there is no way of preventing that.

Mr. NORRIS. It seems to me the weakness of this amendment is that there is no provision here by which a corporation doing an illegal business or holding illegally stock in another corporation is in any way penalized. It runs no risk whatever, and in the meantime years and years elapse while the case is going on and getting up to the Supreme Court; and the corporation may lose in the end, and yet make millions of dollars by the transaction.

Mr. CUMMINS. Mr President, I appreciate the position taken by the Senator from Nebraska. There are two schools of thought in this country. One school believes that we can regulate commerce by heading the whole business world toward the penitentiary. The other school believes that we can best regulate it by the interposition of the courts, or a tribunal created for that purpose, that will prevent by reaching out its arm in the way of an injunction. I do not believe there is a jury on earth that would ever convict a corporation for a violation of this statute or any similar one if there was fair reason to believe among honest men that the two kinds of business were not competitive. The result would be that the wrong would go unchecked; and, further, they ought not to be penalized if there is a fair chance for difference of opinion.

Mr. NORRIS. I would not penalize them. Let the jury permit those corporations to escape if anybody prosecutes them; but there is another line of people where that does not enter. The Senator, it seems to me, has taken an unfair illustration for his case.

Mr. CUMMINS. The Senator must not forget that he still has the antitrust law with all its penalties, with all its criminal provisions, under which men who do restrain trade and commerce can be convicted, can be fined, and the fines may accumulate in a very large amount. I am not trying to impair that law; I am trying to add something that will take a lesser violation of the law of competition, a condition that if permitted to exist will finally eventuate in a restraint of trade or commerce. I can not be convinced that in order to reach those instances we ought to attach a severe criminal penalty, because it always has failed, and it always will fail.

Mr. NORRIS. I understand the antitrust law still exists, and the Senator by this amendment is adding to the antitrust law. He is making something illegal that was not necessarily illegal before.

Mr. CUMMINS. That is true.

Mr. NORRIS. But he has no penalty attached. If the thing complained of is wrong and it is not right to penalize the officers of a corporation by a fine for doing it, then there should be a penalty by way of a fine against the corporation so that it would not be profitable for them to violate the law.

Mr. CUMMINS. I do not say that I would resist an amendment that would attach a criminal penalty to a violation of this section. After a great deal of thought I do not believe that that is the way in which the law can be best enforced. I believe that in nine cases out of ten a fine imposed upon a corporation is simply passed on to that great company that is sometimes designated as the ultimate consumers. My idea is to stop the wrong. I do not want it to go on and accumulate fines for the corporation to pay.

Here is a summary proceeding that can be put into execution just as rapidly as the trade commission can act, and I hoped that this additional protection, additional to the antitrust law, would furnish an instrumentality that would work well for the American people.

Mr. NORRIS. Mr. President, I hope the Senator did not get the idea that I am asking these questions in any critical sense whatever.

Mr. CUMMINS. I know the Senator is not.

Mr. NORRIS. I am in sympathy with the purpose of the Senator from Iowa.

Mr. CUMMINS. I know the Senator from Nebraska is just as much interested and as heartily in favor of anything that will open up and keep open the channels of trade in this country as I am. I do not take his interruption as hostile at all.

Mr. NORRIS. But it seems to me whatever we decide by statute is wrong we ought to make it unprofitable for any corporation to engage in. My criticism of the Senator's amendment is that so much time can elapse by a corporation paying no heed except as it has to defend in court against the order of this commission that it could continue the illegal act clear to the end, which means several years of litigation, and it may profit out of it. There ought to be a provision somewhere in the bill, it seems to me, that would make it unprofitable.

I am not one of those who believe that this kind of legislation can be extended very much. I should like to extend it if it were practicable. I agree with the Senator that it is very often impossible to get the real criminal, and that we try some stool pigeon who is put forward, who occupies some clerical position and send him to jail. Sometimes we may get the real criminal, perhaps, but not often. However, if we made by law this business unprofitable as a financial proposition corporations would not engage in it. Therefore it seemed to me that the first suggestion, to simply prohibit by law with a proper penalty, either by imprisonment or by fine, or both, the ownership by a corporation engaged in interstate commerce of the stock of another corporation, would meet it completely, unless it can be shown that it would be some hardship for a corporation engaged in legitimate business.

Mr. CUMMINS. I would not at all object; but I would not want it to take the place of the provisions that I have made here for administering the law partially through the commission. The whole end suggested by the Senator from Nebraska can be reached if he will prepare a section to be added to the bill, and, until recently, I thought it was in this bill; I know

it was at the close of the bill we originally considered in the Interstate Commerce Committee; that includes all these regulations, namely, that any violation of this act shall be punished by a fine or imprisonment, and so forth. I do not think I would object to that kind of a provision. I hope the Senator from Nebraska will reflect upon it and offer it if he believes it ought to be here, although, I repeat, the efficacy, the real efficiency of this legislation, in my opinion, will lie in the prevention of these unlawful conditions rather than in punishment, either by fine or imprisonment, for their violation.

Mr. BURTON. Mr. President——

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

Mr. CUMMINS. I yield to the Senator from Ohio.

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

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

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

Ashurst	Cummins	Overman	Smith, Md.
Bankhead	Gallinger	Page	Smoot
Brady	Goff	Perkins	Sutherland
Brandegee	Hughes	Pittman	Swanson
Burton	Kern	Ransdell	Thomas
Camden	Lee, Md.	Saulsbury	Thornton
Chamberlain	Martin, Va.	Sheppard	White
Chilton	Newlands	Shields	
Clapp	Norris	Simmons	
Clarke, Ark.	O'Gorman	Smith, Ariz.	

The PRESIDENT pro tempore. Less than a quorum of the Senate is present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. SHAFROTH, Mr. STONE, and Mr. WEEKS answered to their names when called.

Mr. NELSON, Mr. REED, Mr. SHIVELY, Mr. HOLLIS, Mr. HITCHCOCK, Mr. JONES, and Mr. POMERENE entered the Chamber and answered to their names.

Mr. CLAPP. I think it should be stated for the RECORD that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is detained from the Senate on account of illness.

The PRESIDENT pro tempore. Forty-seven Senators have answered to their names. There is not a quorum present.

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. SUTHERLAND. Pending that, I move that the Senate adjourn.

The PRESIDENT pro tempore. The Senator from Utah moves that the Senate adjourn.

Mr. KERN. I hope that the Senator from Utah will not insist on that motion at this time. We lack but two of a quorum, and if the Senator will allow——

Mr. SUTHERLAND. The motion is not debatable. I ask that the question be put.

The Senate refused to adjourn, there being, on a division—ayes 11, noes 18.

Mr. WILLIAMS, Mr. WALSH, Mr. LANE, Mr. BRISTOW, and Mr. BRYAN entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. CHILTON in the chair). Fifty-two Senators have answered to their names. A quorum is present. The Senator from Iowa will proceed.

Mr. CUMMINS. Mr. President, I realize the embarrassment under which Senators are laboring. I think three-fourths of the Members of the Senate are now engaged in the sessions of committees. I give notice now that I intend to-morrow morning to offer a resolution that no committee of the Senate shall sit during the sessions of the Senate without a special order. It is entirely unfair to command Senators to be in two places at the same time.

Mr. BRANDEGEE. Will the Senator yield to me?

Mr. CUMMINS. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I agree entirely with what the Senator from Iowa says. I think it is a disgrace and a farce for the Senate of the United States to have its Judiciary Committee in session considering one far-reaching bill and its Interstate Commerce Committee in session considering another, and a third bill which the Interstate Commerce Committee has been considering for months, all three of the bills involving the most intricate, far-reaching, technical, obscure questions, and a corporal's guard of Senators here when the Senator who has made as exhaustive a study as anyone in this body or in the country, of all these bills, is attempting to explain one of them, to have his remarks punctured every five minutes by a declaration of one of his colleagues that he observes only four or six Senators on the floor, and therefore he suggests the absence of a quorum.

I call attention to this situation because it is a disgrace and a farce for the Senate and the Congress to attempt to foist upon the country legislation on these fundamental and grave subjects when Senators themselves will not pay any attention to them, and when Senators themselves know, with the serious differences of opinion which exist among themselves, with this method of procedure of committee hearings and Senate sessions going on at the same time, finally, under the whip and spur of party domination and White House influence, they are going to be forced uninformed to vote yes or no upon a lot of half-baked legislation, containing definitions which themselves will require years of court decisions to define, under the fake plea that the twilight zone under which business has been suffering and halting for years is going to be illuminated, when it does not take more than an alderman or a councilman who will read the bills to know that, instead of illuminating anything, they are going to hopelessly obscure every subject with which they deal, if they are passed in anything like their present form.

I am glad to hear the Senator say he will protest against committee meetings preparing more ill-considered legislation to be dumped upon this body in the heat of summer and on the eve of a country-wide political campaign until Senators can get here and consider what has been already prepared and vote upon it intelligently. It is not doing justice to the business interests of the country. If the business interests of the country realized in what a foolish, not to say contemptuous, manner their gravest affairs were being tampered with and flippantly trifled with by the highest legislative body in the country, there would be a good deal more dissatisfaction and a great deal more drooping in the business world than there is to-day.

The Senator gives notice that he will not consent that this debate shall go on when different committees shall be preparing more nuts to be cracked and more legislative problems to be solved at the same time when Senators are attempting to inform the Senate upon those already here. My suggestion to him is that these committees are already sitting under a special order of the Senate authorizing them to so sit, and those resolutions will have to be reconsidered.

Mr. CUMMINS. I do not so understand it, Mr. President. It may be that they are, but——

Mr. NEWLANDS. Mr. President——

Mr. CUMMINS. In just a moment. I do not agree with the Senator from Connecticut with regard to the character of this legislation. I am for much of it, and I know that he is against some of it. But that does not change our concurrence with regard to the manner in which the Senate of the United States is now conducting itself. It is a disgrace to the law of the country and to the civilization of which we are a part. I have known within the last few days of the Judiciary Committee sitting to consider one of the bills concerning this subject; at the same time the Interstate Commerce Committee sitting to consider another of the bills which constitute a part of the general program, and another still of the bills being before the Senate for its consideration. I believe in this legislation, but it is an insult to the intelligence of the people of this country that we shall debate and pass these bills without the most mature thought upon the part of those who are responsible for passing them.

I am not criticizing the Senators a particle. I know the embarrassment, as I said a moment ago, which they suffer. I know how imperious the demand is that Senators sit in the Judiciary Committee and that they sit in the Interstate Commerce Committee, and that they sit in the appropriation committees and that they sit in conference at the same time. I wonder that there are any Senators who feel free to deliberate upon the legislation and so prepare themselves for the performance of their final duty.

But, Mr. President, I did not——

Mr. NEWLANDS. Mr. President——

Mr. CUMMINS. I hope Senators will not think that I am objecting because I happen to be at this time discussing the bill. I am interested in the bill. I want the best legislation that can possibly come out of all this agitation, and I think it is unfair to the Senators themselves that they should be required to sit in the discharge of their duties in committees while they, at least, ought to be given an opportunity to study the bill that is about to pass.

I yield to the Senator from Nevada.

Mr. NEWLANDS. Mr. President, I regret as the Senator does, that there is not a larger attendance in the Senate upon this debate, but I suggest that a solution can be reached that will facilitate the orderly disposition of these three bills so that the Senate may not be in session engaged in the consideration of one whilst the Judiciary Committee is in session considering another; that is, that we should fix a time for a vote on this bill. If we can fix that time within this week, Friday, or on next Monday, then the Judiciary Committee will

have an opportunity, without being diverted by the consideration of a pending trust bill, to sit for two or three days upon the measure which they are now considering, and to bring it to a conclusion.

With reference to the bill that is now pending before the Interstate Commerce Committee, the securities bill, I will say that that is a very simple bill with reference to the control of stock and bond issues. The committee has had it under consideration for some time.

Mr. CUMMINS. It seems to be quite "simple" in view of the hearings we have had concerning it.

Mr. NEWLANDS. I mean it is focused now where we can easily decide the question, and it is focused by reason of the careful consideration given to it in addition to that given by the committee itself, by the Interstate Commerce Commission, and by a committee consisting of Mr. Brandeis and Mr. Rublee and by a committee of the leading railroad men of the country. The whole transaction is now being focused in such a way as to enable a very easy solution by the committee if we could only have two or three hour sessions. It seems to me the way to get such sessions is to dispose of the pending bill.

Let me say that I think that the sparse attendance here during this debate is accounted for by the fact that the Senate has made up its mind regarding the bill, that it wants to vote upon it about as unanimously as did the other House and about as unanimously as the assembled boards of trade of the country have voted upon it in the recent referendum that was made and about as unanimously as public opinion seems to be made up on the subject.

Mr. CLAPP. Mr. President, will the Senator pardon an inquiry?

Mr. NEWLANDS. If the Senator will just permit me to be consecutive and not to be diverted, I prefer not to be interrupted.

Mr. President, this is no new subject——

Mr. CUMMINS. I did not yield for a debate on this bill. I am debating the bill. If the Senator from Nevada has anything to say——

Mr. NEWLANDS. Of course I am under the control of the Senator.

Mr. CUMMINS. If the Senator from Nevada has anything to suggest with regard to the explosion which has just occurred, I will gladly yield to him for that purpose, but to an argument on the merits of the bill I do not yield.

Mr. NEWLANDS. I rose to suggest a solution as to the orderly disposition of this question, but if the Senator from Iowa proposes to take me off the floor, of course I will yield.

Mr. CLAPP. I simply wanted to remind the Senator from Nevada that the referendum to which he refers was taken before the bill was amended so as to give the commission the power to deal with competition.

Mr. NEWLANDS. I am only going to take a moment longer. I will say to the Senator from Iowa, that I have refused to indulge interruptions simply out of consideration of the fact that I was taking the Senator's time and am subject to his indulgence regarding it.

I repeat, this is no new measure. It was considered in the latter part of the Taft administration by the then Interstate Commerce Committee and amended there. If Senators will look over the bill that was introduced by me in 1911 and was tentatively amended by the Interstate Commerce Committee under the leadership of the Senator from Minnesota [Mr. CLAPP], they will find it almost identical with the bill which is now presented. So for over three years we have had this matter under consideration so far as the Senate Interstate Commerce Committee is concerned, and the House has had it under consideration for six months. The mind of the House and the mind of the Senate is made up on the subject. Why not have a time fixed for a vote, so that we can then hold the sessions of the Interstate Commerce Committee and dispose of the securities bill and so that the Judiciary Committee can report their bill to the Senate?

Mr. CUMMINS. I assume, Mr. President, that the Senator from Nevada is not at all serious in the remarks that he has made.

Mr. NEWLANDS. I will suggest that I am absolutely serious.

Mr. CUMMINS. If I thought the Senator was serious, I might be offended; but, knowing his humorous disposition, I do not take offense.

Mr. NEWLANDS. Mr. President, I hope that the Senator will have no cause for offense, for I am quite sure it would be imaginary.

Mr. CUMMINS. Certainly; I take no offense.

Mr. NEWLANDS. I wish the Senator from Iowa to understand that I have the highest appreciation of the very thorough manner in which he has been going through this bill, and I am sure that the committee is very much indebted to him for it. I have no disposition to cut short his time; but I have inquired on both sides of the Chamber as to whether there are other Senators who wish to speak. I have been able to find but a few, and they desire to speak only briefly. I think that this bill can be disposed of——

Mr. CUMMINS. If the Senator from Nevada is serious, then I am offended. I did not suppose he was serious. If he rose to say that I ought not to continue this discussion, I resent it.

Mr. NEWLANDS. I did not.

Mr. CUMMINS. But I do not yet believe that he meant what he said.

Mr. NEWLANDS. On the contrary, I rose to disclaim any such suggestion.

Mr. CUMMINS. No matter, Mr. President, what was the object in the Senator's mind, I intend to continue the discussion until I have concluded it.

Mr. NEWLANDS. I hope the Senator will.

Mr. CUMMINS. And I am just entering upon a discussion of——

Mr. SIMMONS. Mr. President——

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

Mr. CUMMINS. I will do so in just a moment. I am just entering upon a discussion of certain amendments concerning which nothing has yet been said. It is sought to show that this is the bill which the Senator from Nevada introduced a few years ago. No one, I suppose, would debate very long the propriety of allowing investigation and inquisition; but we have added to this bill provisions which make it an effectual instrument in accomplishing some things, and those things are new, absolutely new, and were never before proposed in any bill introduced in Congress or anywhere else.

Mr. NEWLANDS. Will the Senator permit me to interrupt him?

Mr. CUMMINS. I am for those things, and I am doing my best to maintain them; and I am very sorry to see that the Senator from Nevada is so unmindful of the little service I am trying to render him and his committee. Now, I yield to the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I desire to ask the Senator from Iowa if he has not offered several amendments to this bill which have been referred to the Committee on the Judiciary with the consent of the Committee on Interstate Commerce?

Mr. CUMMINS. I proposed those amendments, five in number, and they were referred to the Judiciary Committee, but in this miserable tangle in which we find ourselves, the bill to which they are offered as amendments comes on for a vote before there is any report or even consideration by the Judiciary Committee. So I am compelled to offer them now, and I am offering them now, and I want to have a vote upon them as soon as I have concluded my observations upon them.

Mr. SIMMONS. The amendments the Senator now offers have been heretofore offered and have been referred to the Judiciary Committee?

Mr. CUMMINS. They were referred to the Judiciary Committee.

Mr. SIMMONS. They were so referred by order of the Senate. I want to ask the Senator from Nevada if it is his purpose to insist upon a vote on this bill before the Judiciary Committee has time to act upon those amendments? I have been advised that the Judiciary Committee have been considering those amendments, and that it is their purpose to report those amendments one way or the other back to the Senate. Does the Senator from Nevada want to take a vote upon his bill before the committee has made its report upon those amendments?

Mr. NEWLANDS. Mr. President, I understand that the Judiciary Committee has taken action upon those amendments. Perhaps the Senator from Iowa can inform me.

Mr. CUMMINS. I do not know; unfortunately being compelled to be here during the time that the Judiciary Committee was acting upon those amendments, I could not be there even to vote in favor of my own propositions.

Mr. NEWLANDS. I will state, Mr. President, that the amendments offered by the Senator from Iowa cover matters that are in the bill that came from the other House called the Clayton bill, now pending in the Judiciary Committee. The Senator from Iowa proposes to transfer those matters from that bill to this bill.

Mr. CUMMINS. I did not propose to do any such thing. I proposed these amendments to this bill before there was any bill in the House of Representatives. I think the Senator from Nevada will remember that.

Mr. NEWLANDS. Well, what I mean to say is, that the Senator proposes to put upon this bill a subject matter that is included in the Clayton bill, which is now before the Judiciary Committee. I myself was for a long time in doubt as to the practice of the Interstate Commerce Committee when this matter was first presented to us, as to whether it might not be advisable to consider those subjects in connection with this bill; but the Interstate Commerce Committee by a vote determined it was not advisable. So I feel it my duty to press this bill, notwithstanding the Judiciary Committee has that matter under consideration.

Let me say one word to the Senator from Iowa. I regret very much that he has misapprehended anything that I have said. If the Senator will look over the RECORD I think he will find that there was no reason for misapprehension. The Senator could not have heard me distinctly. I do not feel disposed at all to limit the argument of the Senator or to attempt to limit in any way his argument or the consideration of the amendments which he proposes. I am speaking simply of action after the Senator closes, with a view to fixing a time for a vote within a short period, the bill having already been under consideration for a week.

Mr. CUMMINS. So far as I am concerned, we can have a vote this afternoon——

Mr. NEWLANDS. The Senator from Idaho [Mr. BORAH] said that he would at any time lay aside his discussion provided we could have a vote.

Mr. CUMMINS. Provided I finish what I have to say.

Mr. NEWLANDS. That was the disposition of the Senator from Idaho, and I assume the Senator from Iowa himself, interested as he is in this bill and a warm advocate of it as he is, would like an early disposition of it.

So far as the bill is concerned, the Senator says that it differs from the one that was introduced some years ago by myself. Well, it does differ from that bill, but the Senator will recollect that that bill was very materially changed in the then Committee on Interstate Commerce and that we had valuable suggestions and the aid of the Senator from Iowa. No one was more active in the shaping of that tentative measure than was he; and I am speaking of the tentative measure, the measure that was tentatively approved in the Interstate Commerce Committee, and the Senator will find it almost identical with this bill, with the exception that this bill has an additional section regarding unfair competition.

Mr. CUMMINS. That is the whole subject of debate.

Mr. SUTHERLAND. Mr. President, will the Senator from Iowa permit me to ask the Senator from Nevada a question?

Mr. CUMMINS. I yield.

Mr. SUTHERLAND. I should like to ask the Senator from Nevada whether he is opposed to the amendments which have been suggested by the Senator from Iowa?

Mr. NEWLANDS. I am not opposed to legislation on that question; on the contrary, I am in favor of it, but I think that legislation should go upon the bill that is now before the Judiciary Committee and not upon this bill.

Mr. SUTHERLAND. The bill which is pending before the Judiciary Committee proposes to treat this matter in an altogether different way. That bill simply proposes to prohibit these particular things—intercorporate stockkholding, and so on—by substantive legislation, leaving it to the courts to enforce the prohibition. The amendment proposed by the Senator from Iowa to this bill proposes that the interstate trade commission shall deal with the subject. I asked the question in entire good faith, because, I will say to the Senator from Nevada, that, as between the two propositions, if we are to have a trade commission—and I am not in favor of the trade commission proposed by the bill of the Senator from Nevada—but if we are to have such a body, I think the method proposed by the Senator from Iowa is the preferable method of dealing with these questions. The Senator from Nevada is chairman of the Interstate Commerce Committee and has given this matter very great attention. I should be very glad to learn whether the Senator is in favor of these amendments as they are proposed to this bill or opposed to them; and if opposed to them, very briefly why the Senator opposes them?

Mr. NEWLANDS. I will state to the Senator that I have amendments now pending before the Judiciary Committee that cover the ground of interlocking directorates and holding companies and which cover my views of the legislation that should be enacted upon this subject. I hope that this bill will be passed and that the Judiciary Committee will, in legislating upon that subject, submit the enforcement of the law to the interstate trade commission. That is one reason why I should like this bill to go through as early as possible, so that we could have an interstate trade commission in existence, which could be charged with certain duties under the legislation on this subject in the Clayton bill.

Mr. LIPPITT. Mr. President, will the Senator from Iowa yield to me just for a moment?

Mr. CUMMINS. I yield.

Mr. LIPPITT. Mr. President, I have felt very strongly that this bill ought not to be disposed of until there has been a report from the Judiciary Committee upon questions that have been submitted to that committee and which are closely related to the subjects that are being discussed under the bill that is now pending before the Senate. What the Senator from Nevada has just said, I think, is a very good illustration of the desirability of at least having a report before this body that will give the views of the Judiciary Committee as to what legislation the Senate ought to pass in regard to the whole subject of trade legislation before we undertake to deal with a part of it. The Senator from Nevada says he hopes that when the Judiciary Committee reports the trade commission may be in existence, so that there can then be referred to them certain duties in regard to certain questions that are not now included in the bill before the Senate; in other words, he has in his mind, almost before this bill is dry from the printer, to suggest further amendments to be made to it and to suggest further duties that shall be given to the commission. It seems to me that on a question which is one of the most fundamental questions that has ever come before this body, a question which is going to rearrange the entire relations which the Government of this country bears to the people of this country, which deals with the largest and the most important matter in which the people of this country are interested, namely, the question of how they are going to earn their living from day to day, that it should not be taken up in any partial and haphazard method, but that we should have laid before us the whole field of operations which it is proposed to cover before we attempt decisively to commit ourselves to any particular part of such a measure.

The Senator from Nevada has referred to the securities bill as being a very simple bill. I do not regard that bill as being a simple bill in any way. We have had before our committee for the last month or more some of the ablest men in the United States, discussing that bill for hours and disagreeing with each other as to its most important features. We have had representatives of the Interstate Commerce Commission; we have had representatives of the people; we have had representatives of the railroads; and they have substantially been discussing simply one section, one idea contained in that bill.

In addition to that, there is another feature of it which has been discussed to much less extent, which proposes to give the most extraordinary powers to the Interstate Commerce Commission, powers which they do not now have, powers which would enable them to go into the papers and into the houses of private individuals under certain circumstances—a most far-reaching measure.

It does not seem to me that there is any necessity for haste about these matters. The Senate sat here for two months and discussed a question in connection with the Panama Canal, in which at the outside not over $2,000,000 was involved. Here is a question in which billions of dollars are involved, and the Senator suggests that he thinks we ought not to take much time in discussing it. I really think the Senator is not looking upon this question from the right standpoint, and I think it is very important and necessary really to a proper understanding and proper disposition of these measures that we should await the report of the Judiciary Committee on the correlated subjects that have been committed to them.

Mr. SAULSBURY. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Delaware?

Mr. CUMMINS. I yield.

Mr. SAULSBURY. Mr. President, the pathetic interest of Senators on the other side that the amendments offered by the senior Senator from Iowa [Mr. CUMMINS] to the trade commission bill shall be considered by another committee than the one which has had the trade commission bill under consideration, and that something else shall be done before anything is done, has very greatly appealed to me. I have tried to obtain the amendments to which the Senators on the other side have referred, which have been offered by the Senator from Iowa, because I wanted to convince myself if such a great exigency existed. To one of these amendments—I have only been able to obtain three—I want to call the attention of the Senator from Iowa. I refer to the one prohibiting interlocking directorates in connection with common carriers. There is not a word——

Mr. CUMMINS. If the Senator will allow me, I have not yet reached that amendment, and I prefer that there should not be a speech made against it until I have proposed it.

Mr. SAULSBURY. I do not propose to make a speech. I simply want the Senators on the other side to indicate whether they wish this amendment, which is proposed to the interstate trade commission bill, to be considered, when it has absolutely no connection with that bill, before we do anything with the trade commission bill. We are trying to get something done in the Senate on the trade commission bill, and why an amendment regarding the Interstate Commerce Commission, which is now in the hands of the Judiciary Committee, although offered in form as an amendment to the trade commission bill, should be considered or should be so pathetically alluded to I do not understand.

Mr. CUMMINS. Possibly I will be able to tell the Senator, if he will allow me to present the amendment.

Mr. SAULSBURY. I shall be delighted to hear the Senator.

Mr. CUMMINS. But the Senator's zeal ought not to outrun the orderly procedure here. I am now presenting the amendment relating to intercorporate stockholding, and I will give the Senator from Delaware abundant opportunity to interrupt me when I reach the amendment to which he has just referred.

The VICE PRESIDENT. The Senator from Iowa is entitled to the floor.

Mr. CUMMINS. Mr. President, it is always difficult to determine just how far one should comment upon his general observation of matters which do not constitute a part of the record of the Senate. I have been somewhat disappointed in the course of the preparation of this bill, and, in view of what the Senator from Nevada has said, I intend to state what I recollect with regard to it.

A subcommittee, consisting of seven Senators, took up this subject on behalf of the Interstate Commerce Committee. I happened to be one of the subcommittee. By a unanimous vote of all the Senators present—and the Senator from Nevada [Mr. NEWLANDS] was one of those Senators—it was resolved that all legislation that was to be presented to the Senate for consideration at this session should be included in a single bill; that is to say, the subject matter of the commission bill presented in the House, the subject matter of the Clayton bill presented in the House, and the subject matter of the Rayburn bill presented in the House should be included within a single measure. Thereupon we deliberated, not only as to the formation of a commission, but as to the powers of that commission with regard to interlocking directorates, trade practices, holding companies, and other things of that kind; and the subcommittee reported to the full committee a bill which contained in substance the very sections that I am now offering. The procedure before the commission provided in that bill was not just the same, but it was substantially the same, and in so far as there has been a change, that change was made to meet the views of the Senator from Nevada.

At that time the section with regard to unfair competition was not a part of the bill. When we reached that point the Senator from Nevada, and very properly—I did not object to it at all—thought that we ought to report the commission bill pure and simple, a bill simply creating a trade commission and giving it the power of investigation, and hold in the committee the other sections for future report as amendments to the commission bill, if the committee thought it proper to do so.

Just about that time there appeared what is now known as the "unfair competition" section in a bill introduced by Mr. STEVENS, a Representative from New Hampshire, in the House. There was no more reason for attaching that section to this bill than for attaching to it the sections relating to interlocking directorates and holding companies, for the relation of the commission to unfair competition is exactly the same as its relation to the other conditions which we desire to prevent. But there came an influence, as I believe, from the President of the United States, that was sufficient to insert the unfair competition section. I was glad to see it inserted; I am thoroughly in favor of it; but that same influence prevented the inclusion of the sections with regard to interlocking directorates and intercorporate stockholding, because, as I assume, the power that determined both the form and substance here concluded that the prohibition contained in the Clayton bill before the Judiciary Committee was better and more efficient upon those things than a reference to the commission, as had been provided in our original bill.

I am not proposing any new subject; I am proposing sections that have been formulated in the Interstate Commerce Committee and have received the approval from time to time of a majority of the members of that committee. I do not mean that the precise phraseology in which these amendments are now found has been approved by the members of the Interstate Commerce Committee, but the principle that these subjects should be dealt with by the commission has the approval of the Interstate Commerce Committee, and it is keeping the promise to the ear and breaking it to the hope to now refer it to the Judiciary Committee and to suggest that they may become parts of the bill which that committee has under consideration. They will come from that committee without any reference to the trade commission, for I believe—I am not disclosing any confidences—that a majority of the Judiciary Committee are opposed to a commission in any form, to the establishment of a commission, to the conferring of any power upon a commission, especially the power to deal with conditions like unfair competition, interlocking directorates, and the like. Now, that is the history, Mr. President, of these things.

Mr. NEWLANDS. Mr. President, will the Senator yield to me for a moment?

Mr. CUMMINS. I yield.

Mr. NEWLANDS. The Senator's statement is in the main correct, and I will not say it is incorrect in any particular so far as I know. I have nothing to say about the influences to which he alludes. I will simply say that as an original matter, unsuggested by anybody, when I saw the state of legislation in the House regarding the three matters to which the President's message was directed—namely, a trade commission, supplemental legislation on the trust question, and railway securities—I thought there might be a time when it would be advisable to join them all in one bill in the Senate with a view to expediting action. With that view I acquiesced, so far as I was concerned, in the consideration of all these questions by the committee, taking the view that if we did not include all this legislation in one measure at all events we would be receiving education upon most important matters that were coming before the Senate for its consideration.

While I acquiesced in the consideration of all these three questions by the subcommittee to which the Senator alludes, I stated again and again—and the Senator will bear me out in that assertion—that I reserved to myself the right at any time, according to my judgment, to move their segregation, and the confinement of our legislation, so far as our committee was concerned, to subjects strictly relating to a straight commission bill.

Subsequently the legislation took such shape in the House and here that I became satisfied that it would be better to present to this body a purely trade-commission bill, for I feared that if we connected with the bill other matters concerning which the supporters of a trade-commission bill differed, we would diminish the support given to it, and so I adhered to a trade-commission bill.

It is true, as the Senator says, that a suggestion was made with reference to including unfair competition by Mr. Stevens of the House, Mr. Rublee, and Mr. Brandeis. That matter was presented to me, as it was to other members of the committee of both parties. I thought it was eminently a matter that should be covered within the jurisdiction of the interstate trade commission. It was presented to the President, and that was his view, and the matter was presented to the committee later on and was accepted.

Mr. LIPPITT and Mr. GALLINGER addressed the Chair.

Mr. NEWLANDS. I wish to say that one reason why I was entirely satisfied that we could do without any legislation whatever with reference to interlocking directors and intercorporate stock holdings was that I believed that those conditions could be reached through this provision regarding unfair competition.

Mr. GALLINGER. Mr. President, I should like to ask the Senator just one question.

Mr. NEWLANDS. I believe those practices constitute a part of the numerous practices that relate to unfair competition.

Mr. GALLINGER. I will ask the Senator right there——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I do.

Mr. GALLINGER. Did I understand the Senator to say that Mr. Brandeis was the author of the suggestion concerning unfair competition?

Mr. NEWLANDS. Not the author of it. Mr. STEVENS, in the House, was the one who originally presented it.

Mr. LIPPITT. Mr. President, if the Senator from Iowa will yield to me for just one moment, I was much interested in the statement which the Senator from Nevada has just made. As I understood his statement, it was that the proviso that is now in the bill in regard to unfair competition was drawn up under the direction of Mr. Brandeis.

Mr. NEWLANDS. No; it was drawn up by Mr. STEVENS and presented in his bill in the House.

Mr. LIPPITT. I understood the Senator from Nevada to say——

Mr. NEWLANDS. It, however, had the support of Mr. Rublee and Mr. Brandeis.

Mr. LIPPITT. I understood the Senator to say that Mr. Brandeis had something to do with drawing up this proposition——

Mr. NEWLANDS. It certainly had his support.

Mr. LIPPITT. And that it was submitted to the President——

Mr. NEWLANDS. Yes.

Mr. LIPPITT. That the President then approved of it, and that it was then added to the trade commission bill. Is that the way in which the Senator meant to state the matter or is that a correct statement of the matter?

Mr. NEWLANDS. It was also presented, both before and after the President was interviewed regarding it, to members of the Interstate Commerce Committee—members of both parties—by Mr. Rublee and by Mr. STEVENS, and was in its general course also submitted to the President, and I understood that the President favored such a provision.

Mr. LIPPITT. This amendment or addition to the bill was presented to the committee and passed and accepted by the committee within a few hours of its receipt, was it not? Was more than one meeting held in regard to it?

Mr. NEWLANDS. My recollection is that it was under consideration for some time by individual members of the committee of both parties.

Mr. LIPPITT. I say this, as long as the matter has been brought up on the floor of the Senate, only because I was considerably interested to discover how that addition happened to be made to the bill. I had intended to inquire into it, and neglected to do so. We had been discussing in the committee for some time the trade-commission bill, and it had been very elaborately considered at several different meetings. There had been a subcommittee appointed to consider it, and many meetings of the subcommittee. It was then reported to the full committee, and the whole language of the bill was gone over in great detail. Many suggestions were made in regard to changing the form and the details of the bill, and it was then, as I understood, accepted by the committee and reported; but at that time it had not this provision in regard to unfair competition.

I happened to be away on important matters in Rhode Island for a week or a little over—10 days perhaps—and when I came back I found this provision in regard to unfair competition attached to the bill. It is a very vital provision. It changes the whole effect and meaning and importance of the trade commission bill. Such subjects as unfair competition and interlocking directorates, and a great variety of other subjects had been discussed with great detail and most carefully in the committee for two or three years; and while there has been a majority of the committee in favor of some things, and another majority in favor of some other things, and so on, there has been such disagreement among members of the committee, and, if I may put it so, such hesitation with regard to the real necessity of legislation of this kind, or of the kind of legislation if any is had, that it has prevented any positive action by the committee.

Mr. GALLINGER. Mr. President——

Mr. LIPPITT. I was very much surprised——

Mr. CUMMINS. Mr. President, it must be remembered that I have the floor.

Mr. LIPPITT. I beg the Senator's pardon. I will not be more than a minute.

Mr. CUMMINS. I am not taking the Senator off the floor, but I simply want other Senators to remember that and to limit their speeches within reasonable bounds.

The VICE PRESIDENT. This is just as good a time as any to announce that no Senator can take the floor and keep it and pass it around.

Mr. CUMMINS. That has been said to me once before. I am not attempting to pass it around. I yielded to the Senator from Nevada [Mr. NEWLANDS], and I had a right to yield to him, I assume, for a proper purpose.

The VICE PRESIDENT. Undoubtedly.

Mr. CUMMINS. If he abused that purpose, I am not to be criticized.

The VICE PRESIDENT. The Chair is not criticizing the Senator from Iowa; but the habit has grown up in the Senate of farming out the floor. The Senator from Iowa did take his seat. There is not any dispute about that.

Mr. CUMMINS. I supposed I had a right to rest myself for a moment.

The VICE PRESIDENT. Undoubtedly.

Mr. CUMMINS. However, if the Chair desires——

The VICE PRESIDENT. How is the Chair to know when a Senator is keeping the floor if he takes his seat?

Mr. CUMMINS. Very well; I submit myself to whatever ruling the Chair desires to make.

The VICE PRESIDENT. The Chair does not desire to make any ruling, except that the business of the Senate is not being transacted in accordance with the rules of the Senate.

Mr. LIPPITT. Mr. President, from time immemorial—if such length of time as four years may be considered as time immemorial—it has been the custom of the Senate to carry on a running debate on subjects of this kind when it was the desire to do so and when it was agreeable to the Senator who had the floor. I was not aware that I was in any way transgressing any of the rules or customs of the Senate. The Senator from Iowa, as I understand, has a perfect right to yield to me for a few minutes, or for several minutes, or for an hour, if he chooses, to enable me to discuss some subject that he is talking about.

On this particular matter, however, I had almost completed what I had to say. Perhaps I had completed it. What I rose to say was merely that, considering the great differences of opinion that had existed in the committee and the long time they had devoted to the discussion of such subjects as unfair competition and similar subjects without arriving at a definite conclusion that they were willing to report, I was rather surprised to find this particular amendment engrafted on the bill in such a very short time, and I was very much interested in the statement of the Senator from Nevada that in order to bring the minds of the committee to a focus it was apparently necessary for Mr. Brandeis, of Boston, to give his authority and permission to the particular kind of amendment that was to be drawn, and then that the President of the United States advised the committee that it should be passed; whereupon, without any further or very elaborate consideration, it becomes a part of an important bill of this kind.

Mr. CUMMINS. Mr. President, in order that I may not be again brought under the implied censure of the Chair, I will say now that I decline to yield for any interruption until I shall finish what I have to say.

I had presented and explained as best I could the proposed amendment relating to incorporate stock holdings of ordinary corporations. I propose, as section 7, an amendment relating to the same subject, but applying to common carriers. Its substantive part is as follows:

It shall be unlawful for any common-carrier corporation engaged in commerce to acquire, own, hold, or control, directly or indirectly, the whole or any part of the capital stock or other share capital, or any other means of control or participation in the control of any other common-carrier corporation, if the business of such corporations is naturally and by reason of character and location competitive.

I shall not read further from this amendment. It is not necessary to do so in order to understand it. It gives to the Interstate Commerce Commission the same authority with regard to the administration and the enforcement of the law as is given to the trade commission in respect to ordinary corporations.

The difference between this and the former amendment lies, first, in the submission of the authority to the Interstate Commerce Commission, and, second, in this proviso:

Provided, That the provisions of this section shall not apply to those cases in which one of such common-carrier corporations could acquire and hold the property of the other without a violation of the antitrust acts.

This provision is necessary for the reason that there are some States which forbid any railroad property within their borders to be owned by corporations organized under the laws of other Commonwealths. These laws make it impossible, in some instances, to consolidate the ownership of the property itself in a single corporation, although it is entirely possible, and indeed it ought to be required, that the ownership should be consolidated in ordinary industrial corporations one of which holds the stock of the other, so that with regard to common carriers wherever there could be a consolidation of the properties themselves without a violation of the antitrust law one may hold the stock of another.

The third amendment which I propose to offer as section 8 deals with the holding company. The amendment as to intercorporate holding proper covers those corporations which are themselves engaged in commerce and prohibits them from holding the stock of other corporations engaged in commerce; but there are instances—and the authorities are, I think, quite definite in regard to some of them—in which corporations which are not themselves engaged in commerce acquire and hold the stock of two or more corporations which are so engaged, and in that way prevent or stifle competition as between them. The third amendment relates to those cases. I need not read

it. The commission performs the same function in regard to them that I have attached to it respecting the other two.

The fourth amendment forbids community of directors or officers as between corporations engaged in commerce and carrying on a competitive business. The same reasons which seem to me sufficient to restrain one corporation from holding the stock of another will operate to forbid a community of directors as between competing corporations. What we are trying to do is to preserve each one as an independent unit in business, so that they will act in their affairs without any regard to the interest of the others; and in this amendment the commission is given the authority to determine just one question, namely, whether the business of the two or more corporations in which there is a community of directors or officers is competitive. If found to be competitive, the commission is given power to prevent such an unlawful condition; and if the corporations or persons involved do not obey the order of the commission, then appeal to the courts is provided for.

The fifth and last of these amendments—and they constitute parts of a whole—relates to interlocking directors among common carriers. The substantive part of the prohibition is this:

> It shall be unlawful for any person to be at the same time a member of the board of directors, or other managing board, or an officer of two or more common carrier corporations, either of which is engaged in commerce, the business of which corporations is naturally and by reason of location competitive.

It is a counterpart of the provision relating to ordinary corporations, save that it has in it the provision to which I have already referred, namely:

> That the provisions of this section shall not apply to those cases in which one of such corporations could acquire and hold the property of the other without a violation of the antitrust acts.

These, Mr. President, are amendments which, in my judgment, ought to be made to this bill. It is more essential that the commission be given power to deal with such subjects than that they be given power to deal with unfair competition. It may be that as each of them is voted upon I shall have occasion to explain it at greater length and to defend it against any assaults that may be made upon it.

I may, before we reach a final conclusion upon the bill, express my views with regard to the several theories of regulation now engaging the attention of the American people. There is one large body of philosophers and statesmen who believe that our regulations of commerce should be made effective through the criminal or civil processes of the courts alone, and that a commission or any other function of the Government can not be helpful in the enforcement of such regulations. There is another widespread view entertained by many men of eminence and distinction that we ought to administer our regulations of commerce solely through commissions; that we ought to permit combination and monopoly, and protect the people from their avarice and power through a commission authorized to fix the prices which the people shall pay for the commodities in which these combinations and monopolies deal.

I do not stand for either of these proposals. I believe the wise course is to maintain both the courts and the trade tribunals in the administration of our regulations of commerce. I believe that the antitrust law and its enforcement, however imperfect, have conferred infinite advantages and benefits upon the business of the United States. I think they have trained the thought of the people so that they now understand better than they understood before their true relations to each other. I think they understand now, as never before in the history of this country or of any other, what business may lawfully do and what it ought not to do and must not do. So far as I am concerned, I would not by any act of mine limit, restrict, or modify the antitrust law in any possible way so far as it relates to commerce in commodities. I want it to stand, as I believe it is, a monument to the wisdom and patriotism of the men who framed it and the men who have interpreted and enforced it.

There are, however, certain forms of activity, certain forms of combination, certain relations that do exist and have existed in business, which tend toward the suppression of competition, which, if allowed to grow and develop, become a menace to the welfare and freedom of trade, which are not *malum in se* but *malum prohibitum*, or ought to be *malum prohibitum;* and the law relating to the regulation of these things, in my judgment, should be submitted to a commission or other tribunal for administration and enforcement.

I close, as I began, with the assertion of a confident belief that the business men of this country are honest, faithful men. I believe that they intend to obey the law; I believe that they do not desire to encroach upon the rights and privileges of their fellow men, and, as for me, I am willing to stand for the proposal that we should erect or constitute a tribunal to which such men could repair—men who have a real desire to uphold the law, men who have a real purpose to carry on their affairs in a lawful and honest way—to which such men could come and be advised by a Government tribunal before they are branded as criminals.

I would not give immunity to any man. I shrink from any sort of immunity. When one has violated the law—consciously violated the law—he should pay the penalty for his wrongdoing. But when it becomes necessary in order to preserve competition that we shall prohibit acts which have heretofore been regarded as moral, which have heretofore prevailed in every industrial society in the world, I am unwilling that the failure to obey these regulations, which must necessarily be somewhat uncertain and vague, shall make the men who conduct our business affairs criminals, without consciousness of moral turpitude or moral dereliction.

I stand, therefore, for the commission in the sense in which I have attempted to describe. I do not stand for it as a substitute for the antitrust law, illuminated as that law is with 24 years of interpretation and learning, but I stand for it in the application of these new rules which we find it necessary to impose upon a great and growing industrial life.

The VICE PRESIDENT. The Chair hopes that the Senator from Iowa will not imagine that there was any implied rebuke in what the Chair said. The Chair simply desired to call attention to the rule of the Senate. The Chair does not believe that any Senator can suffer and permit other Senators to occupy the floor without unanimous consent. The interruption is not an interruption to take the floor and hold it; it must be an interruption for the purpose of some sort of an inquiry. It is the rule of the Senate also that no Senator shall speak more than twice in debate on the same question on the same day without unanimous leave. The Senator from Iowa had taken his seat when the Chair made his statement, and it was not intended to be personal. Beyond any doubt the rules of the Senate do not permit one Senator——

Mr. CUMMINS. Mr. President, it is true I had for the moment taken my seat, but, of course, the Vice President knew that I had not concluded my address, for it was interrupted in a way which must have necessarily left that impression. I was doing precisely what occurs here at every day's session of the Senate, and I did feel that the Chair had rather selected me as the object of the remark, for I have never heard the remark made with regard to any other Senator, and it was made twice in its application to me. I do not hold——

The VICE PRESIDENT. The Chair states that it was not personal to the Senator from Iowa, nor intended to be so.

Mr. CUMMINS. I am quite willing and shall hereafter attempt to obey the rules of the Senate so that there shall be no interruption of what I have to say that might lead to the conclusion that I had abandoned the floor.

Mr. LIPPITT. Mr. President, in the rule which the Vice President has read, interruptions are allowed unless they are objected to; in other words, they are allowed by unanimous consent. If there is no objection from the floor and there is unanimous consent. I do not think the Vice President would undertake to say that in every such instance it was necessary to ask if there was unanimous consent to the interruption being permitted. There have been times when Senators have objected to interruptions and refused unanimous consent where a single Senator has objected.

The VICE PRESIDENT. If the Senator from Rhode Island will just pardon the Chair, it is not that the thing will occur or that it has occurred, but it is the possibility of its occurrence in a time of some stress of discussion. Under the construction of the rule the Senator from Rhode Island insists upon, the Senator from Rhode Island can take the floor, and yield to whomsoever he pleases and keep the floor as long as he pleases.

Mr. LIPPITT. Only by unanimous consent. Any Senator could object at any moment. I am quite sure that not long ago, within the present year, the Senator from Connecticut [Mr. BRANDEGEE], on a certain occasion, if my memory is correct, did object to the interruption of the Senator on the floor, and thereupon the Senator who wanted to interrupt was obliged to take his seat. I think it is a matter which is clearly within the power of the Senate when any individual Senator at any time may choose to exercise it.

Mr. GALLINGER. Mr. President, I think I was unconsciously the cause of the suggestion from the Chair. I turned around and saw that the Senator from Iowa had taken his seat, and I supposed that for the time being, at least, he had completed his remarks. The Senator from Rhode Island was addressing the Senate, and I rose and asked permission to interrupt the Senator, thinking that he had the floor. I quite agree with the Chair that it is necessary to exercise care in those matters, or else we will get into interminable debates, which, of course, are not to be desired.

The VICE PRESIDENT. Just so there is an understanding that it was not personal; that is all the Chair cares for now.

Mr. LANE. Mr. President, I wish to state that I am much troubled about this section No. 5. I do not understand how it can be carried out. It looks to me as though it would not be practicable, and that it would be an impossibility for any commission or anyone else to decide between fair and unfair competition. It seems to me that it weakens the measure and puts a problem before the officials who are detailed to ascertain those facts that it will be impossible for them to solve.

On looking in Webster's Dictionary, and confirming it by a reference to the Century Dictionary, I find competition to be defined as "the act of seeking to gain the object which another is endeavoring to gain at the same time"; "common strife for a single object." There is every inducement in such a struggle to be unfair; there is no inducement for anyone to be fair in competition with another who is attempting to gain the same object. Both being intent upon acquiring the same object, the advantage lies with the person who is unfair. The man who plays fair and uses no foul means, takes no advantage, and plays an open game of simple-minded honesty in his method of doing business, is inevitably bound to lose.

I think it is going to be very difficult to define or to arbitrate between the two. I consider the provision as one that will baffle the wisest of commissions or the most scrupulously honest; to a careful individual who attempts to ascertain what the facts are, the dividing line is so slight.

In a struggle for the same object, if the fight is to a finish, the hardiest or the most cunning will win; and in such a struggle there is every inducement to use every means available to win, and fairness is not the best resource to fall back upon. To plot, to employ stratagem, to use every device that will outwit or overcome one's antagonist, becomes the keynote to success. The bill is intended to keep alive a system of competition in carrying on the business affairs of this country.

Of course, it is my personal opinion that it will not do it and that it can not do it. Competition in carrying on business affairs of great importance is practically dead in this country and all over the world, and efforts to revive competition by such galvanizing efforts are futile, and in a highly civilized community would not be undertaken. The very fact that a measure is introduced into this body, in apparent good faith, which attempts to provide means by which competition may be carried on in fairness proves that competition as an economic feature in business affairs has been a failure.

If competitive methods were followed to a logical conclusion in any line of business, they would inevitably result in the weeding out of all of the weaker competitors and everything in that line would go into the hands of the winner in the final struggle.

"Many are called, but few are chosen." There can be but one victor in a contest where all seek one object. None of the men of large means in this country will any more voluntarily invest their capital in an enterprise where they will have to engage in a life-and-death struggle to retain possession of it, and all the commissions that could be named to stand by and umpire the game would be no inducement. In fact, they know that any business which requires a commission to stand guard over and umpire it in order that it may be played fair is a hazardous one, for mayhap the commission might go to sleep at a critical time in their affairs. Men of large business affairs do not any more compete with one another. They combine and cooperate and fat upon their less fortunate brothers, who, by force of circumstances, are compelled to compete with one another. Competition, which is "common strife for the possession of a single object," develops cunning and cruelty and hardens human nature. It smothers down all kindly and generous impulses; it turns brother against brother and nation against nation. We have an example of what men will do and get others to do in order to "gain their object" in Mexico at this time and in Colorado, in the coal mines, where men killed one another in the "common strife—the competition—for a single object," which single object was an opportunity to work in a coal mine, which ever so often is liable to blow up from the ignition of its foul gases and land the miners in eternity.

In order for one man to succeed under the competitive system, another man, perhaps many men and better men, must fail. In fact, under it about 90 per cent of all business enterprises do fail in less than 20 years. Success under the fairest methods of competition is gained through the misfortune of some less alert or less heartless person.

If children are to be educated in a manner to fit them to succeed under the competitive system, they must be taught to be avaricious, to be selfish, to be without pity, to smother every generous and kindly impulse, to demand and take every advantage and benefit for themselves. No parent would be doing his duty by his offspring if he did not teach them to do these things. It is the creed and the guiding principle of the devil.

If all persons were governed by the standards that are necessary to make a success under a system of close competition, the world would not be fit to live in. All of the good and the unselfish and the kindly folk who make life worth living would perish off the earth. To buy where and when one can buy cheapest, to sell at the highest price that can be extorted, to take quick advantage of the necessities of others, to be remorseless and fatten on the miseries of the helpless are all necessary in order to be successful.

Did any of you ever see a band of coyotes competing for a jack rabbit? You never did, and you never will. The coyote has too much sense to do it. If ten coyotes got after one jack rabbit on the plains in competition for a breakfast or dinner or supper, as the case might be, there would not be one coyote that would get anything to eat that day. The jack rabbit can outrun all of them. But take two or more coyotes, and they are plenty smart enough to do this, and they do it all the time: They will get between that jack rabbit and the burrow in which he lives. One of them will start out to chase him. He will throw on the high gear and will run him around in a circle. The jack rabbit always circles around his burrow. That coyote will chase him around as fast as he can drive him, and the other coyote will cross a segment of the circle and there will lie in wait to take up the chase when it reaches him. The other coyote will lie down and rest until the jack rabbit comes back to that point again. The jack rabbit can run faster than the coyote; but when he goes up against two of them cooperating against him it is merely a matter of time until those coyotes have their dinner, and it does not take long. But there is no band of coyotes that can do it if they compete with one another.

Now, the business men of this country are as wise as coyotes, and successful business men, the men who control the affairs of this country, do not compete with one another. They have grown too wise to adopt that plan.

Mr. HUGHES. Does the Senator think the jack rabbit is entirely satisfied?

Mr. LANE. No, I do not think he is any better satisfied than are the people of this country with the present business methods. They have to compete with people who are combined and they hold to these the same relation that the jack rabbit does to the coyote. That is why I am entering my protest against this particular section.

Then, again, it creates another commission. We have enough of them now. There is too much divided responsibility in the management of the affairs of this country. If Congress would create and appoint a commission to squeeze the water out of the bogus stocks that are floating around through the country and turn some hundreds of millions of stolen money back to the people that would be a good thing to do; or if we were to create another one to furnish a reasonable supply of backbone to the officials who are already in existence, whose duty it is to stop such work and who have the power to do it without the creation of this commission, that would be another good thing to do. But to create a commission of this sort, to place espionage upon all the business affairs of this country, in an effort to revive competition, is futile. In my opinion, it is too late for us to undertake any such task. It is everlastingly too late to do any good. It would be kept busy, I have no doubt, nosing into the affairs of small business men, irritating every little business man in the country, while big business and the crooks—they who bear their heavy hands down upon the country, and say whether or not it shall be prosperous or whether or not an administration shall succeed—will escape, as they do now, by some subterfuge or other. We have laws against restraint of trade and larceny, petit and grand; yet no man can hope to compete with the large trusts, and the very Government itself is forced to pay heed to their wishes, under penalty of having a panic precipitated upon the country. This condition could not exist if they were dealt with as are smaller and lesser malefactors, and it is only through the usurpation of special privileges and a failure to enforce the law against them that they can or do occupy so anomalous a position.

The Senator from Iowa [Mr. CUMMINS], I noticed in his speech yesterday, paid a tribute to the Steel Trust and said he found a sort of rough fairness in its methods of dealing with its competitors in that having the power to do so it had not entirely squeezed them out of business. Some time ago, you may remember, I harrowed up the feelings of some worthy Members of this body by my insistent demands for an investigation of the charge that the aforesaid Steel Trust had been unfairly competing with its rivals by demanding and receiving rebates from the railways, and finally, with the aid of my

good friend the Senator from Nebraska [Mr. NORRIS], I succeeded in getting an investigation of the matter by the Interstate Commerce Commission. It may interest some of the Members of this body who took an interest in the matter at that time for me to read to them an excerpt from an article which was published in the New York American on April 27 of this year, wherein reference is made to this same investigation. I have not seen it published anywhere else. I do not know whether it is true; yet it makes a statement regarding the commission hearings. It is under a heading of a general political item aimed in an unfriendly spirit at the present administration, I think. I have not read it all, but my attention was attracted to this particular matter. It says:

The commission hearings are under the Lane resolution, which directed an investigation to determine whether facts or evidence exist justifying the Government in proceeding against the Steel Trust for the crime of rebates.

In its opinion in the Industrial Railways case the commission said the amount paid by the railroads east of the Mississippi River to industrial plants was estimated at $15,000,000 a year. It had been discovered that the Steel Trust was doing two-thirds of the business, and therefore gets $10,000,000 a year.

Commissioner Harlan ruled that the Lane resolution would be interpreted as directing the commission to ascertain the amounts and dates of all payments amounting to rebates received by the Steel Trust in the last six years.

EVIDENCE OF HUGE REBATES.

A rough estimate of the total of such rebates is $60,000,000. The interstate-commerce act provides that a corporation found guilty of receiving rebates shall pay a fine amounting to three times the amount received. This would be $180,000,000 in the case of the Steel Trust.

Evidence was also offered that the Steel Trust had received an additional $75,000,000 in unlawful rebates during the last six years. This would make the Steel Trust liable to an additional fine of $225,000,000, or a total of $405,000,000.

It goes on further to say:

The evidence tended to show that the Steel Trust had received the $75,000,000 unlawfully through its operation of the Duluth, Messaba & Northern Railway, the Duluth & Iron Range, the Union Railroad, the Elgin, Joliet & Eastern, and the Pittsburgh, Bessemer & Lake Erie.

It seems to me that the Senator from Iowa is a bit unfortunate in his reference to the magnanimous manner in which these large interests do business when they have the opportunity to squeeze down on a competitor. It is my opinion that they will go along and do likewise so long as they are allowed to do so.

I do not believe too strongly in penal sentences; I have not that idea in my mind; but I do believe in dealing out justice to all citizens alike, be the citizen the most powerful millionaire or be he the humblest tramp, and that only when we do that, and not until we do that, will this country be in a condition in which there will be universal prosperity or fairness of dealing among either the large business or smaller business classes of the country.

There are too many laws now, in my opinion. One citizen of Oregon suggested to me the other day that this Government would be some hundreds of millions of dollars ahead each year if Congress were to pass a law by which it would hold a session but once in 10 years, and that its powers be confined to the repealing of laws. I think he was pessimistic; but we have plenty of laws now and plenty of authority under the laws already in existence to put a stop to dishonest methods of carrying on business.

As to the Steel Trust, for instance, which was accepting rebates, that fact has been known for years; it has been complained of for years, and the complaints have been filed; yet they continued and they bore down with heavy hand on every honest competitor and unnaturally increased the cost of all buildings throughout the United States in which structural steel was used.

I was interested this morning in the discussion on the tariff and the statements from one side of the Chamber about idle mills and from the other side of the Chamber the statements that the mills were working overtime. I thought then, as I do now, that it might not be an unmixed evil if the people are receiving their supplies of clothing cheaper than they did before—people who need the clothing and who have none too much money to expend on the purchase of it, even though that clothing came to them by importation. It would not be an unmixed evil if some of the large cotton mills which I saw as I came here, which work little children by the hundreds, were deprived of that kind of competitive labor. Little children who were peeking out through barred windows at us and the train to see it go by, with their little faces pressed against the bars to see the choo-choo cars; little children who ought to be out in the fresh air or at school and in the sunlight gaining health and strength instead of being cooped up in stuffy cotton mills on a hot day attending to that kind of work. I would prefer that those children should be set free rather than to see "business" thrive at their expense. Let other nations sacrifice their childhood if they wish to do so, but it is worth more to this country to keep its children healthy, to grow up into healthy men and women, than it is that some men should, by exploiting their labor, grow rich by such methods of competition, or that their mills should run at full blast, manned by the labor of such tiny hands.

It is my opinion in regard to this particular provision that it is illogical; that it is unworkable. I do not think that fair competition does exist or can exist outside of heaven, and the man who believes it can is too good for this world and heaven is his home, for he will be grievously disappointed as long as he stays here.

The provision in the bill which allows the President, when there is a failure upon the part of the commission to execute the law, himself to take action is a wise one and a good one. It is the surest provision in the bill. In the President lies individual responsibility and direct action. Commissions walk slowly. Commissions are composed of a body of men; they are not all of a single mind; they can not be brought to decide upon speedy action; they are cumbersome. The President is unfettered by the views of others. He represents more nearly what the people want; they look to him as the head of the Government, and they have confidence in him. They have confidence in commissions dependent upon their worth, and not so much in Congress nor a great deal in the Senate. Give the power, then, in the last resort, at a time when it is necessary, into the hands of the President, to say to the commission, "Get busy upon this line; here is a wrong being done." That is a good provision, and if you will eliminate the ill-advised attempt to establish "fair competition," I think the bill will be improved. The provision in regard to fair competition is, in my opinion, against all the laws of nature and common sense.

Mr. SMOOT. I should like to ask the Senator from Nevada if he will not consent to have the unfinished business laid aside temporarily and allow us to go on with the calendar under Rule VIII, beginning at the point where we stopped this morning? It is now half past 4.

Mr. SIMMONS. Mr. President, I have been hoping all day that speeches might be concluded on the unfinished business, so that we might take up the river and harbor bill. The Senator from Ohio [Mr. BURTON] is in the midst of his speech. He has been making that speech for three days, and he has not yet had an opportunity to finish it. I hope the Senator from Nevada will allow the unfinished business to be laid aside, so that we may take up the river and harbor bill for the remainder of the afternoon.

Mr. NEWLANDS. Mr. President, I am exceedingly anxious to press the pending bill to a vote. I wish to know whether there is any Senator who would like to proceed with the debate? I wish to say, Mr. President, that I have been hoping that this bill would be disposed of by to-morrow night, and that we would, if necessary, hold a night session for that purpose. There are, however, two or three members of the committee who have expressed a desire to speak on this bill. I have canvassed both sides of the Senate and have not found others who seem desirous of speaking, so I should like to get a vote at as early an hour as possible.

Mr. SMOOT. Mr. President, I am not going to insist upon the request to consider the calendar under the circumstances.

Mr. NEWLANDS. I will again ask unanimous consent that we proceed to vote upon the pending bill and all amendments thereto at 4 o'clock to-morrow afternoon. I think it very desirable that we should dispose of this matter before the holiday, which will be more or less demoralizing, and then proceed to the presentation of the other trust bills. I have no doubt that if we could dispose of this bill the Interstate Commerce Committee would be able to present the securities bill by next Tuesday, and I am told that the Judiciary Committee will be likely to present its report within the next week. It does seem to me that we should dispose of this bill first and clear the way for the other bills.

Mr. CUMMINS. Mr. President, I had hoped that there would be no vote upon the pending bill until the Judiciary Committee had made its report upon the bill now before it. I believe that that course would promote intelligent consideration of the entire subject. We are sure to pass the bill or vote upon it before Congress adjourns, and there is abundant material, as I understand, for discussion in the river and harbor bill. Why would it not be well to defer a vote upon the pending bill until the Judiciary Committee has made its report? I submit that as the course that ought to be followed.

Mr. NEWLANDS. Mr. President, I certainly can not consent to that, because that is an event over which the committee that I represent has no control whatever, and it might mean the

indefinite postponement of this measure. Besides that, we realize that the members of the Judiciary Committee are desirous of being present during this debate. They have been compelled upon several occasions to give up their deliberations in order to listen to this debate, and yet they have not been able to listen to as much of it as they would wish. Doubtless the debate would be instructive to them in the consideration of their bill. If this bill shall run along in discussion and debate until their report comes in, it will not give them the opportunity for consideration and deliberation regarding that bill unless they entirely absent themselves from the debates upon this bill.

So it is with the Interstate Commerce Committee. I am unable to bring that committee together until we dispose of this bill. As soon as it is disposed of we can then take up the securities bill and settle it quickly, I think.

Mr. SMITH of Georgia. Mr. President, I should like to suggest to the Senator from Nevada that he might let the river and harbor bill go on this afternoon and to-morrow, and he might have to-morrow for his committee to take up the other bill. I do not believe we are saving any time by trying to get a vote on this bill to-morrow. There are a number of amendments to it, and as they are reached there will be short but pointed discussion on those amendments. There are several amendments, I am sure, that some of us want made before we vote upon the measure, although we are in perfect sympathy with the measure. If the Senator will arrange to devote to-morrow with his committee and take up the other bill to which he has referred and perfect it, and let the river and harbor bill be considered by the Senate this afternoon and to-morrow, I really believe that we would be advancing this bill as well as legislation generally.

Mr. KENYON. Mr. President, I wish to express the hope that the Senator will not give way to the river and harbor bill. The trust bills are surely as important as the river and harbor bill. A good many of the streams provided for in the river and harbor bill can not become any drier by reason of this weather than they are now, and so it does seem to me that we ought to proceed with the trust bills. I do not care to see them give way to something else, and I enter my protest against them giving way to the river and harbor bill.

Mr. WORKS. Mr. President, I have been giving a good deal of attention to this trust legislation. I think it is very important. I have been considering it, however, rather as a whole, covering these three bills and treating the matter as if it were really one, because I think it is intended to be one general scheme of trust legislation, if I may use that term without offense.

I expect to address the Senate in general upon the subject, covering these different bills, their objects and purposes, and their probable effect; but I should not want to take up the time of the Senate in making any extended remarks about this particular bill. I should be glad to see all these bills before the Senate in their completed form as they come from the Senate committees, so that we might consider them all together, and the effect that will likely come out of the passage of all of them, and not simply a single one of them. Indeed, I think it would have been much better if all of these bills had been included in one, as they are all intended to reach the same object. For that reason I should be sorry to see the bill pressed to a vote to-morrow.

Mr. NEWLANDS. I should be glad to hear a suggestion as to a time when we can agree upon a vote upon this bill.

Mr. CUMMINS. Mr. President, I make this suggestion: I shall make no objection to taking up the bill on Monday or Tuesday to the exclusion of everything else, and continuing its consideration until a vote is reached; but I do not believe it is wise to fix an hour for the vote, and I shall feel compelled to object to any proposed agreement fixing an hour at which the vote is to be taken. I shall not object, however, so far as I am concerned, to taking up the bill on any day of next week and continuing its consideration until we do reach a final vote. I except to-morrow from that suggestion because I understand it is the desire to adjourn over Saturday, and we might not be able to conclude to-morrow. But if the Senator from Nevada will ask that it be taken up Monday morning or Tuesday morning and continued as we did on one other bill—I think the tolls bill—we will get a vote just as soon as it can possibly be had by asking for a definite hour.

Mr. SIMMONS. Mr. President, I should like to suggest to the Senator that if he will give notice now that on Monday or Tuesday or Wednesday, just as he sees fit, he will call up the bill at 2 o'clock each day and insist upon its continuous consideration until there is a vote, that will give Senators who desire to speak upon the subject time to get ready, and give them notice that they must be ready to speak at that time or not at all. I think that is the course we pursued, as the Senator from Iowa says, with reference to the tolls-repeal bill. It certainly was the course we pursued with reference to the tariff and currency bills, and I think it is a very good method of procedure.

Mr. NEWLANDS. Would the Senator be willing to yield the exclusive right of way to this bill next week, or would he insist upon going on with the river and harbor bill?

Mr. SIMMONS. At 2 o'clock; yes. This is the unfinished business. It is in order at 2 o'clock, and after 2 o'clock each day after Tuesday, say, of course it would be entitled to the right of way.

Mr. GALLINGER. It can not lose its place if a single objection is made. It has the right of way absolutely.

Mr. SIMMONS. It can not; no.

Mr. NEWLANDS. Mr. President, it seems to be impossible, therefore, to make any arrangement with reference to the river and harbor bill.

Mr. OVERMAN. Mr. President, I desire to say that a very important bill will be in here on Monday—the sundry civil bill. It is very important that that bill should pass promptly; and I know it will be the desire of the chairman, who is not here at this moment, to take up that bill next week for consideration. I believe it ought to have the right of way.

Mr. SMITH of Georgia. We can take it up in the morning hour.

Mr. OVERMAN. We can not finish it in the morning hour, however. We will have the report in here by to-morrow or the next day; certainly by Monday, and probably by to-morrow.

Mr. NEWLANDS. Mr. President, I see no other course to pursue than to proceed with the bill to-morrow, giving notice that on Monday I shall press the bill for consideration, and with the hope that the Senate will have night sessions until the bill is disposed of. I should like to ask whether there are any Senators present who would like to address the Senate on this subject to-morrow. I believe the Senator from Missouri [Mr. REED] is desirous of addressing the Senate. I should like to ask whether or not he will be ready to-morrow.

Mr. REED. I can not be ready to-morrow. I have been engaged all day on the Banking and Currency Committee, and that has made it impossible for me to get any data together. I could not be ready until a later time.

Mr. NEWLANDS. Then I will ask the Senate to proceed with the consideration of the bill to-morrow.

Mr. SAULSBURY. Mr. President, I rise simply to say that I anticipate addressing the Senate briefly on the trade commission bill when it comes before the Senate to-morrow.

Mr. SIMMONS. Mr. President, I suppose the Senator from Nevada will now temporarily lay the bill aside?

Mr. NEWLANDS. Yes; I will ask that the bill be temporarily laid aside.

The VICE PRESIDENT. Is there any objection?

Mr. KENYON. I should like to inquire, if this bill is laid aside, whether it is intended to take up the river and harbor bill? If it is, I will object.

Mr. NEWLANDS. I ask to have the bill laid aside with a view to the Senate taking such order as it pleases regarding legislation.

Mr. KENYON. I think under those circumstances I would not be warranted in objecting.

Mr. SIMMONS. Mr. President——

Mr. REED. Before the Senator makes his motion, I just want to make an inquiry of the Senator from Nevada. I did not understand the remark of the Senator from Nevada about pressing the bill to-morrow. Did the Senator mean that anyone desiring to say anything upon it must be ready to-morrow?

Mr. NEWLANDS. I shall ask that the bill be taken up and considered to-morrow.

Mr. REED. The Senator has no desire to force it to a vote to-morrow?

Mr. NEWLANDS. I am desirous of pressing it to a vote at the earliest moment.

Mr. REED. The Senator would not be willing to let it go over even one day to give another Senator an opportunity to get his data together?

Mr. SMOOT. Mr. President, I asked the Senator from Nevada, when I was recognized by the Chair, if he would not lay aside the bill temporarily for the consideration of the calendar under Rule VIII, beginning with Order of Business No. 326.

Mr. SIMMONS. Mr. President, I had recognition from the Chair.

The VICE PRESIDENT. This is the question, and it ought to be thoroughly understood: Is the Senator from Nevada asking unanimous consent to lay the bill aside?

Mr. SIMMONS. The Senator had asked unanimous consent, and it had been granted.

The VICE PRESIDENT. The Senator asked it, but there was an objection if the request was for that purpose.

Mr. SIMMONS. I understood the Senator to withdraw his objection.

Mr. KENYON. I withdrew the objection.

The VICE PRESIDENT. The Senator did withdraw it? Then the bill is temporarily laid aside, and the Senator from North Carolina has the floor.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SIMMONS. I move that the Senate proceed to the consideration of House bill 13811, known as the river and harbor bill.

Mr. KENYON. Mr. President, I think there should be a quorum here to consider that motion. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Bankhead	Gallinger	Norris	Shively
Bristow	Hollis	Overman	Simmons
Bryan	Hughes	Page	Smith, Ga.
Burleigh	Jones	Perkins	Smith, Md.
Burton	Kenyon	Pittman	Smith, Mich.
Camden	Kern	Poindexter	Smoot
Catron	Lane	Pomerene	Sterling
Chamberlain	Lee, Md.	Ransdell	Swanson
Chilton	Martin, Va.	Reed	Thomas
Clapp	Martine, N. J.	Saulsbury	Vardaman
Clarke, Ark.	Myers	Shafroth	Works
Cummins	Nelson	Sheppard	
Fletcher	Newlands	Shields	

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The Senator from North Carolina [Mr. SIMMONS] moves to take up the bill commonly known as the river and harbor bill.

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

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

Mr. DILLINGHAM (when his name was called). I have a pair with the senior Senator from Maryland [Mr. SMITH]. Because of his absence, I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOT]. In his absence I withhold my vote.

The roll call was concluded.

Mr. CATRON (after having voted in the negative). I have a general pair with the senior Senator from Oklahoma [Mr. OWEN]. In his absence I withdraw my vote.

Mr. TOWNSEND. I have a pair with the junior Senator from Arkansas [Mr. ROBINSON]. Therefore I withhold my vote.

Mr. CRAWFORD. I inquire whether the senior Senator from Tennessee [Mr. LEA] has voted?

The VICE PRESIDENT. He has not.

Mr. CRAWFORD. I withhold my vote.

Mr. CHAMBERLAIN (after having voted in the affirmative). In the absence of the Senator from Pennsylvania [Mr. OLIVER], with whom I have a general pair, I transfer my pair to the junior Senator from South Carolina [Mr. SMITH] and let my vote stand.

Mr. CLARKE of Arkansas (after having voted in the affirmative). I observe that the junior Senator from Utah [Mr. SUTHERLAND] is not present and has not voted. I transfer my pair with that Senator to the Senator from Alabama [Mr. WHITE] and let my vote stand.

Mr. SMOOT. I desire to announce the absence of the senior Senator from Illinois [Mr. SHERMAN] on account of illness in his family. He has a general pair with the senior Senator from South Carolina [Mr. TILLMAN].

I wish also to state that the junior Senator from North Dakota [Mr. GRONNA] is paired with the senior Senator from Maine [Mr. JOHNSON], the senior Senator from Pennsylvania [Mr. PENROSE] with the senior Senator from Mississippi [Mr. WILLIAMS], and the junior Senator from Wisconsin [Mr. STEPHENSON] with the junior Senator from Oklahoma [Mr. GORE].

Mr. BANKHEAD (after having voted in the affirmative). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the senior Senator from Louisiana [Mr. THORNTON] and permit my vote to stand.

Mr. CHILTON (after having voted in the affirmative). I have a general pair with the senior Senator from New Mexico [Mr. FALL], but under the terms of it I have a right to vote, and I will allow my vote to stand.

Mr. STONE. I transfer my pair with the Senator from Wyoming [Mr. CLARK] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. SAULSBURY. I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

The result was announced—yeas 34, nays 12, as follows:

YEAS—34.

Bankhead	Kern	Pittman	Shively
Bryan	Lane	Poindexter	Simmons
Camden	Lee, Md.	Pomerene	Smith, Ga.
Chamberlain	Martin, Va.	Ransdell	Stone
Chilton	Martine, N. J.	Reed	Swanson
Clarke, Ark.	Nelson	Saulsbury	Thompson
Fletcher	O'Gorman	Shafroth	Vardaman
Hughes	Overman	Sheppard	
Jones	Perkins	Shields	

NAYS—12.

Brady	Burton	Gallinger	Norris
Bristow	Clapp	Kenyon	Page
Burleigh	Cummins	Myers	Smoot

NOT VOTING—50.

Ashurst	Gronna	Oliver	Thomas
Borah	Hitchcock	Owen	Thornton
Brandegee	Hollis	Penrose	Tillman
Catron	James	Robinson	Townsend
Clark, Wyo.	Johnson	Root	Walsh
Colt	La Follette	Sherman	Warren
Crawford	Lea, Tenn.	Smith, Ariz.	Weeks
Culberson	Lewis	Smith, Md.	West
Dillingham	Lippitt	Smith, Mich.	White
du Pont	Lodge	Smith, S. C.	Williams
Fall	McCumber	Stephenson	Works
Goff	McLean	Sterling	
Gore	Newlands	Sutherland	

The VICE PRESIDENT. No quorum has voted.

Mr. GALLINGER. Let the roll be called.

The VICE PRESIDENT. The Secretary will call the roll.

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

Bankhead	Dillingham	Newlands	Simmons
Brady	Fletcher	O'Gorman	Smith, Ga.
Bryan	Gallinger	Overman	Smoot
Burton	Hitchcock	Page	Stone
Camden	Hughes	Perkins	Swanson
Catron	Jones	Poindexter	Thomas
Chamberlain	Lane	Ransdell	Thompson
Chilton	Lee, Md.	Reed	Townsend
Clapp	Martin, Va.	Shafroth	Vardaman
Clarke, Ark.	Martine, N. J.	Sheppard	
Crawford	Myers	Shields	
Cummins	Nelson	Shively	

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. KERN, Mr. SAULSBURY, and Mr. WILLIAMS answered to their names when called.

Mr. POMERENE and Mr. HOLLIS entered the Chamber and answered to their names.

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

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13297) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13920) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVLEY, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14546) granting pensions and in-

crease of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 15071) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 15504) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12914) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. HUGHES, and Mr. STERLING conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13542) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. HUGHES, and Mr. STERLING conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14234) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. HUGHES, and Mr. STERLING conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14738) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. HUGHES, and Mr. STERLING conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 15692) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHIVELY. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. HUGHES, and Mr. STERLING conferees on the part of the Senate.

EXECUTIVE SESSION.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina [Mr. SIMMONS], on which the yeas and nays have been ordered.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

Mr. KERN. I move that the Senate adjourn until to-morrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 3, 1914, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 2, 1914.

POSTMASTERS.

ILLINOIS.

John Coveny, Elizabeth.

PENNSYLVANIA.

Henry George Schleiter, Freedom.

VERMONT.

John U. Baxter, Derby Line.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 2, 1914.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, for every sacrifice which has come down to us out of the past, leaving in its wake the world a little better, faith a little stronger, hope a little brighter, love a little warmer. May we work and faint not, strive and despair not, trust and doubt not, for though the way may be long, our path rough, each well-directed step brings us nearer the goal. Every victory brings its joy, every defeat its lesson; for Thou hast planned, and planned well. Thou art infinite and Thy love is behind all. Thus lead us on and at last give us the victory. In Christ Jesus our Lord. Amen.

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

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to call up the bills H. R. 12914, 13542, 14234, 14738, 15692, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Missouri asks unanimous consent that he may be permitted to call up omnibus pension bills of the numbers specified, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bills.

The Clerk reported the titles to the bills.

The SPEAKER appointed the following conferees: Mr. RUSSELL, Mr. ADAIR, and Mr. LANGHAM.

CALENDAR WEDNESDAY.

The SPEAKER. Under the order previously made, although this is Thursday, the business in order to-day is business in order on Calendar Wednesday.

Mr. RUCKER. Mr. Speaker, before the House resolves itself into the Committee of the Whole House for the consideration of the unfinished business I would suggest that when the campaign-contribution bill, the unfinished business, was last under consideration unanimous consent was granted that there be two hours of general debate. I will ask the Chair how much of that time has been used?

The SPEAKER. All except 19 minutes, which belonged to the gentleman from Michigan [Mr. MAPES].

Mr. RUCKER. Mr. Speaker, during the debate I inadvertently used more time than I ought to have used, agreeing with the gentleman from Michigan [Mr. MAPES] that I would ask for an extension of time and grant that extension of time to him. I therefore ask unanimous consent that the time for general debate be extended for 15 minutes, so that I may return to the gentleman the time which he gave me last Wednesday.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend the time for general debate 15 minutes. Is there objection?

There was no objection.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The SPEAKER. The business in order to-day is the bill (H. R. 8428) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes, and the House will automatically resolve itself into the Committee of the Whole House for the further consideration of said bill.

Accordingly the House resolved itself into the Committee of the Whole House for the further consideration of the bill H. R. 8428, with Mr. HOUSTON in the chair.

The CHAIRMAN. The gentleman from Michigan [Mr. MAPES] is recognized for 43 minutes.

Mr. MAPES. Mr. Chairman, I yield five minutes to the gentleman from Nevada [Mr. ROBERTS].

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOOHER 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 joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 157. Joint resolution requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

The committee resumed its session.

Mr. ROBERTS of Nevada. Mr. Chairman, with apologies to all prosaic Members of the House and the tender feelings of the renowned author of that beautiful poem entitled "When the Cows Come Home," I respectfully submit the following:

WHEN THE OLD GUARD COMES HOME.

With klingle, klangle, klingle,
Not far down the dusty dingle,
The "old guard's" coming home;
Now sweet and clear, now faint and low,
The airy tinklings come and go,
Like chimings from a near-by tower,
Or sprinklings of an election shower
That makes the voters grow;
Ko-ling, ko-lang, kolinglelingle,
Not far down the dusty dingle,
The "old guard's" coming home.

And old-time friends, and "quiet" plays,
And good old nights and good old days,
Come trooping up the misty ways
When the "old guard" comes home.
With jingle, jangle, jingle,
Love songs that sweetly mingle,
The "old guard's" coming home.

McKinley, Hartman, and Barchfeld,
Humphrey, and Greene, and Frank Mondell,
Our Dick and Dyer, and "Uncle Joe,"
Across the fields I hear him "lo-oo"
And clang his old cowbell;
Go-ling, go-lang, golinglelingle,
With good sweet sounds that mingle,
The "old guard's" coming home.

Hinds and Focht, and son-in-law "Nick,"
And Kahn and Focht will do the trick;
Austin, Lafean, and Fordney, too,
Across the woods I hear him "boo,"
And clang his wether bell.
Go-ling, go-lang, golinglelingle,
With good sweet sounds that mingle,
The "old guard's" coming home.

And campaign songs of bygone years,
And youthful joys and boyish fears,
And business hopes without the tears,
When the "old boys" come home.
With ringle, rangle, ringle,
By twos and threes and single,
The "old guard's" coming home.

Through old-time specs we see the town,
And the Democrats a-sliding down,
And the "old guard" basking in the shade,
All "dolled" up in clothes "home made,"
And the hills are growing brown.
To-ring, to-rang, toringlelingle,
By threes and fours and single,
The "old guard's" coming home.

The same old times of prayers and psalm,
The same sweet days of rest and calm,
The same sweet smell of "punk" and balm,
When the "old boys" come home.
With tinkle, tankle, tinkle,
Through fern and periwinkle,
The "old guard's" coming home.

Knee deep in the Progressive stream,
Where the sun rays glance and gleam,
Rodenberg, Payne, and J. C. Needham,
And scores of others when we need 'em,
In a happy dream.
To-link, to-lank, tolinklelinkle,
The "old guard's" coming home.

And up through memory's deep ravine
Comes the old "war whoop" in its old-time sheen
And the sad, sweet words "It might have been,"
When the "old boys" come home.
With klingle, klangle, klingle,
With loo-oo and moo-oo and jingle,
The "old guard's" coming home.

And over here on Capitol Hill
Sounds the plaintive cry of the whip-poor-will,
And Democrats lie in the tangled vines,
And over their corpses Venus shines,
And over many a silent mill.
Ko-ling, ko-lang, kolinglelingle,
With a ting-a-ling and jingle,
The "old guard's" coming home.

Let down the bars; let in the train;
Let "the boys" walk up to the crib again,
For good old times come back again
When the "old guard" comes home.

[Applause.]

Mr. MAPES. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Chairman, it is my intention to offer an amendment to the Rucker campaign publicity bill, designed to prohibit lecturing for pay by Members of Congress when Congress is in session. The amendment follows along the lines of a bill recently introduced by me which is intended to prohibit lecturing for pay, other than actual traveling expenses, of any Member of this House or of the Senate; also Cabinet officers and department heads.

Since the introduction of my bill I am in receipt of hundreds of letters from prominent business men in all parts of the United States, complimenting its intent and suggesting that they are ready and willing to do everything in their power to assist in its passage on the general ground that Members of Congress are paid a liberal salary to perform certain duties, and that their neglect of this work for the lecture platform while Congress is in session is a rank injustice to the country and a deception to the district or State which has honored them.

I also am in receipt of a great many newspaper editorials which, I feel, express the sentiment of the principal journals of the country, which evidence should be in the hands of every Congressman who will, sooner or later, be expected to vote upon a bill prohibiting this abuse of public office.

There can be no argument against the statement that the title "Member of Congress," "United States Senator," or "Secretary of State" conferred by the will of the people or by the President of the United States adds materially to the drawing qualities of a lecturer to whom people will flock and pay their quarters and halves because of the advertising he has received at public expense through the CONGRESSIONAL RECORD and the franking privilege.

Members of Congress and Cabinet officers, however, are not the only performers who have capitalized a gift of the people or a stroke of good fortune in lieu of real ability.

Gaby Deslys, the vaudeville actress, is quoted as receiving $2,000 a week, but anyone who has seen her $5,000 worth of clothes and $50 worth of talent will readily agree that she is

capitalizing her association with King Manuel of Portugal and not her ability to act.

Evelyn Thaw, whose theatrical ability has faded beyond recognition, is kept constantly before the public at a high salary because of the capitalization of her association with the famous Thaw case.

I merely cite these instances to show that Members of Congress and Cabinet officers are not the only imitation performers, and the sooner it is stopped the better for the dignity of the office.

Capt. Jack Crawford, "the poet scout," writes:

* * * Indeed, I believe there are hundreds of men and women possessing real talent who are to-day crowded out by these men whose services have already been paid for by Uncle Sam.

Lawson V. Moore, who signs himself ex-United States Consul under the great Grover Cleveland, writes:

As a plain American citizen, I want to congratulate you on the introducing of a bill to prevent Federal officials from going on lecture campaigns for pay.

G. Britten Lyttle, professor of Spanish, Young Men's Christian Association, at New Orleans, and a brother of Judge C. B. Lyttle, Manchester, Ky., a delegate to the last Democratic national convention, writes:

* * * I am writing just a line to express my very hearty approval, as a citizen of this great country, of your proposal to make it a penal offense for employees of the Government holding high and important positions for the proper conduct of business in which all the people are interested and upon which the thousands of lives and the millions of money sacrificed in every war may depend, to engage in any other gainful occupation that may call their attention away from their official duties during their term of office for which they are paid already at remunerative rates.

John H. Davis, banker, 10 Wall Street, New York City, writes:

* * * I have read what you said with deepest interest, and I find that practically every statement and point which you made coincide with the views which I have repeatedly expressed. I was in Europe last year when Mr. Bryan was delivering his lectures and, as I cabled home at the time, his performances not only destroyed the dignity of the American Government in the eyes of Europe, but made our Nation a laughingstock there.

The Constitution, of Atlanta, Ga., July 16, said:

* * * Members of the House and Senate, and of the Cabinet, are altogether too prone to take money from the Government and money from lecture promoters while Congress is in session or important departmental business is pending. None of them go into office unless they are familiar with its compensations, and whether or not they can afford the luxury of being a public servant. If it is beyond their means, no one is begging them to display patriotism at a sacrifice. But when the people pay a salary they are entitled to as full services as the corporation that does so. As a business principle, it is difficult to evade that fact.

The Tacoma (Wash.) News of July 9 said:

* * * The bill, of course, is directed at Bill, who, in spite of the delicate difficulties in connection with Mexico, is proposing to leave the Secretary of State's office in the hands of subordinates while he Chautauquas awhile for the edification of his growing purse. However, there is a large and growing population which feels a greater sense of security when William is away than when he is there.

The Tucson (Ariz.) Citizen of June 11 said:

It is true that tens of thousands of American citizens feel indignant and mortified when they see or read about the Secretary of State "doing his turn" at the Chautauqua gatherings and vying with yodlers and vaudeville performers in efforts to win popular applause. In the end the Secretary of State will find that he has lost more of popular favor than he has gained by those Chautauqua "stunts," and that the applause that greets them does not represent the sober judgment of the American people in reference to his conduct. All that he needs is plenty of rope—and the result is not in doubt.

The Gazette, of Reno, Nev., said in its issue of June 11:

THE BILL SHOULD PASS.

There has been many a speech delivered in Congress and printed in the CONGRESSIONAL RECORD that was prompted by the needs of the lecture syndicate and vaudeville managers much more than by the needs of the public.

If it is true that Mr. Bryan can not thrive on the $1,000-per-month salary of his office, he should either ask Congress for an increase or vacate his office for the public good. The people have come to believe that there are a good many men in the United States whose services are available, who are better equipped by temperament and training for Mr. Bryan's office than Mr. Bryan. When he insists on taking the lecture platform during times like this, he strengthens this belief.

The Tacoma (Wash.) Ledger of June 10 said:

The people elect public officials, and thus give them the prominence which they capitalize on the lecture platform.

The Virginian, of Richmond, Va., of June 10 said:

The place for Cabinet officers and Members of Congress when Congress is in session is in Washington.

The Truth Seeker, of New York City, in its issue of June 20 said:

The measure is directed at William J. Bryan, Secretary of State, whose neglect of public duty, in order to scoop in a little more money to add to his already large fortune, has become a public scandal.

The Philadelphia Evening Bulletin of June 9 said:

No one thinks it necessary or desirable to enact a law prohibiting any Government official or Member of Congress from seeking other sources of income while drawing salary from the Treasury, but when Mr. BRITTEN generalizes and says that public officials ought to stick to their jobs and leave the Chautauqua field to yodlers, tumblers, and other performers, and specifically declares that the public interests have suffered through the repeated absences of the Secretary of State, the public opinion of the Nation is in full agreement with him.

There was a distinct disappointment that Mr. Bryan last year showed so little regard for the traditions of his office—not to speak of its actual requirements—as to enter upon his lecture engagements, and that he was so heedless of public opinion as to continue that practice, apparently self-satisfied with the lame excuses which he offered for his course. But the renewal of the contract for the coming season is to be condemned even more severely. Not only is the affront to a definite and clearly indicated public opinion so deliberate as to be without excuse, but the situation in the affairs of his department ought to command not only all Mr. Bryan's time but all his ability and energy. Mr. Bryan should stick to his job or leave it. The "gentle" hint which Congressman BRITTEN drops can be taken either way, with full approval of the public.

The Galesburg (Ill.) Republican of June 11 says:

The Britten bill is good as far as it goes, but it does not go quite far enough. It ought also to provide a penalty for those Members of Congress who are in the habit of leaving the sessions for the purpose of making Chautauqua addresses, while at the same time accepting pay for being in Washington to attend to their duties there. Nor is it seemly that the President himself, while the President not of a mere party but of the whole people, should run about over the country engaged in a political warfare.

Washington is a good place for all these people while Congress is in session and while great issues are before that body.

So an air brake may do some good. The Congressmen and the administration can all get their views before the country without appearing on the lecture platform to the neglect of congressional and official duties.

The Detroit Free Press of June 12 said:

Why forcibly assist Mr. Bryan to reform and maintain an appearance of dignity when every lecture he delivers along with bell ringers and sleight-of-hand artists is but emphasizing the completeness of his misfit as Secretary of State.

The Terre Haute (Ind.) Tribune of June 13 said:

Most people would consider it an exhibition of poor taste for the head of the State Department to go off on a lecture tour while this Government was engaged in critical diplomacy with a foreign nation. Similarly the place of a Senator or Representative while Congress is in session is at Washington. The constituents of a Member who should desert his post at such a time to lecture ought to resent his action; doubtless they would.

The Zanesville (Ohio) Courier of June 10 said:

The following paragraph, taken from a Chautauqua press agent's story, shows the close relation existing between the lecture platform and modern statesmanship:

"Many reform movements which have swept the country have had their real beginning on the Chautauqua platform. At one time there were no less than 40 Members of the two Houses of Congress who were giving part or all of their time to the Chautauqua."

Forty Members of Congress giving part or all of their time to the Chautauqua. Where would the Chautauqua be without these 40 eloquent orators and where would they be without the Chautauqua?

The Savannah (Ga.) News of June 10 said:

It must be admitted that it is rather undignified for the Secretary of State to travel around the country as a part of an entertainment combination, and there is a pretty general feeling, without regard to party affiliations, that the good name of the American people suffers somewhat in the estimation of other peoples because of the exhibition, but there is no doubt that the lectures of Mr. Bryan are very much appreciated by those who hear them and that he himself gets a good deal of enjoyment as well as money out of them. * * * But it is a question whether it wouldn't be a good thing to prohibit Cabinet officers, and Members of Congress while Congress is in session, from lecturing for pay. The Government pays them a good salary for their services, and it is therefore entitled to all of their time. Instead of writing and delivering lectures they should be studying questions with which Congress has to deal.

The Springfield (Mass.) Union of June 11 said:

Representative BRITTEN, of Illinois, surely must be a man of hard heart and wholly lacking in the qualities of human sympathy and compassion. On no other ground can we explain the introduction by him of a bill to curb the Chautauqua activities of Secretary of State William Jennings Bryan. * * * According to Mr. Bryan's own statements, he has averaged to save only about $10,000 a year for the last 18 years, and the income from this, together with his meager salary of $12,000 a year as head of the State Department and his little pickings on the Chautauqua circuit, are his only means of support.

The Post-Express, Rochester, N. Y., June 11:

A somewhat curious situation leaves him free to act as he sees fit in this respect. A word of public criticism from the President would constrain him either to give up his office or his tent-show stunts; but no such criticism has been given out or allowed to leak out at the White House. It does not take a mind reader to fathom the President's motives. He can not afford to break with Mr. Bryan at this juncture. The break may come later, and probably will, when the Secretary begins to lay emphasis in his political speeches on the Baltimore convention platform plank against second terms.

The Philadelphia Inquirer, June 14:

For certain it is that Mr. Bryan drops the mantle of dignity of office when he steps out of the dignified Department of State, which deals with our relations with countries all over the world, and appears on the lecture platform, frequently under a tent, with *all sorts* of other performers. He then drops diplomacy for mere money-making.

The Age-Herald, Birmingham, Ala.:

The Secretary of State is lowering the dignity of this Government when he engages actively in platform work along with "Tyrolean" yodlers, contortionists, and sleight-of-hand artists. * * * But the most serious thing in regard to the head of the State Department engaging in the lecture business is the breach of propriety.

The Journal, Kansas City, Mo., June 9:

* * * Members of the Cabinet receive salaries sufficient to maintain themselves according to the standard befitting the office. In a majority of instances they receive more pay than they could command in their private capacities. The importance of their views is very largely increased by the official position they occupy, and for that reason it is palpably little short of downright graft for them to receive double remuneration for their "services."

The Times, Bath, Me., June 10:

* * * The shining mark at which this Republican measure is aimed is no less a person than Secretary of State Bryan, whose neglect of official duties and systematic campaign of lectures for pay have been a public scandal since the very beginning of the present administration.

The Standard, Bridgeport, Conn., June 9:

* * * Certain Government officials, as a matter of fact, are paying too little attention to their work and too much to remunerative side-lines. * * * The President can and should restrain his official family from their undignified and improper course.

The Herald Transcript, Peoria, Ill., June 9:

As for Mr. Bryan, the silver-tongued one has already explained that he is a lecturer by profession and that he can not live in Washington on $1,000 a month. If he could he wouldn't have done his own marketing at the Capital, and carried his lunch to the State Department. Against necessity there is no law.

As for Senator LA FOLLETTE, he recently read a speech of 900,000 words into the CONGRESSIONAL RECORD, at an expense to the Government of about $9,000. * * * The Chautauqua is performing both a distinguished and a timely public service in removing from Washington men who know nothing about government. However distressing it may be to the yodelers and contortionists, the public always is a gainer when its Democratic statesmen "hit the trail," and leave Washington in the hands of subordinates who remember how the Government was managed when it was prosperous.

The Trenton (N. J.) Times, June 10:

The country would be benefited, by reason of their giving their entire time to the business for which they were elected or appointed and for which they are all liberally paid.

The Times Herald, Waco, Tex., June 17, 1914, said:

"* * * Doubtless Congressman BRITTEN is a humorist, and his bill is only designed to poke fun at these unhappy souls." That's it; BRITTEN is having his little joke. At the same time he sees in this lecturing business on the part of public officials a lowering in the tone of American life. There is a cheapness about it which is bound to have a demoralizing effect.

Times, Chattanooga, Tenn., June 10, 1914, said:

* * * Mr. BRITTEN'S measure will hardly pass in its drastic form, but it would seem that if public men will not voluntarily recognize their public responsibilities, something should be done to discredit their activities directed toward private gain while in the service of the people.

The Morning Telegraph, New York, June 10, 1914, said:

* * * He has an old-fashioned idea that when a man is elected to office and accepts it, or when a man is appointed to fill an office, he should do a day's work for a day's pay. It is Mr. BRITTEN'S idea, for example, that if a man is appointed Secretary of State he should be on the job and not be doing monologues at county fairs and yodels at Chautauquas.

The Oregonian, Portland, Oreg., June 20, 1914, said:

Representative BRITTEN'S making it a penal offense for any Cabinet officer, head or clerk of a department to lecture for pay is not likely to pass, but it will drag Secretary Bryan's Chautauqua perquisites into the public eye, and will teach others to preserve the dignity of high office. He has given color of truth to the foreign jibe that the dollar is king in America, and he should be so pilloried that none will dare to imitate him.

[Applause.]

Mr. MAPES. Mr. Chairman, I now yield 10 minutes to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, the other day the gentleman from Alabama [Mr. HEFLIN], when I was not upon the floor—and I am not condemning him for that—submitted some remarks that could at least be said to be slightly tinged with personalities. The gentleman seemed to be considerably "peeved" because I had made some remarks about the psychological prosperity that was blessing the land. The sedate gentleman, noted for voice, vocabulary, and voluptuous verbosity, proceeded to make one of his characteristic speeches. It was riotous in adjectives, rich in redundancy, magnificent in its inflated pomposity, and unmarred by a single thought. [Laughter.]

Mr. Chairman, it is especially fitting that the textbook statesmen who now misdirect the destiny of the Nation should have come to their defense the brave and gallant Alabama warrior who has won world-wide fame for bravery fighting women. I can conceive how it is possible for a mentality that thinks that the great tide of woman suffrage can be stayed by stilted oratory to find something good in this Democratic administration. I can conceive how it is possible for one who believes that "the hand that rocks the cradle" will pollute the ballot box to find something to praise in the universal business depression that now curses this country.

Mr. Chairman, it is an inspiring sight to see this full-rigged windjammer from the suffrage seas sailing to the defense of this discredited, discouraged, and already doomed Democratic administration. [Laughter on the Republican side.] Why, we would suppose that with such a brave man at his back the President would find courage to tell the people of this Nation where he stands on the question of woman suffrage. But perhaps Great Britain and the transcontinental railroads prefer that he wait until it is written into a Democratic national platform, until it is voted for by a Democratic Congress, until it is praised by a Democratic candidate for President, and then show again the power of patronage and fear of defeat by compelling a panic-stricken Democratic majority cowardly to repudiate it.

But I do not blame the gentleman from Alabama or any other of the White House favorites for defending the administration. They do what they are told; they think as they are told; they vote as they are told; and they talk as they are told. This administration that has sent out of the country more gold in the last six months than any other administration in the same length of time, that has turned the balance of trade against us, that has increased our imports, that has decreased our exports, that has closed more mills and factories, thrown more men into idleness, destroyed more business, and made more beggars than any other administration in the same length of time, will find it takes something more than the "sound and fury" of the fierce fighter of females from Alabama to save it from the wrath of a betrayed people.

Mr. RAGSDALE. Will the gentleman permit an interruption?

Mr. HUMPHREY of Washington. No. Now, Mr. Chairman, referring to the peculiar oratorical style of the distinguished gentleman from Alabama, one of the ardent admirers of the quiet and placid gentleman has given him some advice, and I will ask the Clerk to read it. I trust that the gentleman will receive it in the kindly spirit in which it is offered.

The CHAIRMAN. The Clerk will read in the gentleman's time.

The Clerk read as follows:

"We would suggest for the consideration of the gentleman that in promulgating his esoteric cogitations or articulating superficial sentimentalities he well might beware of platitudinous preponderosity.

"That he might better let his conversation possess a classified conciseness, compact comprehensibleness, and coalescent consistency.

"He should eschew all conglomerations of flatulent garrulity.

"In all his extemporaneous discantings and unpremeditated expectations he ought to elucidate intelligibility with veracious vivacity, but without rodomontary or thrasmodical vociferation.

"He sedulously should avoid polysyllabic profundity and pompous prolixity as well as voluble vacuity, ventriloquial verbosity, and venial vapidity.

"He should remember that the enunciation of a concatenation of evolutionary, evanescent, metaphysical aphorisms does not conceal the translucent exiguity of the precipitant panjandrum.

"If he will do that, the people of the United States may really think he knows, and may be able to understand him."

Mr. MURRAY of Oklahoma. Mr. Chairman, I want to ask if it killed him?

The CHAIRMAN. If there is no more general debate, the Clerk will read the bill under the five-minute rule.

Mr. MAPES. Mr. Chairman, there is no one else who desires time on this side.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, as amended by an act entitled "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected' and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses," approved August 19, 1911, and all acts amendatory thereof, be, and they are hereby, codified, revised, and amended so as to read as follows:

"SECTION 1. That the term 'political committee' under the provisions of this act shall include the national committees of all political parties and the national congressional campaign committees of all political parties and all committees, associations, or organizations which shall in two or more States influence the result or attempt to influence the result of an election at which Representatives or Senators in Congress are to be elected."

Mr. MANN. Mr. Chairman, I move to strike out the last word. As I understand, the only change made in this section from the existing law is to put the words "or Senators" after "Representatives." Is that correct?

Mr. RUCKER. I think that is correct.

The Clerk read as follows:

SEC. 2. That every political committee as defined in this act shall have a chairman and a treasurer. It shall be the duty of the treasurer to keep a detailed and exact account of all money or its equivalent re-

ceived by or promised to such committee or any member thereof, or by or to any person acting under its authority or in its behalf, and the name of every person, firm, association, or committee from whom received, and of all expenditures, disbursements, payments, or promises of payment or disbursement made by the committee or any member thereof, or by any person acting under its authority or in its behalf, and to whom paid, distributed, disbursed, or promised. No officer or member of such committee, or other person acting under its authority or in its behalf, shall receive any money or its equivalent, or expend or promise to expend any money on behalf of such committee, until after a chairman and treasurer of such committee shall have been chosen.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the last word. I would like the attention of the gentleman from Missouri in charge of this bill, and call his attention to this provision and also to section 6, which provides that only the treasurer of the political committee shall make an affidavit showing the amounts collected and expended. I would like to ask the gentleman whether or not he took into consideration, or whether his committee considered, requiring a statement of the chairman of the committee or that the statement required to be made by the treasurer be verified or corroborated by the chairman and also the secretary of the committee? I want to say to the gentleman that if he wants to have the law disclose all moneys that may be received and disbursed by a political committee, he ought to require somebody besides the treasurer to make the affidavit. It is usually the custom of political committees to designate some person to act as treasurer who does not have an active connection with the committee. It may be same official of a bank or clerk of a bank, who receives the money turned over to him by the secretary or the chairman of the committee, and at the close of the campaign he makes an affidavit accounting for all moneys that he receives. There is not anything in this bill, as I understand it, that requires anybody to make a statement of moneys that may have been received and expended by the chairman or the secretary of the committee—which might be expended and the treasurer have no knowledge whatever of the receipt or expenditure of such moneys. So I again ask the gentleman from Missouri whether or not the committee considered this question and considered whether it ought to require a statement that shows the moneys received and the expenditure by requiring a sworn statement from the chairman and secretary of the committee as well as the treasurer? Now I yield to the gentleman.

Mr. RUCKER. Mr. Chairman, I will say to the gentleman I would have attempted to answer the question as first propounded, without having it repeated to me, if I could have had the opportunity. Replying to the gentleman's question, I will say the committee did consider that. The treasurer of the committee, like the treasurer of all bodies, is supposed to take care of the finances. The law provides the committee shall not through anyone collect any money until a treasurer has been appointed, and then requires the treasurer to keep an accurate account of all moneys received by himself or by others, and I assume, and the committee assumed, that a political committee which delegates the authority to a cashier of a bank or other person to collect moneys must under this law ascertain from that official, whoever he may be, at the time that his statement must be made and filed what money and from whom it has been collected and account for it in such statement.

Mr. BURKE of South Dakota. Yes; but is there really anything in this bill that requires that official to make any statement under oath, and may not the treasurer be limited in what he may know about what has been collected and expended by what the chairman or the secretary may tell him?

Mr. RUCKER. The treasurer is the custodian of the fund.

Mr. BURKE of South Dakota. Now, let me illustrate——

Mr. RUCKER. I will say to the gentleman, Mr. Chairman, I believe this is the existing law, as the gentleman well understands——

Mr. BURKE of South Dakota. I understand it is.

Mr. RUCKER. And I believe the law is as broad as we can safely make it; but I will say to the gentleman now, and to all gentlemen on the floor, if anyone can suggest concrete language which will make this law more effective than it now is, or as proposed in this bill, so far as I am concerned, I will accept it.

Mr. BURKE of South Dakota. Let me ask this question: Suppose a chairman of a political committee receives $1,000 as a campaign contribution and he takes to the treasurer $500 and hands it to him, and states that it is a contribution he has received, and the other $500 he says nothing about, but he spends that in the conduct of the campaign; what is there in this bill to prevent that being done or that requires a statement to be made showing such contribution and expenditure?

Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. BURKE of South Dakota. Yes.

Mr. MAPES. Section 5 requires everyone who receives money, whether a member of the committee or not, to make account of it to the treasurer?

Mr. BURKE of South Dakota. Yes. But suppose he does not; suppose he does not account for it?

Mr. MAPES. Then he violates the law, does he not?

Mr. BURKE of South Dakota. What is the penalty?

Mr. RUCKER. There is a penalty attached to it. There is no question about that.

Mr. BURKE of South Dakota. But why do you not require the treasurer to make the sworn statement and also have it corroborated by the chairman and secretary?

Mr. RUCKER. I thought this would be absolutely effective. If the other plan would improve it, as the gentleman thinks, I am willing that he should offer an amendment to that effect. I am ready to do anything that will carry out the idea.

Mr. BURKE of South Dakota. Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 3. That no political committee as defined in this act shall distribute, disburse, contribute, loan, advance, give, or promise in any one State any sum whatever in notes, checks, drafts, or money in excess of or greater than the aggregate amount contributed, promised, loaned, given, or advanced to such committee by actual residents of such State: *Provided*, That nothing in this section shall be construed to limit the amount which such political committee may expend in good faith in employing campaign speakers, in defraying actual expenses of campaign speakers sent out by such committee, the expense of printing and distributing literature, and the cost of newspaper advertisements, plainly marked as such, ordered by such political committee.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California [Mr. RAKER] moves to strike out the last word.

Mr. RAKER. I would like to inquire of the chairman just what his interpretation is of the "actual residents"? How far will that go? Can not a man go into a State and be there only for a day or two and be an actual resident, and thereby indirectly violate the law that you are trying to make? Why not make it "actual bona fide residents" of that State?

Mr. RUCKER. I hardly think so.

Mr. RAKER. Suppose a man went into an adjoining State and said he was going to live there and stayed only three days; he could contribute all the money he wanted to, and thereby defeat the very purpose of this section.

Mr. RUCKER. Well, I suggest to the gentleman if he knows any way by which that would be made more effective, I have no objection to his offering an amendment to that effect.

Mr. RAKER. Mr. Chairman, I offer an amendment, on page 3, line 14, after the word "actual," insert the words "and bona fide."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California [Mr. RAKER].

The Clerk read as follows:

Amend, page 3, line 14, after the word "actual," by inserting the words "and bona fide."

Mr. RUCKER. Mr. Chairman, I want to suggest to the gentleman that I have no objection to the insertion of this new language at all, but I can not believe it will add to the bill. This is a political committee. How could a committee determine, when the contribution is received by it, whether the party from whom it was received was a bona fide resident or not?

Mr. RAKER. So that there will be a law on the statute books that a man must be an actual bona fide resident of that State; that is, as soon as the campaign comes on a man can not go to some other State and remain there only a few days and contribute all the money he wants to. It would thwart the very purpose of the bill.

Mr. RUCKER. I have no objection to the amendment, but I do not believe it helps it a particle.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not care to discuss the amendment. I do not think it is a matter of any consequence; but I do want to get the interpretation of the gentleman from Missouri [Mr. RUCKER] of this section. If I understand the section correctly, construing the proviso in connection with the other part of it, a committee may spend any amount which it chooses for the payment of speakers and for defraying expenses of speakers and for defraying the expenses of printing and distributing literature and the cost of newspaper advertisements. It can expend that amount, no matter from what source or from what State it is received.

Mr. RUCKER. That is my construction of it; yes, sir.

Mr. GARRETT of Tennessee. But under the other part of it, that part before the proviso, it can not make an expenditure exceeding the amount which may be contributed by the actual and bona fide residents if the amendment of the gentleman from California [Mr. RAKER] prevails—the actual and bona fide residents of the State. Now, what are they supposed to be able to contribute for that would be legitimate beyond that which is contained in the proviso?

Mr. RUCKER. I will say to the gentleman that common experience teaches us all, at least teaches me, that these great campaign committees, political committees, have from time to time sent money in bulk to the committees in the States—for instance, to the State committee or the congressional committee—to use as they see fit to use it; and the purpose of this section is to prevent the sending of large sums of money on the eve of election into doubtful States or close States, to be used by local authorities in a way that might be injurious to public morals.

Mr. GARRETT of Tennessee. I hope the gentleman will understand the question that rises in my mind, and that is, What is there that there can be a legitimate expenditure for, besides that which is contained in the proviso?

Mr. RUCKER. I think it is perfectly legitimate for a national committee of any party to make a donation to a State committee of any party to be used for political purposes. I think it is universally done.

Mr. RAKER. It is done quite frequently.

Mr. GARRETT of Tennessee. I am talking about the final expenditure of the money.

Mr. RUCKER. After the national committee has put the money into the control of the State committee the national committee has no further control over its use or expenditure; that is, the national committee has not.

Mr. GARRETT of Tennessee. Then, under those conditions almost every phase of this law can be avoided?

Mr. RUCKER. That is true, I take it, of practically every penal statute. Sometimes they are violated.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. BURNETT. Is there no provision, then, for a report by the committee using this money after the expenditure of it?

Mr. RUCKER. I will say to the gentleman that this is intended to be national legislation, and not intended to be applied to individual States. The hope is by the friends of legislation of this sort that the States will cooperate with the National Government, as many States have already done, and require political committees acting within the States to make reports, and in that way the whole matter would dovetail together.

Mr. BURNETT. Would it not be competent for this bill to require a report by the receiving committee when the expenditure was in aid of any Federal election?

Mr. RUCKER. I think it would be. But, as the gentleman will notice, the trouble is that the committee in the State to which the money is likely to be allotted and would be allotted has no particular function so far as the election of Federal officers are concerned, Members of Congress or the Senate. They are selected for the purpose of carrying on a State campaign. The other election is incident to it because our election happens to come at the same time theirs do.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from California, in reference to his amendment, what is the difference between an actual resident of a State and an actual bona fide resident of a State?

Mr. RAKER. I think with a little time, possibly more than the House would desire to give me, for a presentation of the authorities describing what is a bona fide resident and what is an actual resident, I might make it sufficiently plain that there is a distinction and that it ought to be included in this language. A man might be an actual resident by simply going into a State, and if he is there two days and says, "I am going to live in California and I am living here; I have changed my residence from some other State," he is an actual resident.

Mr. MANN. And he is a bona fide resident.

Mr. RAKER. He may and he may not be.

Mr. MANN. Suppose I move from Chicago to California, do I not become a resident the moment I land there?

Mr. RAKER. The gentleman might move out there with that purpose and that intent, with the intent to become a bona fide resident of California, and the moment he landed there he is a resident of that State and he loses his residence in the State of Illinois.

Mr. MANN. Unless I do that I do not become a resident at all. I may be there, but not a resident.

Mr. RAKER. But if a man goes there with the mere purpose of evading this law, for the purpose of carrying a large amount of money that he may put into the State and then have it turned over to the national committee, for the purpose of avoiding this law, he is not a bona fide resident, and it seems to me the clearer the language can be made the better.

Mr. MANN. I must confess that I do not see any distinction between an "actual resident" of a State and an "actual bona fide" resident of a State. A man may be a resident of a State and not be in it for 10 years. He may be a bona fide resident and not be in it 10 minutes.

Mr. RAKER. A man may have his residence in a State and not be there at all; he may be in Europe on official business, but he has a residence in that State. He is not an actual resident unless he is actually and personally there. There is the distinction in that matter.

Mr. MANN. Take the case of an ambassador—and they have been known to make campaign contributions, either before or after appointment—would actual residence shut out a rich ambassador from making a contribution or not?

Mr. RAKER. If he is at the port of Siam, I imagine it would.

Mr. MANN. What is the difference between being at Siam or London?

Mr. RAKER. I do not know that there is any except that he may not have so much to do.

Mr. MANN. Or across the border in Canada. How long has the gentleman been away from home?

Mr. RAKER. Except for a few days, about three years and a half.

Mr. MANN. The gentleman considers himself an actual and bona fide resident of California, I suppose?

Mr. RAKER. I am a bona fide resident of California and am actually residing now in Washington, as I am here on official business.

Mr. MANN. Then, as I understand, under the gentleman's theory he could not contribute to a campaign fund in California which could be expended anywhere else.

Mr. RAKER. Oh, I will be there in time to make some contribution.

Mr. MANN. Not the way it looks now.

Mr. RAKER. I think so.

Mr. MANN. We are going to keep the gentleman here. The gentleman from California is endeavoring to make a distinction which does not exist. The gentleman is living in Washington, but he is not a resident, either an actual resident or bona fide resident of the District of Columbia.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARRETT of Tennessee. After all, would it not be better to use the word "citizen"? The word "citizen" has an entirely different meaning than that of "resident." A citizen means one thing and resident another.

Mr. MANN. That would prevent a man who had not applied for citizenship from making any contribution to a campaign fund. I do not say whether that is right or wrong.

Mr. GARRETT of Tennessee. There is a well-known distinction between citizen and resident.

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. I believe "citizen" would come nearer to reaching what it is sought to reach in this bill than the word "resident." I think the contention of the gentleman from California is technically correct.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MANN. I think that all election laws in every State in the Union provide for a length of time during which a person must reside in the State, in the county, or in the voting precinct. Now, a man may reside there and not be there during that time at all. If he is in the Government service, he is still a resident of his district, and the election laws do not usually say "actual and bona fide residence." That term "reside" or "residence," meaning the same thing, has its meaning pretty well established through the election laws of the country, and if that is the purpose, why not use the ordinary well-known language?

Mr. RAKER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. RAKER. I am not positive as to the exact language, but my impression is that the law of California requires a residence of 1 year in the State, 90 days in the county, and 30 days in

the precinct, and he must be a resident of the State. It does not say that he must physically reside there.

Mr. MANN. No; but that covers the case. In some places it says that he must have been a resident in either case, and he must have resided there, but that language is well construed as to its meaning. To be a resident or reside as used in election laws has been well construed. If that is the purpose, why not use language which has a well-defined meaning instead of using language which no one will know just what it does mean? A man who walks into a State without the intention of making it a permanent residence, does not acquire a residence in the State. A college student who goes to college in a State, unless he intends to make it a permanent residence, does not acquire the right of being a resident.

Mr. RAKER. The man that goes into a State and resides there, although he does not intend to make it his home, is a resident of that State, and it has been so held by the courts many times in civil as well as in criminal cases.

Mr. MANN. I do not think that is possible. Of course there is always a controversy as to where a man intends to reside. It is a question of intent, as the courts have always held, but if a man fraudulently comes into a State for the purpose of making a contribution, he does not acquire residence there.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. GRAHAM of Illinois. What is the purpose of the word "actual" there?

Mr. MANN. That is what I am trying to find out—the distinction between a residence, an actual residence, and an actual and bona fide residence.

Mr. GRAHAM of Illinois. Does not an actual residence mean the place where the person is actually staying at the time?

Mr. MANN. I do not think so.

Mr. GRAHAM of Illinois. And does not the residence mean the place where his permanent residence is?

Mr. MANN. I will ask my colleague a question. He is actually in the city of Washington, and he is likely to be here all summer.

Mr. GRAHAM of Illinois. I am very sorry to hear that.

Mr. MANN. Does the gentleman think that he is a resident of Washington or a resident of the State of Illinois?

Mr. GRAHAM of Illinois. I think that I am a resident of the State of Illinois, and, according to the gentleman's statement, an actual resident of the District of Columbia.

Mr. MANN. Oh, no; the gentleman is not a resident of the District of Columbia. He is sojourning in Washington on official business. He is a resident of the State of Illinois.

Mr. GRAHAM of Illinois. The word "actual" has no force or meaning, then, at all?

Mr. MANN. I do not think it has.

Mr. RAKER. Mr. Chairman, while, to my mind, I think it is proper, there are some technical features about it; and to avoid discussion, if I may obtain unanimous consent, I will withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman this question: Supposing the political committee has its headquarters in Chicago, where most of them go. Here is a provisio that no political committee, as defined in this act, shall distribute, disburse, contribute, loan, advance, give, or promise in any one State any sum, and so forth, greater than is contributed by the residents of that States, with certain exceptions, which are enumerated in another place in the section. Do I understand from this bill, as the language states, that a political committee with headquarters in Chicago would have to pay all or its officials, all of its employees not engaged in speaking or distributing literature or making newspaper advertisements, out of moneys received in the State of Illinois and keep an account showing that fact?

Mr. FALCONER. A national committee?

Mr. MANN. A national or a congressional committee—either one. That is what this says.

Mr. RUCKER. Mr. Chairman, I confess that is a meritorious criticism. I do not believe the language used clearly expresses the intention of the committee.

Mr. MANN. Oh, undoubtedly I think it was not intended. It had not occurred to me before.

Mr. RUCKER. I think it would be better if we would exempt the actual current expenses of the committee in carrying on its work.

Mr. MANN. Has the gentleman an idea of what the expenses of campaign speakers would consist? Suppose the Democratic national committee in the next campaign should send the Speaker of the House out in a special train. There would, of course, be various people accompanying him. Would the expenses of those people be a part of the expenses of the campaign speaker?

Mr. RUCKER. The party that accompanies a speaker?

Mr. MANN. Yes.

Mr. RUCKER. I take it so. I will say to the gentleman that this section is drawn to incorporate in the law the principle embodied in a bill introduced and passed through the Senate, and now pending before the committee of the House of which I am the chairman; and leaving out some words which I deemed unnecessary, I have gotten, as I think, the exact principle involved in the Senate bill in this provision.

Mr. MANN. I agree with the gentleman.

Mr. RUCKER. The purpose is to limit the amount of money which may be donated or allotted by great committees to the State committees, but not in anywise to cripple those committees in anything that is a campaign along educational lines, either through the press or by campaign speakers, and I say that in my opinion the language referred to would include the expense of all who might constitute the party of the gentleman engaged in the campaign.

Mr. MANN. Take the expense of printing and of distributing literature. Of course that would cover speeches which were being sent out. Would it cover the expense of the editorial writers, which I believe various committees at times employ, or always employ, to send out items for newspapers, and so forth?

Mr. RUCKER. Mr. Chairman, I will say frankly to the gentleman, speaking for myself—and I believe I am justified in speaking for the entire committee—our purpose was to put no limitation on any effort to reach the judgment of men through whatever channel it may be made.

Mr. MANN. I am asking these questions so that the gentleman will be on record upon the subject.

Mr. RUCKER. That is my construction of it.

Mr. MANN. Because the gentleman can readily see, I think, that with language of this sort, when it is to be first construed, it might be construed by one man in one way and by another man in another way, and the gentleman's own construction would have great weight.

Mr. RUCKER. I confess the suggestions the gentleman is making are meritorious, and I think the language "the expense of printing and distributing literature" means everything connected with that literature—the preparation of it, the printing of it, and the distribution of it.

Mr. MANN. The gentleman knows there is a great deal of what is called plate matter sent out for the country press.

Mr. RUCKER. Yes; I think that would be included in this.

Mr. MANN. And often the plates themselves.

Mr. RUCKER. Mr. Chairman, I want to suggest to the gentleman from Illinois that he has made one suggestion here that appeals to me so strongly that I think the section ought to be amended in that respect, and I will ask unanimous consent that we pass this section over until later, so that I may endeavor to frame an amendment which will meet the difficulty to which the gentleman has called attention.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to pass this section over, to be returned to later on. Is there objection?

Mr. RAKER. Mr. Chairman, reserving the right to object, I desire to call the attention of the chairman to another feature of the section, commencing with the proviso on line 15, page 3:

Provided, That nothing in this section shall be construed to limit the amount which such political committee may expend, in good faith, in employing campaign speakers, in defraying actual expenses of campaign speakers sent out by such committee, the expense of printing and distributing literature, and the cost of newspaper advertisements, plainly marked as such, ordered by such political committee.

Now, what is to be marked as such?

Mr. RUCKER. The newspaper advertisements.

Mr. RAKER. Does not the gentleman believe there ought to be something in there to say that this printed literature, newspaper advertisements, should be marked so as to avoid any question?

Mr. RUCKER. It says plainly "marked as such," and that has reference to newspaper advertisements.

Mr. RAKER. That runs back to the speakers as well.

Mr. RUCKER. I do not think it is necessary to label the other, because I think everybody who receives it would know it is political literature.

Mr. RAKER. I simply suggest that to the gentleman, as he is going to allow this to go over. Suppose you add after "advertising," "all of such printed matter and newspaper advertisements shall be"? I call that to the gentleman's attention.

Mr. RUCKER. I will suggest to the gentleman there will be some difficulty along that line. For instance, in sending out your speech or mine, or any gentleman's speech, would you want to mark it "political advertisement"? Suppose we send out——

Mr. BRYAN. Or a copy of the platform.

Mr. RUCKER (continuing). Public documents of Congress, would they have to be taken by some one and marked "political advertisement"?

Mr. RAKER. What I mean to get at is this: There ought to be some definite designation of this matter. If a fellow is trying to come in in the dark, undertaking to send out his literature and his stuff, or somebody else for him, without any designation, without any name or without any address, there ought to be some designation of that material as to the name and address of the sender.

Mr. RUCKER. Mr. Chairman, I know the gentleman from California [Mr. RAKER] knows there is nothing I am trying to do that will permit any man to work in the dark; it is absolutely the other way. I want to turn the light on every transaction regarding the election of any gentleman of this House or to the other House, and I will say to the gentleman I will consider that matter and if I conclude the suggestion made would be an improvement of the bill, why we may incorporate it.

Mr. WILLIS. Mr. Chairman, reserving the right to object, I understand the gentleman purposes to pass this matter temporarily for the purpose of considering amendments. I wonder if he will not consider the feasibility and advisability of placing some limitation on the amount that can be expended by way of newspaper advertisements. I notice this proviso here which says:

That nothing in this section shall be construed to limit the amount which such political committee may expend.

Does not the gentleman think there ought to be some limitation upon the amount which can be expended, even though it be marked as political advertisement? Otherwise it will put a man who does not have very extensive resources at a tremendous disadvantage, and it seems to me in the interest of the public service and fairness to men of this country of all means, whether they be rich or poor, there ought to be some reasonable limitation, and I would ask the gentleman to consider an amendment of that character.

Mr. RUCKER. I will state to the gentleman in reply that the section we are now considering has no reference to the individual candidates at all.

Mr. WILLIS. I understand that.

Mr. RUCKER. It refers simply to political committees.

Mr. WILLIS. It seems to me that a proper limitation ought to be possible——

Mr. RUCKER. I will say to the gentleman further that whether right or wrong, I am never quite sure—at least, I am not quite sure as to this—but my thought has been all the time that Congress ought not to place any limitation on the expenditure by the committees or by individuals in their effort to reach the judgment of men; that any appeal that goes to men's judgment ought to be permitted. The gentleman suggests that it gives a man who is rich an advantage over a man of poverty. Well, that is an advantage we can not equalize.

Mr. WILLIS. But we can prevent abuses growing out of it, can we not?

Mr. RUCKER. The fact that a man has money should not bar him from reaching the judgment of men if he desires to do so, and can do so in a proper way by publication of letters, circulars, or in any proper way he wants to do it. That in itself is not blamable.

Mr. WILLIS. Take the case of where a candidate or committee might buy up a whole page of a paper or the whole paper; does not the gentleman think there ought to be some reasonable limitation? It seems to me there ought to be some limitation.

Mr. RUCKER. I will say the thought involved in this section is this, that when newspaper articles are marked as advertisements, regardless of the cost, every reader who reads it will know it is a political advertisement put in by some political party or representatives of some political party, and it is not in the interest usually of one man, but generally is in the interest of some political party, and my judgment is a great deal of money is not used that way. The bulk of the money that contaminates and demoralizes is not used that way.

Mr. WILLIS. I hope the gentleman will consider such an amendment.

Mr. RUCKER. I will be glad to consider it.

Mr. FESS. Will the gentleman yield?

Mr. RUCKER. I will.

Mr. FESS. I understood a moment ago the gentleman said this pertained to the committees and not to the individual.

Mr. RUCKER. I think so.

Mr. FESS. Well, now, is there anything in the bill that would forbid an individual who is undertaking to finance a great campaign from operating through his own forces? That is not a political committee at all. Does it touch that?

Mr. RUCKER. Does the gentleman mean candidate or individual?

Mr. FESS. Individual.

Mr. RUCKER. We touch that where we require an individual who contributes more than $50 to make an accounting of it.

Mr. FESS. Suppose he does not contribute to the committee, but simply apportions it out himself?

Mr. RUCKER. If he used as much as $50 outside of his State, he would, under this act, if it becomes a law, or under existing law, be required to file a statement showing where the expense was incurred and for what purpose the money was expended.

Mr. FESS. Whether he expends it through a committee or by paying it to a committee?

Mr. RUCKER. Unless he spends it through a committee, and in that case the committee must charge itself with its receipt.

Mr. FESS. If he does not spend it through the committee, but makes the application himself, then what?

Mr. RUCKER. Then he must report under oath.

The CHAIRMAN (Mr. HOUSTON). The gentleman from Missouri [Mr. RUCKER] asks unanimous consent that this section be passed over, with the privilege of returning to it later. Is there objection?

Mr. SMITH of Minnesota. Reserving the right to object, Mr. Chairman, I will ask the gentleman if he has made any provision in this bill for the renting of halls? I notice under your limitation it provides for speakers and other things that the committee may do, but you do not provide for hall rent. I suggest that in redrafting the section you take that into consideration.

Mr. RUCKER. I think the actual expenses of campaign speakers would include the payment of hall rent for actual campaign speakers, and the reason we use that language is that no political party under pretense of employing speakers could give a sort of subsidy to individuals. They must be actual campaign speakers. I take it that that language is broad enough to cover hall rent.

I wish I could make it clear to everybody here that, so far as I am concerned, I have no purpose or desire to place any limitations on any efforts made by any political party or any individual to reach the judgment of men. The only thing I have tried to do in this bill is to curb men in those things which are in themselves censurable and which might tend to demoralization.

Mr. SMITH of Minnesota. I catch the thought of the chairman, and I think it is a worthy one; but I believe you ought to add to the language here the privilege of paying hall rent, because men may construe this differently.

Mr. RUCKER. I will say to the gentleman that if this section is passed over I will consider it.

Mr. RAKER. When you pay hall rent, what are you going to do with the band? What are you going to do with 15 or 20 men in a precinct to control the precinct, to hire this hall? Are you going to have 10 or 15 men to escort the speakers to the hall? Are you going to allow every man in the community under this bill to come in and try to corrupt the voters, instead of permitting as now, under State laws, the employment of bands and the payment of rent? Are you going to allow the employment of rounders and hundreds of men to follow the speakers to and from the hall and to absolutely thwart the wishes and interests of that community?

If you are going to give men an unlimited amount of money to hire bands and halls, and men to attend the speakers, and rigs for getting the speakers there, a man can come along with $10,000 and practically buy up the town under pretense of trying to affect the judgment of the people. That is what the people of this country are against—the men who have means enough to go out and buy every man in a community. Let the people use their judgment from what they read and from what they hear from the speakers, and make up their judgment on that. Then you will get honest elections. But if you permit a

lavish expenditure of money, you are making this bill—instead of curtailing those things—a bill to legalize and to license the corrupting of voters in the various districts.

Mr. RUCKER. I believe I have answered the gentleman's questions.

Mr. SMITH of Minnesota. A word more, Mr. Chairman, in reply to the gentleman from California [Mr. RAKER]. If the mere renting of a hall is corrupting the electorate, then, following out the same line of reasoning, all we have got to do is to go into a community and hire all the people and call them "speakers" and pay them as "speakers."

Mr. RUCKER. That is what this bill prohibits. Mr. Chairman, I would like to have my request submitted—to pass that section and return to it later.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That whoever, acting under the authority or in behalf of such political committee, whether as a member thereof or otherwise, receives any contribution, payment, loan, gift, advance, deposit, or promise of money or its equivalent shall, on demand, and in any event within five days after the receipt of such contribution, payment, loan, gift, advance, deposit, or promise, render to the treasurer of such political committee a detailed account of the same, together with the name and address from whom received, and said treasurer shall forthwith enter the same in a ledger or record to be kept by him for that purpose, which ledger or record shall plainly show the items or sums contributed, paid, loaned, given, advanced, deposited, or promised by citizens of each State separate from other States.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California [Mr. RAKER] moves to strike out the last word.

Mr. RAKER. I would like to call the attention of the Chairman to line 8 of page 4, to those words "on demand, and in any event." Ought it not to be mandatory, within five days after the man receives the money, to pay it over?

Mr. RUCKER. It says "on demand, and in any event within five days after the receipt of such contribution."

Mr. RAKER. Mr. Chairman, I withdraw my pro forma amendment.

Mr. WILLIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio [Mr. WILLIS] moves to strike out the last word.

Mr. WILLIS. I notice in this section 5, as compared with section 4, there is a discrepancy. I wondered what the reason was. In section 4 it is provided:

That every payment or disbursement made by a political committee exceeding $10 in amount shall be evidenced by a receipted bill stating the particulars of expense, and every such record, voucher, receipt, or account shall be preserved for 15 months after the election to which it relates.

In other words, it is not necessary that the amounts disbursed be accounted for unless they exceed $10, but in the receipt they are to be accounted for as paid to the treasurer, and so forth, without regard to the amount. What is the reason for that?

Mr. RUCKER. The gentleman will find on reading further along that in the rendering of accounts required by this act the committee is not required to go into detailed account of any item under $10; indeed, under $100.

Mr. WILLIS. What section is that?

Mr. RUCKER. I do not remember the number. When he goes to make his affidavits of receipts and expenditures he groups those amounts under $100 into one total unless the contributions from one individual in any item reaches $100. In that event, he has to give that individual's name. I believe the gentleman's question is fully answered in the next section of this bill. If not, then in the next section after that.

Mr. MANN. This is a new provision, I believe, this section. How much of this is new?

Mr. RUCKER. Beginning with the word "which," in line 14, of page 4, and continuing down to the end of line 17.

Mr. MANN. I did not catch what the gentleman said—where it commenced to be new.

Mr. RUCKER. I will repeat: Beginning with the word "which," at the end of line 14, and continuing to the end of line 17 is new language. I would say to the gentleman that the purpose of this new language is to make the bill articulate—this part of it—with section 3 that we have just been discussing.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That the treasurer of every such political committee shall, not more than 15 days and not less than 10 days next before an election at which Representatives in Congress or Senators of the United States are to be elected in two or more States, and not more than 15 days and not less than 10 days next before any general or special election for Representative in Congress or Senator of the United States, in any one State, if such committee shall attempt to influence the result of such election or in any manner participate therein, file in the office of the Clerk of the House of Representatives, at Washington, D. C., with said Clerk, an itemized detailed statement; and on each sixth day thereafter until such election said treasurer shall file with said Clerk a supplemental itemized detailed statement. Each of said statements shall conform to the requirements of the following section of this act, except that the supplemental statements herein required need not contain any item of which publicity is given in a previous statement. Each of said statements shall be full and complete, and shall be signed and sworn to by said treasurer.

It shall also be the duty of said treasurer to file a similar statement with said Clerk within 30 days after such election, such final statement also to be signed and sworn to by said treasurer and to conform to the requirements of the following section of this act. The statements so filed with the Clerk of the House shall be preserved by him for 15 months and shall be a part of the public records of his office and shall be open to public inspection.

Mr. STAFFORD. Mr. Chairman, I move to strike out of line 22, page 4, the words "in two or more States."

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

The Clerk read as follows:

Page 4, line 22, strike out the words "in two or more States."

Mr. STAFFORD. Mr. Chairman, I think there is an inherent weakness in this bill, in that it limits its effect to the national and congressional—the national party committees. If we are going to scrutinize the expenditures of campaign committees connected with the election of Congressmen, whether Representatives or Senators, I can see no reason why we should not extend the scope of this bill to committees operating within a single State. Otherwise there can be all kinds of fraud practiced by committees which are engaged exclusively in the election of Congressmen in one State. There is no denying that we have ample authority over the subject; and yet running all through this bill there is this limitation, that it shall not apply to the returns of committees unless they are concerned in the election of Congressmen in more than one State. How few there are. Why, there are none. It is merely a guise to prevent these State committees from making any returns and conforming to this law. It is used as an excuse to enable State committees and organizations not to make any returns. It will be of no practical value. If the National Government is going to take jurisdiction, then I believe it should extend to all. Congress has the right to supervise the elections of its representatives. The country is demanding some proper supervision of these committees, no matter where they may be located. It is no hardship. Individually we are obliged to make a return. How easy it is for the interests which might be concerned in the election of Representatives and Senators to contribute any amount of money to elect some Representative or Senator. This bill will not prevent it. No State law may prevent it. You are throwing the whole burden upon the States. If you are going to throw the whole burden upon the States, then acknowledge that this law will only apply to national committees.

Mr. BUTLER. Will the gentleman answer this question: What provision is there in this bill to require an individual to file a report? That is where the mischief is done—through individuals. An individual gathers up money and spends it for a political candidate. Is there any provision in this bill by which he can be reached?

Mr. STAFFORD. He can be reached if he is associated in any way with the national committee.

Mr. BUTLER. But if he is not?

Mr. STAFFORD. But if he is not there is nothing by which you can reach him. Furthermore, this bill is severely lacking in its punitory provisions.

SEVERAL MEMBERS. Punitive.

Mr. STAFFORD. I will stand on the word "punitory."

Mr. BUTLER. It is a good word. It is big enough so we can all stand on it.

Mr. STAFFORD. This bill provides that where any person fails to comply with the provisions of this law the returns shall be sent to the United States district attorneys in the various States throughout the country. We have had in the State of Wisconsin a similar provision, but it was absolutely without any force and effect. We have put on the statute books of Wisconsin recently a live law that compels the observance of its provisions by every candidate, and disqualifies him from being a candidate or holding office unless he conforms to the corrupt-practices act.

Mr. RAKER. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from California.

Mr. RAKER. Section 1 already contains a provision the same as the one which the gentleman is trying to strike out—that is,

the words "in two or more States"—and to strike out those words here would not strike them out there.

Mr. STAFFORD. I was temporarily absent when section 1 was read. There were several similar provisions in the bill; and I presume if the words are stricken out here it will be the desire of the committee to make the bill harmonious, and to strike out the words wherever they occur. I am testing the sense of the committee whether they want to make this a live law or merely a law to cumber up the statute book.

Mr. RAKER. The question I should like to ask the gentleman is whether there are any national committees that conduct campaigns in one State, or have there been within the last 20 years?

Mr. STAFFORD. National committees?

Mr. RAKER. Yes.

Mr. STAFFORD. In case of a vacancy the national congressional committee would interest itself in the election.

Mr. RAKER. We have national committees of the various parties at the present time that relate to the various States. Does the gentleman know of any national organization that has been formed within the last 20 years that conducts a campaign in any one particular State?

Mr. STAFFORD. In the hearings conducted by the House lobby investigation committee it was brought out that there are business associations that take an interest in the election of Members in more than one State. But here is the point I am making: That this law can easily be evaded by the organization of committees for work exclusively within one State, thereby not requiring any account whatever under this law, though they may be directly instrumental in the election or defeat of Members of Congress by the use of large sums of money to which the candidates make no contribution whatever.

Mr. RAKER. Each State has a State committee.

Mr. STAFFORD. Yes.

Mr. RAKER. So this law can not affect them.

Mr. STAFFORD. If the National Government is taking jurisdiction over this matter, I want to reach these voluntary associations that may be formed for the secret purpose of defeating or electing men by fraudulent means, and the language of the bill does not cover that case at all.

Mr. RAKER. Is it the gentleman's idea that there should be a law to wipe out all the organizations in the several States?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Unanimous consent is asked that the time be extended five minutes. Is there objection?

Mr. RAKER. Reserving the right to object, I want to say that just as soon as the gentleman gets to a place where he will let me answer one or two of his numerous questions, I shall be glad to do so.

Mr. STAFFORD. In reply to the last inquiry of the gentleman from California, my purpose is not to wipe out these State committees. It is to bring these various State committees within the purview of this bill so far as they do anything toward the election of Members of Congress. Now, Representatives in Congress and Senators are obliged to make returns. Why should not the committees engaged in their election be under the same supervision as national committees?

Mr. RAKER. In the State of California we have purity of election laws, containing drastic provisions relating to the committees and to the publication of contributions. You would not want to wipe out those laws?

Mr. STAFFORD. No. This law as proposed to be amended would only supplement the State laws. By merely eliminating the words "in two or more States" you will make it applicable to every committee that affects in any way the election of Members of Congress.

Mr. RAKER. Can the gentleman name any State where a national committee has been organized to conduct a campaign for Congressmen in any one particular State?

Mr. STAFFORD. I am not trying to reach national committees. The bill covers them. I am trying to bring the committees in the States in anywise concerned in the election of a Member of Congress under the provisions of this bill.

Mr. SISSON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SISSON. I want to make this suggestion: If the gentleman would not find by embodying in the national law the provision he has in his mind, he might get into endless confusion on account of the conflict that might exist between the national statute and the various State statutes?

Mr. STAFFORD. No; there is a provision in the bill which says it shall not in anywise conflict with the State laws. You will find there is no conflict whatever. This is merely supplementary to State legislation. Take the case existing in my district. The Socialistic Party, that has a close corporation, contributed thousands upon thousands of dollars for the election of my predecessor. When he made his return, not one cent was returned as having been expended by him, and yet Congress knows nothing, nor am I in a position to ascertain how much was expended by that organization. There was an organization concerned in the election of a Representative to Congress, and why should not Congress have some scrutiny over that transaction?

Mr. SISSON. That does not answer the question, because if you undertake to regulate the State committees, which are now under the control of the State laws, and extend this law over them, then you would come in conflict with that jurisdiction, and under this bill that would not occur, because the only effort here is to control those committees which are under the control of the functions of the various committees concerned in a national election.

Mr. STAFFORD. The bill also provides that every candidate for Congress shall make his return. Why should we not extend it so as to make it apply to committees connected with their elections? There are many States that have passed strict laws, and the National Government, if it is to take jurisdiction, should extend it as I have indicated.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SISSON. Mr. Chairman, I have asked for recognition for the purpose of pursuing the inquiry of the gentleman from Wisconsin a little further, so that I may get what is in my own mind before the House. If this law was broad enough to make regulations in reference to the State committees, some regulation made by Congress might be in direct conflict with the regulations made by the State. Therefore you would get into endless confusion. Now, this law, as I understand it, is not to interfere with the State election laws, and it is not for the purpose of adding to or taking from the election laws of a State, but for the purpose of reaching those evils, reaching the wrongs which might be perpetrated at an election and which could not be reached so well by State laws. It is true that in the election of Representative or Senator it does require of him certain duties which are regulated also by the State, but that individual merely complies with the regulations here and has the additional duty of complying with the regulations of the State. Therefore the two may harmonize without being in conflict. But if you extend it as the gentleman desires, I can not help but think that there would be endless confusion and trouble.

Mr. STAFFORD. Without extending it we would have no control over the election of Members of Congress, except when those transactions are participated in by a national committee.

Mr. SISSON. I will state frankly that I may be too much alarmed over Federal control of elections, because I lived as a child in a State where we had Federal control of elections, and during that time we had the most dishonest, the most corrupt, and most vicious government that ever existed in a civilized community.

Mr. STAFFORD. If the gentleman will permit me——

Mr. SISSON. Just a moment. Everybody had a chance to vote except those people who owned property and were bona fide residents and ought to have had the right to vote. The people who were disfranchised were the intelligent property owners, the patriotic people of the section; and those that were permitted to vote were people imported there, ignorant, vicious, purchasable, and corrupt. But I do not care to go into that now. I want to explain that, living where I do, where there was so much abuse of Federal control of elections, that I may be somewhat prejudiced about it. I know I am afraid of Federal control.

Mr. STAFFORD. The gentleman has no objection to the Government taking jurisdiction and supervision over national committees and making them conform to the provisions of this law, and he should have the State itself conform to the same rules as the national committee.

Mr. SISSON. I do not think that is a function or ought to be the function of the Federal Government to invade the States and regulate elections.

Mr. STAFFORD. The gentleman will admit that Congress has the authority to determine the means and method by which Members of Congress are elected. Otherwise there is no security for a popular government.

Mr. SISSON. It may be true, but I think it is unwise to exercise it. You have authority under this law, and the reason you can exercise the authority is that you are taking jurisdiction of the man who becomes a Member of this body. This law

extends that constitutional authority which has always been in the Constitution of the power of Congress to pass election laws.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, the right to control is unquestionably in Congress, so far as Congressmen are concerned, and has always been so, but the wisdom of exercising that control has been such that in the past, at least, Congress has declined to take control of the election. In this primary election law I do not believe the Federal Government ought to have any sort of jurisdiction over primary elections which are institutions organized in the various States.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. RUCKER and Mr. MILLER rose.

Mr. RUCKER. Does the gentleman desire the floor in his own right?

Mr. MILLER. I wanted to ask a question of the gentleman from Mississippi [Mr. SISSON], who has just taken his seat, but I will defer. I would like to have five minutes in my own right later on.

Mr. RUCKER. Mr. Chairman, I am already confused, because the gentleman from Wisconsin [Mr. STAFFORD] has asked me so many questions in a 15-minute discussion that I probably can not answer them all, though I would very gladly do so if they had been put one at a time. I will say, I hope very much that the motion he made will find no support among the friends of this measure. My notion is that the most effective thing that could be done in this House to kill this legislation would be to adopt the motion made by the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes; if the gentleman will make his question short.

Mr. STAFFORD. Even if we did that, the law as it now stands would be on the statute books. The law as it exists on the statute books is largely the bill as stated here, as this is largely a codification of that law.

Mr. RUCKER. Oh, it is very much more.

Mr. STAFFORD. And if you adopt what I suggest, we would give life to the bill.

Mr. RUCKER. It is very much more than a codification. I regret very much the gentleman felt called upon to use some language he has used. I disclaim for myself and my colleagues on the committee, both sides of it, absolutely, unconditionally, any purpose to destroy publicity. We are trying to make publicity effective. I say to the gentleman that this bill is not existing law. There are many features in it that are an improvement over existing law. The pending motion is to strike out the words "in two or more States." That motion, if carried, defeats the bill, because I tell you it can not pass the two legislative bodies with that language out of it. It might pass here, but it can not pass elsewhere; and, besides, this applies to great committees, to committees which obviously from their very nature operate and only operate in more than one State, or never operate otherwise than in more than one State. Hence, it applies to them, and we must use the language used in this bill.

But let me call the gentleman's attention to the fact that experience, after the current law was passed, suggested to Members of this House that the law needed amendment, because it sometimes happens that a vacancy occurs in a congressional district, necessitating a special election to fill the vacancy.

It may be in only one district in the United States, and the two congressional campaign committees, or, as we have now, three, each anxious to gain a victory in that district, each contesting every inch of ground, with nothing to divide its attention, may concentrate its entire energies in that one district, or, in the case of a Senator, in one State; and under existing law it would have to make no accounting, because existing law only requires the committee to account where it participates in elections in two or more States, but this bill proposes to amend existing law so as to require the committee to make an accounting of its transactions in connection with any election for Senator in a single State or for Representative in a single district, provided the committee participates in the election. I think it is a vital improvement, a very decided benefit to the legislation, and ought to pass, and I think it will pass.

I conclude, Mr. Chairman, by expressing the hope that no friend of publicity will vote to strike out that phrase where it occurs in this bill, because I say to you it is the life of the measure and absolutely essential.

Mr. MILLER. Mr. Chairman, I move to strike out the last two words. I am certainly very friendly to the purposes of this pending measure, and do not wish to be classed in any other category, notwithstanding the fact that I do not quite agree with the distinguished gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Chairman, I will say that I will not classify the gentleman as an enemy of the bill.

Mr. MILLER. Mr. Chairman, there has been an evolution in the laws governing campaign contributions and expenses, and properly so. As I recall, the first act passed by Congress simply provided that committees engaged in influencing the elections in two or more States should keep an accurate account of their receipts and expenditures and file that with the Clerk of this House. That was subsequently amended so that candidates themselves had to make such a statement, and I was most heartily in favor of that change. The proposed measure embodies the good provisions of the past laws and contains some additional ones that I think are good; but it seems to me that the measure, if it is going to be perfected, ought to go a step further than this bill now goes and require that campaign committees in the respective districts file a statement just the same as the candidates themselves are required to file, and I can not see the conflict which the gentleman from Mississippi [Mr. SISSON] suggested might exist between the National and the State laws. There could be in that case no greater conflict than now exists in respect to the requirement that candidates shall keep an account of their receipts and expenditures and file them with the Clerk of the House or the Secretary of the Senate, as the case may be. No one will question but that we have full authority, and properly should exercise it, to require candidates to file these accounts. It seems to me that if there is merit in that, there is equal merit in requiring that local campaign committees in the respective districts shall keep such a statement and file that, the same as the candidates are required to do. I do not believe the measure when finally enacted should contain any loophole along that line. It should be air-tight and water-tight, and I do not believe that can be secured unless we do require that the campaign committees in the respective districts make and file these statements.

If the law finally is to be such that the candidates shall make and file the statement, and that the great national campaign committees shall do the same, but that the campaign committees of the respective districts do not need to do so, it seems to me that we leave an opening that certainly ought to be closed, in order that full and complete publicity can be had, to cover all the features incident to elections.

Mr. BUTLER. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Minnesota to strike out the last two words, and therefore I think I am entitled to the floor. I want to take the floor for the purpose of asking my friend from Missouri [Mr. RUCKER] some questions. I am most heartily in favor of this bill, and I only wish the committee had reported one wider in its scope. I wish the committee had reported a bill that would have included every bag holder, the men who gather from saloon keepers, agriculturists, manufacturers, and others money to expend in behalf of candidates for office. As I understand, this bill includes nothing except expenditures made by committees.

Mr. RUCKER. This section, the gentleman means.

Mr. BUTLER. The bill itself. Is the bill broad enough to catch all of these bag holders?

Mr. RUCKER. The section we are now considering is with reference to the actions of committees, not of individuals.

Mr. BUTLER. Is it not so with the whole bill?

Mr. RUCKER. I think not.

Mr. BUTLER. Is it broad enough to catch the individual?

Mr. RUCKER. The candidate?

Mr. BUTLER. It will catch the candidate, but——

Mr. RUCKER. I will say to the gentleman, I realize the necessity that has suggested itself to his mind of a great deal of legislation up in that great State he comes from, but I doubt the propriety of Congress trying to regulate all wrongs that may exist in Pennsylvania or Mississippi——

Mr. SISSON. There are none in Mississippi.

Mr. BUTLER. Or Missouri——

Mr. SISSON. None in the world in Mississippi.

Mr. RUCKER. We are attempting to leave something for the States themselves to do, and I am sure——

Mr. BUTLER. I have observed that offenders are afraid of national laws, they are afraid of United States courts——

Mr. RUCKER. The gentleman will bear in mind——

Mr. BUTLER (continuing). I would very much like to commend the gentleman and his committee, for their work is in the right direction, and a good law will come out of it, and the

work will bear fruit, and he and his colleagues will be commended for the work that they have done; but I wish that they had gone further and reported a measure so broad as to impose a penalty, and a heavy one, upon any man and upon any organization or set of men who would use money in behalf of a political candidate or a candidate for office and who did not account for the money collected and the money expended.

Mr. RUCKER. Will the gentleman yield?

Mr. BUTLER. Yes; I do.

Mr. RUCKER. Mr. Chairman, when we see a gentleman from the grand old State of Pennsylvania and a gentleman from the grand old State of Michigan so anxious to pass a publicity law, something that has teeth in it to make every wrongdoer fly to cover, I have great hopes for the future of this country and that elections will be purified.

Mr. BUTLER. I am glad the gentleman has hopes for the future but I care more for the present and for a statute that will fix a penalty upon these men. I think the future will largely take care of itself. I am very sensitive at this time and I would like to have an opportunity to vote for a law that would catch these corrupt bag holders.

Mr. RUCKER. I will say to the gentleman that the purpose is a very commendable one and I share with him the desire that certain limitations surround it, but we can not do all the things we would like to do. We want to pass a law here which we hope will impress itself upon the minds of State legislators and that State legislatures will enact such a law or laws along this general line in cooperation with this, and I believe that will be done in the near future, and such laws will do much to purify and clarify elections.

Mr. BUTLER. Let me continue the colloquy with the gentleman for a moment. We have a good statute in Pennsylvania; the corrupt-practices act of that State defines specifically (no doubt the gentleman has had the pleasure of examining that law before his bill was reported) the expenditures that may be made, makes them lawful and other expenditures it makes unlawful, and provides a penalty to be imposed upon the offender.

Mr. COX. Does it limit the amount the candidate can expend?

Mr. BUTLER. No; it does not. In answer to the gentleman from Indiana, it seems impossible to enforce a limit of the amount of money which a candidate may expend. Thousands upon thousands of dollars may be expended for him and not be accounted for, as required by law. It is the fellow who does such spending that I am after, not the candidate—the law covers him. I am after those who spend it for him, but I appreciate that the gentleman and his colleagues could not include any form of corruption in this bill. But is it as broad as it ought to be——

Mr. RUCKER. I will say to the gentleman the committee is conscious of the fact that many improprieties may be committed which we do not believe Congress can or should attempt to regulate or control, but which we would be glad to reach if we could properly do so.

Mr. MONTAGUE. May I ask the chairman of the committee a question?

Mr. RUCKER. Certainly.

Mr. MONTAGUE. Does this bill fix any limit upon the amount the committee is to expend on behalf of any candidate for Congress?

Mr. RUCKER. These committees?

Mr. MONTAGUE. Yes.

Mr. RUCKER. That may be expended for any candidate for Congress?

Mr. MONTAGUE. Of course that means Members of the House of Representatives as well as the Senate.

Mr. RUCKER. No; it does not fix any amount.

The theory upon which this bill is drawn is that the committee never spends money in behalf of the nomination of any candidate nor for the election of any particular candidate, but for all candidates in the State, and that it must account for the money it uses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGGART. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent for two minutes more to answer the question propounded by the gentleman from Virginia [Mr. MONTAGUE].

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MONTAGUE. I understand there is no limitation on the amount of money that the national committee may expend in the political campaigns contemplated in this bill?

Mr. RUCKER. There is no limit placed on the amount that the committee may expend, but a limit is placed upon the amount a candidate may expend and on the amount that is spent for him. He has to charge himself with it and show the amount of money received from the committee.

Mr. MONTAGUE. Suppose the candidate receives no sum of money from the committee?

Mr. RUCKER. If it is expended for him, with his knowledge and consent, he must account for it.

Mr. MONTAGUE. I am deeply interested in the purposes of this bill.

Mr. RUCKER. I will say to the gentleman, if he will pardon me, that the section we are now dealing with is not the one that his question refers to.

Mr. MONTAGUE. I appreciate that, but the underlying purpose of this whole bill is to have clean elections in the United States?

Mr. RUCKER. That is the purpose of it.

Mr. MONTAGUE. The great trouble that confronts us is this, that the dishonest man will subscribe to any oath for the purpose of tying the hands of his honest competitor. I do not say that we should not legislate for this reason. On the contrary, I say we should.

Mr. RUCKER. I will say this to the gentleman—and I have said it in private conversation and publicly everywhere—that if any gentleman on either side of the House can suggest a single thought that will make this bill more effective within the scope of the power that I think we have, we shall be glad to accept it.

Mr. MONTAGUE. I appreciate the gentleman's purpose. I do not intend to impugn his purpose.

Mr. TAGGART. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. TAGGART. Is it not the theory of this bill, and is it not a fact, that the object and purpose of the bill is simply to secure publicity? Is it not a fact that it does not matter what the committee has done, and it does not matter what a candidate has done, and it does not matter how much either has spent, under the limitations on a candidate for Representative of $5,000 and $10,000 for Senator, if a correct account of it is made out and filed with the Clerk of the House of Representatives? Is not that the purpose?

Mr. RUCKER. That is the purpose of the bill.

Mr. TAGGART. The bill has no penalty for anything else except filing an incorrect return of the campaign expenditures?

Mr. RUCKER. That is so; yes; and for the reason that every candidate for Congress is a citizen of some State, and every State has an election law; and if any candidate violates the election laws of his State, he is amenable to those laws; and the Federal authority ought not to invade the States and undertake the control and punishment of either the misdemeanors or felonies. Let the State take care of that.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. RUCKER. Yes.

Mr STAFFORD. So far as the national committees are concerned, the intention is publicity. What objection can there be to extending it to any State committee that is instrumental in promoting the election of Members of Congress?

Mr. RUCKER. I will answer the gentleman in this way: We have no control over State committees. The gentleman should remember, too, that no State committee would come in and say they expended money to elect you or me or to defeat you or me. They spend money to elect their State ticket.

Mr. STAFFORD. I know of instances where committees have been organized to defeat Members of Congress—not the regular party committees, but voluntary committees—and yet they would not be obliged under the terms of this bill to make any returns whatsoever, and the Member of Congress might be defeated by unlawful means. Yet we are not doing anything to protect Members of Congress who pursue the righteous course.

Mr. RUCKER. The gentleman is mistaken. I think we are doing all that is lawful for us to do to protect Members against the improper and corrupt use of money. What we do not do here can easily be supplemented by State laws if the States will only pass them.

Mr. STAFFORD. Congress is trying to protect its Members. I am speaking of the necessity of requiring any committee instrumental in election to make returns, so that we may have real publicity.

Mr. RUCKER. Those are purely State matters. I say that not because I am as rigid about State rights as some others are, but because I am not in favor of going so far as to jeopardize wise Federal legislation.

Mr. TAGGART. Mr. Chairman, will the gentleman yield to a question?

Mr. RUCKER. Yes.

Mr. TAGGART. Would the chairman of the committee, the gentleman from Missouri, hold that Congress would not have jurisdiction and power to fine and punish a corrupt use of money at an election in which Members of the House and Senate are elected?

Mr. RUCKER. I do not think there is any question about it. I think it has been determined that Congress has that power. But this bill does not seek to do that.

Mr. TAGGART. Would it not be competent and germane in this bill to insert a section defining and punishing the corrupt use of money at any primary election or at any general election?

Mr. RUCKER. If the gentleman will pardon me, I will say we are entering upon dangerous seas when we begin that. Whenever we undertake to pass Federal laws to punish men who violate State election laws, then we invade the rights of the States to punish their own criminals. The States all have or will enact such laws as are desired by their citizens.

Mr. TAGGART. I do not mean that Congress should take sole control of elections, but inasmuch as we expel Members from the House and declare that they are not elected when an excessive amount of money is used at an election, we should have some law whereby parties who do that can be reached. At present we have no such law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman may have three minutes' more time.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RAKER. A question was asked the chairman a moment ago, to which he responded to the effect that no national committee is selected out in the congressional districts for the purpose of spending money in those districts with a view to influencing the electors of those districts. Does the gentleman mean to state that?

Mr. RUCKER. I do not think I stated that.

Mr. RAKER. Then I misunderstood the gentleman.

Mr. RUCKER. Because I am quite sure those things are done, and if I stated that they are not done, I stated something which I did not intend to say. But I will refresh the gentleman's memory. I think I stated that these great committees primarily do not seek to control the nomination of the party candidates; but after their nomination they do seek to elect their party candidates.

Mr. RAKER. Where does the gentleman get the idea that these committees do not seek to nominate men as well as elect them?

Mr. RUCKER. I would spurn as an impertinence the action of a congressional committee which came into my district and sought to secure either my nomination or the nomination of my opponent.

Mr. RAKER. The gentleman might spurn it, but nevertheless the fact is supposed to exist.

Mr. RUCKER. If it is true, I will say to the gentleman it is something I never heard of before.

Mr. RAKER. I hold in my hand a newspaper clipping—I do not think it is necessary to read any names—in which it is stated that the Republican congressional campaign committee are offering $5,000 to secure a man for a candidate in a certain district.

Mr. WILLIS. I think, if the gentleman is making charges of that kind, he ought to read names. That is a serious charge.

Mr. RAKER. No; not at this time.

Mr. WILLIS. I think it is a serious charge. I think the gentleman owes it to himself and to the Members of the House to be specific.

Mr. RAKER. I have not read anything.

Mr. WILLIS. The gentleman said he had a clipping.

Mr. RUCKER. I want to pour oil on the troubled waters by saying that if it is necessary to offer $5,000 to secure a Republican candidate in any district, Republicans must be awfully scarce in that community.

Mr. MANN. Nobody would seriously make such a statement, and nobody but an erupting volcano would think of it.

Mr. RUCKER. In my district there are always plenty of men who are anxious to run for Congress without paying them anything at all.

Mr. GARNER. May I suggest to the gentleman from Missouri that he can pour oil on the troubled waters by declining to yield further when he gets through with his statement. That will keep these gentlemen from further disturbing these volcanoes.

Mr. RUCKER. If the gentleman will make that suggestion to his colleagues on the floor, I will be obliged to him. I would like to have the bill read.

Mr. RAKER. I move to strike out the last three words. I am in hearty accord with the purposes of this bill in every provision. The only question as to a number of these provisions is whether they are drastic enough and whether they carry out what ought to be done. There are matters that ought to be discussed and called to the attention of the committee. I was calling the attention of the chairman of the committee to the fact that this ought to apply—and I do not believe it does—to a national campaign committee in spending money for the nomination as well as for elections. I believe this covers that feature of it. I may be mistaken.

Mr. RUCKER. I think it would, if they spent any money for that, but I did not think they spent it for that purpose.

Mr. RAKER. Then any money expended by the committee for that purpose would be required to be included in the statement of the committee.

Mr. RUCKER. If it was with the knowledge and consent of the candidate. I do not think it ought to be within the power of any committee or any individual to place a blot on your title or mine by sending money into our districts against our will.

Mr. RAKER. No; I agree with the gentleman fully on that; but when money is given to a committee to be used for campaign purposes, and when the committee expends it in any State or in any district, as I understand under this bill they are required to account for it. That is correct, is it not?

Mr. RUCKER. The committee would be required in its account to show that it did use the money thus and so, and the candidate would be required in his account to show that he received money from the committee.

Mr. RAKER. Let me ask the gentleman this question: Suppose a national campaign committee sent $10,000 to a State.

Mr. BUTLER. For the whole State?

Mr. RAKER. Just a moment. And suppose that money was used in one particular congressional district. Is there anything in this bill that would require the national committee to show that this money was used for the purpose of influencing the election, for instance, in one particular district in that particular State, or could they say, generally, "to the State of Alaska," for instance?

Mr. RUCKER. I do not know that I quite understand the gentleman's question.

Mr. RAKER. I will make it plainer. In other words, there are 15 candidates to be elected to Congress from a State. The national campaign committee sends out $20,000, and all of that money is expended in one district to defeat one particular candidate. Does the law require the committee to state that this $20,000 was used in the one particular district, or can they state generally that it was used in that State?

Mr. RUCKER. The law requires the committee to state for what purpose it was used and to whom it was distributed; but the law does not in express terms say it shall show into what district it goes, although the other provision would accomplish the purpose the gentleman has in mind. It would cover that point, it seems to me.

Mr. MANN. Mr. Chairman, in considering these matters that gentlemen have talked about, I think it might be well to read the Constitution of the United States, although I am aware that some people think it ought never to be referred to. The Constitution says:

> The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators.

Now, it is under that provision and under that provision only that we claim to exercise any authority over elections or over campaign contributions or anything of the sort that is referred to in this bill. I myself have never been satisfied that the publicity act was constitutional, or that it could run the gantlet of a prosecution in court. I thought possibly, when it originally passed, Congress itself would refuse to admit either as a Senator or a Member of the House a man who had violated the law, because we have that power over such matters in the House, and the Senate has a corresponding power over its own Members; but we have already decided that that was not cause for refusing a Member a seat, and I do not say that that was an improper decision. I think we ought to be a little careful of this legislation about our constitutional prerogatives. I doubt very much whether Congress has the power to go into a State or a community or a city or a precinct and require a political committee, or any other committee, to report to Congress just

what money it has raised or expended, and how. I do not see where we get any such constitutional authority.

Mr. TAGGART. Will the gentleman yield?

Mr. MANN. Yes.

Mr. TAGGART. Would not the word "regulate" be construed as fully as the word "regulate" in the clause of the Constitution giving Congress power to regulate commerce between the States, which seems to be very ample?

Mr. MANN. I think that is not a parallel case at all. In the commerce between the States we regulate the commerce, and the Supreme Court held, in the Sugar case, that you could not regulate the manufacture within the State. While I do not know whether they will adhere to that opinion when it comes up again and is shown that the article manufactured is for the purpose of being transported to another State, yet that is the law as it stands. We undoubtedly have the right to regulate elections of Members of Congress.

Mr. WILLIS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. WILLIS. Does the gentleman from Illinois have any doubt about the power of Congress to regulate primaries?

Mr. MANN. I have very grave doubt about it. I do not think, on the face of it, that we have any jurisdiction over primaries, but we have assumed that jurisdiction, and it is not at all unlikely that the court may hold that primaries are a part of the election of a Member of the House. It would not require the most difficult reasoning to apply it to the primary election of Members and to the nomination, although some of the Members of this House—one gentleman in particular, who is now lying on his back in the hospital recovering from the effects of an operation, the gentleman from Georgia, Mr. BARTLETT, who is a rather strict constitutionalist, and, after all, one of the ablest constitutionalist lawyers in this House and, I think, in the country—are very strongly of the opinion, frequently expressed, that we have no constitutional authority over primaries. However, I doubt very much whether we have the constitutional authority over a member of the committees in the States which have been referred to.

You can not differentiate the support of a Member of Congress from a common treasury and the candidate for State treasurer, county, or precinct officer. I doubt whether we have the jurisdiction to require everybody who has anything to do with the election of any official elected at the same time a Member of Congress is elected, to report to Congress all their contributions and expenses. They do not differentiate—they can not—the expenses that go to elect the Members of Congress and the expenses that go to elect State or county officials. It seems to me that we had better proceed along as sure lines as we can until we get some decisions from the courts.

The main purpose, of course, of this law is its moral effect on candidates for these offices, and its moral effect on the political committees. No national committee dares to openly refuse to comply with the law. They must endeavor to comply with the law because the moral sentiment of the country requires it. The candidate for Congress must endeavor to comply with the law because the moral sentiment of his district requires it.

Mr. TAGGART. Will the gentleman yield?

Mr. MANN. Yes.

Mr. TAGGART. It seems from a reading of the law, which is copied in the bill, that the candidate or committee simply makes the statement that certain sums of money were given to certain individuals, but there is no requirement of any statement as to what the money was given to the individuals for. A candidate simply says that he paid $100 to this man, $50 to another man, and so many dollars to the committee, and swears to it, and that is the sum of the information Congress gets.

Mr. MANN. I think not; they are required to file vouchers for their expenses.

Mr. TAGGART. But he does not say what he has spent it for, whether he bought votes with it or not. It all looks well on paper, as though it was a contribution to a charitable enterprise.

Mr. MANN. If you put in such a requirement, no one would say that they spent the money for buying votes.

Mr. WILLIS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the section of the Constitution governing this subject has just been read by the gentleman from Illinois, and it provides that—

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

It seems to me a very interesting and very important question as to whether or not the Congress under that clause of that section of the Constitution has the authority to regulate or control the primaries and nominating conventions. My own opinion is that it does have such right. I notice a decision cited here in the Manual, in which it is stated that—

> Congress has in fact fixed by law the time of elections and has controlled the manner to the extent of prescribing a ballot or voting machine.

Now, surely, Mr. Chairman, if the Congress has the power, as it undoubtedly has, to prescribe the time for elections, if it has the authority to prescribe the form of the ballot, if it has the authority to say whether or not a voting machine shall be used, it has power to regulate the nomination of the candidate.

Mr. MANN. Will the gentleman yield?

Mr. WILLIS. Yes.

Mr. MANN. Where have we ever provided anything in a national law for a voting machine?

Mr. WILLIS. I do not know. I took this citation from the Manual. It cites here Hinds' Precedents, volume 2, 961. I take it from the Manual, from the very same section from which the gentleman himself read.

Mr. MANN. I think I have been here ever since the voting machine has been in existence, and I do not think there is any law on the subject.

Mr. WILLIS. I do not know anything about it except what I get in the Manual, and the gentleman is responsible for the citation.

Mr. MANN. I think it is a State law and not a Federal law.

Mr. WILLIS. No. It says here that Congress has done it; that Congress has control. Hinds' Precedents, volume 2, is cited.

At any rate, Mr. Chairman, if it does not have the power—and I am confident that it does have—it ought to have. It surely would be an amazing proposition to take the view taken a little bit ago by the gentleman from Mississippi [Mr. SISSON], when he said, as I understood him—and I regret that he is not in the Chamber at this moment—that he was in favor of a law regulating the purity of elections, but that the matter of primaries or conventions was something that belonged exclusively to the States and ought not to be subject to the Federal regulations. Think what that would mean.

Mr. RUCKER. Mr. Chairman, I want to say to the gentleman, without undertaking to cite any authority, that I believe it has been held—and if it has not, I am quite sure that it will some time be held—that political nominations, primary elections, are so conclusive in their effect as to be the real election, and therefore, under powers we have to regulate elections, we will have power to control the nomination, because it is an essential part of an election. If the gentleman will bear me out, I am sure that in my own district, not only in the South, but in the gentleman's State and mine, the nomination by a political party is equivalent to an election in many instances.

Mr. WILLIS. Certainly.

Mr. RUCKER. And I want to say to the gentleman that if I am fortunate enough to be nominated in my district——

Mr. WILLIS. And I hope the gentleman will be.

Mr. RUCKER. Though I might even after that vote with my Republican friend on some political questions, I would still be elected.

Mr. WILLIS. Mr. Chairman, I thank the gentleman for the suggestion. Without doubt the primary or the convention is an essential part of an election, and if we have the authority to regulate an election, then, because the whole includes the part—because the greater includes the less—we have authority to regulate the primary, and if we did not have it, it would be an amazing state of affairs, as the gentleman from Missouri has just pointed out. There are districts in various States where the nomination is equivalent to an election, and it would put the gentlemen in those districts in the position of being able to spend any amount of money that they pleased, if we can conceive of such a thing, even corrupting the voters, so far as the Federal law is concerned, and yet that being done at the primaries, where the real vote occurred, and not at an election, there would be no recourse whatsoever under Federal law.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WILLIS. Mr. Chairman, I am in favor of a law which will guarantee not only the purity of the election but the purity of the primary, so that the voters of the several congressional districts may have opportunity to express their untrammeled

choice in the matter of their representation in Congress. I wish, before the vote on this amendment is taken, somebody either in favor of it or opposed to it would give us some information as to what the real effect of the amendment will be. As I understand, the real amendment pending, leaving out of consideration the pro forma amendments, is that offered by the gentleman from Wisconsin, to strike out, in line 22, page 4, the words "in two or more States." I submit the adoption of that amendment at that place will not accomplish anything one way or the other. If the gentleman desired to accomplish what the gentleman from Missouri says ought not to be done, the place to offer the amendment would be in lines 13 and 14, page 2, in section 1.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. Yes.

Mr. STAFFORD. I stated in my remarks that I was inadvertently absent when section 1 was considered, and I am moving this to test the sense of the committee, to see whether it is in favor of extending this law to all committees that have any connection with an election of Members of Congress.

Mr. WILLIS. Then the gentleman would contemplate, if his amendment is adopted, asking unanimous consent to go back to section 1?

Mr. STAFFORD. There are several other clauses where the phrase occurs.

Mr. WILLIS. But the important phrase is in section 1?

Mr. STAFFORD. Yes.

Mr. WILLIS. Because that defines a political committee; and then the bill in several places refers to "such political committees," referring back to the committee defined in section 1, and therefore the place to vote on this amendment is in that section, because adopting it here, it seems to me, will not have any material effect one way or the other.

Mr. TOWNER. Mr. Chairman, I rise to oppose the pro forma amendment just offered. The gentleman from Illinois [Mr. MANN] raises the constitutional question as to how far Congress has the power to legislate regarding the election of Senators and Representatives. The very reading of the clause which he cites is a sufficient answer as to whether or not we have that power. Section 4 reads that the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, and then follows the important and governing clause that Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. So that there is no question but that Congress can legislate as to the times and the places and the manner of holding elections for Senators and Representatives, and it is under that authority that this bill is drawn. I congratulate the chairman of the committee for his splendid work in preparing and bringing this bill here. I know that he is entirely sincere when he tells us that this bill goes as far as it is safe to go. I am quite sure he would desire, if he thought he could do so, and secure the passage of the bill, to go further and require the same publicity given to State or district congressional committees that is now given by this bill to the national committees. I desire to suggest to him and to other Members of Congress, and especially to those who are primarily responsible for this legislation, that if this bill shall pass in this incomplete form it will go out to the country not with the approval that the gentleman hopes and which it should have, but with the reservation and criticism that this bill does very little in extending the present law. In my judgment, it is our duty now while this bill is before us to make it what it ought to be. Men do not need to be told the danger that comes from thus leaving the congressional committees absolutely free from reporting the contributions that they receive and the expenditures that they make. This bill leaves it open for all these corrupting influences we deplore if we do not put into it the requisites of publicity as to district and local committees that we have with regard to national committees.

Mr. HELVERING. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. HELVERING. Does the gentleman think the very proposition that the Clerk of the House shall publish these campaign contributions and expenses is a very material improvement over the old law?

Mr. TOWNER. Why, very slight, I think. I believe, gentlemen, that we will be held responsible for negligence in the performance of our duties if we pass this bill in such incomplete form. I believe that it will leave us open to the charge of having ourselves left a loophole by which elections of Members of Congress may be corrupted. I now yield to the chairman.

Mr. RUCKER. Has the gentleman in mind any amendment which he thinks will help the bill?

Mr. TOWNER. Oh, I am supporting the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. RUCKER. The gentleman thinks that would improve it?

Mr. TOWNER. I think we ought to add the requirement suggested. I do not believe, gentlemen, that there is any question whatever about a conflict of jurisdiction. Why, the proposition involved in this bill or the requirement in this bill required of committees of any kind is merely publicity, merely a declaration and a statement of the amount they have received and the expenditures that they make. Such provisions can in nowise raise a conflict of jurisdiction between the States and the Nation. It only requires the local committees in each congressional district to do what is required with regard to the national committee.

Mr. RUCKER. The gentleman's idea is that the bill ought to apply to State committees and to congressional committees in the various congressional districts?

Mr. TOWNER. To congressional committees, not to State committees.

Mr. BUTLER. Will the gentleman yield?

Mr. TOWNER. To congressional committees in congressional districts.

Mr. BUTLER. To local committees and whatever organizations——

Mr. TOWNER. Oh, it is not necessary to do that.

Mr. RUCKER. Does the gentleman believe if the House would assert the power to write into this bill a requirement that congressional committees in every congressional district in the United States should make publicity of its transactions that hereafter the congressional committee would be absolutely like Othello, with its occupation gone?

Mr. TOWNER. The national committee?

Mr. RUCKER. No; the congressional committee. Does not the gentleman think it would go out of business absolutely?

Mr. TOWNER. No.

Mr. RUCKER. And the money be expended through some other medium?

Mr. TOWNER. Oh, no; not to my mind; I think the exact opposite is true, and I would like to have the people of our respective districts know what has been done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. Mr. Chairman, I ask for two minutes more.

Mr. RUCKER. Mr. Chairman, reserving the right to object, let me say to the gentleman—I am not going to object, I have no intention of objecting—but I do want to say this to all gentlemen, and I take advantage of this opportunity to say to both sides, that there are a great many other important measures which committees are very anxious to get up and I hope gentlemen will regulate themselves accordingly, and not consume any more time than can possibly be avoided.

Mr. TOWNER. I appreciate, Mr. Chairman, the position of the committee. I believe that the committee and its chairman both sympathize with this proposition, this amendment, and I am sure every man who has given the question careful study must hold, if we expect to have an adequate corrupt-practices act, we should have it include the amendment that is suggested by the gentleman from Wisconsin. I can see no harm that will come to it. I do not think any other body would dare take the responsibility of defeating this legislation upon a proposition so self-evidently just as this is.

Mr. HELVERING. Mr. Chairman, the bill now under consideration is fully in line with Democratic pledges and is an amplification of the legislation passed by the Democrats of this House in the Sixty-second Congress. The publicity bill passed at that time was in answer to a public demand for purer elections and for publicity which would show the influences behind the candidacy of every man who aspired to a seat in this House or in the one at the other end of the Capitol, and as such it was hailed as a needed and a progressive piece of legislation.

Since the time of the enactment of that legislation experience and practice have shown to us wherein it was faulty and wherein it could be amended to advantage, and it is to remedy these defects that the present legislation is proposed.

What will the enactment of this bill mean?

It will prevent any committee from sending into any State more money than has been contributed by the people of that State. The enforcement of this provision will prevent the pouring in of money for the purpose of influencing debatable States, and the importance of this can not be magnified in so far as it affects States where the population is largely urban and where there is a purchasable vote—a vote which holds allegiance to no party principles, but which is on the market and at the disposal of the highest bidder.

That is a most important provision in the proposed law, but in my judgment it is not the most important one. In the first session of this Congress we heard a demand from a cer-

tain political entity of this body for the publication of the expense statements of the candidates in the election of 1912. Personally I was in sympathy with that demand, for while the law did not require it, nevertheless I believe that the intent of that law recognized the need of publicity and paved the way for the fullest measure of publicity, and nothing was to be gained by raising technical objections to prevent the turning on of the strongest searchlight.

However, we have in this bill remedied that defect, and now, in section 12, we provide for a report from the Clerk of the House and for its publication as a public document.

This leads up to what I consider to be the strongest safeguard provided in this legislation for the purity of elections. I refer to the provision which requires every candidate to furnish each of his opponents, preceding the date of the primary and general election, a copy of the statement of receipts and disbursements as filed by him with the Clerk here.

The importance of that provision can not be overestimated. Statements published here after an election is over will do but little good. But when each candidate knows prior to election day the exact receipts and disbursements of his opponents, it is human nature to presume that he will give to each statement the most careful scrutiny. He will do so for the reason that he has a personal motive in finding something to criticize, and therefore, by this provision, we not only secure enforcers of the law without expense to State or Nation, but we also arrange that the evidence shall be placed in their hands.

Mr. Chairman, the need of all such legislation is obvious. It is often said that in this body we have a standard of individuality far above the average, and rarely is there a suspicion on this floor that any Member is acting from venal or unworthy motives. But because we have this confidence in each other it does not necessarily follow that suspicion is not to be found abroad in the land, and I believe that all legislation along the lines of the present bill is to be welcomed for the reason that the people of the country have the right to know what influences are behind every public servant, and we are but protecting ourselves and raising the reputation of this body when we court the fullest publicity.

We are legislating not in response to any demand from a new conscience, but rather to the demand of the awakened conscience, which sees the train of evils which have followed the "deeds done in the darkness" and now demands that men shall work in the full light of public knowledge and that merit rather than money shall dominate in our American public life.

Mr. RUCKER. By way of apology let me say that I did not see the gentleman at the time I asked for a vote, or I should not have made the request.

Mr. STAFFORD. Mr. Chairman, may we have the amendment reported again; it has been some time since the amendment was first reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection, and the amendment was again reported.

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

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

On a division (demanded by Mr. RUCKER), there were—ayes 11, noes 34.

So the amendment was rejected.

The Clerk read as follows:

SEC. 7. That the statements required by the preceding section of this act shall state:

First. The name and address of each person, firm, association, or committee who or which has contributed, promised, loaned, given, or advanced to such political committee, or any officer, member, or agent thereof, either in one or more items, money or its equivalent of the aggregate amount or value of $100 or more, and the amount or sum contributed, promised, loaned, given, or advanced by each.

Second. The aggregate sum contributed, promised, loaned, given, or advanced to such political committee, or to any officer, member, or agent thereof, in amounts of less than $100.

Third. The aggregate amount contributed, promised, loaned, given, or advanced by citizens of each State, respectively, together with the total sum of all contributions, promises, loans, gifts, and advances received by such political committee or any officer, member, or agent thereof.

Fourth. The name and address of each person, firm, association, or committee to whom such political committee, or any officer, member, or agent thereof, has distributed, disbursed, contributed, loaned, advanced, given, or promised any sum of money or its equivalent of the amount or value of $10 or more, stating the amount or sum distributed, disbursed, contributed, loaned, advanced, given, or promised to each, and the purpose thereof, together with a true and accurate statement of the items or sums distributed, disbursed, contributed, loaned, advanced, given, or promised to persons, firms, associations, or committees in each State separate from other States.

Fifth. The aggregate sum distributed, disbursed, contributed, loaned, advanced, given, or promised by such political committee, or any officer, member, or agent thereof, where the amount or value of such distribution, disbursement, loan, advance, gift, or promise to any one person, firm, association, or committee, in one or more items, is less than $10.

Sixth. The total sum disbursed, distributed, contributed, loaned, advanced, given, or promised by such political committee, or any officer, member, or agent thereof.

Mr. RAINEY. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 15 minutes. Is there objection?

Mr. RAINEY. I may not need that much time, I will say to the gentleman.

Mr. STAFFORD. The gentleman certainly will not need any more than that?

Mr. RAINEY. I think not.

Mr. STAFFORD. Mr. Chairman, the chairman of the committee has just expressed a desire to finish the consideration of this bill this afternoon, and I assume, from the form of the request, that the gentleman wishes to speak on something outside of the bill.

Mr. RAINEY. Yes. I will endeavor to finish as soon as I can.

Mr. STAFFORD. Will the gentleman be willing to inform us on what subject he desires to speak?

Mr. RAINEY. I desire to answer a speech made awhile ago by the gentleman from Washington [Mr. HUMPHREY].

The CHAIRMAN. Is there objection?

Mr. STAFFORD. If it will not take any longer than 15 minutes, I will not raise any objection.

Mr. RUCKER. Mr. Chairman, reserving the right to object, I would like to state to the committee that I will have to object to any extension beyond the 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and the gentleman from Illinois is recognized for 15 minutes.

Mr. RAINEY. Mr. Chairman, a short time ago, during my absence from the Chamber, the gentleman from Washington [Mr. HUMPHREY] made a characteristic speech which has now been written up by the stenographers and which I have just read.

My friend from Alabama [Mr. HEFLIN], who has been attacked by the gentleman from Washington, will be able to take care of himself when the time comes. If I were he, however, I would consider that the best sort of a reply to make to an undignified attack of that kind would be to treat it with silent contempt. At the present time the gentleman from Washington is perfectly safe. He selected an opportune time for his assault on my friend from Alabama. The gentleman from Alabama is a thousand miles from here and can not reply to-day or perhaps in the immediate future.

The gentleman from Washington continued his remarks by attacking the administration—referring to it as a discouraged, discredited, already condemned Democratic administration. By referring to the membership of this House as a panic-stricken, cowardly, Democratic majority who do what they are told to do; by saying that the present administration has thrown more men into idleness, destroyed more business, and made more beggars than any other administration in the same length of time.

Now, I could reply in kind to an attack of this kind on the Democratic majority and on this administration if I cared to descend to the level of argument used always by the gentleman from Washington on this floor in his attacks upon a successful administration, which has placed upon the statute books more remedial legislation in half a presidential term than his party ever placed upon the statute books in 50 years of time. [Applause on the Democratic side.] But the best sort of an answer to make to such an argument as the gentleman from Washington made to-day is to call attention to the evidence throughout the country—the evidence of reviving prosperity—that there is no such thing as a business depression throughout the country at the present time. We are emerging just now from the Republican panic of 1907, and this afternoon I want to call attention to conditions in the steel industry and in those other large industries throughout the country closely allied with it. In the near future I propose to take up the question of the textile trades and the revival there and in the other big business enterprises of this country that can be classified under other heads.

Now, the best evidence of conditions is not the unsupported partisan statements made by the gentleman from Washington here upon this floor. He does not prove, or attempt to prove, by evidence of value, anything. The best evidence does not consist of the statements that come from the private offices of the heads of great law-defying corporations in the United States. The best evidence should always be produced, and it is easily found in the indications throughout the entire country of reviving business conditions. It is indicated by the journals throughout the country which feel the public pulse and record the business temperature every day.

The Springfield Republican of June 18, 1914, in an editorial, said:

STEEL TRADE AND PROSPERITY.

That the orders of the United Steel Co. are steadily increasing this month is admitted in trade circles. They would increase faster if the corporation would accept long-term contracts at the present prices. * * * Assuming that the trust's unfilled orders reached the low point of the downward movement in May, it is worth while to make some comparisons for the benefit of Mr Calamity Howler. The unfilled orders were 3,998,160 tons on May 31. There was a period of more than a year not so long ago when the trust's unfilled orders ran steadily under that figure. * * * It is wicked and unpatriotic, perhaps, to mention the fact, but the Chicago correspondent of the Philadelphia Public Ledger, who is a specialist in finance, says, under date of the 16th: "This week, for the first time, there has been a splendid outburst of business confidence in the country tributary to Chicago, though for two or three weeks past there has been liberal buying of goods by country merchants in anticipation of a better tone among the people."

Now, I have other extracts here, which I am not going to read in full. I will read only sections of them, but I have them here if the fairness of the sections read are at any time questioned.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

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

Mr. RAINEY. Not now. Later on I shall be glad, if I have time, to yield, but not at this time.

Under the heading of "Greater steel activity," the New York Times quotes the Iron Age as saying that the midyear buying shows marked improvement. I read:

The St. Paul has released 15,000 to 20,000 tons of rails to a Chicago district mill, and it is believed to have distributed new orders amounting to 20,000 tons. * * * The steel corporation has taken a contract for 5,000 tons of girder rails for New South Wales. * * * The Wabash has practically closed for 60 locomotives. * * * The Pittsburg, Shamut & Northern has bought 750 coal cars, and the Atlantic Coast Line 100 logging cars. The Toledo & Ohio Central is asking bids on 1,000 box and 1,000 hopper cars.

The Iron Trade Review says the moderate betterment in steel trade which appeared early in June, as contrasted with other recent months, has been maintained. The volume of new business in a number of finished steel lines has undergone some expansion, specifications are better, and there is considerable negotiating by consumers on contracts for forward deliveries. Some makers report their bookings fully 50 per cent better than in May. The Steel Corporation's tonnage is considerably ahead of last month. * * * Car builders have been placing some round tonnages of steel.

From the Philadelphia Record of June 19, 1914, under the heading of "Glass and steel pick up," I read:

SIGNS OF BETTER BUSINESS IN THE PITTSBURGH REGION.

The declaration of President Woodrow Wilson that the present business depression is purely "psychological" appears to be in a measure borne out in this territory, if signs of increasing activity in all industrial lines can be taken as a criterion.

One of the most striking examples of return of prosperity was the announcement made by the American Bottle Co., of Newark, Ohio, that its working force would be increased from 900 to 1,200 men, and that working hours, which now vary 10 to 12 on two shifts, would be reduced to 8 hours. The factories will be run in three shifts of 8 hours each.

At Greenville, Pa., the 7-inch mills of the Carnegie Steel Co., which have been closed down for some time, resumed operations yesterday, giving employment to several hundred men.

Prosperity has also struck Sharon, where mills and furnaces are now running on better time than for several months. At the Driggs-Seabury ordnance corporation's office the company's books showed orders to be 400 per cent ahead of this time last year. The pay roll has increased 20 per cent, and a large number of extra hands are being employed.

At the plant of the United States Steel Corporation in this vicinity and the big independent concerns a steady resumption of business is reported.

As evidence of reviving conditions the country over, I desire to read extracts now from a number of papers published in a great many different cities, these extracts being selected at random and all appearing within the last week or 10 days of time. I have here the New York Commercial for June 22, and I read the following headings from its columns:

Improvement is shown in the steel situation—Structural business doubled the preceding week—On car orders June should show up well in excess of May or April—Sheet mills running on better time—Tin plates close to capacity.

The column of matter which follows the above headings I have carefully read. The matter printed is fully indicated in the headings I have just read.

From the Meriden (Conn.) Record I read the following heading:

Usual summer vacation planned for employees in most factories—Some concerns so busy that factories will close only for Fourth of July.

This paper is published in the very heart of the greatest manufacturing section of this country. I read from the article which appears under the above heading:

A number of concerns are so busy with orders that the employees will have a vacation of only one day—the Fourth of July. The Meriden Firearms Co., the M. B. Schenck Co., the Curtis-Way Co., and the Connecticut Telephone & Electric Co. all report business to be exceptionally good. These concerns will not have any shutdown summer period. * * * The rosy side of business conditions is found at the Connecticut Telephone & Electric Co., where 225 operatives are employed at overtime work. The concern has never had as much work and is employing more help than ever before. * * * The Curtis-Way Co. will close only for the Fourth of July.

From the Cincinnati Enquirer of June 19 I read the following heading:

Business—Rush of steel orders.

From the New York Sun of June 22 I read the following heading from one of its columns:

Pittsburgh mills resuming—One plant on full schedule for first time since November.

And under this heading the dispatch from Pittsburgh recites that—

One of the strongest indications of a resumption of business in the steel industry occurred to-day when department No. 1 of the Allegheny Steel Co., at Brackenridge, went on full schedule. This will be the first full week the department has operated since last November.

The lower mills of the American Sheet & Tin Plate Co. at New Kensington, also resumed. Officials of the New Kensington plant said that they expect the upper mills to be operating on full time within the next two weeks.

From the Courier Journal of June 18 I read the following headings:

Baltimore & Ohio Railroad shops to run on full time—Force at Washington, Ind., will be increased from 800 to 1,000 men.

The article under the above heading goes on to state that at present the shops employ 800 men and that 200 more men are wanted at once. From the Cincinnati Enquirer I read the following heading:

Illinois Central plans extensive improvements costing almost 10 millions—Many grade crossings will be done away with—Route to New Orleans shortened—Better terminals for Memphis.

And the article under these headings goes on to recite improvements to this railroad at Memphis amounting to over $3,000,000; at Chicago nearly $3,000,000; at Kensington of $2,500,000; and at other places in varying amounts, the total improvements being $10,000,000.

I read from the New York Times of about the same date the following heading:

Railroad business better says Hill—Great Northern earnings now picking up is the news he brings—Earling also optimistic.

And the data under this heading is a particularly interesting statement of the business revival given out by these great financiers.

From the New York Commercial of June 23, 1914, I read the following heading:

Western railroads facing big jump in traffic—Officials optimistic as business all along the line continues to increase and general freight movement swells—Provision tonnage gains heavily.

Under this heading I read:

A better feeling among railroad men, combined with improved prospects for a large business and increased earnings, is the situation which exists in the West

Farther down in the same column I read:

Although the tonnage in provisions moved over western railroads last week was only 120,000 pounds larger than the previous week, it was 4,415,000 pounds or 34 per cent in excess of last year.

And this article goes on to state that the big gain was in cured meats, and also in fresh-meat shipments.

I read from a recent issue of the New York Times the following heading:

No hard times in the West says Garford—Ohio Progressive is interested in six lines of manufacturing.

Under this heading there is printed an interview with the gentleman who is running for United States Senate in Ohio on the Progressive ticket. Referring to the Wilson administration, he says:

The administration has got to have a square deal. It has accomplished some things that somebody or something had to bring about. * * * I was talking the other day on the train to a salesman for a big New York concern who had been making a five months' tour of the West. He told me he had done the biggest business he had ever done.

Printed in the very heart of the manufacturing section of this country is the Paterson Guardian. From its issue of June 18, 1914, I read the following heading:

THROUGHOUT THE COUNTRY ARE SEEN INDICATIONS OF BETTER BUSINESS.

And under that sort of a heading I read:

There are many indications of better business. Bank clearings are over $3,000,000,000 a week. * * * Dun's Review notes that the New York banking position is unusually strong. This means that one essential stimulus to business expansion is not lacking, and there are now several signs of reviving activity in commercial and industrial channels.

I have here the Chicago Daily Farmers and Drovers' Journal for June 9, 1914, and from which I read the following heading:

Exports of hog products show increase—More beef products on foreign account.

And under this heading is given the statistics showing the remarkable increase of exports of beef products and hog products over the corresponding months of last year, and the re-

markable increase for the 11 months ending in May, 1914, as compared with the 11 months ending in May, 1913.

The Indianapolis News of June 9, 1914, says:

You just can't keep unparalleled prosperity down in this season of big crops. The Oliver Plow Works at South Bend will resume full operation July 6.

From the New York Times of June 18 I read the following dispatch from Kansas City, Mo., containing an interview with a bank examiner, who had just finished his inspection of certain Kansas banks:

Do not forget to build some more money drawers to take care of the wheat money that will come in a few weeks from now. * * * The impetus to trade comes next. It is already being felt through buying for harvest needs.

From the New York Evening Post I read a dispatch from Chicago, dated June 22, printed under the following heading:

TRAFFIC PROSPECTS BRIGHT—TONNAGE MOVEMENT ENLARGED OVER LAST YEAR—MAJORITY OF WESTERN ROADS HANDLE MORE MISCELLANEOUS FREIGHT AND MERCHANDISE, DERIVING BETTER REVENUE—ACTIVE PREPARATIONS FOR MOVING LARGE NEW GRAIN CROPS.

A better feeling among railroad men, combined with improved prospects for a larger business and increased earnings, is the situation which exists in the West.

From the Baltimore Evening Sun of June 22 I read the following heading:

RAILROADS KEPT BUSY—REPORT PICKING UP OF TRAFFIC FROM THE WEST.

Railroads handling traffic from the West report a decided picking up in business in that section, with increased loadings of all commodities.

From the Cincinnati Enquirer of June 22 I read the following heading:

BUSINESS SEEMS TO BE MENDING, ACCORDING TO NEWS FROM ALL PARTS OF THE COUNTRY—STAPLE GOODS FIND THE BEST DEMAND AT THIS TIME.

Confidence is growing rapidly in all lines of trade and industry. This was the report from all over the country last week. * * * Coincident with a drop of 1 cent in sterling exchange and the apparent end of gold exports, come announcements of heavy export sales of wheat. Stocks show a tendency to regain lost ground. Bank clearings increased 3.9 per cent over the previous week, the gain being made outside of New York.

The Milwaukee Journal of June 20 contains the following Pittsburgh dispatch, which is printed under this heading:

GROWING BUSINESS GIVES THE LIE TO HARD-TIMES TALK.

One of the most striking examples of the return of prosperity was the announcement made by the American Bottle Co., Newark, Ohio, that its working force would be increased from 900 to 1,200 men, and that working hours, which now vary from 10 to 12 on two shifts, would be reduced to 8 hours. The factories will be run in three shifts of 8 hours each.

The same article also calls attention to the fact that the 7-inch mills of the Carnegie Steel Co., which have been closed down for some time, are now reopened, giving employment to several hundred men, and the article also calls attention to furnaces at Sharon, which are now running on full time after running on short time for several months. It also calls attention to the fact that the Driggs-Seabury Ordnance Co.'s books show that orders are 400 per cent ahead of last year, and that a larger number of extra hands are being employed and the pay rolls increased 20 per cent.

Newark, N. J., is one of our greatest manufacturing centers. My recollection is that in Newark there are factories manufacturing almost everything that is manufactured anywhere in the United States. In this great manufacturing city there are over 1,800 factories. We can group several States which combined do not have as many factories as the city of Newark. Great trusts, however, do not operate there. Prosperity in Newark, with its varied industries, means manufacturing prosperity throughout the United States.

I read from the Newark News of June 22 the following heading:

Steady growth of savings deposits—Six local institutions report gains over 1913.

And then the article goes on to name the savings institutions which show gains of deposits.

I read from the article:

Practically without exception these banks * * * all report larger or fully normal total increases of savings deposits during the first half of 1914, with records which will compare more than favorably in some instances with like totals for 1913. * * *

At the Fidelity Trust Co. it was explained that the savings bank department showed deposits larger than a year ago, mainly because of the natural growth of business.

I read from a great journal printed in Milwaukee—the Milwaukee Sentinel—the following heading. It gives in one of its columns on the 21st day of June:

PROSPERITY PERIOD HITS COPPER FIELD—EXPERIENCED MEN ARE IN DEMAND, WHILE LABORERS GET READY EMPLOYMENT—OUTPUT IS INCREASING.

The big copper companies are rushing their outputs, increasing their product. * * * The copper country of northern Michigan is enjoying the greatest prosperity, the greatest boom, it has ever known, now that the strike is almost forgotten. * * * The Copper Range mines are almost daily increasing their shipments. Champion sending 84 cars per day, etc.

The New York Herald in a recent issue announces that at New Britain, Conn., the factories are working overtime and are running short of stock and are increasing the hours of their employees. On the 23d day of June the great Sharpless Separator Co., of West Chester, Pa., made public its letter of May 26, which is as follows:

Our factory is now running until 10 o'clock each night in order to make quick delivery of milkers and separators.

Business with us is very good, as is true of a large number of dealers that handle our lines.

This is the company which, it was claimed on this floor during the tariff debate, would be injured on account of the fact that we put their products on the free list, and on the floor of the Senate on August 4 last Senator PENROSE declared that the tariff law would compel the Sharpless Separator people to "move out next month." From the Brooklyn Citizen of June 23 I read under the heading "Revival of the steel industry" an editorial reference to the press announcement from Pittsburgh that the steel business is improving:

With a bumper crop and a good steel trade business generally should pick up. The country has been in the doldrums long enough.

From the Baltimore Evening Sun of June 23 I read the following heading:

Fear of car shortage rouses railroads—All possible equipment going to shops to meet expected demands—Baltimore & Ohio is hustling.

From the June 24 issue of the same paper I read the following heading:

Freight traffic picking up—Number of idle cars on Pennsylvania shows marked decrease.

From a recent issue of the San Francisco Daily News I note that the county treasurer of that county does not know what to do with $5,000,000 in cash. The banks will not borrow it, although he only charges them 2 per cent. The banking institutions, he says, have all the money they want, and this city and county treasurer concludes his interview by saying:

When your banker tells you that times are hard and money tight, you can tell him where he can make a nice profit by lending it to you at 6 or 8 per cent.

I content myself with reading the following heading from the Indianapolis News of June 22:

Confidence is growing in all lines of trade—Better wholesale and retail distribution—Basic industries improved.

The New York World of June 29 contains an interesting interview with Sir G. Paish, editor of the London Statist, and an economist of European reputation. I read a portion of it:

What is happening is not peculiar to the United States, but is incidental to the business situation generally. We calculated upon this reaction for 1915, but it has come earlier, and I believe an improvement is near. As to the United States, the shortage of the corn crop last year is one of the contributing causes. Such a shortage is inevitably followed by a shrinkage of trade. * * * There is no fundamental reason for depression. The American people are enjoying a great income, which no one doubts will show enormous expansion as time goes on. * * * These reactions are good things. They result in the survival of the fittest, and in renewed and enlarged expansion along safe lines

From the Milwaukee Journal of June 28, 1914, I read these headings:

Factories run day and night—Mills in Pennsylvania run at capacity—Treasurer of American Federation of Labor says employment conditions have improved much in a few months.

The Elizabeth Evening Times is published in the heart of a great manufacturing center. I read from its issue of June 28:

For the first time in many years the great Singer Sewing Machine plant at this city will give its employees only one week of summer vacation. The rule has been two or more weeks, and the calamity howlers had led the weary ones to expect a double-time lay off this summer. The Singer plant is not a local institution. It is not merely an American monopoly. It is a world organization, with plants dotted here and there in all countries where labor and raw material conditions enable it to produce any particular part of a sewing machine at a less cost than at some other point. The cutting of the summer vacation in half is the best proof that the tariff has not in any way affected the sewing-machine industry of this giant corporation. It is also proof that machines are produced by American labor sufficiently cheap as compared with other countries to make this the real home plant and mother plant of all the others.

From the New York Evening Post I read the following heading:

June earnings larger—Most roads will show gains for month.

And under that heading I read this extract from the column which follows:

Increased loadings and earnings are expected to be shown in the returns for the month of June by western and southwestern railroads. Gains have been made the past few weeks, and the returns show better than last year on a majority of the roads.

The Baltimore Evening Sun of June 30, 1914, contains the following heading and a long prosperity column:

B. & O. takes on 1,000—Getting equipment ready to move big wheat crop—Near full force at Mount Clare—Calamity howl groundless—Smith Carpet Co. has big business—"Talk of hard times or lack of business is all poppy-cock," said a member of the Baltimore firm.

The New York Times of June 22 records the big rail order for the Pennsylvania Railroad, a total of 137,000 tons to be bought, some of them 120-pound rails.

The New York Times of June 25 also calls attention to the fact that the tube industry is reviving and that the National plant at McKeesport is to be put on full time at once.

The New York Times of June 26 contains a dispatch from Detroit to the effect that the Ford Motor Co. is preparing to double its plant before fall, making it the largest manufacturing company in this country, and perhaps in the world. Five millions of dollars additional expenditure is to be made in the erection of buildings and 40,000 men are to be employed.

The Chicago Herald of June 26 announces that the American Car & Foundry Co. shows tremendous increase in earnings this year over a corresponding period for last year. This firm earned nearly $6,000,000 in the year ending April 30. The splendid showing made by this company is referred to on that date in the newspaper items throughout the country. The New York Commercial of June 26, 1914, contains in its editorial columns a long review of steel-trade conditions, showing revival in the steel trade in Pittsburgh and throughout the country, and reviewing the rolling-stock shortages on various important railroads. The New York Times of recent date also calls attention to the fact that the Cramp & Sons Ship & Engine Building Co. are earning more and more money all the time, showing a gain in the year ending April 30 of this year of over a million dollars as against a gain of half that much in the previous year.

A recent issue of the Iron Age calls attention to the fact that the steel trade, entering the second half of this year, is looking for an increase in demand. Mr. Earling, president of the Chicago, Milwaukee & St. Paul, is giving out interviews announcing a substantial improvement in railway business throughout the country.

I have only attempted in submitting this evidence—and I have submitted only a small part of the evidence in my possession—to call attention to the business revival experienced throughout the country in the steel industry, on the railroads, and in other lines closely connected with steel and with railroad operations. In a few days I expect to take up other lines of industry. It is impossible for calamity howlers here in the House of Representatives, resorting to undignified language, unbecoming the high position they occupy, to affect the reviving business condition felt throughout the country. Managers of great corporations, anxious for the return to power of a party which protects their profits at the expense of the great masses of the country, may give out statements to the effect that there is a period of great depression here. High officials of the Steel Trust may endeavor to suppress the evidence of prosperity in their own lines, but, after all, they can not seriously interfere with the laws of trade. There is no depression throughout the country. Business is improving. I have called to the attention of the House the evidence. I have produced here the witnesses.

If you want to find the evidence of a real trade depression—a Republican trade depression—read the headings in the newspapers published throughout the country in 1907-08. I called attention in a speech I made on the floor a few days ago to some of the things that were happening in those years, and I called then the same witnesses I call now—the newspapers of the country. In my speech at that time I reviewed some of the events showing the awful depression of those years, the depression from which we are just now emerging. The national administration needs no defense at my hands from the little calamity howlers throughout the country—from the little men, prompted by little motives, who attempt to detract from the splendid, the marvelous, record we are making under the leadership of the greatest President since Lincoln. Speeches made on this floor, occasional declarations heard throughout the country, attempting to suppress the evidence—to make people throughout the land doubt the evidence of their own senses—only serve to call attention to reviving trade conditions. The proof is abundant, on the other hand, to show the complete and absolute falsity of the declarations to which I have been calling attention.

It is to be regretted that there are men in this House and throughout the country whose blind devotion to discredited principles, to a discredited party, and to discredited party leaders is so intense that they can see nothing good in the legislation we have placed upon the statute books. They are so prejudiced and partisan that they can not see throughout the land the evidence of a business revival, which comes to the surface in spite of them and in spite of the great influences of law-defying corporations. We are on a new business basis, protected and regulated by new laws enacted by the party now in power, which is the conservative party of progress throughout the Nation. [Applause on the Democratic side.]

The Clerk read as follows:

SEC. 8. That every person, firm, association, or committee, except political committees as hereinbefore defined, that shall expend or promise any sum of money or other thing of value amounting to $50 or more for the purpose of influencing or controlling, in two or more States, the result of an election at which Representatives or Senators to the Congress of the United States are elected, unless he or it shall contribute the same to a political committee as hereinbefore defined, shall file statements of the same under oath in the office of the Clerk of the House of Representatives, at Washington, D. C., as required by sections 6 and 7 of this act, which statements shall be held by said Clerk in all respects as required by section 6 of this act.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee a question in regard to this matter.

Mr. RUCKER. I yield to the gentleman.

Mr. RAKER. This is practically the same as the old law. The only change is that it adds the Senators. Now, if a man expends money in a State for that individual State, I want to ask the gentleman, would that come under the provisions of this section?

Mr. RUCKER. I think not.

Mr. RAKER. In other words, then, all the money expended by a person or a firm or association would not be reported to the general committee at all? Or, in other words, they would not have to file their statement.

Mr. RUCKER. If it was expended wholly within the State, they would not.

Mr. RAKER. May I ask the gentleman why this ought not to be mandatory upon an individual or a person who expends money in a State for the election of either the Member of the House or the Senate? Why should he not be required to file his statement with the clerk, the same as if it was expended by the committee in two or more States?

Mr. RUCKER. The reason is the same as that which I assigned before. Whether it is a good or bad reason the gentleman will have to determine. It is this: We desire to avoid an invasion of the rights of States. The firm, association, or person here referred to, of course, is a citizen of the State solely, and we seek no jurisdiction over that citizen, unless he undertakes to expand his activities into other than the State in which he lives.

Mr. RAKER. What constitutional objection is there, if any?

Mr. RUCKER. To me?

Mr. RAKER. Yes.

Mr. RUCKER. None in the world; but I want to say to the gentleman that there are others besides myself, whose wisdom is no doubt superior to mine.

Mr. TAGGART. May I interrupt?

Mr. RUCKER. Yes.

Mr. TAGGART. There are other provisions in the bill further on and even in the law——

Mr. RUCKER. We are talking about the law now.

Mr. RAKER. In the law now.

Mr. TAGGART. There are provisions in the law now requiring the candidate to give the name of any person who has expended money in his behalf.

Mr. RAKER. That is right.

Mr. TAGGART. And the amount, and to whom he gave it; but it does not require anyone, either the candidate, the committee, or any other person, to state for what purpose any money was expended.

Mr. RUCKER. That is not the question the gentleman is now dealing with.

Mr. RAKER. No. In other words, this is more extensive than that.

Mr. TAGGART. If a man of great wealth should take a notion to elect a certain man to Congress, he could go to work, without the knowledge of the candidate, and spend all the money that he pleased for any purpose that he pleased and give no account of it whatsoever.

Mr. STAFFORD. This bill does not reach that condition at all.

Mr. RUCKER. I will answer the gentleman, if I have understood him correctly.

Mr. RAKER. I am glad to yield for that purpose.

Mr. RUCKER. The gentleman assumes a preposterous and impossible condition. A rich man can not go into a gentleman's district and debauch the people without the condidate having guilty knowledge of it, and the law requires the candidate to account for the money that is used in that way in his behalf.

Mr. STAFFORD. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. STAFFORD. I am not acquainted with conditions in Pennsylvania; but recently I read an extract from a highly reputable newspaper, the Philadelphia Public Ledger, in which that very condition was pointed out, that while their State law

called for a strict accounting of the disbursements by the candidates themselves, there was much money spent in their behalf by others for which there was no accounting whatever, and the candidates themselves were supposedly ignorant of the conditions.

Mr. RUCKER. Of course I do not know. The newspapers may condone the offenses of citizens here and there and elsewhere; but my notion is that the condition suggested by the gentleman from Kansas can not exist in any jurisdiction in this whole broad land without the guilty participation of the candidate. It is bound to be so.

Mr. RAKER. Now, I want to call the attention of the chairman to this section. While it has been passed and discussed before, it seems to me that there is a way in which this could be reached.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. I ask for five minutes more. I yielded most of my time to questions.

The CHAIRMAN. The gentleman from California asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. RAKER. While section 8 relates to one subject, and requires every firm, association, or committee except this national committee to file statements as to expenditures within two or more States, I can readily see the propriety of leaving the words in line 22, "in two or more States"; but can there be any possible legitimate reason for a person who goes out and expends money above $50 or above $10—and I will say it ought to be $10—in behalf of any candidate for the House or the Senate, when there is no constitutional inhibition against it? Why should not the public know what money has been expended? The argument might be made that the candidate must know; but that can be passed by and slipped aside, and money may be expended, and the election is over, and the candidate legitimately might not know anything about it. We are here trying to get publicity of campaign expenses. I believe that the law now in force has done more for the purification of elections than any one thing that has been done in many years. It has made it possible that the public may know what corporations are interested in the election of a particular man, what individuals are interested in the election of a particular man, and what corporations, individuals, or set of men are in favor of defeating a particular man for office, for membership in the Senate or House. And if a man expends a certain amount of money over $50, as provided in the bill—or it might be $10—why should he not file a statement with the Clerk within the specified time before election, and another statement so many days thereafter, and then another statement after election, so that the public may know who is behind a man and what interest he represents, and also the interest that is trying to defeat any candidate? I believe it would have a wholesome effect upon the purity of elections.

I want to say that no man ought to be permitted, no man ought to request or require any more money in a campaign than enough to pay legitimate expenses in going over the country as well as sufficient newspaper expenses that the public may know him and know the things for which he stands. There is not a dollar expended for buying men outright and getting them to do certain things that have been done in the past for the purpose of corrupting elections. Money ought not to be sent in from one district to another, and if a man expends it in his behalf or in behalf of anyone he might not know of, or defeating another, it ought to be published and let the public know what that money was expended for.

Mr. CLINE. Will the gentleman yield?

Mr. RAKER. I will.

Mr. CLINE. I think the gentleman is supposing a condition and making the requirements of a candidate that it is not possible to comply with. It was disclosed in the Mulhall investigation that the Federation of Labor and the Association of Manufacturers voluntarily got behind candidates for Congress. I think I may fairly say that it was without any knowledge on the part of the candidates. They expended money, in many instances thousands of dollars, for the benefit of a candidate or to defeat him, along lines of their own selection without any knowledge on the part of the candidate. How are you going to require the candidate under those circumstances to account for the use of all the funds that were effective in electing him or defeating him?

Mr. RAKER. I want to thank my friend for that statement. This bill and the law in most of the States requires a candidate to make a full and complete statement of all money expended and contributed to him and what he expended it for. This section 8 eliminates the private individual in a State who goes in for the purpose of corrupting voters for the purpose of electing a United States Senator, lets him go in each congressional district and expend money without filing a statement as to the expenditure of the money. The same way the committee and the same way the company, and the purpose of the section is in a company that spends any money in one State or one district should be required to file a statement with the Clerk of the House of Representatives the same as when his activities are in two or more States, and the various iniquities that were brought about by the Mulhall activities, if they had complied with the law, would have demonstrated and exposed those that they were in favor of or those that they were against.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MILLER. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I may proceed for five minutes. I do that because I do not wish to speak upon the provisions of the bill, but make some observations in answer to the remarks of the gentleman from Illinois [Mr. RAINEY].

Mr. MONDELL. Mr. Chairman, I do not want to object, but I hope that we can finish the discussion of this bill soon, so that we can reach another measure; and I trust that this political discussion will soon end.

Mr. RUCKER. Mr. Chairman, reserving the right to object, I did not object to gentlemen on this side a few minutes ago who asked the privilege, and I can not object now to gentlemen on that side of the House; but let that be an offset to the remarks of the gentleman from Illinois.

Mr. STAFFORD. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. STAFFORD. The gentleman from Washington [Mr. HUMPHREY] would like three minutes.

Mr. RUCKER. After the gentleman from Minnesota has addressed the House I shall seek to confine the discussion to the bill. I feel compelled to do that.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. STAFFORD. Reserving the right to object, I hope the gentleman from Missouri will see his way clear to allow the gentleman from Washington three minutes, as the gentleman from Illinois [Mr. RAINEY] addressed some remarks to him.

Mr. RUCKER. I suggest if we make some progress in the bill that later on we may be in better humor.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota.

There was no objection.

Mr. MILLER. Mr. Chairman, the gentleman from Illinois [Mr. RAINEY] has submitted what to his mind is a return of vanished prosperity in business. His main witness, as I gathered from what he said, is the United States Steel Corporation. He quoted a newspaper report that the United States Steel Corporation has received orders for the manufacture of certain iron and steel goods. I have no doubt that is true. It would be amazing if that corporation of great magnitude did not receive some orders even in these distressing times.

But there is a feature of it which the statement of the gentleman from Illinois did not include. The mining offices of the United States Steel Corporation are in the city in which I live. One-half of all the iron ore mined in the United States is mined in the county in which I live. The great mines of the Steel Corporation are located in that county. Practically all of the independent iron producers have great mines in my district. I have just returned from a complete tour of every section of the mining district. I have visited every town and pretty nearly every mine, and I found the same conditions existing everywhere. Never since iron ore was first discovered at the head of the Lakes has there been such a region-wide depression as now. Within the last few weeks the United States Steel Corporation, the witness offered by the gentleman from Illinois, has discharged some 3,000 or 4,000 miners in the county in which I live. It has not only discharged them because there is no market at the present time for ore, but has absolutely closed up a large number of the mines.

What is true of the Steel Corporation is also true of independent concerns who are producing about the same quantity annually as the Steel Corporation. A great majority of their mines are closed to-day and were never closed before since they were opened. All of them are on reduced time.

Every train from the mining country is filled with men leaving that region because there is no work. Mining operators told me there is no use mining ore, because there is no market for ore. Mines are therefore closed or their output reduced;

because ore can not be sold. The general business depression throughout the United States is reflected in the stagnation over the iron-mining industry, and the opinion expressed to me by every man familiar with the business is that they have never seen such stagnation and such hopelessness for the future in the iron-producing industry.

What is true of that is also true, though in a less degree, of the lumber business. One of the lumber producers of my own State, who, by the way, is a Democrat, one who never voted anything in his life but the Democratic ticket, who has been a lumber producer in that State for 30 years, tells me that he never in his life saw such conditions, not even from 1893 to 1897; that he sold lumber months and months ago, but the people to whom he sold it will not put in enough more money to move it, preferring to leave it there rotting in the yard. He further stated if things continue as they now are and look as though they were going to, he is going to close his mill, with no prospect of opening it. I have my own opinion as to the kind of ticket that he will vote next fall, together with many more who are in that same degree of business prosperity described as psychological so often in the city of Washington. Mr. Chairman, if I have any more time, I would like to yield it to my friend from Washington [Mr. HUMPHREY].

Mr. TAGGART. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Certainly.

Mr. TAGGART. What would the gentleman do for the particular relief of that lumberman—put the tariff back on lumber?

Mr. MILLER. Oh, the tariff on lumber has absolutely nothing to do with his business. I voted for free lumber every time it has come up since I have been a Member of this House. The trouble is that he can not sell his lumber for any price, because there is no market for it in the United States. The general business stagnation resulting from the Democratic tariff bill as a whole has stopped all building, and lumber can not be sold at any price.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HUMPHREY of Washington rose.

Mr. RUCKER. Mr. Chairman, would the gentleman just as soon wait until I answer some quesitons that were asked me some time ago?

Mr. HUMPHREY of Washington. Yes.

Mr. RUCKER. Mr. Chairman, I want to say to the gentleman from Washington that I am disposed to be very courteous to him, but questions were asked me upon this side so long ago that unless I answer them now I fear I shall forget them. I want to answer them now. The gentleman from California [Mr. RAKER], who I know is in hearty accord with every wise provision of this pending legislation, suggests that in section 8, instead of the amount being $50, it ought to be $10, and that every individual or firm or every committee which uses $10 or more ought to give publicity of that fact. Let me see if he is correct. If every gentleman in a congressional district who gives $10 toward a campaign fund of a candidate for Congress files a statement in Washington in the Clerk's office, how many people in the United States would ever see a single one of them? If a great many contributions were made, then a compliance with the law itself would work a destruction of the law. The law would become top heavy and fall of its own weight. If only one contribution was made, no harm could result if it never was known.

I submit, Mr. Chairman, and I do this with the very best of good humor, as the gentleman knows, because I know he is as earnestly in favor of this measure as I am, that I would go hand in hand with him just as far as the integrity of his political nature would lead him to go, and do all that he would seek to do to purify elections, if I did not believe, if I do not now believe, that the anxiety of gentlemen to accomplish a great good sometimes destroys the opportunity we have at hand of doing some good. I believe the measure is a great measure as it is, and while gentlemen of the House on both sides justly criticize its provisions here and there, I again throw down the challenge broadgauge to all gentlemen, and ask them to suggest something that will improve it, and we will accept it. The committee which reported this bill earnestly tried to discharge its duty. The gentlemen who rendered valuable assistance in framing this bill are now present to support it, but are ready to accept any improvement that may be offered. I believe the thought we have given this measure and the precautions we have used justifies us in standing for its provisions. I hope, therefore, that my good friend from California [Mr. RAKER], who simply desires to make it a better bill, will not insist upon this proposition, and if he does insist upon it, I hope all other friends of the measure will vote down his amendment.

Mr. RAKER. Oh, I did not offer an amendment.

Mr. RUCKER. Very well.

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I did not have the pleasure of being present when the clipping-bureau expert from Illinois, Mr. RAINEY, commenced his remarks. It is rather a peculiar incident, however, that the reason I was not upon the floor was because I was stopped in the corridor by a gentleman, who informed me that he had just been out through Pennsylvania, that he was investigating as to the condition of the steel industry in that State, and that he had just returned, and said that it was in worse condition than it was even in 1896.

Mr. RAINEY. Has the gentleman any objection to giving the name of his witness?

Mr. HUMPHREY of Washington. The gentleman is a Grand Army man; he wears a Grand Army button. I see him here about the building sometimes, but I do not know his name. If I did, I would be very glad to give it to the gentleman from Illinois. But I can say this also, for the gentleman's information, that while he talks about the steel industry, the United States Steel Corporation had less than one-half as many orders upon its books the 1st day of May of this year as it did on the 1st day of May a year ago. Another remarkable statement is, as he says from this information which he receives from his clipping bureau, that all of these mills are starting up; that business is reviving, is going to revive.

Mr. Chairman, we have been told all of these months that the mills were all running at full capacity. How can they be starting up when they never have been closed? I am losing some of my faith in some of the prosperity items that are presented on that side of the House. It will doubtless be recalled that on last Friday, I think it was, my distinguished friend from Indiana [Mr. CULLOP] was enlightening us about the wonderful prosperity in Indiana, and in his particular district, and yet the very day that the gentleman from Indiana stood up here and made his prosperity speech the largest factory in his entire district closed, the Sowers Furniture Manufacturing Co., at Bloomington, Ind., employing 800 men, a factory that has been running for many years. Merely psychological, I suppose.

And on last Saturday, while some of those gentlemen were making their prosperity speeches about the textile industry, in Martinsburg, W. Va., almost in the shadow of the Capitol, one of the great factories that has been running for 30 years closed its doors. I wondered why my clipping-bureau friend did not get that clipping. It was in all the press here.

Mr. GOOD. Will the gentleman yield?

Mr. HUMPHREY of Washington. I will.

Mr. GOOD. The gentleman certainly knows it is not necessary to go to Pennsylvania or to Indiana or to any other State to secure evidence that business is paralyzed. Coming down F Street in the city of Washington to-day I counted 10 empty store buildings between Fourteenth Street and Thirteenth Street, and the gentleman knows that that portion of F Street is the best retail section of the city of Washington.

Mr. HUMPHREY of Washington. Oh, yes; but that is all psychological.

Mr. GARRETT of Tennessee. Are they not rebuilding them?

Mr. HUMPHREY of Washington. They were all running a year ago. There are five empty stores on the block on F Street, the first one this side of the New Willard Hotel, that were all occupied a year ago, but of course that is psychological also; but still they are closed, and in a few days my distinguished friend from Illinois will be reading a clipping saying they are going to open.

Mr. RAINEY. Will the gentleman yield?

Mr. HUMPHREY of Washington. I do.

Mr. RAINEY. Does the gentleman know these store buildings which he has just mentioned as being closed are closed because they are preparing to build other buildings on that ground?

Mr. GOOD. Oh, no.

Mr. HUMPHREY of Washington. Oh, no.

Mr. RAINEY. That is true.

Mr. HUMPHREY of Washington. No; the ones I refer to are not closed on account of building operations; they are closed on account of a Democratic administration. Look all over the entire country. You can go into any village or any city in the United States and all you have to do is to walk along the streets and look at the signs "For rent" and know we are enjoying a Democratic administration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGGART. Mr. Chairman, I ask unanimous consent to address the committee for one minute.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to address the committee for one minute. Is there objection?

Mr. RUCKER. Mr. Chairman, reserving the right to object, I just this minute stated——

Mr. TAGGART. I beg pardon, the Chair had made a ruling, and I will withdraw the request.

Mr. RUCKER. Mr. Chairman, I make no objection to the gentleman's request; but I hope that will not be taken——

Mr. TAGGART. Mr. Chairman, out of deference to the Chairman's ruling, I withdraw the request which he has denied the other side.

Mr. WILLIS. Mr. Chairman, I desire to offer an amendment to section 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 7, line 15, after the word "to," strike out "$50" and insert "$10."

Mr. WILLIS. Mr. Chairman, I was not able to hear all the colloquy between the chairman of the committee and the gentleman from California; if I had, perhaps it might have convinced me that this amendment should not be offered; but not hearing it, I am of the opinion that the bill ought to be amended in the way I have indicated in the amendment which I send to the Clerk's desk. This is the section that provides:

SEC. 8. That every person, firm, association, or committee, except political committees as hereinbefore defined, that shall expend or promise any sum of money or other thing of value amounting to $50 or more for the purpose of influencing or controlling, in two or more States, the result of an election at which Representatives or Senators to the Congress of the United States are elected, unless he or it shall contribute the same to a political committee as hereinbefore defined, shall file statements of the same.

And so forth.

Now, this amendment, in my judgment, if adopted, will not work hardship or bring about the confusion in the office of the Clerk of the House which the gentleman from Missouri fears it would, because I apprehend that persons making these contributions would ordinarily make them to committees; and if the contributions are made to committees, why, then, there is no requirement to make report here to the Clerk; and it seems to me that if we leave the amount as high as $50 we open the way to a great deal of possibility of fraud. I do not think there will be any hardship or any confusion or any inconvenience if we have that amount lower, and I do believe the amendment I have offered is in the interest of purity in our elections.

Mr. RUCKER. Will the gentleman yield?

Mr. WILLIS. I do.

Mr. RUCKER. I am not guided in my conclusions by the thought of any hardship to anybody who is required to keep an account, but I would like to suggest this to the gentleman: The amount written in the law is $50. The gentleman's amendment would reduce it to $10, so that everybody who made a contribution, which was not given to a committee, of $10 or more to be used in two or more States would be required to file a statement with the Clerk of the House. Now, the point I make is this: If a great many contributions of that kind are made, obviously nobody will pay attention to them, because they become so multitudinous. If only a few are made, it is wholly immaterial whether we know about them or not, because they do no harm, and, it seems to me, if the gentleman will reflect a moment about it, in requiring publicity where the amount is $10 or more, if you would file all the papers here, it would pile up the papers here so high and become so confusing the public could derive no benefit from the requirement.

Mr. WILLIS. I do not think this amendment, if enacted into law, would effect such confusion, and I do not think there would be any delay of reports; but I think our people all over the country, who as a class are law-abiding citizens, would appreciate the spirit of this act, which undoubtedly is to turn on the light of publicity and punish everybody who ought to be punished. Men who wish to contribute to the expense account of any candidate, instead of sending that money to him, so that the matter can be kept in the dark, with all the attendant possibility of improper influence, will make a contribution directly to some committee which, under this admirable bill which the gentleman has drawn, will be required to make a report. It seems to me that the very effect of it will be to secure larger publicity. Now I yield to the gentleman.

Mr. RUCKER. Mr. Chairman, I believe that possibly the gentleman from Ohio misapprehends the bill. If, for instance, some genteman living in a different State would send to a candidate for Congress in Missouri a $25 contribution, the amendment he proposes would not require, even if the amendment should carry, publicity by the donor, because the language is "who seeks to influence the election in two or more States."

Mr. WILLIS. Yes; I understand so.

Mr. RUCKER. If the effort is to control the result of an election in only one district, it would not be in two or more States. And then, again, the gentleman will see that very little will ever result from this section as a matter of fact, except when gentlemen make princely donations, because where the amount is $50 it must be distributed between at least two States before the donor is amenable to the law.

Now, a person who is a candidate in another State who may receive the donation is obligated to account for that, but the giver would not be required to give publicity unless the election is held in more than one State.

Mr. WILLIS. The result of this amendment reducing the amount would tend to bring about a larger degree of publicity, would it not?

Mr. RUCKER. No. In all frankness I will say that I think the contrary would be the effect.

Mr. WILLIS. If the gentleman believes that, why not raise the $50 to $1,000, or at least to $100?

Mr. RUCKER. Oh, that is not reasonable. The gentleman will recollect that $50 measures the amount of the campaign contributions of many men who make contributions for patriotic motives. I hope the gentleman's amendment will not be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. WILLIS].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. SISSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SISSON. I want to inquire whether, under the special order, amendments were to be offered to the end of the paragraph? Does the regular order apply to amendments offered at the end of a paragraph and not the end of a section?

The CHAIRMAN. There was no request made to consider the bill by paragraphs, and the regular rule of considering it by sections is adhered to.

Mr. SISSON. That is not the regular rule, as I understand it. It is not to consider it by sections, but by paragraphs.

The CHAIRMAN. We are considering this by sections.

Mr. SISSON. I want to offer some amendments to this bill.

Mr. RUCKER. Mr. Chairman, I suppose the gentleman would be content to offer them after the reading of the section.

Mr. SISSON. The same amendment would occur in several of these paragraphs.

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] will be recognized to offer amendments to any paragraph in the section.

Mr. SISSON. I would like to know by what order or what authority we are changing the regular rule of the House, which says that the bill shall be read by paragraphs for amendment, and not by sections? I have no objection, Mr. Chairman, if it is understood that I do not lose any rights thereby.

Mr. RUCKER. That is all right.

Mr. GARRETT of Tennessee. Mr. Chairman, that would be true if there was a gentleman's agreement that no one would make a point of order that it was too late to offer an amendment.

Mr. RUCKER. I ask unanimous consent, Mr. Chairman, that in the consideration of this bill amendments may be offered, after the entire section has been read, to any part of it.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] asks unanimous consent that amendments may be offered, after the entire section has been read, to any part thereof. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 9. That the word "candidate" as used in this section shall include every person whose name is presented with his knowledge and consent for nomination for Representative or Senator in the Congress of the United States at any primary election or nominating convention or for election at any general or special election held in connection with the nomination or election of a person to fill such office, whether or not such persons are nominated or elected.

Every person who shall be a candidate for nomination at any primary election or nominating convention, or for election at any general or special election, as Representative in the Congress of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention, and not less than 10 nor more than 15 days before the day of the general or special election at which candidates for Representatives are to be elected, file with the Clerk of the House of Representatives, at Washington, D. C., a full, correct, and itemized statement of all moneys and things of value re-

ceived by him or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same, in whole or in part, and deliver a duplicate of such statement to each of his opponents for such nomination or election if such opponents and their addresses are known. Such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election.

Every person who shall be a candidate for nomination at any primary election or nominating convention, or for election at any general or special election, for Senator of the United States, shall, not less than 10 nor more than 15 days before the day for holding such primary election or nominating convention, and not less than 10 nor more than 15 days before the day of the general or special election to fill such office, file with the Secretary of the Senate, at Washington, D. C., a full, correct and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part, and deliver a duplicate of such statement to each of his opponents for such nomination or election, if known. Such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election.

Every such candidate for nomination at any primary election or nominating convention, or election at any general or special election, shall, within 15 days after such primary election or nominating convention, and within 30 days after any such general or special election, file with the Clerk of the House of Representatives or with the Secretary of the Senate, as the case may be, a full, correct, and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, up to, on, and after the day of such primary election, nominating convention, or general or special election, together with the names of all those to whom any and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election.

Every such candidate shall include therein a statement of every promise or pledge made by him, or by anyone for him with his knowledge and consent or to whom he has given authority to make any such promise or pledge, before the completion of any such primary election or nominating convention or general or special election relative to the appointment or recommendation for appointment of any person to any position of trust, honor, or profit, either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment, for the purpose of procuring the support of such person or of any person in his candidacy; and if any such promise or pledge shall have been made the name or names, the address or addresses, and the occupation or occupations of the person or persons to whom such promise or pledge shall have been made shall be stated, together with a description of the position relating to which such promise or pledge has been made. In the event that no such promise or pledge has been made by such candidate that fact shall be distinctly stated.

No candidate for Representative in Congress or for Senator of the United States shall promise any office or position to any person, or to use his influence or to give his support to any person for any office or position for the purpose of procuring the support of such person or of any person in his candidacy; but such candidate may, within the limitations and restrictions and subject to the requirements of this act, contribute to political committees having charge of the disbursement of campaign funds.

No candidate for Representative in Congress or for Senator of the United States shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election, any sum in the aggregate in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum in the aggregate exceeding $5,000 in any campaign for his nomination and election; and no candidate for Senator of the United States shall give, contribute, expend, use, or promise any sum in the aggregate exceeding $10,000 in any campaign for his nomination and election: *Provided further*, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery, and postage, writing or printing (other than in newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service, shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statements herein required to be filed.

No statement herein required to be made need contain the items of which publicity is given in a previous statement, but the statement required to be made and filed after a general or special election, in addition to an itemized statement of all expenses not theretofore given publicity, shall contain a summary of all preceding statements.

Mr. SISSON and Mr. STAFFORD rose.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. SISSON. Mr. Chairman, I desire to offer an amendment to the first paragraph. I want to state also that the same amendment, if it prevails, will be offered to all of the other paragraphs and sections of the bill wherein the same language occurs.

Mr. Chairman, I offer to amend the first paragraph in section 9 by striking out, after the word "States," in line 4, page 8, the words "at any primary election or nominating convention or for election," and striking out, after the word "special," in line 6, the words "election held in connection with the nomination or," so that the section will read "or Senator in the Congress of the United States at any general or special election."

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 8, line 4, after the word "States," strike out the words "at any primary election or nominating convention or for election," and, after the word "election," in line 6, strike out the words "election held in connection with the nomination or."

Mr. SISSON. Mr. Chairman, I intended also to include in line 3 the words "for nomination."

Mr. RUCKER. Mr. Chairman, can we have the amendment reported again?

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

On line 3 strike out the words "for nomination."

Mr. SISSON. That does not read exactly as it should. I ask unanimous consent, Mr. Chairman, to modify my amendment so that the word "nomination" may read "election." I think it makes it clearer.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to modify his amendment as indicated. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Chairman, let the amendment be read as modified.

Mr. STAFFORD. Mr. Chairman, I would like to have the amendment reported. It has not been fully reported as yet.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

In line 3, strike out the word "nomination" and insert "election."

Mr. STAFFORD. Mr. Chairman, the amendment of the gentleman has not been reported at any time.

The CHAIRMAN. The Clerk will report the entire amendment.

The Clerk read as follows:

Strike out in line 3 "nomination" and insert "election"; in line 4, after the word "States," strike out the words "at any primary election or nominating convention or for election"; and after "election," in line 6, strike out "held in connection with the nomination or election of a person to fill such office, whether or not such persons are nominated or elected."

Mr. SISSON. We ought to strike out the word "election" after the word "special," so that the word "election" will not occur twice. Now, Mr. Chairman, if the amendment is understood, I would like to have recognition.

Mr. GARRETT of Tennessee. Mr. Chairman, I have an amendment which I will offer after the gentleman has discussed his amendment.

Mr. RUCKER. Mr. Chairman, there are several gentlemen who want to be heard on this. I believe the gentleman from Mississippi [Mr. SISSON] has some amendments to offer to other parts of the bill.

Mr. SISSON. Yes; there are some. I will state to the gentleman, so far as I am concerned, that I am perfectly willing that the debate on these may be completed at one time, instead of debating them at different times.

Mr. RUCKER. I wonder if we could not agree as to how much time gentlemen will want to debate this?

Mr. SISSON. In view of the fact that there are so many of the amendments, while I do not want to trespass on the time of the committee, I should like to be permitted to proceed for at least 10 minutes myself.

Mr. RUCKER. I should like to inquire how many other gentlemen want to speak.

Mr. STAFFORD. There will be 15 minutes wanted on this side, and I suggest to the gentleman that we go ahead.

Mr. RUCKER. I thought we might agree on it.

Mr. SISSON. There is absolutely no desire to delay consideration of the bill.

Mr. RUCKER. I know that.

Mr. SISSON. Mr. Chairman, I want to say to gentlemen that I am in favor of publicity of campaign contributions for all elections, and I am in favor of the rigid enforcement of the law, but I do not want to write into a bill something that I do not believe to be in accordance with the Federal Constitution or within the power of Congress.

I presume it is conceded by everyone that under the Constitution the right to regulate the election of a Congressman is fixed; and since the amendment to the Federal Constitution in reference to the election of Senators, the right to regulate that

election is fixed within such limitations as the Constitution makes.

But there is no line, no syllable, and no letter in the Constitution that directly or indirectly recognizes a primary election. The only election to which the Constitution refers is the general election in November and the election of United States Senators. Every other provision of this bill except that which relates to that matter is not constitutional; and I believe that when this proposition is submitted to the Supreme Court, if it is ever so submitted, upon the proposition as to whether or not a man has violated this statute in some primary election, the court will be compelled to declare this act unconstitutional.

How do you get jurisdiction of a man under the Constitution? You get jurisdiction of him by virtue of the fact that he is brought within the provisions of that Constitution when he is elected to the office of Congressman, and, at most, when he is a candidate at the November election. Anything beyond that is beyond the power of the Federal Government. You can not reach out and control the primary election, because the primary election is not held for Congress in the sense that any man there is a candidate for Congress, but he comes before a portion of his constituents who have organized themselves into a political party, and he is asking for the party nomination, asking their permission to become a candidate for Congress. He submits his name, agreeing to abide by the result of that primary election; and when he does so submit his name to that primary, he in no sense of the word puts himself within the jurisdiction of the Federal Government under that clause of the Constitution which gives him the right to an election in November. This is one of the incidents of election, they say; but it is not such an incident as will enable Congress to reach out and get hold of the machinery of the primary election which is held in a State in accordance with the demands of the people for a primary, in order that the parties in that State may select persons to become candidates who may then submit to the constitutional election laws passed by Congress. I agreed with the gentleman from Illinois [Mr. MANN] when he made the statement this afternoon that he did not believe that that much of this bill was constitutional. Nor do I believe you will find a lawyer who will give this matter serious consideration who will say that that part of it is constitutional. I do not believe any man can say so, if he believes in the written Constitution which we have made, and if he believes that Congress is limited in what it does by the plain language of that Constitution. I do not believe you can find any rhyme or reason for the contention that we can reach out and control a State primary election.

How does a man come within the reach of the Federal Constitution? It is when he submits his name to that machinery which the Federal Constitution has a right to control. And what is that machinery which the Federal Constitution has the right to regulate? The only right that Congress has under the Federal Constitution is to give to certain men the right to hold elections under election laws which Congress may pass. There has never been a Federal election law written upon the statute books of this Union in its history unless you shall call this a Federal election law. Some time ago the Lodge bill, commonly known as the force bill, sought to take control of State elections and the appointment of election officers, the appointment of the men who should hold the elections and make the returns, and the appointment of the persons who should make the registration of the voters.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SISSON. Now, the Lodge bill passed the House of Representatives, but failed in the Senate. That bill was constitutional; that is the feature of the bill which would take control of the regulation of elections, but that was the limit to which it could go. The Federal Government can go no further in that. I know that in these modern times there are men who laugh at the Constitution. I know that in these modern times men make light of that instrument which is the palladium of the liberties of all the people of these States; that instrument which has blazed the way for great Governments of the world; that instrument which was said by Mr. Gladstone to be the greatest instrument ever struck off at one time by the hand of man at any one convention. I know that when political pressure comes upon men at home they are willing to hide behind the fact that the Supreme Court may declare a law unconstitutional if we have violated the Constitution. But that is not the oath which we take. That is not the oath to which we subscribe when we are admitted to this body as Members. We take a solemn oath, without any mental reservation or purpose of evasion, that we will support the Constitution of the United States. Therefore, if there is any question about the constitutionality of a law in any Member's mind, under that oath he should give his decision against the constitutionality of it and against the power of the United States.

Mr. GARRETT of Texas. Will the gentleman yield for a question?

Mr. SISSON. I will.

Mr. GARRETT of Texas. Perhaps I am laboring under a misapprehension as to the provisions of this bill, but I do not understand that this bill proposes to interfere in any way with any election laws or that it controls elections in any way. Does the gentleman understand that this bill attempts to control elections in any way?

Mr. SISSON. Oh, yes; it does.

Mr. GARRETT of Texas. If the gentleman will pardon me——

Mr. SISSON. I do not want to get off into a discussion of the extent to which this bill goes. But under this bill you may reach a party organization in a State, a party organization with which the Federal Government has nothing to do, a primary election law with which the Federal Government has nothing to do, and which has no lodgment in the Constitution. A primary election applies only to the political party, which is a voluntary association formed by agreement amongst a number of people in a State, regulated by the State law, to enable the people of that party to select a man who will become the candidate of that party and then subject himself to the rules and regulations that may be made by Congress under the constitutional provision which provides for the election of Congressmen. Until that stage arises, until the citizen shall offer himself as a candidate for Congress in the November election—the only election that can be recognized under the Constitution, because that is the election fixed, that is the election determined, that is the election and the only one that Congress has anything to do with under the Constitution—until that machinery of the people necessary to reach that stage, that machinery necessary to reach that conclusion as to who shall submit his name for this election, I contend that the Federal Government has no right to control the primary election under the Constitution.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. GARRETT of Texas. In a great many States, both North and South, the only contest we have is in the primary election. After that is over the nomination is equivalent to an election in both the Republican and Democratic States. How would we have publicity then?

Mr. SISSON. I am not bothering myself about that proposition. It is the right of the citizen in a rock-ribbed Republican district of Pennsylvania to bring out a nomination against any candidate in that State; but if no man offers his name for that election, Congress could not reach him. It is not a question of districts; it is a question of what is legal under the Constitution.

Mr. RAKER. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. RAKER. This law was in force at the last congressional election. Has the gentleman heard of any complaints; did not it work well?

Mr. SISSON. That is no answer to the proposition. I am not talking about the wisdom or the unwisdom of it; I am not talking about determining whether it is a good law or a bad law; I am not asking you to determine whether you will or will not support a law that is unconstitutional.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask for five minutes more, and then I will trespass no further.

The CHAIRMAN (Mr. DUPRÉ). The gentleman from Mississippi asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SISSON. I will yield to the gentleman.

Mr. KELLEY of Michigan. The gentleman's argument goes to the matter of the presidential candidate, and I assume that the gentleman holds that Congress has no power to regulate a national convention also.

Mr. SISSON. I do not think that Congress has the right to regulate national conventions.

Mr. KELLEY of Michigan. In that respect the gentleman differs from the Chief Executive.

Mr. SISSON. That may be true, but I have never permitted the Chief Executive, however great respect I may have for him, to do my thinking. I should look with a good deal of pity on the Member of the House who represented his district who permitted any man to do his thinking for him, even though he held the great office of President of the United States and was one of the purest men on earth.

Now, I am not going into that subject, and I hope the gentleman will not ask me why, for if he did I would have to go into the constitutional provision that provides that electors shall be elected by the States in proportion to the population. I am willing to debate that, whenever it comes up, to the best of my skill and ability.

In this connection, I am not dealing with the question whether or not it may have been wise when they established the Government for them not to give full power over those matters. I am not debating the question whether it might not have been wiser for the fathers to abolish the State lines except for geographical purposes. I am here contending that they did not do so, and that every power which we have the right to exercise here to-day comes from that delegation of power to the Federal Government by the States in solemn convention assembled, ratified thereafter by State legislation.

I am afraid of the man, and for the future of the Republic, when this body shall be filled with men who are willing to scoff at that instrument and the oath that they take to support that Constitution. Therefore, whatever may be the difference between that man and me, you will find that when you ask him the question, he will always pretend to find some constitutional reason, because he is unwilling to commit the crime of perjury. Therefore you must find constitutional ground for the power exercised in Congress, and if you do not do so you have taken an oath that you ought not to have taken, and you have violated the oath when you vote for a law that does not come within the Constitution.

Therefore I hope that every man will seek to justify himself on some constitutional ground. I shall not fall out with a man if he honestly, in his own mind, exercising the best judgment, finds a right to exercise this power and casts a vote in favor of this measure. But, as I view it, I can not support this provision in this bill, which does that which I believe the Federal Government has no right to do. It would be infinitely better, if the measure is so popular in the States, if the measure is one so much demanded in the States, that you should pursue the constitutional method of obtaining a law, and that is under article 5 of this sacred instrument, which provides the means and methods of amending the Constitution, go back to the States and therefrom get the necessary power to pass the desired legislation.

We have done that in reference to many matters. I am unwilling that Congress shall assume the power that does not belong to it. The balance of the bill, as it regulates elections, as it carries regulations in reference to candidates for Congress, you have the unquestioned right, you have the unquestioned power, to pass any law you see fit, providing that it merely regulates the election. When you go beyond that I contend that you have violated the provisions of the Constitution. [Applause.]

Mr. WILLIS. Mr. Chairman, I rise in opposition to the amendment. It seems to me that the amendment which has been so eloquently defended by the gentleman from Mississippi [Mr. SISSON] ought to be entitled "An amendment to provide that candidates for Congress in districts where there are actual party contests shall be required to make reports, but that candidates from districts in which there is no contest save at the primaries shall not be required to make reports." My good friend from Mississippi is afraid of the ghost of the force bill. There is no disposition at all to raise any such question as he has suggested here. There is no disposition to interfere with the right of the people to do anything they actually have a right to do, but there is a disposition to put upon the statute books of the United States a law that will guarantee the purity not only of the merely formal election, but the purity of the primary and the nominating convention. I have not had opportunity to examine the Congressional Directory recently, but I have examined it in past years, and there are many gentlemen here, patriotic and able gentlemen, who have been elected to Congress without opposition save in their own party, and so state in their biographical notices, which they have themselves written.

I am not referring now only to gentlemen who are here from districts in the South where they have no opposition from the party to which I belong; there are some districts farther north where a nomination on the Republican ticket would be regarded as equivalent to an election, so this is not a party matter. But I say to you that where a nomination is equivalent to an election, if you adopt this amendment you have made an utterly unfair discrimination. If the gentleman lives in a district where there is no party opposition—and I am not suggesting that my friend from Mississippi would do an improper thing, and I know he would not; I am simply referring to my friend as an illustration—where there is no opposition to him he might go to the very depths of political corruption. He might openly buy votes at the primaries, he might corrupt delegates to the conventions, and he might use any of the devious methods of the crooked politician to secure the nomination; and yet there would be absolutely no relief under the law if it should pass with the amendment proposed by the gentleman from Mississippi.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. Yes.

Mr. SISSON. Mr. Chairman, I agree thoroughly with the gentleman that this is not a partisan question; but does the gentleman not concede that if the nomination should be so corrupt as to excite public scorn there would be opposition at the general election, because the people would control it?

Mr. WILLIS. There certainly ought to be, but I am not so sure there always would be. At all events, I am unwilling to vote for an amendment when I can see right on the face of it that it will so emasculate this proposed legislation as to make it utterly inapplicable in almost half the congressional districts of the country.

Mr. SISSON. Mr. Chairman, the gentleman is a good lawyer——

Mr. WILLIS. I thank the gentleman for the admission.

Mr. SISSON. Can the gentleman find constitutional grounds sufficient to justify his position upon this matter?

Mr. WILLIS. Mr. Chairman, I will say this to my friend: I have not had opportunity to look up the authorities, as the question has come up suddenly. I am quite familiar with the constitutional provision which he read, but I notice in the Manual a citation to which I called attention earlier in the day, on page 15, to the effect that Congress has, in fact, fixed by law the time of an election and has controlled the manner to the extent of prescribing a ballot or voting machine.

Mr. SISSON. Mr. Chairman, will the gentleman yield further?

Mr. WILLIS. Certainly.

Mr. SISSON. That, of course, is at a general election?

Mr. WILLIS. Absolutely.

Mr. SISSON. And the election provided for in the Constitution. I have no sort of criticism of this bill in so far as it applies to an election.

Mr. WILLIS. I understand that; but what I was about to say is this: If the Federal Government has authority to prescribe the form of ballot to be used at a general election, has authority to prescribe even a voting machine—if it can go that much into detail, I believe that under this clause of the Constitution there is ample authority to say that when the fathers used the word "election" they meant all those processes by which persons are selected to occupy seats in Congress. In other words, I think that the election includes the nomination, so far as the power of Congress is concerned.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. STAFFORD rose.

Mr. RUCKER. Mr. Chairman, can we not agree on some time for closing debate on this section?

Mr. GARRETT of Tennessee. Mr. Chairman, I suggest that the gentleman from Wisconsin be permitted to get through before we attempt any such arrangement.

Mr. STAFFORD. On this side we can readily agree on time.

Mr. SISSON. If the gentleman will permit me just one suggestion, I desire to state that so far as I am concerned, if the debate is exhausted upon this amendment, unless somebody else desires to offer the amendment, I will just generally ask that we consider one amendment, that wherever the language I ask to be stricken out in this section occurs it be stricken out. That will save the offering of amendments and having those amendments read, and that will save a good deal more time than it would to try to force an agreement at this time.

Mr. RUCKER. Would it be satisfactory if we have 10 minutes more debate upon this side in favor of the amendment?

Mr. SISSON. As far as I am individually concerned that would be entirely adequate. I do not know what will be said, but if I can have three minutes I would be satisfied.

Mr. GARRETT of Tennessee. I hope the gentleman will be willing to let the gentleman from Wisconsin conclude before

we make any agreement. I do not know that I will want any time at all.

Mr. RUCKER. Mr. Chairman, for the present I withhold my request.

Mr. STAFFORD. Mr. Chairman, although the distinguished leader of the minority took occasion this morning to express doubt about the constitutional authority of Congress so far as the provisions of this bill are concerned, I think that a reading of the decisions of the United States Supreme Court removes all question as to its constitutionality, not only of those provisions that relate only to the election, but also those which extend to the primary election, and in confirmation of that I am going to cite the leading case, as I regard it, in this respect. It is referred to in the Manual, being the case of Ex parte Yarboro (110 U. S., 651).

The syllabus that refers to this section is as follows:

Section 4 of Article I of the Constitution, which declares "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time make or alter such regulations, except as to the place of choosing Senators," adopts the State qualification as the Federal qualification for the voter; but his right to vote is based upon the Constitution and not upon the State law, and Congress has the constitutional power to pass laws for the free, pure, and safe exercise of this right.

Justice Miller delivered the decision in this case, and all of us know Justice Miller at that time was regarded as the most eminent jurist on constitutional law then occupying the bench. He uses some language to which I wish to call the attention of the committee as a warrant for the language which I have just read from the syllabus.

That a Government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the legislature is elected by the people directly, has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud is a proposition so startling as to arrest attention and demand the gravest consideration. If this Government is anything more than a mere aggregation of delegated agents of other States and Governments, each of which is superior to the General Government, it must have the power to protect elections, on which its existence depends, from violence and corruption. If it has not this power, it is left helpless before the two great natural and historical enemies of all the public, open violence and insidious corruption.

Further on I read:

Will it be denied that it is in the power of that body to provide laws for the proper conduct for those elections; to provide, if necessary, the officers who shall conduct them and make return of the result; and especially to provide, in an election held under its own authority, for security of life and limb to the voter while in the exercise of this function? Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation and the election itself from corruption and fraud?

There is the essence——

Mr. SISSON. Will the gentleman yield?

Mr. STAFFORD. Not at present, until I finish commenting on this decision.

There is the essence of the decision which is the basis for this legislation for Congress extending its supervision over primary elections——

Mr. SISSON. Now will the gentleman yield?

Mr. STAFFORD. If corruption exists at the primaries, then that fraud reaches to the election, and if Congress has no supervision over primary nominations, this body would be without authority to protect itself as the framers of the Constitution intended it to be protected when they vested authority in Congress by section 4 of Article I. But more, section 5 gives——

Mr. SISSON. Will the gentleman yield there?

Mr. STAFFORD. I will.

Mr. SISSON. I am thoroughly familiar with the case the gentleman read, but that deals solely with the general election, the machinery for that election, the books for that election, and everything necessary to hold that election. The point in that case was as to all the machinery necessary to test the will of the voter at that election; that is all there is to it.

Mr. STAFFORD. Mr. Chairman, I quite agree with the gentleman that the instant case only referred to an election, but there is language there by Justice Miller, eminent constitutionalist jurist that he was, construing that constitutional authority to remove all doubt, that there is any question that Congress had the right to protect the elections at the fountainhead and through the various proceedings of an election. It is something new, something that has grown up recently, in the last 15 years, to have elections by primaries. It had its origin in the State of Wisconsin and it has spread over all this country.

When this decision was rendered back in 1883 there was no State in the country that had any primary election; it was unknown; it was unheard of; but the language expressed in that decision is strong enough to show that the Supreme Court through Justice Miller intended that Congress had ample authority over everything that concerned the election of its Members. Furthermore, consider for a moment section 5, which says that each House shall be the judge of the elections, returns, and qualifications of its own Members. Now, every line of the Constitution is consonant with the idea that Congress must be supreme in the protection of its own membership, in the requirement, if need be, as to the qualification of the electors, and the conditions attendant on nominations and elections also. Now I will yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Under the section which the gentleman just read as to each House being the judge of the elections and qualifications of its own Members, would the gentleman think that now the House would have the right to inquire into the nomination of a Member?

Mr. STAFFORD. The House would have the right to inquire, in considering whether or not a Member is entitled to a seat in this House, as to the method and means of his nomination; most assuredly. If there had been corruption and fraud in his nomination, and he was elected, then that corruption would reach to the election itself.

Mr. SISSON. Mr. Chairman, will the gentleman yield for one moment?

Mr. STAFFORD. Yes.

Mr. SISSON. I have great respect for the gentleman, not only as a man but as a lawyer; but let me ask him this: Suppose that a man had been absolutely discharged from this House in a former election for fraud and corruption. If he goes back home and his constituents vote for him, they remove it all and he is admitted.

Mr. STAFFORD. Congress has the right to refuse to admit him even then if Congress decides he is not a fit person to hold a seat in this House.

Mr. DONOVAN. Mr. Chairman, has the timepiece of the House been lost? [Laughter.]

Mr. STAFFORD. I think the Chairman of the committee is wide-awake in the performance of every duty.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. STAFFORD] has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended three minutes. He has been interrupted frequently.

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] asks unanimous consent that the time of the gentleman from Wisconsin [Mr. STAFFORD] be extended three minutes. Is there objection?

Mr. DONOVAN. Mr. Chairman, reserving the right to object, I think the gentleman from Wisconsin [Mr. STAFFORD] ought to be considerate of some of us who are obliged to stay here. [Laughter.]

Mr. GARRETT of Tennessee. We have had time for debate on the amendment on this side, and it is only fair to let the other side have an equal amount of time.

Mr. DONOVAN. I understand the gentleman from Tennessee seems to be of the same stripe, only he is on this side. [Laughter.] Now, it is almost painful to us, at least to some of us, to hear repetitions of this sort hour after hour. [Laughter.]

Mr. STAFFORD. I wish to say to the gentleman from Connecticut that he is under no compulsion to remain.

Mr. DONOVAN. Would he not be thoughtful enough of some of us here to ask unanimous consent to extend his remarks and have what he wants to say inserted in the RECORD?

Mr. STAFFORD. Replying to the gentleman's last remark, I wish to say to the gentleman——

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi [Mr. SISSON]?

Mr. GARRETT of Tennessee. Mr. Chairman, I merely wish to say to the gentleman from Connecticut that those who were in favor of the amendment had 15 minutes, and the gentleman from Wisconsin was opposing the amendment. The gentleman from Connecticut, of course, was not here at the time and did not know what was going on. I merely suggested that, as a matter of courtesy and to be entirely fair, those who opposed the amendment should have an equal amount of time with those who were in favor of it. I thought so, but I do not suppose the gentleman from Connecticut understands the meaning of the word "courtesy."

Mr. DONOVAN. Mr. Chairman, reserving the right to object, I want to say that that ungracious insult from the gentleman from Tennessee was uncalled for. I do not know anyone who remains silent so little and takes part in irregular proceedings more than the gentleman from Tennessee, both in the Committee of the Whole and in the body of the House. Day after day we are sitting here listening to discussions that are foreign to the

subject in hand, and the gentleman from Tennessee understands that.

Mr. STAFFORD. Mr. Chairman, I was about to say that for the purpose of expedition I shall not ask for any further time.

Mr. RUCKER. Mr. Chairman, I believe nobody else desires to be heard.

Mr. GREEN of Iowa. I wish to be heard.

Mr. RUCKER. I want to close the debate.

Mr. DONOVAN. Mr. Chairman, I want to have an opportunity to say something at some period in the consideration of this bill.

The CHAIRMAN. The gentleman will be recognized.

Mr. DONOVAN. Now?

The CHAIRMAN. No; the gentleman from Iowa [Mr. GREEN] has the floor.

Mr. RUCKER. Mr. Chairman, I renew the request made a while ago for unanimous consent to close debate.

Mr. KELLEY of Michigan. On this entire section?

Mr. RUCKER. Yes; this entire section.

Mr. STAFFORD. Oh, there are many amendments to be offered to other paragraphs of this section.

Mr. RUCKER. Then, Mr. Chairman, I ask unanimous consent that debate on this particular amendment close.

Mr. STAFFORD. The gentleman from Tennessee [Mr. GARRETT] has expressed a desire to be heard on this amendment.

Mr. RUCKER. I have time and time again appealed to the gentleman that if he has a desire to take time he can have the opportunity.

Mr. STAFFORD. Three minutes' time is desired on this side by the gentleman from Iowa [Mr. GREEN] and some time by the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. I do not care to take time.

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] is recognized.

Mr. GREEN of Iowa. Mr. Chairman, I am unable to agree with the distinguished gentleman from Mississippi [Mr. SISSON], and I am unable to follow the analogy of his argument. In the first place, Mr. Chairman, I think there is nothing that ought to be clearer to our minds than the fact that the primary is a part of the election. Unless there is an election there is no occasion for a primary. The primary is merely a preliminary part of the machinery of the election.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. McKELLAR. The gentleman says it is a part of the election?

Mr. GREEN of Iowa. Yes.

Mr. McKELLAR. Does the gentleman think that if the old-fashioned conventions were still in vogue as a method of determining party candidates it would be proper for this House or this Congress to pass a law regulating how those conventions should be held and all about them?

Mr. GREEN of Iowa. Without any doubt. There can not be any question about it, as I think. The candidates that are to be voted for at the elections are determined either at the convention or at the primary. If you will consult the statute books of the various States having laws on the subject, you will find the provisions touching primaries included under the election laws and that they are a part of the election laws.

But, Mr. Chairman, we might go further than this. Every legislative body has the inherent right to protect itself against fraud and corruption in obtaining seats in that body.

As I was saying, every legislative body has the inherent right to protect itself against fraud and corruption in obtaining a seat upon its floor; and whatever steps any candidate may take in the course of the procedure anywhere along the line, I insist it is the inherent right of the legislative body to protect itself against action which would in the end destroy the usefulness of that body, if not threaten its very existence.

The gentleman from Mississippi [Mr. SISSON] has argued here that because the Constitution simply provides for the regulation of elections, therefore there is no right to go beyond that to a primary or a convention. I have already stated that I believe a primary or a convention to be a part of the machinery of the election. Even if that were not so, there would be no proper argument against it. In the one case the States have been given the power to regulate the elections. Anything further in the way of regulating the action of the States must necessarily be conferred by the Constitution. But by this provision which is under discussion we propose simply to regulate the action of the individual in obtaining a seat in this body. The proceeding which he has taken, whether for good or for evil, is something to be passed upon by this body, something which, as I have already stated, Congress has the inherent right to control.

Mr. GARRETT of Tennessee. Mr. Chairman, I offer a substitute for the amendment.

The CHAIRMAN. The gentleman from Tennessee offers a substitute, which the Clerk will report.

The Clerk read as follows:

Page 8, as a substitute for the amendment offered by Mr. SISSON, strike out the first paragraph of section 9 and insert the following paragraph:

"That the word 'candidate' as used in this section shall include every person whose name is presented with his knowledge and consent for election as a Representative or Senator in the Congress of the United States at any general or special election held for the purpose of electing such officials."

Mr. GARRETT of Tennessee. Mr. Speaker, the amendment which I have proposed is no change in what is desired by the gentleman from Mississippi, but it seems to me the language is better, to bring it in as a whole, so that the committee can understand how it would read if amended. The whole purpose of it is to strike out that part of this paragraph which refers to primary elections or methods of nomination, whether by primary election or convention.

It has been my view all along, and is now, that the Congress has nothing to do with the question of nominations. I do not concur with the gentleman from Wisconsin in the idea that this Congress would have the right, under the constitutional power which is given to each House, to judge of the election and qualifications of its own Members—I do not understand that it would have the constitutional right to investigate the method of nomination, though it might arbitrarily do so. Nominations are not binding upon either the candidate or the voter.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Michigan.

Mr. KELLEY of Michigan. In the case that came from South Carolina a while ago, was it not the manner of obtaining the nomination that was in dispute?

Mr. GARRETT of Tennessee. I believe it was, and my recollection is that the sitting Member was retained in his seat.

Mr. STAFFORD. Take this hypothetical case: Through manifest fraud in the nomination of both the successful candidates they are nominated, and they stand for election, and one of them is elected.

Does the gentleman think Congress has no right to refuse the one having the certificate because he has been nominated by fraud?

Mr. GARRETT of Tennessee. I think the election must be tinctured with fraud or else Congress has no right to go into the question. Let me suggest a hypothetical case: Suppose, as sometimes happens, and I think I heard something of this kind in a case in one of the Southern States, where there are three candidates for the nomination for Congress, two from the same county. These two candidates have agreed among themselves upon the primary election in that county to see which one of them shall run for nomination. Would the gentleman from Wisconsin say that you could go back to that primary, and if not, why not? Can we go back and require them to file expense accounts?

Mr. STAFFORD. I am only citing instances where fraud vitiates the election.

Mr. GARRETT of Tennessee. We are talking about compelling people to file expense accounts for nomination. I take the position that Congress has nothing to do with the nomination; that Congress is concerned only in the purity of the election, and the fact that some peculiar condition may exist in some particular district with reference to nomination being equivalent to election does not destroy the constitutional legal aspect which exists as a matter of fact.

Mr. TAGGART. Will the gentleman yield?

Mr. GARRETT of Tennessee. Certainly.

Mr. TAGGART. Is it not a fact that we have more drastic laws than those in nearly every State in the Union, probably in the gentleman's State, with reference to primary nomination for candidates?

Mr. GARRETT of Tennessee. I think so. The distinction between the power of the States over nomination and the power of Congress is well defined.

Mr. TAGGART. Will the gentleman yield for one more question?

Mr. GARRETT of Tennessee. To be sure.

Mr. TAGGART. In the regulation of interstate commerce I imagine that the bar of the country has been even astonished at the extent to which the Supreme Court has gone in construing the word "regulate," carrying it down even into the manufacture of articles afterwards to be put into interstate commerce, in sustaining the celebrated Danbury Hat case, where men were sued for damages and the law sustained because they had interfered in the manufacture of hats that were going into interstate commerce. I cite this only to call attention to the fact that the word "regulate" has been given a broader

significance and a more far-reaching construction than perhaps any other word that the Supreme Court has dealt with.

Mr. GARRETT of Tennessee. The word "regulate" is not involved in this. I do not care to press the argument. I know that this is existing law. I recognize that fact. I voted against it before on the same ground that I am opposed to it now. I move to strike it out because I think it is a matter over which Congress has no control.

Mr. BUTLER. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. BUTLER. If you take this feature out of the bill, do you not ruin the bill?

Mr. GARRETT of Tennessee. Oh, not at all.

Mr. BUTLER. Take my district. There has never been a Democratic Representative in that district; and if they can not get a better man than I am there never will be until you gentlemen abandon your ideas of free trade. If you take this feature out of it, the bill will not apply to me at all.

Mr. GARRETT of Tennessee. It is the question of the power of Congress that I am dealing with. I have a district exactly contrary to that of the gentleman from Pennsylvania. Mine is an overwhelmingly Democratic district, and no particular contest at the election, although there is always an opposition-party candidate. But this is a matter which can very well be left to my State to regulate as to whether we shall report campaign contributions for primaries.

Mr. BRYAN. The State can regulate the general election.

Mr. GARRETT of Tennessee. The State can, and the State does.

Mr. DONOVAN. Mr. Chairman, if I can have the attention of the gentleman from Washington [Mr. HUMPHREY]——

A MEMBER. He is not here.

Mr. DONOVAN. Or if I can have the attention of the gentleman from Ohio [Mr. FESS]——

A MEMBER. He is out.

Mr. DONOVAN. Well, can I have the attention of the leader of the minority?

Mr. STAFFORD. He is temporarily absent.

Mr. DONOVAN. I should like to have the attention of the gentleman from Washington [Mr. HUMPHREY], for I do not want to say in his absence that which I wish to say, or in the absence of the gentleman from Ohio [Mr. FESS], the intellectual Member.

Mr. STAFFORD. He has left the city to deliver a patriotic oration on the Fourth of July.

Mr. DONOVAN. The gentleman from Wisconsin should address the Speaker and not proceed in that disorderly way. [Laughter.] All these great commercial interests, Mr. Chairman, should be represented here on the floor in the Congress of the Nation, and yet that great lawyer whom we are told is the greatest legal gentleman in the whole United States, the gentleman from Pennsylvania, I would like to have his attention for a few moments.

Mr. TAGGART. Will the gentleman yield?

Mr. KELLEY of Michigan. Surely the gentleman does not refer to the distinguished gentleman from Pennsylvania, Mr. PALMER?

Mr. TAGGART. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Does the gentleman refer to the distinguished gentleman from Pennsylvania, Mr. PALMER?

Mr. DONOVAN. Mr. Chairman, I refer to the distinguished gentleman from Pennsylvania, Mr. GRAHAM, the great lawyer. Can it be possible that he is only present when some special interest has something on hand? Well, Mr. Chairman, inasmuch as these gentlemen are not present, I will yield back the balance of my time. [Laughter.]

Mr. UNDERWOOD. Mr. Chairman, I move to strike out the last word. I desire to call to the attention of the House and have printed in the RECORD the official statement made by Secretary McAdoo as to the finances of the country at the close of the last fiscal year, and I will ask the Clerk to read it in my time, if there is no objection.

The Clerk read as follows:

JULY 1, 1914.

Subject to revision upon analysis of complete returns, the following is a statement of the ordinary receipts and the ordinary disbursements for the fiscal year ended June 30, 1914:

Customs		$292,128,527.63
Internal revenue, ordinary		308,613,843.73
Corporation, excise, and income	$43,079,819.44	
Individual income	28,306,336.69	
		71,386,156.13
Miscellaneous, including $3,800,000 surplus of postal revenues for the fiscal year 1913		62,215,172.71
Total ordinary receipts		734,343,700.20
Total ordinary disbursements		700,559,248.13
Surplus of ordinary receipts		33,784,452.07

The Panama Canal payments during the year amounted to $34,826,941.76. These have been paid out of current revenues, so that the surplus for the year of $33,784,452.07 has been absorbed, leaving the sum of $1,010,058.81 as a charge against the general fund of the Treasury.

The following is a comparative statement of the ordinary receipts and disbursements, including expenditures on the Panama Canal, for the last three fiscal years:

	Receipts.	Disbursements.	Surplus.	Panama Canal.	Surplus or deficit.
1912	$691,778,465	$654,553,963	$37,224,501	$35,327,370	[1] $1,897,131
1913	724,111,229	682,770,705	41,340,524	41,741,258	[2] 400,733
1914	734,343,700	700,559,248	33,784,452	34,826,941	[2] 1,010,058

[1] Surplus. [2] Deficit.

Owing to the provision in the income-tax law which gives 10 days after the close of the fiscal year before penalties attach, there was a failure to pay approximately $3,500,000 of taxes which had been assessed against corporations and individuals and which should have been paid before the close of the fiscal year 1914. Had this $3,500,000 been paid on or before June 30, 1914, there would have been a surplus for the fiscal year of approximately $2,500,000 against a surplus for 1912 of $1,897,000 and a deficit for 1913 of $400,000.

The department is exceedingly gratified with the results for the first fiscal year of the new tariff and income-tax law. Unquestionably very much better results will be obtained during the present fiscal year.

The net balance in the general fund of the Treasury is now $145,835,502.

Mr. SISSON. Mr. Chairman, I simply want to call the attention of the committee to the case which was read by the gentleman from Wisconsin [Mr. STAFFORD]. This case, which he cites, is a case where one Yarboro and several others from the State of Georgia were indicted for assaulting a colored elector who was on his way to the polling place, and the indictment alleged that he was going there for the purpose of casting his ballot, and that the assault was for the purpose of preventing his voting. The whole opinion is directed to the right of the Federal Government to make a law that would enable people to vote at that election. I thought I was familiar with the case, and after looking at it, every member of the committee, if he will read it, will find that the court was endeavoring to establish the principle that a man going to the election for the purpose of voting could not be assaulted without violating the election law, and there is not the slightest evidence in this opinion that the court ever intended to hold anything else, and there is nothing indicated to justify the conclusions of my friend in reference to it.

Mr. McKELLAR. And that was away back in 1883, was it not?

Mr. SISSON. Yes.

Mr. McKELLAR. And that was long before there was any such thing as a primary election law in this country?

Mr. SISSON. Yes.

Mr. McKELLAR. If there was no such thing as a primary election law up to that time, manifestly the court could not have had any such thing as a primary election in view.

Mr. SISSON. That is true.

Mr. McKELLAR. How could the case have any possible application to the matter that we are now considering?

Mr. SISSON. I do not think it could.

Mr. Chairman, I want to say that if this becomes a law you will find that you then can have nominating conventions to nominate candidates who will become candidates at the primary election, and if you reach back and get that then you can have another primary or another nominating convention to select candidates for that. In many States in the Union where they have provided primary-election laws they actually have nominating conventions, and they have held such conventions in one county in my State where certain citizens got together and said, "We propose to eliminate our differences in a factional fight, so that we will have one candidate only at the primary election," which is the nominating body in my State. Will you say you will go back then and cover that? In other words, when you get beyond the election provided for by the Constitution you can make it absurd to say that Congress can pass laws to chase around after all of the organizations which men as citizens in their sovereign capacity might determine upon in order to ascertain whom they would support at the primary election, and this primary election law is nothing more nor less than the machinery that has been instituted in the State by the parties for the purpose of selecting a candidate for the general election; and I can not conceive how any man who is a lawyer can hold that Congress has the right to control the primary election law of a State.

Mr. McKELLAR. And if Congress can, under this section of the Constitution, regulate the primary elections, why would it not have an equal right and authority under this same provision to regulate how party committees are to be selected in every State in the Union?

Mr. SISSON. I think there is no question if you extend the power thus far you can carry it on ad infinitum. I yield now to the gentleman from California.

Mr. McKELLAR. My proposition is that that question was not considered in this lawsuit.

Mr. RUCKER. Mr. Chairman, just a minute, and I will only take one minute. If either the amendment offered by the gentleman from Mississippi or the substitute offered by the gentleman from Tennessee is adopted, it practically destroys the existing law. It destroys the life of this bill. The provisions against which the amendment and substitute are directed are the law now, and I hope that the committee will vote down both the substitute and amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee in lieu of that offered by the gentleman from Mississippi.

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

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Mississippi.

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

On a division (demanded by Mr. SISSON) there were—ayes 9, noes 24.

Mr. SISSON. Mr. Chairman, in order to have the matter perfectly clear, I stated to the chairman of the committee that I would offer this amendment wherever it occurred, but I satisfy myself with the sense of the committee on the amendment and shall not offer the amendment to the other paragraph.

Mr. RUCKER. I appreciate that.

Mr. KELLEY of Michigan. Mr. Chairman, I desire to offer an amendment.

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

The Clerk read as follows:

Page 8, line 12, after the words "United States," insert "and every person, firm, association, or committee that shall expend or promise any sum of money or other thing of value amounting to more than $50 for the purpose of promoting the candidacy of such candidate."

Mr. KELLEY of Michigan. Now, Mr. Chairman, on page 7 of the bill, in section 8, there is a provision requiring every person, firm, association, or committee that shall expend or promise any sum of money or other thing of value amounting to $50 or more for the purpose of influencing the election to make a report. Now, if it is advisable to have such a provision as that in the case of an election, it seems to me that it is all the more important that the same provision should apply to the primary, because at an election nearly all expenses are paid through official political organizations of some sort, through county committees or State committees or congressional committees, while in the primary it is a very common thing in many sections for a voluntary committee to handle the funds used to promote the candidacy of some individual. And it does seem to me that the expenditures of such a committee should be reported to the House. And that, Mr. Chairman, is the basis of the amendment which I have sent to the Clerk's desk—to require political committees of this sort, as well as persons, firms, or associations, if they spend more than $50 in the primary election, to make returns of such expenditures to the House.

Mr. RUCKER. Mr. Chairman, just to answer very briefly the gentleman, who is a friend of the measure, I know, let me say I think the existing provisions of the bill would require the committee to do all that he wants it to do, and my notion is that this would tend more to confusion than to elucidate and clarify.

Mr. KELLEY of Michigan. If I were sure of that——

Mr. RUCKER. I think so.

Mr. KELLEY of Michigan (continuing). Of course I would withdraw the amendment, but I can not find in this section anything which requires persons, firms or corporations, or non-official committees to make any report of expenditures on behalf of a candidate in the primaries.

Mr. RUCKER. No; but you will find where a candidate is required to account for all of these things expended in his behalf.

Mr. KELLEY of Michigan. But the gentleman will understand if a candidate were disposed——

Mr. RUCKER. But the gentleman must bear in mind, as a friend of this measure, that such a thing is possible as killing it, destroying it. If there should be 100 men or 500 men or 1,000 men or 1,500 men in a district who were zealous in their support of a gentleman, they might ruin this whole bill by these publicity statements. My opinion is, the essential thing to do is to make these reports of such a character that the individuals and the public would take cognizance of them.

Mr. KELLEY of Michigan. Does not the gentleman think the abuse aimed at will be much more likely to arise in the primary than at the election?

Mr. RUCKER. In many cases that may be.

Mr. KELLEY of Michigan. Then why exclude the remedy from the primary and apply it to the election?

Mr. RUCKER. I do not think it is excluded at all.

Mr. KELLEY of Michigan. You think what I have intended to cover is already covered?

Mr. RUCKER. I think so, but I may be in error about that.

Mr. GARDNER. Mr. Chairman, I would like to ask the gentleman from Michigan [Mr. KELLEY] a question.

The CHAIRMAN. Does the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. GARDNER. Under your proposed amendment would not the National Woman's Suffrage Association and the Woman's Christian Temperance Union and the Antisaloon League and every other organization that is spending money to beat particular candidates for Congress in particular places be obliged to make a return?

Mr. KELLEY of Michigan. Every person, association, corporation, firm, or committee of every character would be obliged to report under the provisions of my amendment if the amount exceeded $50.

Mr. GARDNER. And they would have to report as to the primary as well as to the election?

Mr. KELLEY of Michigan. Yes.

Mr. WATKINS. Mr. Chairman, is the amendment withdrawn?

Mr. STAFFORD. No. It is going to be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. KELLEY].

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

Mr. KELLEY of Michigan. Mr. Chairman, division.

The committee divided; and there were—ayes 10, noes 17.

So the amendment was rejected.

Mr. GARRETT of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 8, by striking out of line 23 all after the word "part" down to and including the word "known," at the end of line 25.

Mr. GARRETT of Tennessee. Mr. Chairman, the bill provides, after making provision for the filing of the expenses, which is the present law, an addition to the present law by saying that the candidate shall "deliver a duplicate of such statement to each of his opponents for such nomination or election if such opponents and their addresses are known." [Laughter.]

Now, Mr. Chairman, there may be some good reason for that, but I confess I do not see what good public purpose can be served by requiring a candidate for Congress or for the Senate to go chasing around the country hunting up his opponent to file a duplicate of his election expenses with him. If he files it here under oath, files an official statement, his opponent can get it here. I do not know that it is particularly objectionable, but I do not see what good public purpose can possibly be served by it.

Mr. RUCKER. Mr. Chairman, judging from the gentleman's glance at me, he wants me to reply to him if I can. I always make an effort to reply to questions asked by the gentleman with more or less forebodings and misgivings. I think when the gentleman read the language of the bill to which his amendment relates a sort of merriment passed over the House—merriment which I know the gentleman did not intend to provoke. At least some gentlemen looked as if the language was not only unwise, but ridiculous.

Mr. SISSON. Mr. Chairman, I will say that I was probably the one who laughed; but the emphasis was placed by my friend from Tennessee on the words "opponents, if known." I have always tried to know my opponents. [Laughter.]

Mr. RUCKER. Mr. Chairman, let me say to the members of the committee present that this language was not inserted in the bill inadvertently. In my judgment there is a good reason for its insertion and its retention. The language, of which the first criticism produced a laugh, is "if his opponent is known." That language was inserted in the second publication or printing of the bill because of the fact that gentlemen from the great cities, and particularly from New York, numbers of them, said: "To require us to deliver a duplicate of our expense accounts to our

opponent might require of us something that we are wholly unable to do, because sometimes it happens that we do not know who is our opponent, nor do we know his address." They explained that—under the election laws of some of the States, at least—places on the ticket may be filled so recently before election that ever a gentleman of the social habits of my friend from Mississippi [Mr. SISSON] might not be able to become acquainted with some distinguished citizen, whom he did not happen to know, who might be chosen by a political party as his opponent. For that reason we wrote those words into the bill.

Mr. COX. I think that is one of the most important provisions in the bill. This question has occurred to me: What would the gentleman think later on or now of requiring these expense accounts to be published by each Member of Congress?

Mr. RUCKER. I will answer that in a minute, if the gentleman will bear with me. But I may say to you, gentlemen—and I crave your indulgence if I weary you—this is one of the essentially important features of this bill. What is the thought? Publicity. Oh, the gentleman from Tennessee [Mr. GARRETT] asks, "What reason is there for it?" I will tell you the reason. We do not seek to require the idle performance of merely giving to my opponent, as a compliment to him or to gratify any curiosity on his part, a copy of the sworn statement that I am required to make and file, but it is for the purpose of doing well the very purpose sought to be obtained by the bill.

Mr. McKELLAR and Mr. TAGGART rose.

The CHAIRMAN. Does the gentleman yield?

Mr. RUCKER. One at a time. I will yield to the gentleman from Tennessee [Mr. McKELLAR] first.

Mr. McKELLAR. I want to ask the gentleman a question. I notice that the bill provides——

Mr. RUCKER. I hope the gentleman will not divert me from the particular point now being discussed.

Mr. McKELLAR. No. I notice that the bill provides simply that the statement shall be given to the opponent of the candidate. Would it not be very much better and very much more to the point and very much more in favor of publicity to have it published in the local paper rather than give it to your opponent? If you have to give it to your opponent, and your opponent is a pretty smooth citizen, he may avoid service of process on him, and that would raise a number of questions.

Mr. RUCKER. The gentleman from Indiana asked me substantially that question a minute ago, and I hope I may answer both gentlemen together. I thought that out very carefully, and I realize how much easier it would be and how much better it would sound if we should say "published in a newspaper" But what paper? In the town of his residence? Suppose there is no paper in that town? Then in the one nearest to his residence? That injects the question of a mathematical calculation—how far is it to that town, or which is the nearest town? And, again, if you say it must be published in a paper, we have no power in the world over newspapers to compel them to publish it. But should we compel the candidate to put it in a paper, then at once he is at the mercy of every newspaper man who wants to prey on a candidate for Congress. These things were all considered. And I will say to the gentleman that if it could be done without inflicting a burden on the candidate, I would gladly substitute publication in the paper for delivery of a copy to the opposing candidate.

Mr. McKELLAR. If that be the case, why not provide that it be mailed to him rather than given to him?

Mr. RUCKER. Further on the bill does provide that. I knew I would have the gentleman's support of every feature of this bill in a minute. Further on we do provide that he may mail a copy, just as the gentleman from California and the gentleman from Maine mail their statements to the Clerk of this House, by registering it, addressed to the candidate at his residence, if his residence is known. So that is all covered. I will say to the gentleman from Tennessee I have tried, and the committee has tried diligently, all of us, to work out a solution of this question which would be in harmony with public sentiment and which would give real effect to the law.

Now, let me say, in answer to the question, Why deliver a copy to the opposing candidate? Obviously it is for the reason that we want to give real publicity. Mark you, a statement delivered to your opponent in the primary would be to your Democratic opponent for the nomination or your Republican opponent for the nomination, as the case might be. At the general election your candidate would be the candidate of the opposite political party or parties.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. I shall have to ask the indulgence of the committee for two or three minutes longer.

The CHAIRMAN (Mr. HOUSTON). The gentleman from Missouri asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. RUCKER. This law would require that both in the primary for the nomination and in the general election a duplicate of the statement required by existing law to be filed with the Clerk of this House shall be served on your opponent, served in the same way that it is now filed—that is, by sending it through the mail. Now, the obvious purpose is to give publicity in the congressional district, and, hence, to the people who are directly concerned. The people of the congressional district are the only people who are concerned, except very remotely, in what occurs in that district. I know I will give no offense when I say that the people of the United States have very little concern as to the character of campaign carried on in the ninth district of the State of Missouri, so ably represented by the Speaker of this House. The people there, in his district, are the people who are most vitally concerned.

It is only in the remotest degree that frauds or wrongs perpetrated in some separate district affect the entire body politic, but they may seriously affect the well-being, the order, the morality, the integrity, the citizenship of the district in which the acts are done. Hence as a way to give publicity to every man who is directly concerned, we wrote into this bill the provision that you shall file your statement with the Clerk of the House and make a duplicate of it and mail it to your adversary, because if in that statement there appears something which is wrong, or if the statement hides and fails to reveal things which one's opponent may have knowledge of, then he can go on the stump armed and equipped with the sworn statement and show the voters how the candidate has ignored the law, violated his duty, and attempted to deceive them with reference to his expenditures; or if the statement shows the commission of wrong it can be published and shown to the people. If he wants to go into the columns of the newspapers and cause publicity in every county in the district he can do so.

Mr. Chairman, I believe that every gentleman here is in favor of publicity, in favor of honest dealings in elections, in favor of purity and honesty in the campaign, and therefore I hope that no gentleman will oppose this provision or vote to strike it out. I am convinced, after careful and thoughtful consideration, that it adds very much to the value of his measure, which is a great piece of legislation, which is ultimately designed to open up the way and blaze the pathway which will lead to corresponding legislation in the States, and will hasten the time when the ballot box of our country will be pure, when the ballots cast will represent the untrammeled will of the voter and will be counted as cast, and when men sitting on this floor will occupy seats free from stain or tarnish. [Applause.]

Mr. MILLER. Mr. Chairman, I move to strike out the last two words. I think the provision, however it got into the bill, is pernicious and can be made the vehicle of more petty annoyance, more backbiting, more misrepresentation, more miserable, contemptible conduct, than can be overcome by all the good contained in other provisions of the bill. It creates the opportunity for an evil-minded person to do positive harm.

Mr. RUCKER. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. RUCKER. The statement that this calls for would require an exact duplicate of the one that is to be filed with the Clerk of the House. Can this become a more vicious vehicle for wrong and corruption than the statement filed with the Clerk?

Mr. MILLER. I am going to tell the gentleman why I think it will be. It is not the statement, but the way in which it is required that the statement shall be made and furnished to the opposing candidate, and the time when it is to be thus furnished. Let me proceed and develop what I have in mind. I think we should have in a corrupt-practice act everything that is essential for the purity of elections, both primary and general. We should safeguard the ballot, keep it clean and pure, and provide every essential to that end. But when we depart from that and impose requirements upon the candidate that are likely if not certain to be simply annoying without serving any public good, we are putting a handicap on decent conduct of elections. As a matter of fact, this provision will promote disreputable conduct on the part of some persons, because it gives them the opportunity. Often among one's opponents is some irresponsible character who would seize this statement, pervert and misrepresent its contents in street harangues just before election, and there would be no way of counteracting it.

Mr. RUCKER. Will the gentleman yield right there?

Mr. MILLER. Yes.

Mr. RUCKER. If the language in the bill remains it would put the candidate in Minnesota or Missouri on all fours with the candidate in Maryland and Virginia, who can come here in the morning and go back at night. But if they have to come way from a country like Minnesota they can not get them and do not know what is in them.

Mr. MILLER. Let me say that the statement filed by a Member from Minnesota is hardly filed here 24 hours before it is reported back in every daily paper in the State, and there is no objection to that whatever.

Mr. TAGGART. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. TAGGART. Would not it be a lowering of the dignity of a candidate for this House or of the Senate, regardless of party, regardless of men, if they were obliged to go personally and place in each other's hands statements of the business that they had conducted in securing a nomination or election, and would it not be wiser to have a provision that the Clerk of the House should furnish upon request of any candidate a certified copy of another candidate's statement?

Mr. MILLER. Now, let me give one or two additional reasons which compels me to make this statement. We are obliged to file two statements in the primary contest, one 10 to 15 days prior and one 15 days after. Where is the average candidate 10 or 15 days prior to election? He is probably out in the field; it may be in a district that covers half the State. He may be remote from a post office; and while it is a simple thing, perhaps, to require him to make out one statement and send it to the Clerk of the House, yet if he has to go to the trouble of duplicating that five, six, or seven times, not having in his possession the addresses of his opponents, perhaps not knowing the names of all of them, you put on him an embarrassing duty that serves no public good.

Mr. RUCKER. I never dreamed of that before.

Mr. REED. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. REED. In New Hampshire we have to file a statement with the secretary of state before and after the election, and then another with the National Government with relation to expenditures. If we are compelled to file one with each candidate—and we have on an average five candidates to work against in the campaign—for the election or the primary, it would be necessary to provide some means of taking care of the clerk hire to perform these necessary duties.

Mr. MILLER. Mr. Chairman, I was just about to advert to that. I think the laws of nearly every State require the filing of statements such as that mentioned by the gentleman from New Hampshire [Mr. REED]. In my own State we have to file one every 15 days.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER. Mr. Chairman, most of my time was taken up by other gentlemen, and I ask unanimous consent to proceed for three minutes more.

Mr. RUCKER. Mr. Chairman, I ask that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER. Mr. Chairman, under the laws of the State of Minnesota, somewhat similar, no doubt, to the laws of other States, it is now necessary to file a campaign statement every 15 days. At the same time we have to file statements in conformity with the laws of the United States. I want to say that it takes a great deal of bookkeeping, because the two laws do not require the same list of expenditures and receipts. It is not possible to keep two separate books, and although I think there is no particular harm in it, it is very unfortunate, and we have to file statements covering every conceivable thing in order that we may be assured of complying with both laws. If we have to go to the additional labor of serving one of these statements on each of our opponents, that is going to add to the trouble. Opponents whose addresses are not known will surely make a great howl, and it will be a poor excuse in an exciting campaign for one to reply that he did not know his opponent's address. I am going to say to you that I have never yet gone through a general election when I have been certain of the names of all of my opponents. In elections we have candidates representing Socialists, public ownership, Prohibitionists, and other minor parties, as well as candidates of the great parties. It often happens that one never heard of the names of all his opponents until he sees them on the ballot. Give your opponents and the world an opportunity to know what you spent, how you spent it, and where you got it, but do not force a candidate to go around hunting up all his opponents, furnishing them with a list of particulars, with the humble request: Please look over and O. K.

Mr. RUCKER. But the bill expressly provides for conditions like that.

Mr. MILLER. I know, but that simply presents a weakness in the system. What possible good is it going to be to the world or the people of your district for you to hunt your opponents and give each of them an account of the work you have done and what you plan to do during the balance of the campaign? Remember in these statements you have to include every expenditure you have contracted for.

Mr. RUCKER. I will tell you the good it would do. If a law like this had been in force two years ago and had been complied with—that is, the statement had been made—I could have made a gentleman, in the language of the street urchin, look like 30 cents, because I have the habit of speaking pretty plainly. I could have shown that the statement was absolutely and unconditionally false, as I found it out afterwards to be, but the election was over, and, of course, I had no interest in giving it publicity then. But I say now that one reason I wanted him was because I know at some time, in some place, men do seek congressional office who are unworthy of it and who will falsify to facts, even though the community knows they are false.

Mr. MILLER. Even if that were true, a false statement like that very properly should be and could be reviewed by this House or by a court of justice.

Mr. RUCKER. But you will not ever get any such false statement of a man filed from Missouri, because Missourians never send such a man here.

Mr. MILLER. I am very glad to know that.

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

Mr. MILLER. I yield.

Mr. McKELLAR. Does not the gentleman think, if we want to have absolute honesty in elections, it would be better to confine expenditures solely to those stated in the proviso; that is, the expense of campaign speakers, the expense of printing and distributing literature, and the cost of newspaper advertisements, and limit it to those things alone, and not spend any money in campaigns for Congress or for the Senate? In that case there would be no necessity of making any such return.

Mr. MILLER. Of course, there are very likely to be a few additional items that it might be necessary to spend if one really got elected. But there is a reason why these accounts should be filed with the Clerk of the House that makes it particularly necessary that they be filed. The House is the sole judge of the election and qualifications of its Members.

Mr. RUCKER. Mr. Chairman, I merely want to answer a question suggested a moment ago, if the gentleman will yield. I want to say in answer to the gentleman from Tennessee that I have a campaign in progress now, and that seven dollars out of every eight of my expense will be for having a letter written and putting postage stamps upon it.

Mr. MILLER. That is excepted.

Mr. RUCKER. It is excepted here, but not excepted under the laws of Missouri. I have to account for every stamp I use, and I do not expect to use one dollar of other expenses.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield to me in order that I may reply?

Mr. MILLER. I should be pleased.

Mr. McKELLAR. I will say that will have no effect upon the national law.

Mr. RUCKER. But it does.

Mr. McKELLAR. If you want to have purity in elections, why limit the purity to $5,000 or $10,000, as the case may be? Is it not just as dishonest to spend $5,000 or $10,000 improperly to secure election as it is to spend a larger amount?

Mr. RUCKER. The trouble is that gentlemen sometimes discuss this bill who are not familiar fully with it. This law expressly provides that the limit fixed by the State shall be the limit. The limit in Missouri, in my district, is $600 or $625—it will vary a little, according to different years—not one cent more.

Mr. McKELLAR. This would not affect what I am talking about.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for three minutes.

The CHAIRMAN. The gentleman from Wisconsin asks that his colleague's time be extended for three minutes. Is there objection?

Mr. FOSTER. Mr. Chairman, reserving the right to object, I am not going to object to this, but I shall object to any further extension of time on the bill.

Mr. MILLER. Mr. Chairman, as I was stating a moment ago, there is a very exact reason why statements should be filed

with the Clerk of the House. The House is the sole judge of elections and qualifications of its Members. The proper officer of the House, therefore, should have in his possession a verified and complete statement of all the receipts and expenditures of men who have been elected or tried to be elected to membership in the House. When that statement is there open to public inspection it seems to me that every practical public service has been performed. If there is any legitimate inquiry to be made respecting the statement, it is there open for public inspection. There are telegraph lines from here to every section of the United States, and there can be as immediate transmission of the information as anybody could possibly want, but if we have to serve those statements on our opponents 10 days before the election, 15 days after the primary, and then when the general election comes, then 10 to 15 days before that, and then 30 days after that, serve them on Tom, Dick, and Harry, we will find annoyance beyond measure. There will be men filing and running in some sort of a way just to get a copy of your campaign contributions and campaign expenditures for the purpose of making you trouble. I say that kind of people ought not to have an instrumentality to use for a purpose which to me is nefarious.

Mr. TAGGART. Will the gentleman yield?

Mr. MILLER. Certainly.

Mr. TAGGART. Would not that cause the utmost embarrassment, for instance, in a case like that now presented in the State of Kansas, where there are 12 candidates for Senator? Each report has the same virtue, and it would cause such a multiplicity of reports that it would simply annoy the public, would it not?

Mr. MILLER. I think so.

Mr. TAGGART. If that is true, I will ask the gentleman if it is proper to file in Washington; would it be a great burden to file out in Kansas——

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I move to strike out the last three words. I have an amendment I am going to offer as a substitute. I am heartily in favor of any possible means that will give publicity to campaign expenditures and to show what is actually being done, but I simply want to call attention to the fact that while I am in favor of the general features of the bill I can readily see that there is a great burden imposed by this part of the bill, which is, no doubt, not thus intended. For instance, in the State of California, I have before me a statement where there are 73 who would be considered practically opponents. What do you consider an opponent? Men at the primary election—those who are nominated? No; it does not mean that. Every man who is voted for at the primary election would be an opponent. There might be 63 or 100 different men who would be opponents at the primary election, and you would have to furnish him not a copy but a duplicate of the statement. In other words, you would have to make and swear to 73 affidavits. Now, I know the chairman does not want that by this amendment if it can be avoided and legitimate publicity can be given. I think that can be done by providing for the filing of this statement with the secretary of state for each of the States in which the election is held. Now, that gives an opportunity for a man to go there and get a copy if he wants.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes; I yield.

Mr. RUCKER. That does not give publicity in some places at all, because some places are very far remote from the State capital and difficult of access.

Now, one other question. The question that would arise naturally would be this: What would be the use in filing a statement with the secretary of state, if we have no inherent power in ourselves to compel the secretary of state to receive and keep the document? And I may say we have none.

Mr. RAKER. The State of California is the longest State, north and south, of any in the Union. The papers there publish immediately such statements as these. I make that merely as a suggestion. When we write into this law the provisions of this kind that are to be a part thereof, and begin to recognize that at the primary elections there may be seven or eight or more candidates for the office who have the nominations and three or four independent candidates for the same office, and the further provision that any men or set of men can try to nominate somebody else in the primary election, and every man that gets a vote is a candidate and is therefore an opponent, you will see that your opponents, after the primary election is over, may run from 1 to 500 in number, and then you have simply got to stop your campaigning and hire a corps of assistants and spend a lot of money in sending out 500 or more copies of the statement of your expenses.

Mr. RUCKER. It may be that the suggestion of the gentleman from Kansas [Mr. TAGGART] would help the gentleman from California and have the effect of diminishing the number of his opponents. Perhaps there would not then be so many candidates against the gentleman from California or any other gentleman.

Mr. RAKER. The point I am getting at is this: The candidate is not to blame. I am talking about what happens after the primary election. Leave the first part of it out. Any number of citizens at the primary election in my State may say, "Here we are in favor of John Jones for United States Senator," and in one county 1 or possibly 100 men will write his name on the ballot, and in another county another set of men may want John Smith for United States Senator, and they will write his name on the ballot. It must be left so that they can do that. In every county there are from one to five candidates, and each one of those men who receives votes at the primary election is your opponent after the election is over, in the sense that he was voted for at the primary, and duplicate of the statement must be sent each, and you have got to furnish him with a statement. Otherwise you violate this act. You must do that. You would vastly simplify it if you were to simply send a copy to the secretary of state. Then every one of your opponents at the primary election will get it without question, if he or anyone else desires the statement. That is but fair, and at the same time gives full and ample publicity.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MURRAY of Oklahoma. Mr. Chairman, I want to offer an amendment and have it reported.

Mr. RUCKER. I was going to move that the committee do now rise.

The CHAIRMAN. The question before the House is the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

Mr. MURRAY of Oklahoma. The chairman of the committee will not object to having this amendment reported and considered pending. I do not care to discuss it.

The CHAIRMAN. Is the regular order demanded?

Mr. FOSTER. Yes, sir. I demand the regular order.

The CHAIRMAN. The Chair will recognize the gentleman from Tennessee [Mr. GARRETT].

Mr. STAFFORD. What is the gentleman's intention—to sit until 6 o'clock?

Mr. RUCKER. I want to move that the committee rise now.

Mr. STAFFORD. There is another amendment pending, of similar purport.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

Mr. MURRAY of Oklahoma. Mr. Chairman, I have the right to have my amendment reported.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee [Mr. GARRETT].

The Clerk read as follows:

Amend, page 8, by striking out of line 23 all after the word "part" down to and including the word "known," at the end of line 25.

Mr. RUCKER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOUSTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8428) to codify, revise, and amend the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Representative and Senator in the Congress of the United States, limiting the amount of campaign expenses, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SELLS, for two weeks, on account of public business.

To Mr. BORCHERS, for 10 days, on account of sickness and important business.

To Mr. BYRNES of South Carolina, for five days, on account of important business.

To Mr. AVIS (on request of Mr. SUTHERLAND), for one week, on account of illness in his family.

To Mr. FRANCIS, for two weeks, on account of important business.

The SPEAKER. The Chair lays before the House the following telegram and letter, which the Clerk will read.

The Clerk read as follows:

GALLIPOLIS, OHIO, *July 2, 1914.*

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.:

I am down with typhoid fever, and respectfully request an indefinite leave of absence.

ROBERT M. SWITZER.

WASHINGTON, D. C., *July 2, 1914.*

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

MY DEAR SIR: I desire to be excused until August 4, 1914, that I may return to Oklahoma and prosecute my campaign for the Democratic nomination for Congress from the fifth Oklahoma district.

Very respectfully,

J. B. THOMPSON.

The SPEAKER. Is there objection to these requests?

There was no objection.

MINORITY REPORT—STREET RAILWAYS, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, to-day the report on the bill H. R. 15191 was filed. Those who entertain minority views have asked 30 days in which to file their views. I ask that their request be granted.

The SPEAKER. The minority of the Committee on the District of Columbia ask 30 days in which to present minority views on the bill H. R. 15191. Is there objection?

Mr. RAKER. What is the nature of the bill?

Mr. JOHNSON of Kentucky. It is the municipal ownership of street railways in the District of Columbia.

Mr. RAKER. Is not a delay of 30 days an unusual way of defeating a bill?

Mr. JOHNSON of Kentucky. The friends of the bill are willing to give more time.

Mr. RAKER. Then I am through.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the general subject of trade and industry in the country.

The SPEAKER. The gentleman from Ohio [Mr. WILLIS] asks unanimous consent to extend his remarks in the RECORD on the general subject of trade and industry in the country. Is there objection?

There was no objection.

Mr. WILLIS. Mr. Chairman, the discussion of the bill which has just been under consideration in the committee has taken wide range and drifted far afield. In my remarks thus far this afternoon I have confined myself closely to the merits of the bill under discussion; but since others have thought it proper to submit some general observations on the present industrial situation in the country, I avail myself of this opportunity to present some views of a political nature. It is idle to suggest that business in the United States is flourishing and that our difficulties are merely "psychological." The following statement of our foreign trade from the Steel and Metal Digest shows the hard facts. This condition is not the result of psychology; it is the disastrous effect of a mistaken economic policy which furnishes employment abroad and turns our own workmen into the street.

Foreign trade figures for April show some marked contrasts, exports declining in just about the proportion that imports increased, as compared with April a year ago, or about 18 per cent in each case. The result of ebb and flow was an excess of imports of $10,271,872 in April, the first excess of imports reported since the summer of 1910, in July and August of which imports slightly exceeded exports.

The April returns are compared in the following table with the returns of the same month last year.

	April, 1914.	April, 1913.
Exports	$162,368,852	$199,813,438
Imports	172,640,724	146,194,461
Excess imports	10,271,872	
Excess exports		53,618,977

This growing menace of an unfavorable balance of trade with its resultant exportation of gold to settle these unfavorable balances caused by our present policy of buying abroad what ought to be produced at home is attracting editorial comment all over the country. For illustration, the Cincinnati Inquirer, one of the leading Democratic journals of the Nation, recently said in its editorial columns:

[From the Cincinnati Inquirer.]

EXPORTING GOLD AND IMPORTING FOODSTUFFS.

Gold continues to depart from this country. While as yet there is no financial stringency occasioned by its leaving our shores, yet it would make affairs brighter if it remained with us.

Bankers with foreign connections say that selling of securities here by foreign investors who need cash is the principal reason for the gold going out, and they predict that this action will continue to draw from the United States.

Since January 1 the shipments of gold from this country amounted to upward of $37,000,000, and everything points to the shipment of several additional millions before the export ceases.

The large increase in value of our imports in April, accompanied as it was by large decrease in value of our exports as compared with April, 1913, marks a change in financial operations that calls for attention by the Government, as well as by the business men of the country.

One month or two or three of these results will not injure or disturb business, but a series of such increases and fallings off would result, surely, in still greater demands from Europe upon our gold supply.

It is essential to good times in this country that our trade balance abroad be heavily in our favor.

It is not pleasant reading with our productive country, embracing such a range of latitude and climatic conditions favorable for growing foodstuffs to find our exports of such products decreasing and our importations of them rising rapidly in amounts and value.

The first six months of the new tariff, as reported by the Department of Commerce, show these results, and these heavy importations of foodstuffs will undoubtedly call for the cash, the gold of the United States, to pay for them.

The largest increases reported in importations of articles that are used in the food supplies of our people were in beef, corn, wheat, macaroni, fruits, molasses, and edible oils, and it will be recognized by every business man that it would be far better for the United States if the entire supply required for our people's use would be produced on the farms of our own country.

There is no better barometer of business conditions than the activities of the railroads of the country.

The fortnightly bulletin of the American Railway Association shows that on May 15 there was a net surplus of freight cars on the lines of the United States and Canada of 238,642, compared with 228,879 on May 1, an increase of 9,763.

The fortnightly figures are given below, with the returns for other periods figures representing net surplus of idle cars, except where otherwise indicated:

1914:	
May 15 (maximum surplus for year)	238,642
May 1	228,879
Apr. 15	212,869
Apr. 1	139,518
Mar. 15 (minimum surplus for year)	124,865
Mar. 1	153,907
Feb. 15	197,052
Feb. 1	209,678
Jan. 15	214,889
Jan. 1	188,850
1913:	
Dec. 15 (maximum surplus for year)	101,545
Dec. 1	57,234
Nov. 15	22,052
Nov. 1 (net shortage)	1,842
Oct. 15 (net shortage)	6,048
Oct. 1	10,374
Sept. 15	40,150
Sept. 1	58,306
Aug. 15	54,425
Aug. 1	58,445
July 15	69,405
June 30	63,704
June 14	63,927
May 31	50,908
May 15	50,204
May 1	39,790
Apr. 15	57,498
Apr. 1	57,988
Mar. 15	37,775
Mar. 1	31,381
Feb. 15	22,183
Feb. 1	37,200
Jan. 15	28,439
Jan. 1	17,053

This table tells its own story. Idle cars mean idle men, reduced wages, lessening purchasing power, decreasing sales by merchants, and impending business disasters. We should have in this country such a policy as will fill these cars with commerce, set idle men to work, increase wages, and bring about financial prosperity. In the tariff and other fiscal legislation of the Government the country is demanding less psychology and more common sense. On this interesting subject the Steel and Metal Digest for June, 1914, makes the following lucid statement:

[From the Steel and Metal Digest.]

THE TRADE OUTLOOK.

The depression in business instead of passing away has during the past month become more acute. Closed factories, and in other cases running only half to three-quarter time, with the consequent unemployment to those dependent on their daily earnings to cope with the unchanged high cost of living, and the consequent distress, makes it difficult to-day to recognize the busy and prosperous country of a year ago. Sentiment has become less hopeful each day, enterprise dormant, business sick and despondent.

The business community seems to have lost confidence in our legislators, and in any change for the better until our promised crop brings an improvement in trade, and the adjournment of Congress brings a rest from the daily pressure and disturbance to the heart of the country, which is its business interests. These are the bright spots in the business situation. Congress can not make the rains fall from heaven, nor can it stop the sunshine, thanks to the blessings and overrulings of a merciful Providence. And we also know that Washington, while it may temporarily demoralize the energies and destroy the courage and confidence of the country, it can not do so permanently.

We did not need the profound wisdom of the President to tell us, as he did lately, that fundamentally the country is in a sound condition and that business should at this time be active and the country prosperous. That fact we all know—it is indisputable.

What then is responsible for present conditions? The verdict of our business interests is unanimous. It is the amateurish and theoretical efforts to regulate business and capital along radical lines, and to do it with a rush by those who, from a lack of experience, do not understand the first principles of business, and are therefore puzzled to find that their efforts are causing profound disturbance and depression. The President dismisses our business depression as being "imaginary" and "psychological," and his minister of commerce says it is only a case of "mental mourning." Well might one paraphrase Madam Roland's exclamation and say: "O psychology, what crimes are committed in thy name."

The country is awakening to the seriousness of the industrial situation. Idle men are demanding work and wages; business men are dazed, bewildered, and discouraged as they see their business crumbling before them through influences they are powerless to control except at the ballot box. As the Atlanta Constitution aptly says in a recent editorial:

It is unfair to business to expose it at this time to further radical operations. The patient has lost blood. Let him recuperate.

I desire to add here one letter out of the large number I have received expressing the attitude of business men on the present situation. This letter speaks for itself and is as follows:

CINCINNATI, OHIO, *June 18, 1914.*

Hon. FRANK B. WILLIS,
House of Representatives, Washington, D. C.

DEAR SIR: We ask you, as one of our Representatives in Congress from the State of Ohio, to use your utmost efforts to bring about a speedy adjournment.

All the elements of prosperity are with the country except the administration. We should now be on the high wave of prosperity as to have the glad promise of abundant crops and plenty of money to use in business enterprises.

Having a prospect of a let-up in this senseless campaign of destruction, good judgment would prompt the great wheels of commerce and constructive business to go ahead at full speed instead of having factories running short time, closing down or failing entirely, as at present, but unless speedy action is taken to adjourn Congress, which has now been in session for over a year and a half, the Nation will be in the throes of the greatest crisis in its history.

The Nation does not need further legislation, but time to recover from the awful setback given the general industries.

We hope you will realize the importance of this appeal and cooperate to obtain the necessary action.

Yours, very truly,

THE ACME MACHINE TOOL CO.
A. J. JONES.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 157. Joint resolution requesting the President of the United States to invite foreign Governments to participate in the International Congress on Education; to the Committee on Foreign Affairs.

ADJOURNMENT.

Mr. RUCKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until to-morrow, Friday, July 3, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Beaufort Harbor, N. C., with a view to providing a suitable turning basin and anchorage area in front of the town of Beaufort (H. Doc. No. 1108); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Broadkill River, Del. (H. Doc. No. 1109); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

3. A letter from the Secretary of War, transmitting 64 illustrations to accompany Index to Annual Reports of the Chief of Engineers, printed in House Document No. 740, Sixty-third Congress, second session; illustrations ordered printed as part of House Document No. 740 and referred to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CROSSER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15191) to provide for the acquisition, ownership, and operation by the Commissioners of the District of Columbia of all the street railroads located in the District of Columbia, reported the same without amendment, accompanied by a report (No. 917), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. COADY, from the Committee on the District of Columbia, to which was referred the bill (S. 23) for the relief of Clara Dougherty, Ernest Kubel, and Josephine Taylor, owners of lot No. 13; of Ernest Kubel, owner of lot No. 41; and of Mary Meder, owner of the south 17.10 feet front by the full depth thereof of lot No. 14, all of said property in square No. 724, in Washington, D. C., with regard to assessment and payment for damages on account of change of grade due to the construction of Union Station, in said District, reported the same with amendment, accompanied by a report (No. 918), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GARDNER: A bill (H. R. 17610) to prohibit interstate and foreign commerce in lobster meat and in undersized or egg-bearing lobsters; to the Committee on the Merchant Marine and Fisheries.

By Mr. CARY: A bill (H. R. 17611) to regulate the interstate transportation of immature calves; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 17612) to prohibit the slaughter, sale, purchase, shipment, and transportation through interstate commerce of calves and cows under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY: A bill (H. R. 17613) authorizing the Commissioner of Navigation to cause the bark *Simla* to be registered as a vessel of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAYLOR of Colorado: A bill (H. R. 17614) to establish the Rocky Mountain National Park in the State of Colorado, and for other purposes; to the Committee on the Public Lands.

By Mr. FLOOD of Virginia: Joint resolution (H. J. Res. 292) authorizing the President to accept an invitation to participate in an exposition to be held in the city of Panama, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GARDNER: Joint resolution (H. J. Res. 293) for the relief of destitute sufferers from the conflagration at Salem, Mass.; to the Committee on Appropriations.

By Mr. KEY of Ohio: Joint resolution (H. J. Res. 294) providing for payment of surgeons making examination at claimant's home in connection with claim pending in the Bureau of Pensions; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 17615) granting an increase of pension to Philomina Heintz; to the Committee on Invalid Pensions.

By Mr. GILMORE: A bill (H. R. 17616) granting an increase of pension to Charles W. Perkins; to the Committee on Invalid Pensions.

By Mr. GOODWIN of Arkansas: A bill (H. R. 17617) granting an increase of pension to Thomas W. Oastler; to the Committee on Pensions.

By Mr. KENNEDY of Connecticut: A bill (H. R. 17618) granting an increase of pension to Rose B. Butler; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 17619) granting an increase of pension to Henry C. Plummer; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 17620) granting a pension to Margaret E. Hoppock; to the Committee on Pensions.

By Mr. STEPHENS of California: A bill (H. R. 17621) to authorize the sale and issuance of patent for certain land to William G. Kerckhoff; to the Committee on the Public Lands.

By Mr. TALCOTT of New York: A bill (H. R. 17622) granting a pension to James Sullivan; to the Committee on Pensions.

By Mr. VARE: A bill (H. R. 17623) for the relief of Richard Sheehan; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Berkeley (Cal.) Chamber of Commerce, favoring passage of a bill providing for the payment of railroads for handling mails; to the Committee on the Post Office and Post Roads.

Also (by request), resolution signed by the pastor of the Adams County Christian Endeavor Union, at Arendtsville, Pa., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of Cigar Makers' Union, No. 144, of New York City, protesting against national prohibition; to the Committee on Rules.

Also (by request), petition of 50 voting citizens of Gilroy, Cal., favoring national prohibition; to the Committee on Rules.

By Mr. BORCHERS: Petition of sundry citizens of Rantoul, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. BRUCKNER: Petition of Helen A. Taylor, of Ellis Island, N. Y., favoring civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of the directors of the Washington Board of Trade, the Chamber of Commerce, and the Retail Merchants Association favoring half-and-half plan of taxation for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the board of governors of the Board of Trade, of Tampa, Fla., favoring national drainage by Federal Government; to the Committee on Rivers and Harbors.

By Mr. BURKE of South Dakota: Letters from E. G. Strong, Athol; Perry Clifford, Cresbard; Ed. M. Newcomb, Woonsocket; and Olin V. Dunn, Sisseton, all in the State of South Dakota, urging passage of amendment to the Constitution providing national prohibition legislation; to the Committee on Rules.

Also, protests of sundry citizens of Aberdeen, Hoven, Revillo, Sinai, Sioux Falls, Vermilion, Warner, and Watertown, all in the State of South Dakota, against national prohibition legislation; to the Committee on Rules.

Also, petition of sundry citizens of Fall River County, S. Dak., favoring passage of enlarged homestead bill; to the Committee on the Public Lands.

By Mr. CARY: Petition of John Harth, Peter Hanel, John P. Murphy, L. Kanutz, Jacob Hammetschdoz, A. H. Sibilsky, C. S. Howard, C. Berhard, J. Loewy, A. L. Vachon, O. E. Krause, G. Bayer, William Wollingin, Henry Crasp, Nic Weiss, Albert Hunter, Robert Possett, Louis Stuller, Emil Hoeerst, Stephen Bethke, F. M. Dorrister, Oscar Rehm, Louis Sischer, Julius Rehm, Walter August, Emil E. Tiegs, Arthur Schroeder, Otto A. Kassinlke, All. J. Behnki, Thomas H. Warner, Emil Hochschid, Anton Krueger, Peter Wielipski, Charles Kassulke, Val. J. Peksa, William Bannemer, Andrew Zuntek, L. Roth, Augustus Boesse, Otta Latke, R. J. E. Skinkle, and several others, all of Milwaukee, Wis., protesting against the passage of the Hobson resolution or any other resolution which will tend to prohibit the manufacture, distribution, sale, or shipment of any kind of alcoholic beverage in or throughout the United States and its possessions as an unwarranted interference with the rights of all American citizens and a usurpation by the Federal Government of a domestic question belonging to the several States; to the Committee on Rules.

Also, a telegram, by Weis Bros. Co., of Milwaukee, Wis., in the nature of a petition protesting against the passage of the Hobson resolution which is now pending in Congress; to the Committee on Rules.

By Mr. CLARK of Florida: Petitions of various citizens of Florida, against national prohibition; to the Committee on Rules.

Also, petition of the Florida State Pharmaceutical Association, favoring House bill 13305, the Stevens price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Rev. H. H. Bowen and others, of Daytona Beach, Fla., and Edwin Nelson, of Miami, Fla., favoring national prohibition; to the Committee on Rules.

Also, petition of Judge J. L. Billingsley, Mrs. Anna Lake Audens, and others, of Miami, Fla., favoring woman-suffrage legislation; to the Committee on the Judiciary.

By Mr. CRAMTON: Petition of Melville J. Welt, of Detroit, Mich., protesting against the Hobson resolution for national prohibition; to the Committee on Rules.

Also, petitions signed by Mr. T. J. Finkle and 62 other citizens of Clifford; A. C. M. Johnson and 73 other citizens of Memphis; E. G. Fitz, of Lamb; Joseph Potter, of Memphis; and resolutions adopted at mass meetings of citizens of Croswell, Carsonville, Memphis, Elkton, and Vassar, all in the State of Michigan, in support of the Hobson resolution proposing to submit to the legislatures of the various States the question of national prohibition; to the Committee on Rules.

By Mr. CURRY: Petition of six residents of the third California district protesting against prohibition; to the Committee on Rules.

Also, petition representing 32 people, by the Lathrop (Cal.) Woman's Christian Temperance Union, in favor of prohibition; to the Committee on Rules.

By Mr. DALE: Petition of F. C. & W. Johnson, and J. W. Lane & Co., of New York City, protesting against antitrust bills; to the Committee on the Judiciary.

Also, petition of sundry citizens of Brooklyn, N. Y., protesting against national prohibition; to the Committee on Rules.

By Mr. DONOHOE: Petition of the Frankford Methodist Episcopal Church, of Philadelphia, Pa., favoring national prohibition; to the Committee on Rules.

Also, petition of the Holmesburg Methodist Episcopal Church, of Philadelphia, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. DONOVAN: Petition of sundry citizens of Danbury, Conn., relative to strike of miners in Colorado; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of sundry citizens of Kansas favoring national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Kansas, against national prohibition; to the Committee on Rules.

By Mr. DRUKKER: Petition of Mary Gamble Cummins, Elizabeth Sutton, and others, of Paterson, N. J., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. EAGAN: Petitions signed by 132 citizens of Hudson County, N. J., protesting against national prohibition; to the Committee on Rules.

By Mr. FARR: Petition of Dr. Anna C. Clark and others, of Scranton, Pa., favoring woman-suffrage legislation; to the Committee on the Judiciary.

By Mr. FRANCIS: Petition of the Reformed Church, of Germano, Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of the Christian Temperance Association, Reformed Church Sunday School and Christian Endeavor Society, of Germano, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. GARDNER: Petition from Joe W. Bean, of Haverhill, Mass., favoring the passage of the proposed amendment to the Constitution of the United States extending equal suffrage to all its adult population, regardless of sex; to the Committee on the Judiciary.

Also, petitions of a mass meeting at East Gloucester, the Washington Street Methodist Episcopal Church, and sundry citizens of Newburyport, Bay View, and Gloucester, all in the State of Massachusetts, favoring national prohibition; to the Committee on Rules.

By Mr. GRIEST: Petition of sundry citizens of Lancaster, Pa., favoring national prohibition; to the Committee on Rules.

Also, petition of Helen H. Byerly, May H. Gerhart, and others, of Lancaster, Pa., favoring woman-suffrage legislation; to the Committee on the Judiciary.

By Mr. HAMILTON of New York: Petition of sundry citizens of Mayville, N. Y., favoring the passage of the Hobson national prohibition amendment; to the Committee on Rules.

Also, petition of Emma Harwood, Elizabeth M. Jordan, and others, of Richburg, N. Y.; Mrs. R. B. Burrows, Mrs. Mary Wanfield, and others, of Andover, N. Y., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. HAWLEY: Petitions of sundry citizens of Oregon, against national prohibition; to the Committee on Rules.

By Mr. JOHNSON of Washington: Petitions of sundry citizens of Port Angeles and Raymond, Wash., protesting against national prohibition; to the Committee on Rules.

By Mr. KEISTER: Petitions of sundry citizens of Butler, Pa., protesting against House joint resolution 168 for national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Valencia and Monessen, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Connecticut: Petitions of 380 citizens of Plymouth, sundry citizens of Bantam and Seymour, and various members of the Methodist Episcopal Church of Ansonia, all in the State of Connecticut, favoring national prohibition; to the Committee on Rules.

By Mr. LEE of Pennsylvania: Petition of sundry citizens of Gilberton, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. LEVY: Petition of 4 citizens of New York City, against national prohibition; to the Committee on Rules.

Also, petition of 4 citizens of Sangerties, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petition of the New York State Retail Jewelers' Association, favoring Owen-Goeke bill relative to elimination of time guaranties on gold-filled watchcases; to the Committee on Interstate and Foreign Commerce.

Also, petition of the General Post Office Letter Carriers' Mutual Benefit Association of New York City, against section 6 of House bill 12928 to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. LONERGAN: Petition of the South Manchester Methodist Episcopal Church, of South Manchester, Conn., in favor of submitting the prohibition amendment; to the Committee on Rules.

Also, petition of O. H. Green and other citizens of Glastonbury, Conn., favoring the prohibition amendment; to the Committee on Rules.

Also, petitions of the Young People's Society for Christian Endeavor of Collinsville, Conn., favoring national prohibition; to the Committee on Rules.

Also, petitions of citizens of Hartford, Conn., opposing national prohibition; to the Committee on Rules.

Also, petition of August Haertl, of Hartford, Conn., opposing national prohibition; to the Committee on Rules.

By Mr. McGILLICUDDY: Petition of sundry citizens of Union, Me., favoring national prohibition; to the Committee on Rules.

Also petitions of the Second Congregational Church, of Newcastle; the Methodist Church, of Norway; the Methodist Church, of Rumford Center; the Methodist Episcopal Church and Sunday School, of Hartford; sundry citizens of Bowdoinham; the Methodist Episcopal Church, of Rumford Center; and sundry citizens of Rumford Center, all in the State of Maine, favoring national prohibition; to the Committee on Rules.

By Mr. MERRITT: Petition of seven citizens of New York, favoring national prohibition; to the Committee on Rules.

Also, petitions of sundry citizens of Bloomingdale, N. Y., and Robert McDowell, of Clarke Mills, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petitions of P. H. Sheridan and others, of St. Lawrence County, N. Y., protesting against national prohibition; to the Committee on Rules.

By Mr. METZ: Petition of various voters of the tenth congressional district of New York, protesting against national prohibition; to the Committee on Rules.

Also, petition of sundry voters of Brooklyn, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. MURRAY of Oklahoma: Petitions of sundry citizens and churches of Hanna, Waukomis, Victor, Skiatook, and Chandler, all in the State of Oklahoma, favoring national prohibition; to the Committee on Rules.

By Mr. J. I. NOLAN: Petition of Beer Drivers' Union, Local 277, of San Francisco, Cal., and the North American Skat League, protesting against national prohibition; to the Committee on Rules.

Also, petition of Capt. William S. O'Donnell and 36 other citizens of San Francisco, Cal., protesting against the passage of the Hobson nation-wide prohibition resolution; to the Committee on Rules.

Also, resolutions of the Grand Army of the Republic, Departments of California and Nevada, protesting against the passage of the resolution introduced in Congress providing for the rearrangement of the stars and bars on the American flag; to the Committee on Military Affairs.

By Mr. O'LEARY: Petitions of sundry citizens of Elmhurst, Long Island, New York City; Springfield Gardens, Long Island, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petitions of Emily F. Child, Lillie B. Sanders, and others, of Warren; Elizabeth U. Yates, Sarah Flitz, and others, of Providence; and Maude Howe Elliott, Saida S. Wright, and others, of Newport, all in the State of Rhode Island, favoring woman-suffrage legislation; to the Committee on the Judiciary.

By Mr. PAIGE of Massachusetts: Petitions of 39 citizens of Fitchburg, Mass., and 140 citizens representing the First Methodist Episcopal Church of Clinton, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. PLATT: Petition of sundry citizens and various members of the Christian Endeavor Society of the First Presbyterian Church of Matteawan, N. Y., and various members of Sylvan Lodge, No. 576, International Order of Good Templars, of Poughquag, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. PATTEN of New York: Memorial of the General Post Office Letter Carriers' Mutual Benefit Association of New York City, protesting against section 6 of House bill 12928; to the Committee on the Post Office and Post Roads.

By Mr. REED: Petitions of H. A. Lee, John F. Schricker, Jess Markee, J. D. Hayes, Joseph Just, F. J. Kearns, J. N. Judkins, E. H. Botman, J. Healy, George Boucher, Walter Emerson, Carl Harrington, Sam Wright, P. H. Webster, Emil Oetteking, T. J. Dalton, Ernest Harrington, J. J. Redden, Thomas Costello, T. Sullivan, and C. A. Shanghang, all of Manchester; also telegrams of W. E. Wiggin, of Lancaster; A. D. Grant, of Keene; G. W. Gaymond, of Lancaster, all of the State of New Hampshire, protesting against national prohibition of the liquor traffic; to the Committee on Rules.

By Mr. ROBERTS of Nevada: Petition from Bert Williams and 15 other residents of Yerington, Lyon County; John Erickson, Thomas L. Bennett, and 19 other residents of Tonopah, Nye County; H. E. Myrick and 4 other residents of Goldfield, Esmeralda County; J. A. Lawson, of Silver City; and H. C. Binns, of Rochester, all in the State of Nevada, protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50, for national prohibition; to the Committee on Rules.

By Mr. ROGERS: Petition of Betsey Ross Circle, No. 24, Ladies of the Grand Army of the Republic, Lowell, Mass., protesting against any change in the American flag; to the Committee on the Judiciary.

Also, petition of sundry citizens of Lowell, Mass., protesting against national prohibition; to the Committee on Rules.

By Mr. SINNOTT: Petition of 10 citizens of Ione, Oreg., favoring national prohibition; to the Committee on Rules.

Also, petition of 40 citizens of the second Oregon district, against national prohibition; to the Committee on Rules.

By Mr. SAMUEL W. SMITH: Petition of 175 citizens of Pontiac, Mich., favoring national prohibition; to the Committee on Rules.

By Mr. SPARKMAN: Petition of sundry citizens of Palma Sola, Fla., favoring national prohibition; to the Committee on Rules.

By Mr. TALCOTT of New York: Memorial of Bricklayers, Stonelayers, and Plasterers' Union No. 30, of Rome, N. Y., and O. W. Kennedy & Co., of Clinton, N. Y., protesting against national prohibition; to the Committee on Rules.

Also, petition of sundry citizens of Utica and New Hartford; B. Van Vielet Putnam, of Dolgeville; W. I. Ford and the First Baptist Church of Little Falls; the Christian Endeavor Society of the Waterbury Memorial Presbyterian Church, of Oriskany; the Liberty Street Methodist Church Quarterly Conference, of Rome; the Florence Methodist Episcopal Church, of Oneida County; the Centenary Methodist Episcopal Church, of Utica; R. E. Gifford and L. G. Smith & Son, of Westdale; Rev. W. E. Webster and the Baptist congregation of West Winfield; Rev. G. F. Shepherd and the Brotherhood Bible Class of the First Methodist Episcopal Church of Rome; the Methodist Episcopal Church of New York Mills; Grace M. Stock and the Methodist Episcopal Church of Verona; A. W. Laird, of Little Falls; the Woman's Christian Temperance Union, the Kirkland and Stone Presbyterian Churches, of Clinton; sundry citizens of Holland Patent, and Middleville; the Methodist Episcopal Church of Clarke Mills; and 244 members of the Methodist Episcopal Church of Ilion, all in the State of New York, favoring national prohibition; to the Committee on Rules.

By Mr. WALLIN: Petition of sundry citizens of the thirtieth New York congressional district, favoring national prohibition; to the Committee on Rules.

By Mr. WHITACRE: Petition of sundry citizens and churches of East Liverpool and Wellsville, Ohio, favoring national prohibition; to the Committee on Rules.

By Mr. WINGO: Petition of sundry citizens of Mena, Ark., protesting against national prohibition; to the Committee on Rules.