

Also, petition of Stockton (Cal.) Chamber of Commerce, relative to railway-mail pay; to the Committee on the Post Office and Post Roads.

Also, memorial of Chamber of Commerce and Commercial Club of Oakland, Cal., favoring appropriation for two new vessels, for carrying on work of surveying Pacific coast; to the Committee on Appropriations.

Also, petition of Pauline Ames, of Pasadena, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of Christopher F. Sweeney, of Boston, Mass., asking for the impeachment of Judge George A. Carpenter, of the United States district court of northern Illinois, eastern division; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of Rev. W. C. Lyon and others, of Valley City, N. Dak., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

MONDAY, January 31, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, millions of hearts turn to Thee day by day in the confident expectation that Thou wilt keep our Nation in safety and in peace. We thank Thee that the heart of the people still beats true to its ancient ideals. We thank Thee for the moral heroism of the people that answer to the challenge of spiritual supremacy. We pray that we may still keep true to those great spiritual revelations that Thou hast made to men and understand that the highest honor lies in the higher realm of life. Do Thou guide us this day and keep us true to the precepts of Thy word. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

REPORT OF GEORGETOWN GAS LIGHT CO. (S. DOC. NO. 266).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Gas Light Co. for the year ended December 31, 1915, which was referred to the Committee on the District of Columbia and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION CO. (S. DOC. NO. 267).

The VICE PRESIDENT laid before the Senate the annual report of the East Washington Heights Traction Railroad Co. for the year ended December 31, 1915, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 10037) 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, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution providing for the printing or the reports of the Alaskan Engineering Commission, in two volumes, for the period from March 12, 1914, to December 31, 1915, inclusive, etc., in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to a concurrent resolution providing for the printing and binding of 10,000 copies of the report of the medico-military aspects of the European war, by Surg. A. M. Fauntleroy, United States Navy, etc., in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution providing for the printing and binding of 100,000 copies of the Special Report on the Diseases of the Horse, etc., in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to a concurrent resolution providing for the printing and binding of 100,000 copies of the special report on the diseases of cattle, etc., in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a memorial to the Congress of the United States from the Corby Co., a yeast manufactory in the District of Columbia. The Chair is in doubt as to the proper disposition of the memorial and will therefore order it to lie on the table.

Mr. WORKS. I have a telegram from William Bayard Hale, of New York, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

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

[Telegram.]

NEW YORK, January 30, 1916.

Senator WORKS.

Bellevue Hotel, Washington, D. C.:

If the President does not know, as he declared at Cleveland, what any day, yes, or hour, may bring forth, can Congress be too quick in taking action to prepare for crisis? First step would necessarily be to keep ammunition and war supplies at home. If peril of which the President warns country is from direction of England or Japan, we are criminally foolish to continue shipping ammunition to allies. If it is from Germany that peril threatens, it would be absolutely averted if exportation of ammunition to Germany enemies were stopped. In either case, therefore, our own safety and best interests demand immediate embargo on ammunition. If the President feels crisis so imminent as to necessitate dramatic appeal to the people, does it not lie upon Congress to take instant action to conserve the Nation's military resources by forbidding exportation?

WILLIAM BAYARD HALE,
362 Riverside Drive.

Mr. SMITH of Maryland. I present a resolution adopted by the House of Delegates of the General Assembly of the State of Maryland, which I ask may be read.

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

Whereas the Congress of the United States is engaged in the discussion of ways and means necessary to place and keep the United States of America in its proper position among the first powers of the world; and

Whereas the passage of H. R. 7617 of the House of Representatives of the United States, hereinafter referred to, may result in the construction of one or more post roads through the State of Maryland, much to the benefit of the citizens and taxpayers thereof: Therefore be it

Resolved by the members of the House of the General Assembly of Maryland, That the United States Senators and Members of Congress from this State be, and are hereby, urged and requested to aid and cooperate in the passage by Congress of H. R. 7617, known as the rural post roads bill:

Further resolved, That the chief clerk of this house be, and he is hereby, instructed to send a copy of this resolution to each United States Senator and Member of the House of Representatives from this State.

Mr. MYERS. I present a petition signed by the teacher and pupils of the Spring Hill School, Polson, Mont., for an appropriation of \$1,000,000 for the Flathead reclamation project in that State. I ask that the petition be printed in the RECORD, together with the name of the teacher of the school, and that it be referred to the Committee on Indian Affairs.

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

To the President and Congress of the United States:

We the undersigned members of the Spring Hill Schoolhouse do respectfully petition the President and Congress of the United States that an appropriation of at least \$1,000,000 be granted by this session of Congress for work on the Flathead irrigation project for the ensuing year. It is quite essential that a substantial appropriation be made for this purpose so that the work may be expedited and an early completion of the project be assured.

We most earnestly urge that the settlers and Indians holding land under this project get the appropriation they are asking for.

Respectfully submitted.

GRACE GADAUD, Teacher
(And many others).

Mr. GALLINGER presented the petition of Jeannette Mathew Lord, of Hanover, N. H., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was referred to the Committee on Interstate Commerce.

He also presented the petition of E. E. Wells, of Lebanon Springs, N. Y., praying for a continuation of the appropriations for the purchase of forest reserves in the Appalachian Mountains, which was referred to the Committee on Agriculture and Forestry.

Mr. WADSWORTH presented a petition of Joseph Wild & Co., of New York City, N. Y., and a petition of the Nassau Felt Mills, of Brooklyn, N. Y., praying for the imposition of a duty on dyestuffs, which were referred to the Committee on Finance.

Mr. SHIVELY presented a petition of 600 citizens of Elkhart, Ind., and a petition of 400 citizens of Plainfield, Ind., praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a petition of Kent Chapter, Michigan Society Sons of the American Revolution, of Grand Rapids, Mich., praying for an appropriation for the construction of a national archives building in Washington, D. C., which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Grand Traverse Grange, No. 379, Patrons of Husbandry, of Traverse City, Mich., praying for the enactment of legislation to provide Government inspection

tion of the quantity and quality of fruit at shipping point, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a petition of the Minnesota Historical Society, praying that an appropriation be made for the construction of a national archives building at Washington, D. C., which was referred to the Committee on Public Buildings and Grounds.

Mr. LANE presented a telegram, in the nature of a petition, from the City Council of Portland, Oreg., praying for the enactment of legislation to provide for the disposition of certain land grants in the Bull Run Reserve, Oreg., which was referred to the Committee on Public Lands.

Mr. KENYON presented a petition of sundry citizens of Dyersville, Iowa, praying for the placing of an embargo on munitions of war, which was referred to the Committee on Foreign Relations.

Mr. McLEAN presented a petition of Lady Sherman Council, No. 15, Sons and Daughters of Liberty, of Shelton, Conn., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a memorial of the Connecticut Retail Wine, Liquor & Beer Dealers' Association, of New Haven, Conn., remonstrating against an increase in the tax on intoxicating liquors, which was referred to the Committee on Finance.

He also presented a memorial of the German-American Alliance of New Haven, Conn., remonstrating against the seizures of American mail by the British Government, which was referred to the Committee on Foreign Relations.

He also presented a petition of Admiral Bunce Section, Navy League of the United States, of Hartford, Conn., praying for an increase in armaments, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEE ON FINANCE.

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

A bill (S. 53) for the relief of the Eldredge Bros. Live Stock Co., a corporation (Rept. No. 98); and

A bill (S. 54) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah (Rept. No. 99).

VOCATIONAL EDUCATION.

Mr. SMITH of Georgia. Mr. President, I wish to present a favorable report from the Committee on Education and Labor upon the bill (S. 703) to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure; and I submit a report (No. 97) thereon.

In this connection I wish to call attention to the fact that in the report we express especially our appreciation of the splendid work that has been done for this measure by the Senator from Vermont [Mr. PAGE].

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

DEVELOPMENT OF WATER POWER.

Mr. WORKS. Mr. President, I desire to submit the views of the minority (S. Rept. 66, pt. 2) on the bill (H. R. 408) to provide for the development of water power and the use of public lands in relation thereto, and for other purposes, which I ask may be received and printed.

The VICE PRESIDENT. The report will be printed.

REPORT ON AERONAUTICS.

Mr. FLETCHER. From the Committee on Printing I report back favorably, with amendments, Senate resolution 44 to provide for the printing of the appendices to the report of the National Advisory Committee for Aeronautics, and I ask unanimous consent for its present consideration.

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

The amendments were, in line 1, before the word "Report," to strike out the words "appendices to the," and in line 4, after the word "document," to insert a comma and the words "together with the accompanying appendices and illustrations," so as to make the resolution read:

Resolved, That the report of the National Advisory Committee for Aeronautics, transmitted with the President's message of December 15, 1915, be printed as a Senate document, together with the accompanying appendices and illustrations.

The amendments were agreed to.

The resolution as amended was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. DILLINGHAM:

A bill (S. 4071) to establish the University of the United States; to the Committee on the University of the United States.

By Mr. FALL:

A bill (S. 4072) authorizing the State of New Mexico to convey to the United States lands in the national forests in said State and select other lands therefor; and

A bill (S. 4073) granting certain lands within the State of New Mexico to said State for specific purposes; to the Committee on Public Lands.

A bill (S. 4074) granting a pension to Miguel Archuleta (with accompanying paper);

A bill (S. 4075) granting an increase of pension to Andrew J. Messer (with accompanying papers); and

A bill (S. 4076) granting a pension to John C. Wolters (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 4077) granting a pension to Charles H. Craddock (with accompanying papers); and

A bill (S. 4078) granting a pension to Herman L. Shank (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 4079) for the relief of William Ramsey and others; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 4080) granting a pension to Eimer Bjarnson (with accompanying papers); and

A bill (S. 4081) granting a pension to Charles Groves (with accompanying papers); to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 4082) for the relief of the heirs of J. A. Reece; to the Committee on Claims.

A bill (S. 4083) granting a pension to A. J. Holden; and

A bill (S. 4084) granting a pension to Augusta P. Marrs; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 4085) to establish a Coast Guard station on the coast of Louisiana, in the vicinity of Barataria Bay; to the Committee on Commerce.

A bill (S. 4086) to provide for the care and treatment of persons afflicted with leprosy, and to prevent the spread of leprosy in the United States; to the Committee on Public Health and National Quarantine.

By Mr. CHAMBERLAIN:

A bill (S. 4087) for the relief of James L. McCulloch; and

A bill (S. 4088) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national-forest land; to the Committee on Public Lands.

By Mr. POMERENE:

A bill (S. 4089) granting an increase of pension to Henry Collett (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 4090) granting an increase of pension to Diantha K. Dickey (with accompanying papers); and

A bill (S. 4091) granting a pension to Virginia R. Coates (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 4092) granting an increase of pension to Margaret A. Bugbey (with accompanying papers); to the Committee on Pensions.

By Mr. LEE of Maryland:

A joint resolution (S. J. Res. 93) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States; to the Committee on the Library.

OIL AND GAS LANDS.

Mr. PHELAN submitted an amendment intended to be proposed by him to the bill (H. R. 406) to authorize the exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium, which was referred to the Committee on Public Lands and ordered to be printed.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. SUTHERLAND submitted an amendment proposing to appropriate \$1,683.96 to reimburse the board of education of Boxelder County, Utah, for the education of 23 Indian pupils at the Waskakie School, Boxelder County, during the school year 1913-1914, intended to be proposed by him to the Indian appro-

priation bill (H. R. 10385), which was referred to the Committee on Indian Affairs and ordered to be printed.

ADDRESS BY HON. PAUL M. WARBURG.

Mr. GORE. Mr. President, I ask unanimous consent to have printed as a public document the speech of Hon. Paul M. Warburg, delivered before the New York Credit Men's Association, in New York City, on the evening of January 25, 1916. I ask that the address be referred to the Committee on Printing with a view to its publication.

The VICE PRESIDENT. The address will be referred to the Committee on Printing.

HOUSE BILL REFERRED.

H. R. 10037. An act 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 was read twice by its title and referred to the Committee on Pensions.

REPORTS OF THE ALASKAN ENGINEERING COMMISSION (H. DOC. NO. 610, PT. 2).

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 11) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That the reports of the Alaskan Engineering Commission, in two volumes, for the period from March 12, 1914, to December 31, 1915, inclusive, together with accompanying maps, charts, and profiles, be printed as a House document and that 6,000 additional copies be printed, of which 3,000 copies shall be for the use of the House of Representatives, 1,500 copies for the use of the Senate, and 1,500 copies for the use of the commission.

MEDICO-MILITARY ASPECTS OF EUROPEAN WAR.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 12) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound 10,000 copies of the Report on the Medico-Military Aspects of the European War, by Surg. A. M. Fauntleroy, United States Navy, 6,000 copies for the use of the House of Representatives and 3,000 for the use of the Senate and 1,000 copies for the use of the Bureau of Medicine and Surgery of the Navy Department.

REPORT ON DISEASES OF THE HORSE.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 13) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth 100,000 copies of the Special Report on the Diseases of the Horse, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, 70,000 copies for the use of the House of Representatives and 30,000 for the use of the Senate.

REPORT ON DISEASES OF CATTLE.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 14) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in cloth 100,000 copies of the Special Report on the Diseases of Cattle, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, 70,000 copies for the use of the House of Representatives and 30,000 copies for the use of the Senate.

COMMITTEE HEARINGS—EMPLOYMENT OF STENOGRAPHERS.

The VICE PRESIDENT. The morning business is closed.

Mr. MYERS. Mr. President, Senate resolution 74, authorizing the Senate Committee on Public Lands at any time during the session, or any subcommittee thereof, to have hearings and have the hearings taken down by a stenographer, as it may see fit, is on the calendar. I ask for the immediate consideration of the resolution. The services may be needed at any time.

The VICE PRESIDENT. Is there objection to the present consideration of Senate resolution 74?

Mr. SMOOT. In this connection, I wish to ask the Senator from Montana if he will allow me to include all similar resolutions on the calendar authorizing committees of the Senate to employ stenographers?

Mr. MYERS. I have no objection whatever.

Mr. SMOOT. There are quite a number of them on the calendar.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate proceeded to consider Senate resolution 74, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, to strike out all after the word "Resolved" and insert:

That the Committee on Public Lands, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report

such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

The Senate proceeded to consider Senate resolution 69, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment to strike out all after the word "Resolved" and insert:

That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

The Senate proceeded to consider Senate resolution 73, which had been reported from the Committee on Education and Labor with an amendment, to strike out all after the word "Resolved" and insert:

That the Committee on Education and Labor, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

The Senate proceeded to consider Senate resolution 63, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, to strike out all after the word "Resolved" and insert:

That the Committee on Naval Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. SHAFROTH. I should like to inquire whether there is a limitation as to the price to be paid per printed page?

The VICE PRESIDENT. One dollar per printed page.

Mr. SHAFROTH. That clause is in all the substitutes, I understand?

The VICE PRESIDENT. It is in all of them. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

The Senate proceeded to consider Senate resolution 46, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, to strike out all after the word "Resolved" and insert:

That the Committee on Woman Suffrage, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

The Senate proceeded to consider Senate resolution 49, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, to strike out all after the word "Resolved" and insert:

That the Committee on Appropriations, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

ORDER OF BUSINESS.

Mr. WALSH. I move that the Senate proceed to the consideration of Senate resolution 43, which is a resolution introduced by myself some time ago, providing for an investigation into the freight congestion at the port of New York.

Mr. NEWLANDS. Mr. President, I move to substitute for that a motion to take up Senate joint resolution 60, Order of Business 33, which has been under consideration for some time. It is a joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

I will state, Mr. President—

The VICE PRESIDENT. A motion to amend the motion of the Senator from Montana is not in order. The only question before the Senate is the motion of the Senator from Montana to proceed to the consideration of Senate resolution 43, and that must be voted on.

Mr. SMOOT. Unanimous consent was not given.

The VICE PRESIDENT. No; it is a motion to proceed to the consideration of the resolution.

Mr. BRANDEGEE. Mr. President, of course the motion is not debatable, and I do not undertake to debate it. I should like to know what is the subject matter of the resolution in order to vote intelligently.

The VICE PRESIDENT. It is Senate resolution 43, for the appointment of a committee to investigate and inquire into the causes of the existing freight blockade and embargoes on the trunk-line railroads entering into the port of New York. The question is on the motion to take up the resolution.

The question being put, there were on a division—ayes 12, noes 22.

The VICE PRESIDENT. The motion is lost.

Mr. NEWLANDS. I ask for the regular order.

Mr. PITTMAN. I move that the Senate proceed to the consideration of Senate bill 2520.

The VICE PRESIDENT. That is the first bill on the calendar, and it is the regular order.

Mr. HITCHCOCK. I ask the Senator to withhold his motion until I get a unanimous-consent agreement, if possible, concerning the unfinished business.

I ask unanimous consent that beginning to-morrow all speeches on the Philippine government bill, and amendments thereto, shall be limited to 10 minutes each.

Mr. CUMMINS. Mr. President, I object.

Mr. BRANDEGEE. I demand the regular order.

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

Mr. HITCHCOCK. Mr. President, in view of that objection, I must state now that I shall take every proper parliamentary method to press the bill to an early vote. I certainly have been as easy-going as possible—

Mr. BRANDEGEE. Mr. President, that is not the regular order. I have asked for the regular order. I do not think the Senator ought to be allowed to make a speech after the regular order has been demanded.

The VICE PRESIDENT. The Secretary will proceed with the calendar under Rule VIII.

LANDS IN NEVADA.

The bill (S. 2520) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State University of the State of Nevada was announced as first in order on the calendar.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The Senator from Utah objects to the present consideration of the bill.

Mr. PITTMAN. I imagine that the Senator's objection is made on the ground that the Senator from New Mexico [Mr. FALL] desires to speak on the bill. I want to say to the Senator from Utah that I have seen the Senator from New Mexico since the last objection was made by the Senator from Utah, and the Senator from New Mexico stated that he had no further objection to the bill coming up, and that he did not intend to speak on it.

Mr. SMOOT. Then, Mr. President, I shall not object to its consideration; but I want to speak on the bill itself, and I might as well do so now as at any other time.

The VICE PRESIDENT. The Secretary will read the bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That there be, and are hereby, granted to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State university of the State of Nevada.

Sec. 2. That the lands herein granted shall be selected by the State authorities of said State from any unappropriated nonmineral public land in said State in quantities not less than the smallest legal subdivision; and when selected in conformity with the terms of this act

the same shall be duly certified to said State by the Commissioner of the General Land Office and approved by the Secretary of the Interior. Upon such certification the title to such land shall be deemed to have vested in the State of Nevada as of the date of selection.

Sec. 3. That the land herein granted shall be disposed of under such laws, rules, and regulations as may now or hereafter be prescribed by the Legislature of the State of Nevada not inconsistent herewith: *Provided*, That any citizen of the United States shall be entitled to purchase not more than 640 acres and not less than 40 acres of such land.

Sec. 4. That the proceeds arising from the use, disposal, or sale of said lands, or any part thereof, shall be for the use and benefit of the public schools of Nevada and the State university of the State of Nevada in the following proportion, to wit: Eighty per cent of such proceeds for the use and benefit of the public schools of Nevada and 20 per cent of such proceeds for the use and benefit of the State university of the State of Nevada.

Sec. 5. That the proceeds of such sale shall be placed in a special fund for the sole use and benefit of the public schools of Nevada and the State university of the State of Nevada, and whenever there are \$20,000 in the fund such moneys shall be immediately invested in interest-bearing bonds, notes, or securities of the United States, the State of Nevada, or any other State of the Union, or of any county in the State of Nevada, subject to the supervision and approval of the State board of revenue.

Mr. PITTMAN. Mr. President, I desire to offer an amendment to the bill in order to perfect it before its consideration is proceeded with.

The VICE PRESIDENT. The amendment is in order.

Mr. PITTMAN. In section 3, page 2, line 7, after the words "disposed of," I move to insert "to citizens of the United States by sale to the highest bidder at public auction upon due notice"; and at the end of the section I move also to add the words "under the terms and in the manner provided in this bill."

Mr. SUTHERLAND. Mr. President, it seems to me that that is an unwise provision to put into the law. If the lands shall be sold in that way, they will be forced upon the market; and it occurs to me that in a great many instances they will be apt to bring a very small price.

Mr. PITTMAN. It is my intention to also offer a further amendment to the bill limiting the price to \$1.25 an acre.

Mr. SUTHERLAND. That is, that no land shall be sold for less than \$1.25 an acre?

Mr. PITTMAN. That no land shall be sold for less than \$1.25 an acre. I will insert the amendment at the same point at which I have proposed my first amendment, though I had intended to offer it in another place. I move to add to my amendment the words "and at not less than \$1.25 an acre."

Mr. WALSH. I desire to inquire of the Senator from Nevada if he thinks the limitation on the price which he has offered is sufficiently high? When the four States of North Dakota, South Dakota, Montana, and Washington were admitted to the Union they got the usual grants of land. By the provisions of the acts of admission they were prohibited from disposing of any of those lands at less than \$10 an acre. That act was passed in the year 1889, now nearly 27 years ago. The grant has been handled with very wise economy, so that the grant to our university has produced for the State—and only about one-half of it has been disposed of—something over \$16 per acre.

Now, it occurs to me that Nevada would be placed at a most decided disadvantage by this proposition. I do not now recall what limit was placed in the enabling act admitting the State of Utah or of Idaho, but my recollection is that the same limitation was placed in those acts.

Mr. SUTHERLAND. As I recall, there was no limitation in the enabling act admitting Utah, but I think personally that it was a very unfortunate thing that there was not such limitation.

Mr. SMOOT. There was, however, a limitation of \$10 per acre in Idaho.

Mr. PITTMAN. Mr. President, I decline to yield until I answer the question of the Senator from Montana [Mr. WALSH]. Then I shall be very glad to yield for any other statement or for any other question.

The conditions in the State of Montana are entirely different from the conditions in the State of Nevada. The climatic conditions are entirely different, in the first place, as is shown by the Geological Survey and by the Department of Agriculture. The rainfall in Montana is much greater than it is in the State of Nevada. The number of flowing streams in Montana is much greater than in the State of Nevada. The State of Nevada unfortunately has a very limited quantity of water. The best land in that State has been selected heretofore. In fact, as I had occasion once before to state to this body, most of the land in the State at the present time is only valuable for grazing purposes, unless through the aid of private capital we are enabled to develop our unknown supplies of subsurface water.

It is true that some of this land may be worth more than \$1.25 an acre. The State will undoubtedly make rules and regulations governing the sale of this land. I have included in the bill a provision for a sale at public auction, because there

is nothing that determines the value of land so much as competitive bidding. While a great deal of this land may be worth more than \$1.25 an acre, I am afraid that a large quantity of it will only be worth \$1.25 an acre or less, so far as that is concerned.

The State is as sincerely interested in this matter as is this Congress. If the State can be protected in the disposal of that land until it has an opportunity to legislate with regard to it, then no Member of this body need fear that the State of Nevada is going to sacrifice its public domain. I want to say that I have absolute confidence in the ability and integrity of the people of the State of Nevada. I am satisfied that they know more concerning the value of the public lands in that State than any Member of this body knows, and therefore I do not think it is right for us, without any knowledge of the character of the land, without any knowledge of the conditions in that State, to attempt to impose a condition upon them that may make this grant absolutely useless.

It seems to me that when you put a minimum of \$1.25 an acre on the land and, in addition to that, provide that when there is an application under this bill to purchase 640 acres, those 640 acres shall be put up at public auction on due notice, there is little chance of a man getting 640 acres for less than its value. That is my theory of it, and I hope that it will be left in this way, because I should dislike very much to find that probably half of this land was only fit for grazing land and was only worth \$1.25 an acre, and that there should be a limit put on it under which we could not sell it.

Mr. NEWLANDS. Mr. President, I should like to inquire of the Senator from Montana whether the limitation to which he referred was in the Federal act making the grant to Montana or in the State legislation of Montana?

Mr. WALSH. It was in the Federal act making the grant. It is in the enabling act.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. WALSH. Mr. President, there is another matter in this connection that I desire to suggest to the Senator from Nevada, which will perhaps be of more particular interest to him.

The grant is of land nonmineral in character, and only land so classified at the time of the selection will pass by virtue of the grant; yet we all know that in the case of many acres of these lands it is subsequently discovered that they are mineral in character. The State of Montana, for instance, has acquired a large area of lands which were in fact nonmineral at the time they were selected. The title has passed to the State, but it has since been discovered that many of these lands are mineral in character, and we have endeavored in our State to give a preference right to those who make discoveries upon these lands, the same as is granted to those who make discoveries upon the general body of the public domain. Under the provision of the amendment which the Senator now proposes, his State will be without power to do that, because the lands must be put up for sale at public auction, and they must go to the one who bids the highest. The result will be that, if a prospector goes on this body of State land and after laborious effort discovers a body of valuable minerals, he can not acquire title to the land; but the State must put it up for sale at public auction; and some man who is richer in the world's goods than he is gets away with the result of his enterprise and his energy. I have no doubt in the world that many acres of these lands that are now classified as agricultural and are agricultural, or rather nonmineral, will be found to contain valuable deposits of nonmetallic minerals, such as potash and other deposits of that character. I should think the Senator would like to preserve to the prospectors of his State the opportunity to locate those lands substantially as lands upon the public domain are located.

Mr. PITTMAN. Mr. President, this bill preserves any rights that a prospector might have. The bill goes on further and provides for the selection of 7,000,000 acres of land. After that is done a citizen of the United States may make a selection of 640 acres; and when the selection of that land is made its mineral character is determined. If it is mineral in character it is not subject to the grant; if it is not found to be mineral in character at that time, there is no prospector on there with any mining rights and no prospector can be injured. If subsequent to the purchase of this ground it is determined to be mineral ground, the discovery is due to the man who purchases and not to any prospector.

This bill goes on further and provides that the land may be sold, subject to such rules, regulations, and laws as the legislature may make, with a limitation that it shall not be sold for less than \$1.25 an acre, that there shall not be over 640 acres sold to any one person, that it shall be sold to citizens of the United States, and that it shall be sold at public auction

to the highest bidder whenever an application for a certain tract is made. It does not mean that this whole body of 7,000,000 acres of land is to be put up at public auction and sold; it simply means that when a selection of 640 acres is made by a citizen of the United States, before he or she shall be allowed to purchase it it shall be advertised and he shall be compelled to pay the competitive price for those 640 acres.

If a prospector has discovered mineral on that ground, it is not subject to selection. If there are some undiscovered minerals in that ground, the purchaser acquires them; but if a purchaser could never acquire any ground by reason of the fact that there might be some undiscovered minerals under it, it would be practically impossible for us to ever operate in our public-land States.

I have just as much interest for the prospector as has the Senator from Montana; and if I could conceive in any way that any prospector in our State was going to be injured by any provision of this bill I would gladly remedy it, just as the Senator from Montana would; but I do not see that it affects the prospector at all.

So far as the possibility of obtaining mineral land under this bill is concerned, I want to say that in my opinion it is negligible. The minerals in our State are found in the mountains of our State; they are not found in the valleys. The mountains of our State to-day are nearly every one of them in a timber reserve, and none of the land under this bill can be selected from a timber reserve.

Mr. CLARK of Wyoming. Mr. President, I listened to the reading of the amendment, and at the present moment I am not in harmony with the amendment. It occurs to me that the section as drawn and in the bill is preferable to the section as it would be if amended. Certainly, if the State is to be trusted with these lands, it seems to me the legislature of the State is the proper body to deal with them; and it seems to me this is a limitation on the legislature that ought not to be in the bill. I very much prefer the bill as it was originally drawn and reported from the committee.

Mr. PITTMAN. It was my intention, in drawing the bill, to leave the matter entirely to the management of the State authorities—the legislature, in other words. I find, however, that there is upon the statute books of the State of Nevada at the present time a law which is active in futuro, under which this 7,000,000 acres of land might be taken possession of and disposed of before the legislature could again meet. The amendment that I have placed there would protect the land until the next meeting of the legislature, because there would be no provision except for its sale at public auction.

Mr. CLARK of Wyoming. Mr. President, could not that be remedied by making the operation of the act take place at some future date?

Mr. PITTMAN. It could be done, yes; but instead of delaying this matter for a year, until the legislature can meet, I would prefer that, at least, we work under the old law, which simply provides a system of selection and sale, by imposing upon that statutory law the limitation as to price and as to competitive bidding.

I do not think this competitive system of purchase is objectionable to any of the people of my State. It is a matter that has been discussed there for years. Every one in the State realizes that we made a mistake in the disposal of the 2,000,000 acres of land that we have heretofore received from the United States. We made a mistake in the method. We know we could have gotten more; and I may say to the Senator that unless I had been satisfied that the competitive system of fixing the price of land was satisfactory to the people in our State I would not have offered the amendment.

Mr. CUMMINS. Mr. President, I desire to ask a question of the Senator from Nevada, if he will yield to me. Is it the purpose of the bill to allow an alien, or a corporation not a citizen of the United States, to purchase land in any quantity?

Mr. PITTMAN. No; it is not.

Mr. CUMMINS. That would be the effect of the bill as it is now written.

Mr. PITTMAN. If it is, I should like to have the Senator correct it.

Mr. CUMMINS. The Senator will observe that the proviso of section 3 is as follows:

Provided, That any citizen of the United States shall be entitled to purchase not more than 640 acres and not less than 40 acres of such land.

I assume that that means that no citizen of the United States shall be entitled to purchase more than 640 acres, but there is no limitation or restriction upon the right of the State to sell to an alien, or a corporation not a citizen of the United States, any amount.

Mr. PITTMAN. I will state to the Senator that that portion of this bill is contained in nearly every other grant in all the States, and I assumed that it had had a legal construction. The language is not original in this bill. It is copied from the prior grants.

The VICE PRESIDENT. The Senator from Iowa perhaps has not heard the pending amendment.

Mr. CUMMINS. No; I have heard the pending amendment only so far as it relates to the notice and auction.

The VICE PRESIDENT. The Secretary will restate the pending amendment.

The SECRETARY. Section 3 reads:

That the land herein granted shall be disposed of—

After the word "of," it is proposed to insert—

To citizens of the United States, by sale to the highest bidder at public auction, upon due notice, and at not less than \$1.25 per acre.

Mr. CUMMINS. The amendment would correct the defect that I thought was plainly obvious in the proviso, although it seems to me the proviso ought to be changed so as to read "that no citizen of the United States shall be entitled to purchase more than 640 acres," instead of saying "that any citizen of the United States shall be entitled to purchase not more than 640 acres." It is not true that any citizen is entitled to purchase 640 acres. It could not be true.

Mr. SMOOT. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Utah?

Mr. PITTMAN. I do.

Mr. SMOOT. I will state to the Senator from Iowa that the land, if granted to the State under this bill, will not be subject to the land laws of the United States, and therefore it could be that any citizen of the United States shall be entitled to purchase any specified quantity. But what I wanted particularly to call the Senator's attention to was that the bill does not prohibit 20 different citizens of the United States from buying 640 acres of land each, and immediately transferring their purchases to any citizen of the United States or to any corporation.

Mr. CUMMINS. Certainly not; but the future consolidation of the land was not in my mind when I made the objection. I did not know anything about that; but it was plain to me that there was no limitation in the bill as reported, except as against a citizen, and of course it is not true that any citizen is entitled to buy 640 acres, because we have something like 100,000,000 citizens, and there are only 7,000,000 acres of this land. I assume that it was meant that no citizen shall buy more than 640 acres.

Mr. PITTMAN. As I stated to the Senator, I never gave any careful consideration to this part of the proviso, as it had been included in the original draft of the bill, and has been in operation for some 25 or 30 years, and I imagined that its construction was understood. I would suggest this amendment to that proviso:

The VICE PRESIDENT. There is an amendment pending now.

Mr. PITTMAN. I will say to the Senator from Iowa that I will correct that with an amendment later.

The VICE PRESIDENT. The Chair must inquire whether this debate is to proceed under the five-minute rule, or whether the Senate will just set the rule aside and permit discussion ad libitum. The question is on agreeing to the amendment.

Mr. WEEKS. Mr. President, I wish to ask the Senator from Nevada a question. I understand that this bill is a proposition to turn over 7,000,000 acres of Government land to the State of Nevada, the proceeds of the sale of the land to be used for specific purposes. That is the purpose of the bill, is it not?

Mr. PITTMAN. That is the purpose of the bill.

Mr. WEEKS. Is there any reason why similar legislation should not apply to every State where there are Government lands?

Mr. PITTMAN. It has been done already, and in about three times the quantity that this bill asks for.

Mr. WEEKS. Is there any reason why the Government should turn over to the State of Nevada, we will say, the equivalent of \$7,000,000, which would not apply to its furnishing that amount of money over to any State for educational purposes?

Mr. PITTMAN. Yes, sir; there is every reason, which I will endeavor to explain a little bit farther along in my remarks on this bill.

Mr. SMOOT. Mr. President, I might as well say what I have to say on this bill now as at any other time.

The Senators will notice in the report the statement that the object of the bill is—

To grant to the State of Nevada sufficient lands to make up a deficiency in the land grants heretofore made to the State under the

policies and practices of the Government. The bill simply seeks to have the State of Nevada, with regard to the public lands within its borders, treated with the same justice that has been meted out to the other public-land States.

In the same report, Mr. President, on page 2, are given the grants in acres to Arizona, California, Colorado, Idaho, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

The Senator has just made the statement that if the grant of 7,000,000 acres were made to Nevada at this time, it would not be equal to the grant to any other State, and that all other States had been granted three times as much. Of course, I think the Senator spoke hurriedly, without due consideration.

Mr. PITTMAN. I think I said approximately three times as much had been granted to the other States.

Mr. SMOOT. The Senator will notice that as to some of the States named here that statement would not be accurate. For instance, Washington was granted 3,000,000 acres; Wyoming, 4,000,000 acres; Oregon, 4,000,000 acres; South Dakota, 3,000,000 acres; and I could go on with all of the other States, but it is not necessary.

Mr. FALL. Mr. President, will the Senator yield to me for one moment?

Mr. SMOOT. Yes, sir.

Mr. FALL. In this same table there is shown as a donation to the State of New Mexico something like 12,000,000 acres. That is not entirely correct. It is, however, only following along the general plan of bookkeeping or memorandum making in the Department of the Interior. As a matter of fact, the direct appropriations to New Mexico were less than one-third that amount.

As it happened, in New Mexico there were numerous Spanish land grants which had been confirmed by the Congress of the United States long prior to the admission of the State, and long before the State had any voice on the floor of this branch of Congress, and only a voice in the House. In lieu of the school sections upon those Spanish grants, and in lieu of the school sections embraced in Indian reserves and other reserves, certain lands were granted to New Mexico; the usual State grants being certain designated sections in the townships, going to all the States equally, and not included in this table with reference to the other States as are the direct donations. But in the case of New Mexico and Arizona, both, the department here has included not only the donations but also the lieu-land selections. But it is just as absolutely incorrect, as showing a comparison of the donations of land, as are all the methods of bookkeeping and all the other statements of the Department of the Interior, as far as I have been able to discover by a pretty thorough research of the reports of the department.

Mr. CLARK of Wyoming. Mr. President, will the Senator allow me to ask him a question before he sits down?

Mr. SMOOT. I yield for a question.

Mr. CLARK of Wyoming. Do I understand the Senator to say that the Department of the Interior has included certain lands twice over? For instance, where sections 16 and 36 are included in a reserve, is that counted as 1,280 acres, and in addition to that 1,280 acres outside?

Mr. FALL. No; I do not mean that. The Senator misunderstood me. What I mean is that in this tabulation, which is taken from a tabulation of the Department of the Interior, they are shown as donations to the State.

Mr. CLARK of Wyoming. But I understand that that is true of all the other States.

Mr. FALL. No; I think not.

Mr. CLARK of Wyoming. For instance, I understand that the school lands are included in each of these States.

Mr. FALL. No; not in many of them which I have examined. In many of them the tabulation does not include the school lands at all.

Mr. PITTMAN. Mr. President, just let me interrupt there. The tabulation that we have here was made under the direction of the Commissioner of the General Land Office at my request and contains every form of disposal to the State of public lands. I do not care in what form it was, whether it was lieu-land selection or not. Then there is a system of percentages worked out as to the amount of the public lands that the States have acquired in proportion to the total area of the States.

Mr. CLARK of Wyoming. Then, if the Senator will allow me, my impression was correct that in each one of these States the table includes the so-called school sections.

Mr. PITTMAN. It does.

Mr. CLARK of Wyoming. That is what I understood, and for that reason I asked the question.

Mr. FALL. I do not so understand.

Mr. PITTMAN. I think the Senator is mistaken, because I have investigated that since, and it is the statement they gave me.

Mr. SMOOT. If the Members of the Senate now will look on page 2 of the report, they will find the amount of acres granted to each of the States. The State of Colorado received 4,000,000 acres, the State of Idaho 3,000,000, the State of Montana 5,000,000, the State of Nebraska 3,000,000. Far be it from me to try to withhold from the State of Nevada anything that would place her on an equal footing with other States; but I do not believe it is the proper and right thing to pass a bill granting her lands far exceeding that of every other State in the way of land grants, which this bill will do if it passes, granting 7,000,000 acres.

Not only that, Mr. President; the bill itself gives privileges to the State in the selection of the land that no other State in the Union has had. I call attention to section 2:

The lands herein granted shall be selected by the State authorities of said State from any unappropriated nonmineral public land in said State in quantities not less than the smallest legal subdivision.

The Senator made the statement a while ago that they could not select timbered lands under this bill. Mr. President, they can select timbered lands under this bill.

Mr. PITTMAN. The Senator undoubtedly does not intend to misconstrue the bill there; but it says, "Unappropriated public lands," and God knows everything in our State that has got a sagebrush on it has been put in a forest reserve.

Mr. SMOOT. Mr. President, I did not say anything about the forest reserves; and I want to say to the Senator here that all the lands that are prohibited from being selected by the State under this bill are nonmineral lands. Again, in that same section, it says:

Upon such certification the title to such land shall be deemed to have vested in the State of Nevada as of the date of selection.

Mr. President, the school lands granted to the State of Utah and to all of the other Western States are lands in place. I call the Senator's attention to the fact that certain of these school lands have been sold by the State of Utah to individuals 10 or more years ago, and no one suspected that there were minerals in them; and to-day in the courts of the United States there are suits brought by the United States claiming that those lands never should have passed to the State, and the Government is trying to recover them after they have been developed by individuals who purchased the land from the State.

Mr. PITTMAN. Does the Senator know any way by which we can prevent a suit from being brought? Can the Senator suggest any language?

Mr. SMOOT. I know that this bill provides that as soon as the lands are selected the certificates of title to the land shall be deemed to have been vested in the State of Nevada as of the date of selection.

Mr. PITTMAN. What other language has ever been used in a grant?

Mr. SMOOT. This has never been used in any grant.

Mr. PITTMAN. When does the title vest under any grant?

Mr. SMOOT. That all depends on the wording of the grant.

Mr. PITTMAN. When did the railroad land grant vest title? When did the title of the State lands in your State vest?

Mr. SMOOT. If the Government is successful in its suit, we can not tell when title of school lands will vest.

Mr. PITTMAN. You tried to have them vested at some time, did you not?

Mr. SMOOT. We thought that they were vested in the States, and now the Government says they are not.

Mr. PITTMAN. I know, but you did your best to have the title vest in some definite period. That is what we are trying to do.

Mr. SMOOT. Yes. I am only saying that this bill gives to Nevada, as far as that provision is concerned, an advantage over every Western State receiving land grants. There is no doubt about it.

Mr. PITTMAN. Would you not like to have your State—

Mr. SMOOT. If that was the intention, I would like to have had it.

Mr. PITTMAN. In the case of the grants made heretofore you would like to have had it, would you not?

Mr. SMOOT. I think it ought to be.

Mr. PITTMAN. You are complaining now because suit has been brought against some of this land on the ground that the title has not passed.

Mr. SMOOT. The Senator from Nevada is asking for a grant of 7,000,000 acres, in order, as he says, that Nevada may be equal with the other land-grant States, but with the provision referred to she would not only be equal but more than equal in securing title from the Government, but the number of acres granted will be greater,

Mr. PITTMAN. I do not know that I understand the Senator, but is the Senator objecting to the number of acres that are requested to be granted to Nevada on the ground that Nevada does not need it or on the ground that his State has not been treated as well?

Mr. SMOOT. No, Mr. President; I am objecting for this reason: In any legislation that the Government grants additional land to the public-land States it ought to treat all public-land States alike. I do not think the Senator will deny that.

Mr. PITTMAN. I have not.

Mr. SMOOT. Now, let us see, Mr. President, if this bill does that. We will consider it first on the basis of population. There were 81,875 people in Nevada.

Mr. BRANDEGEE. When?

Mr. SMOOT. In 1910, the last census. There were 74,206 whites, 513 negroes, 5,240 Indians, 927 Chinese, 864 Japanese, and 55 nonclassified.

This means, Mr. President, that for every white man, woman, and child in the State of Nevada the grant would be on a basis of 95 acres for each. This, Mr. President, means that 7,000,000 acres of land granted to the State of Nevada, in which there are 23,677 families, will amount to 296 acres for every family in the State.

Mr. WALSH. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Montana?

Mr. SMOOT. I yield.

Mr. WALSH. The Senator from Utah, I suppose, recognizes that Nevada has only the title of 2,723,000 acres, as against about 6,000,000 acres for the State of Idaho, 6,000,000 acres for my own State, and 7,414,000 acres for the State represented by the Senator now speaking. About how many acres does the Senator from Utah think it would be fair to accord to Nevada?

Mr. SMOOT. If the Senator will wait a moment, I am coming to that.

Mr. President, in relation to the 7,000,000 acres granted to the State of Utah that grant included sections 2, 16, 32, and 36 within the State, and most of the land is mountainous land. The Senator from Montana knows that the greater portion of the State of Utah is mountainous. The grant included those four sections, and as stated before the greater part is mountainous land, whereas if this bill passes and 7,000,000 acres of land are granted to Nevada the State of Nevada can select any lands within the State that are nonmineral, giving it every advantage in selections over grants to all the other Western States. The State of Montana was granted sections 16 and 36 in place, and was compelled to take the land within those sections whether they were in the valley or on the mountain tops. Montana had no right to select her granted land in the way provided for in this bill. Therefore this bill is not placing Nevada upon the same footing with other Western States. It is placing Nevada in a much more favorable position.

Mr. CLARK of Wyoming. Will the Senator yield for a question?

Mr. SMOOT. Certainly.

Mr. CLARK of Wyoming. I should like to ask the Senator from Utah if he can inform us what percentage of the grant to Utah or to the other States was of the specified sections that required no selection? There were something over 7,000,000 acres of land granted to the State of Utah. In that grant there were included four sections in each township for school purposes.

Mr. WALSH. I have the figures here.

Mr. CLARK of Wyoming. What proportion of the whole grant was included in the school sections?

Mr. SMOOT. I have not the exact figures here.

Mr. WALSH. The State of Utah got sections 2, 16, 32, and 36. That aggregates 5,444,000. The total number of acres is 7,414,000.

Mr. SMOOT. So the State of Utah, outside of the school sections, got about 2,000,000 acres of land. The University of Utah thought it was granted the saline lands within the State. The University of Utah has been denied them. The university made a selection, through the State, for the saline lands of the State. They were denied by the Government. A suit was started and carried to the Supreme Court of the United States, and the Supreme Court held that the saline lands should not go to the university.

Mr. PITTMAN. Mr. President, then, under this bill, it is perfectly evident we can not get any saline land, is it not?

Mr. SMOOT. Yes.

Mr. PITTMAN. That is that much protection.

Mr. SMOOT. I am not discussing the question of the protection to the Government.

Mr. WALSH. Mr. President, so that we may understand the matter clearly, the State of Utah got the poor sections for

school purposes, and, as the Senator rightly says, much of it is mountainous; but my understanding is that the great portion of it is within forest reserves in the State of the Senator, and under the ruling of the department they would be entitled to select, in lieu of those, valley lands, would they not?

Mr. SMOOT. Mr. President, no law has been passed granting that right. Before the Public Lands Committee several times there were bills to that effect, and also in the House of Representatives, but none has ever been passed.

Mr. WALSH. I understood the Senator to say that the ruling of the department has thus far been that the grant did not pass to the State, and therefore these areas could be included within forest reserves, giving the State the right to select lands. If that is correct, then the State of Utah has the opportunity to select lands that may aggregate 5,000,000 acres.

Mr. SMOOT. The mineral lands that I spoke of were within the school sections, and they were sold by the State to individuals who developed coal mines upon them, and they have been in operation for 10 or 12 years.

Mr. WALSH. But the question I addressed to the Senator is—

Mr. SMOOT. They would have no right to make a selection outside even if the Forest Service was in favor of it.

I think, Mr. President, the Senator knows that wherever there is a piece of land within a forest reserve that is owned by an individual there has to be a special act of Congress in order to have it exchanged for public lands outside the forest reserve. There is a bill upon the calendar now that I reported to this body on Saturday for that very purpose. We have passed at least a dozen in the Senate of the United States within the last two or three years. That is the only way the exchange can be made. There is no law to-day under which the Secretary of the Interior can give title to a piece of land outside of a forest reserve on the public domain for land within a forest reserve owned by an individual.

Mr. WALSH. Then, as I understand the Senator, he contends that under the present practice the State of Utah is not entitled to select lands in lieu of those in a forest reserve.

Mr. SMOOT. The State of Utah is not entitled to do so.

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

Mr. SMOOT. Yes.

Mr. BRANDEGEE. I wish to ask the Senator if this is to allow the State authorities themselves to make the selection without any reference to what the owner of the public land might think about it? In other words—

Mr. SMOOT. There are land grants to State institutions outside of the school sections. In such cases the individual citizen makes his selection, and then the request by the State is made to the Interior Department that his selection be approved and charged to the particular State institution's grant the selection is made under—

Mr. BRANDEGEE. Then the process by which the result is accomplished is not that 7,000,000 acres are selected at once by the State authorities, and then certified by the commissioner of the land office, but nothing is done until the individual selects the part he wants to buy from the State, and then the State selects it. Would not that process have some bearing as to when the title ought to vest in the State?

Mr. SMOOT. This bill provides when it shall vest.

Mr. BRANDEGEE. I know it does; but there is a difference of opinion between the Senator from Nevada and the Senator from Utah as to whether the title shall pass as of the time of the selection or of the time of certification. I gather that the Senator from Nevada wanted some definite time fixed when the title should vest. It occurred to me, as this process is one perhaps of a considerable period of time, it would suit the purpose of the Senator from Nevada and obviate the objection of the Senator from Utah, if the bill should provide that the title shall vest as of the time when the certification by the Commissioner of the Land Office was filed.

Mr. PITTMAN. It would make no difference.

Mr. BRANDEGEE. I understand the Senator now to say that it would make no difference. It seems to me it would be better to have the title remain in the Government until the Commissioner of the Land Office had certified that it was approved by the Government at the request of the State.

Mr. BORAH and Mr. FALL addressed the Chair.

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Does the Senator from Utah yield, and if so, to whom?

Mr. FALL. I desire to refer to the matter to which the Senator from Connecticut called attention.

Mr. SMOOT. I yield to the Senator.

Mr. FALL. I simply desire to say that the courts of the United States have passed upon this identical proposition, that

these are grants in present, and that the approval of the Secretary of the Interior of the selection, as made by the State authorities, is the acceptance of the title that is of the State, and to obtain that approval it is necessary that the location of the lands should have the approval of different departments of the Government, particularly the Geologic Department, which has charge of the mining industry.

Mr. BRANDEGEE. Then the Senator agrees with me that the present provisions of the bill would be a departure from the ordinary procedure?

Mr. FALL. I think it might be possibly. I have not studied that part out.

Mr. SMOOT. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I think that the present provision of the bill is in exact accord with the decision of the Supreme Court.

Mr. FALL. That is my impression.

Mr. BORAH. The first decision of the Supreme Court of the United States on this subject was one which came up from Nevada, in which a similar provision of the law was included, and they held that the title vested as of the date of the selection on the part of the State.

Mr. BRANDEGEE. If that is true, then it would do so without the provision in the bill. If it is the usual provision, I have no objection to it. I was asking for information, Mr. President.

Mr. SMOOT. Mr. President, what I do say is that this land grant to the State of Nevada gives Nevada an advantage, for this reason: All other land-grant States had to take the school sections in place wherever they fell, and the Government of the United States holds now that if the school sections are sold by a State to an individual and it develops later that the lands are mineral in character, the title never passed to the State, and the sale void, even after the lapse of 10 years. There is a suit now pending in the Supreme Court of the United States involving this very question. I will say to the Senator that the lower courts have so held; and if the Supreme Court of the United States sustains the lower courts in their contention, of course the result will be as I stated.

Mr. BORAH. Yes; if the Supreme Court should do so.

Mr. SMOOT. I think that is what the Supreme Court will do.

Mr. BRANDEGEE. Mr. President—

Mr. SMOOT. I yield to the Senator for a question.

Mr. BRANDEGEE. If I do not interrupt the Senator. If I do I will not ask the question.

Mr. SMOOT. No; I have no objection.

Mr. BRANDEGEE. I am seeking the information because I am not so familiar with this question as a Senator who comes from a public-land State. Is it usual to allow the States themselves to make the selections entirely without the Government doing it?

Mr. SMOOT. The State makes the selection upon application of a citizen. The selection is referred to the Interior Department for approval, and an examination is made by the Interior Department and then by the Forest Service and then by the Geological Survey, and so forth.

Mr. BRANDEGEE. I know it comes down here, but I did not know whether it was usual to allow the State to select any of the public land it would want.

Mr. SMOOT. Any land which fell within the description of the enabling act.

Mr. STONE. I will be obliged to the Senator if he will allow me to ask him a question for information.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SMOOT. Certainly.

Mr. STONE. I understand that about 7,000,000 acres of land have been given by the United States to Utah.

Mr. SMOOT. That is correct.

Mr. STONE. And Nevada is now asking for 7,000,000 acres to be given to that State.

Mr. SMOOT. Besides what she has already had.

Mr. STONE. How much has she already received?

Mr. SMOOT. Nevada has received about 3,000,000 acres, I think.

Mr. PITTMAN. Two million seven hundred thousand acres.

Mr. STONE. Seven million acres is the total area granted to the State of Utah. How much land has been given to Utah?

Mr. SMOOT. Seven million four hundred and eight thousand acres.

Mr. STONE. There would be a somewhat larger area then deduced to Nevada if this bill passed.

Mr. SMOOT. Nearly 3,000,000 acres more. It is not altogether that that I am complaining of. The grant here of 7,000,000 acres in the way that it is given gives every advantage in the disposition of the land to Nevada over every other Western

State. Utah and other Western States had to take grants of mountainous lands. This bill grants 7,000,000 acres of valley land and nothing else.

Mr. STONE. The Senator's objection then is that when we, the people of the United States, donate these lands to States, the land that Nevada would have been able to pick up under this grant would have been more valuable than those Utah has been able to pick up.

Mr. SMOOT. Yes; or any of the other of the mountainous States.

Mr. STONE. Does not the Senator think it would be a pretty good solution of this whole question to offer an amendment to transfer all the public lands to the States?

Mr. SMOOT. The Senator from Utah would be glad to do that if he had any hope whatever of passing such a measure in the House of Representatives; but I have no hope whatever. I do believe this, I will say to the Senator, that whatever is granted to Nevada there ought to be granted to the other Western States lands similar in character to place them upon the same footing with Nevada.

Mr. STONE. Oh, I suppose it is not all of the same character in different States.

Mr. SMOOT. It is almost of the same character if it be taken in the valleys. These are valley lands, and the selections will only be taken in the valleys and not in the mountains, as the Senator from Nevada states.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. Yes.

Mr. WARREN. I wish to say, relative to the proposition the Senator has advanced of turning these lands over to the States, that I have introduced a bill of that kind, which is now before the Committee on Public Lands. I hope it may receive due consideration. I brought the matter up many years ago in this body and it had a fair start. In the meantime, however, those who were following it up left the Senate, and I do not know that it has since been considered.

From what the Senator from Utah says, if he will permit me a moment further, I think in these selections—my State, for instance, had the sixteenth and thirty-sixth sections and I think Utah had the sixteenth, the thirty-sixth, the thirty-third, and the thirteenth.

Mr. SMOOT. No; Utah had the second, the sixteenth, the thirty-second, and the thirty-sixth.

Mr. WARREN. That is, taking land in place as it happens to come in the sections so numbered. It is not selected, and therefore not nearly as valuable, acre for acre, as carefully selected land. I feel generously about all these things. The lands lie there unimproved and paying no taxes, and they ought to pass into private hands, whether through State governments or otherwise. Of course, this bill could be arranged for lands in place as these others were, four sections in each township, for the State, but there ought to be some of it in selections. I think all of the States had a certain amount of land selected by the State in addition to the numbered sections taken in place. That is true, is it not?

Mr. SMOOT. It is.

Mr. WARREN. And, of course, Nevada could be treated likewise.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I do.

Mr. GALLINGER. If I understand, Mr. President, without having accurate information, there are about 70,000,000 acres of public lands undisposed of at the present time. Am I correct in that statement?

Mr. SMOOT. There are some 700,000,000 acres undisposed of.

Mr. GALLINGER. And those lands lie in how many States?

Mr. SMOOT. They lie practically in 13 public-land States.

Mr. WARREN. No; in 17 States.

Mr. SMOOT. There is but very little public land in other than 13 States. It all practically lies in 13 States.

Mr. GALLINGER. Of course those lands belong to the people of the United States at the present time?

Mr. SMOOT. They do.

Mr. GALLINGER. I have been reading an article in a local newspaper recently which pointed out the fact that there are bills now before the Senate disposing of 30,000,000 acres of land; among others, it says the Senator from Utah has a bill asking for a million acres for Utah, and other States are enumerated. I do not know how accurate that may be. I have heard it contended here that the Government ought to relinquish its claim

to those lands and give them to the States in which they are located. I have never thought that was a very wise contention, but is it not rather a reckless way of disposing of property that belongs to the people of the United States, tossing 7,000,000-acre lots of land to the several States? Of course that means that after you have gone around three or four times you will have all the public lands appropriated.

Mr. SMOOT. Mr. President, in answer to that suggestion I wish to say to the Senator that I believe it would be a great advantage to the Government of the United States and to the people of the United States if all of those lands were utilized, and it would be a wonderful advantage to the States themselves. For instance, take my own State of Utah. We have to maintain all of the institutions of every kind and every sort in the State from taxes raised on 21 per cent of the area of the State. The balance of the land in the State is nontaxable. I want to say, Mr. President, that I have here a petition, received this morning, from a meeting of the New York Zoological Society, at which certain resolutions were passed, and one of them is as follows:

Now therefore be it further resolved, That the New York Zoological Society recommends that the Federal Government take immediate steps to convert any and all of the forest reserves of the United States into game refuges for such period and to such extent as is necessary to assure the preservation of threatened species and the continuance of the game supply of the surrounding districts.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. If the Senator—

Mr. BORAH. I merely desire to say that it seems incredible that any body of men would pass that kind of a resolution. Do not these men know that there are thousands of acres in these reserves that are as good agricultural land as can be found, and that hundreds and thousands of homeless people want them? I have no language with which to express my view of a body of men who would turn such lands over to game reserves.

Mr. SMOOT. Mr. President, I want to say that that resolution is sent out in the hope of even western Representatives and Senators agreeing to it. It means, Mr. President, that about 79 per cent of my State is to be tied up for a game preserve!

Mr. BORAH. Exactly.

Mr. SMOOT. That is what it means.

Mr. BORAH. For these distinguished gentlemen to come out there and hunt game in, while poor people are yearning for a place to build a home.

Mr. SMOOT. The resolution virtually says so.

Mr. BORAH. And hundreds of thousands of settlers, who really want to make homes, are driven into the adjoining country of Canada for the purpose of finding homes.

Mr. President, may I say just a word if the Senator from New Hampshire is through?

Mr. GALLINGER. I should like to listen to the Senator from Idaho, and then perhaps I shall have some observations to make later on.

Mr. BORAH. I want to interrupt the Senator from Utah for just a moment.

Mr. SMOOT. The Senator may proceed, if he so desires.

Mr. BORAH. Mr. President, I have a great deal of sympathy with this bill. The only objection that I have to the bill is that it is not quite wide enough in its reach. It ought to include more States.

Mr. SMOOT. That is what I say.

Mr. BORAH. Mr. President, some time ago the distinguished Senator from Colorado [Mr. SHAFROTH] made a statement—and I know that he is always accurate in these matters—showing the amount of lands in these different States which were not subject to entry and therefore not subject to taxation. The Western States are doing precisely what the Senator from Utah [Mr. Smoot] says, undertaking to build up great Commonwealths upon a taxable area of from 10, 15, 20, and 25 per cent of their entire area.

Mr. SHAFROTH. The Senator refers to Nevada.

Mr. BORAH. That is the average of the different Western States.

Mr. SHAFROTH. I think the taxable area is even less than that.

Mr. BORAH. Perhaps it is less.

Mr. SHAFROTH. In Nevada I do not believe it is 10 per cent.

Mr. BORAH. Perhaps so. I did not suppose it was quite so bad as that, but it is bad enough.

Mr. SUTHERLAND. Mr. President—

Mr. BORAH. We have large counties in some of these States where they have had to sustain their schools by private con-

tributions, while distinguished gentlemen throughout the country are petitioning for the creation of hunting reserves in that region of territory, where they have as good agricultural land as lies outdoors.

I am in favor of any movement which will put those lands into the hands of bona fide settlers and of bona fide home builders. We can not build States, or maintain them, unless we are to have something of that kind. The Senator from Nevada [Mr. PITTMAN] has been chided because he is in part representing a State which has only so many voters. Well, where is the voter going to stay? He can not stay on reserve land. The only way to get voters and home builders into those States is to open these lands to entry. My sympathy is with the bill.

Mr. SMOOT. Mr. President, I want to say that I based what I have said upon a report that was made to the Senate which undertook to show that Nevada had been discriminated against and that this bill was simply to put her on an equal footing with other Western States. I believe the Senator from Nevada himself will admit that if this bill passes in the shape in which it now is, Nevada would not be on an equal footing with other States.

Mr. PITTMAN. Mr. President, I can not allow that suggestion to go by without denying it. If the distinguished Senator had waited until we got through perfecting this bill by amendment, I think in about five minutes I would have shown exactly what we contend for in the report; but he is now fighting this bill, for some reason that so far has not been disclosed. I imagine, however, that it is for the purpose of forcing some legislation for Utah; and, if that be true, the motive may be very good. I want to say, though, that in this particular case it seems a very uncertain method of legislation to fight something that you approve of in order to force in the same bill something that is desired to be granted to another State.

Mr. SMOOT. Mr. President, of course the little lecture of the Senator may be all right; but I want to say to the Senator that it would not make a particle of difference to me whether my own State was involved or not, if I felt that what was being asked for was unjust. I would never stand for it. I say to the Senator, in answer to the statement that he could not let go by the opportunity of denying the statement I made just previous to his interruption and his statement that what I had said was not true, let us see if it be not true. I make the statement upon the report made by the Senator himself and submitted to the Senate.

California had 8,331,878 acres of public land granted to her. If this bill passes, Nevada will have more than California. Colorado had 4,432,169 acres granted to her. If this bill passes, Nevada will have 5,000,000 acres more than Colorado. Idaho had 3,628,827 acres granted to her. If this bill passes, Nevada will have over 6,000,000 acres more than the State of Idaho. Montana had 5,869,004 acres granted to her. If this bill passes, Nevada will have over 4,000,000 acres more than the State of Montana. Nebraska had 3,456,809 acres granted to her. If this bill passes, Nevada will have nearly 6,000,000 acres more than the State of Nebraska. North Dakota had 3,163,084 acres granted to her, which would give Nevada over 6,000,000 acres more than North Dakota. Oklahoma had 3,094,000 acres granted to her, which would give nearly 7,000,000 acres more to Nevada than Oklahoma received.

Mr. FALL. And Oklahoma received \$5,000,000 in cash at the same time, did she not?

Mr. SMOOT. That was for Indian lands.

Mr. FALL. Yes, sir; and because a portion of Oklahoma, like New Mexico, was already taken up and in lieu of a larger land grant she was given \$5,000,000 in cash.

Mr. SMOOT. She received \$5,000,000. Of course, if these 7,000,000 acres of land in Nevada were sold at \$2.50 an acre, the amount received would be \$17,500,000.

Oregon had granted to her 4,355,324 acres, vastly less than is proposed to be given to Nevada. South Dakota had 3,433,153 acres granted to her, which would give over 6,000,000 acres more to the State of Nevada than to South Dakota. Washington had 3,042,906 acres granted to her, which would give nearly 7,000,000 more to the State of Nevada than to the State of Washington.

Mr. FALL. Mr. President—

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. I yield.

Mr. FALL. I merely want to ask the Senator a question. I have been listening with a good deal of interest to the Senator; I can not understand upon what ground he is objecting to this bill, and I would like to understand him. Is it because the Senator is convinced that no further donations should be given to

any of the States, or is it because this is a donation to one State?

Mr. SMOOT. I thought I had stated that in my opening remarks.

Mr. FALL. I did not understand the Senator.

Mr. SMOOT. I am not averse to the Government of the United States making appropriations of public lands to the public-land States; and, as I have said time and time again, I would very gladly vote for a bill transferring all of the public lands within all of the Western States to the respective States. I believe myself, Mr. President, that such a bill could perhaps pass this body, but I am quite sure it could not be passed in the House of Representatives. My opinion is, I will say to the Senator, that I do not believe that it is proper to give a donation of 7,000,000 acres of land to one State, thus giving that State double and more than double and sometimes three times as much as has been donated to other States.

Mr. FALL. Mr. President, then let me ask the Senator this question. He has been on the Public Lands Committee for very many years and has been a very prominent member of that committee. Does not the Senator from Utah know perfectly well, as do the Senators from New Mexico, from Idaho, and from every other Western State now having public lands within its borders—does he not know that there are peculiar conditions in each of these States? Does he not know that in the State of Nevada to-day such lands as are being given there would not amount in value, although the acreage may be double or treble the amount which has been donated to other States, to one-fiftieth or one one-hundredth of the donations which have been made to other States?

Mr. SMOOT. In all the States now that are known as public-land States—

Mr. FALL. I will call the Senator's attention to his own State, as shown in one of the tables I have here, and would like to ask him what this means.

Mr. SMOOT. Of course, if the Senator had reference to the swamp act, some of those lands were a great deal more valuable.

Mr. FALL. Yes.

Mr. SMOOT. But what I mean to say is that if you take what is known as the intermountain States, the land-grant States, taking the land as it was granted to them, most of it being mountain land, will not be more valuable than the land that is proposed to be granted under this bill to the State of Nevada.

Mr. FALL. I disagree with the Senator.

Mr. SMOOT. All I know is this—

Mr. FALL. Here is a table, and I want to ask the Senator what the meaning of this table is. I have here before me the report of the Commissioner of the General Land Office for this year showing the desert-land entries made since 1877 in the various States of the Union. In four States, and only in four States, as shown in this table, has the amount of money received on final payment, at the rate of \$1 per acre on such final payment, equaled the amount of the first payment at 25 cents per acre. What does that mean? It means that not one-fourth, only about one-fifth, of the lands taken up by the settlers under the desert-land acts have been patented. They have lost the money which they have spent on four-fifths of it; they have lost all amounts paid to the Government, and also \$3 per acre which they must expend under the rules and regulations, less their time, less the land, and over half of the money.

Now, I notice that in the State of Utah there has been a little more money paid in on the final payment than was paid in on the first payment; in other words, to read the figures—I desire to ask a question and this is preliminary to the question—in Utah of the total desert-land entries there have been approximately one-third which have gone to final patent; in New Mexico from one-eighth to one-tenth; in Nevada one-tenth. What does that mean?

Mr. SMOOT. I can tell the Senator if he wants me to tell him now.

Mr. FALL. I certainly should like to have the question answered.

Mr. SMOOT. I will tell the Senator now.

Mr. FALL. Very well.

Mr. SMOOT. The Senator's statement that not one-fifth of the desert-land entries go to patent is true. The reason for that is because it is impossible for the entrymen to comply with the law.

Mr. FALL. Mr. President, that is not the question. The Senator understands me. Now, let me repeat it. Why is the proportion so different in Utah and in Nevada of the lands going to patent? What is the reason?

Mr. SMOOT. Of course, Mr. President, I do not know what the reason for the nonpatenting of desert-land entries in Ne-

vada may be, but I suppose it is because of the fact that they have found out that it would not pay to carry the entries to patent.

Mr. FALL. Exactly; it would pay in Utah and would not pay in Nevada.

Mr. SMOOT. Mr. President, that is not necessarily so.

Mr. FALL. That is the Senator's own answer.

Mr. SMOOT. That is not necessarily so. I think the State of Utah, as far as the State is concerned, is as short of water as the State of Nevada.

Mr. FALL. The answer which is given is undoubtedly the answer from the table itself, is it not?—because it would pay to go to patent with a desert-land entry as an agricultural entry in Utah, while it would not pay to go to patent with a desert-land entry in New Mexico or Nevada.

Mr. SMOOT. Of course, there may be some other conditions about which I could not say, but I want to say this: As far as the State of Utah is concerned, there are now, I think, thousands of acres that have been entered under desert-land entries, and the entrymen find themselves in this condition: When they made the entry a water company was organized for the purpose of bringing water to that very land; he has done everything in his power to comply with the law, he has made his improvements, he has fenced his land, he has built his home, and the irrigation company has failed to furnish him with the water. I have now before the Interior Department a long petition, signed by the people who have entered lands in the Uintah Basin, who find themselves exactly in that condition, and they can not get title to their land under the law.

There may have been more cases like that in Nevada than there have been in the State of Utah, and that may be the reason why they have not carried their entries to patent—because of the fact that it was absolutely impossible for them to do so, because other people and other sources that they depended upon failed.

Mr. FALL. Then that same answer would apply to all the other cases in the public-land States, if the table shows that, including Utah, there are four States in which the percentage of final proofs would amount to from one-half to one-third, while in the others they run on an average of about one-eighth to one-tenth.

Mr. SMOOT. Mr. President, of course it could not all be charged up to this one reason; because, as the Senator knows, even with the ordinary homestead not a very much larger percentage than the one named by him in the case of the desert-land entries go to patent.

Mr. FALL. Oh, yes; they do, Mr. President.

Mr. SMOOT. Of course, somewhat larger percentage. I do not remember just what it is.

Mr. FALL. Now, I want to ask the Senator from Utah if he thinks that in a Rocky Mountain State, which has a rainfall of from 16 inches to 21 or 23 inches, the lands are not much more valuable than those of exactly a similar character in a State where the annual rainfall is less than 16 inches?

Mr. SMOOT. There is no doubt of it, Mr. President.

Mr. FALL. Then, if it is true that in a majority of the States of the Rocky Mountain region the rainfall is 16 inches, while it is equally true that in Nevada, for instance, the rainfall on an average is very much less than 12 inches, the difference between 12 and 16 inches meaning the difference between desert lands susceptible of cultivation in dry farming and those not so susceptible, in the one instance a desert is worth nothing, while in the other it may be of great value. In other words, instead of the proportion being as suggested by the Senator, 20,000,000 acres in the State of Nevada might not amount to as much as in value as 2,000,000 in the State of Montana.

Mr. SMOOT. I would not agree to that, Mr. President. Wherever there is a rainfall of 12 inches, if properly farmed, they can make dry farming a success.

Mr. FALL. Then the Senator of course knows, Mr. President, that he is in opposition to every Government report and every expert report made upon the subject of which I have any knowledge.

Mr. SMOOT. We have no hesitation at all, in the State of Utah, in undertaking dry farming wherever there is a 12-inch rainfall.

Mr. FALL. Then there are peculiar conditions existing in Utah which does not exist in Nevada or in New Mexico or in Arizona, which would render the lands susceptible of cultivation in the Senator's own State where they are not susceptible of cultivation in the States I have mentioned.

Mr. SMOOT. I can tell the Senator of districts in the State of Nevada that are dry farming to-day and doing it successfully.

Mr. FALL. Oh, that is where the rainfall is, as I have said and the public reports say, above 16 inches. About one year in three, with a 16-inch rainfall, it is possible to make fair crops, while with a 21-inch rainfall it is possible to make some sort of a forage crop every year.

Mr. SMOOT. I know the State of Utah does not have 16 inches of rainfall on an average, and I know that we have dry farmed there for 35 years, and I know that when dry farming was first started it took many, many years to find out just how to conduct it. It used to be the habit of the dry farmer to roll the surface of his land, thinking in that he could keep the moisture in the ground. Now they never do that. They harrow the land now, even after the grain is up. The object is to keep the land from baking and allow the sun to draw the moisture to the roots of the grain. I say now, Mr. President, that the State of Utah does not have 16 inches of rainfall, and there is not a State in the Union that is more successful in dry farming than that State.

Mr. FALL. Then, if it is possible to cultivate land with 12 inches of rainfall in Utah, and because of want of sagacity or energy on the part of the people of the State of Nevada and the State of New Mexico, it is not possible to cultivate the land successfully with a 12-inch rainfall in those States—and I announce absolutely as a fact that it is impossible in my State—if the facts are so different, then I will admit cheerfully that 1 acre of the Senator's land is worth 10 acres of New Mexico land.

Mr. SMOOT. Of course I have not made any such statement, and have made no such claim, and do not admit it now, because I think, of course, the lands in the State of Nevada are just as fertile where cultivated as those of other States; and I think the people of New Mexico can cultivate their lands just as well and just as highly as the people of any other State; but that does not change the proposition one particle. That does not change the provisions of the bill nor the object of the bill one iota. There is no question but that the bill itself, if passed, will place the State of Nevada in a far more advantageous situation than any other of the Western States.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator if all of these donations to the States have not been individual donations? I concede that the States ought to be upon an equal basis; but the legislation in this Congress has always been in behalf of granting to each State separately. That being the case, it seems to me it is no ground of objection to this bill that the amount it carries exceeds the amount granted to some other State. When Utah's bill was passed, it was far in excess of that of Colorado. We got only two sections, 16 and 36. Utah got four sections.

Mr. SMOOT. Of course, the Senator knows why that was done—because everybody admitted that the great bulk of the land so granted would be mountainous land. There is not a person in Congress, in either the House or the Senate, who has ever been through the State who does not know that to be the fact.

Mr. SHAFROTH. I think it has arisen very largely from the fact that there has been a feeling upon the part of the people of the United States that the States should have more of this land for school purposes; and therefore I think the general rule has been to double the quantity of land which was given to the earlier States.

Mr. SMOOT. If the Senator will go back and look at the debates, both in the House and in the Senate, he will quickly learn why those four sections were given.

Mr. FALL. What was the reason?

Mr. SMOOT. The reason was because of the mountainous lands in which the school sections would fall, and four sections of those lands were worth no more than two sections of valley land. I want to say, as far as the State of Utah is concerned, that 10 sections of mountainous land, all within a forest reserve, are not equal to one section of valley land without the reserve; and the Senator knows that the valley lands in the State of Utah are very limited indeed.

Mr. FALL. Mr. President, I do not know what the Senator calls valley lands; but I want to ask him this question, following his statement to its logical conclusion:

Utah has running through it the great Rocky Mountain Range, with a few offshoots from it, and is very mountainous. In the State of New Mexico, on the south boundary of Colorado, this great Rocky Mountain Range breaks into five main ranges, running practically parallel north and south through the State, and cutting it up entirely by mountain ranges from the north to the south into narrow valleys, without any water at all, or practically no water. If the Senator's State, with one mountain range, should have four school sections, why did he not, when he had the power, give to New Mexico at least eight?

Mr. SMOOT. Mr. President, the Senator speaks as though there were only one range of mountains in the State of Utah. As a matter of fact, there are many. As far as the valley lands are concerned, I want to say to the Senator that I mean by valley lands the lands that lie at the foot of the mountains, between two mountain ranges.

Mr. FALL. Generally with a watercourse.

Mr. SMOOT. Generally with a watercourse.

Mr. FALL. Yes.

Mr. SMOOT. Sometimes in our State they have no watercourse. The water is sometimes stored in the mountains.

Mr. FALL. With a 12-inch rainfall?

Mr. SMOOT. With a 12-inch rainfall.

Mr. FALL. They do?

Mr. SMOOT. Yes. Of course what I mean by rainfall, and what everybody means, is that amount of moisture, whether it is in rain or whether it is in snow. In those districts where the mountains are it is always in snow, but it is measured in inches just the same as if it fell in the summer or in the spring or in the fall in the form of rain. That is always understood by everybody.

Mr. President, I want to say that I believe the Senator from Nevada ought to amend this bill, and he ought to reduce the amount of 7,000,000 acres to a reasonable amount, so that Nevada will be on the same footing as other States. I do not think she ought to be put in any different position; but giving her 7,000,000 acres is not placing Nevada on the same footing as the other States, and that is why I rose to discuss this measure.

Mr. PITTMAN. Mr. President, the Senator from Utah states that there is an error in stating that Nevada has not been as well treated as the other Western States. This has been worked out on a percentage basis. The percentage basis is as follows:

Utah has received 14 per cent of all the public lands in that State. She has received that percentage in several separate grants. Nevada has received less than 4 per cent of the public lands in the State of Nevada. I want to know if the Senator from Utah denies that. I take it that he does not deny it.

Mr. SMOOT. Mr. President, I have not the figures here to show, offhand, just what the percentages are.

Mr. PITTMAN. I will give the Senator the figures, then, and he can be making the computation a little later.

The land area of the surface of the State of Utah is 52,597,760 acres. The amount of grant to Utah of the public lands has been 7,408,018 acres.

Mr. POINDEXTER. Mr. President—

Mr. PITTMAN. Just a second, until I finish this statement. The percentage of the grant to Utah is 14 per cent plus. Now, just wait until I get through with Nevada. Nevada has 70,285,440 acres. The total grant to Nevada has been 2,723,647 acres, which is less than 4 per cent. Now, I refer the Senator to the relation of 4 per cent to 14 per cent.

Mr. POINDEXTER. Mr. President—

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

Mr. PITTMAN. I do for a question.

Mr. POINDEXTER. The figures that the Senator has just quoted were printed in the report of the committee accompanying the bill, were they not?

Mr. PITTMAN. They were.

Mr. POINDEXTER. I was very much impressed by the point made by the Senator from Utah as to the effect of giving the State of Nevada the right to select 7,000,000 acres of land instead of allowing it to take the land as it came in the numbered sections. I will ask the Senator from Nevada this question: Has not the State of Nevada already been granted sections 16 and 36 for school purposes?

Mr. PITTMAN. They were so granted; yes.

Mr. POINDEXTER. And is it not also true that the State of Nevada made a bargain, as it might be called, with the United States, by which it surrendered that land grant in exchange for the right to select 2,000,000 acres of land?

Mr. PITTMAN. That is true.

Mr. POINDEXTER. So that the calculation which the Senator is making as to the acreage of land received by the different States and the percentage of that grant to the entire acreage of the State is scarcely a fair comparison, because the State of Nevada has surrendered that grant for what it regarded—no doubt very wisely—as the great advantage of being able to select from the best lands there were in the entire public area of the State to the extent of 2,000,000 acres.

Now, I just want to add a word. I am not opposed—

Mr. PITTMAN. If the Senator wants to speak on this question, I wish he would wait until I conclude. If he wants to ask a question, I should like to have a chance to answer it. Now, I want to answer the question he has asked.

Mr. POINDEXTER. Very well.

Mr. PITTMAN. Referring to the condition of the State of Utah, the State of Utah had a selection of nearly 2,000,000 acres, in addition to about 5,000,000 acres in place. It had about 2,000,000 acres selective, the same as the State of Nevada. In other words, the State of Nevada had 2,000,000 selective acres; the State of Utah had approximately 2,000,000 selective acres and 5,000,000 acres in place. Now, when you come down to the proposition, Congress itself preferred that Nevada should select that land rather than to take it in the other way, because most of our land is mountainous. The mountains of Nevada are richer in minerals than those of any other State in this Union. The mineral lands are far more valuable than any other character of land in our State, and in granting lands to the States it was the object of the Congress not to grant the minerals; and in endeavoring to exclude all possibility of granting minerals, for the purpose of preventing any fraud upon the Government, as was said in some of the arguments at that time, it was considered wise that these should be selected rather than granted in place.

But be that as it may, here is a peculiar condition, and I may say it seems a peculiar system of argument that a western Senator should stand here and argue not as to whether a bill is proper, but whether his State is as well taken care of.

GOVERNMENT OF THE PHILIPPINES.

The PRESIDING OFFICER (Mr. THOMAS in the chair). Will the Senator from Nevada suspend for a moment? The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 381.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands.

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from North Dakota [Mr. McCUMBER] offered as a substitute for the amendment proposed by the Senator from Arkansas [Mr. CLARKE].

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

The PRESIDING OFFICER. The absence of a quorum having been suggested, 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, Md.
Bankhead	Gallinger	Myers	Smoot
Beckham	Gore	Nelson	Sterling
Borah	Gronna	Norris	Stone
Brandegee	Harding	Oliver	Sutherland
Broussard	Hitchcock	Overman	Thomas
Bryan	Husting	Page	Tillman
Catron	Johnson, S. Dak.	Phelan	Townsend
Chamberlain	Jones	Pittman	Underwood
Chilton	Kenyon	Poindexter	Vardaman
Clark, Wyo.	La Follette	Pomerene	Wadsworth
Clarke, Ark.	Lane	Ransdell	Walsh
Cummins	Lee, Md.	Reed	Warren
Curtis	Lewis	Shafroth	Weeks
Dillingham	Lodge	Sheppard	Williams
du Pont	McCumber	Shields	
Fall	McLean	Simmons	

Mr. TOWNSEND. I wish to announce the absence of the senior Senator from Michigan [Mr. SMITH]. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. CHILTON. My colleague [Mr. GOFF], the junior Senator from Indiana [Mr. KERN], and the senior Senator from Indiana [Mr. SHIVELY] are absent on account of illness. All of them are paired. The junior Senator from Indiana [Mr. KERN] is paired with the Senator from South Dakota [Mr. STERLING]; my colleague [Mr. GOFF] is paired with the Senator from South Carolina [Mr. TILLMAN]; and the senior Senator from Indiana [Mr. SHIVELY] is paired with the Senator from Maine [Mr. BURLEIGH].

Mr. BORAH. I desire to state that my colleague [Mr. BRADY] is absent on account of illness. This announcement may stand for the day.

Mr. CURTIS. I desire to announce that the Senator from Illinois [Mr. SHERMAN] is absent on account of illness. He is paired with the Senator from South Carolina [Mr. SMITH]. I wish also to announce that the Senator from Maine [Mr. BURLEIGH] is absent on account of illness and is paired with the Senator from Indiana [Mr. SHIVELY]. I desire that this announcement shall stand for the day.

Mr. STONE. I should like to announce that the Senator from Delaware [Mr. SAULSBURY] is detained on account of sickness and that he is paired with the Senator from Rhode Island [Mr. COLT].

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, a quorum is present.

Mr. PITTMAN. Mr. President, I do not desire to discuss the bill that has just been laid aside while the unfinished business is under consideration. I realize that, having the floor, I have a right to discuss anything I see fit and that I have a right to answer the argument of the Senator from Utah [Mr. Smoor] and others with regard to this measure. I have this morning done everything I could to facilitate the debate on this matter, so that we could come to a vote. I have been unable to do so, and the unfinished business has come on at 2 o'clock.

While I should like at this time to submit to the Senate matters that would absolutely refute, in my opinion, every proposition the Senator from Utah has brought forward, I believe it would be trespassing upon the Senate unless the Senator who has charge of the unfinished business would consent to temporarily lay the unfinished business aside.

Mr. HITCHCOCK. Mr. President, I am in sympathy with the bill the passage of which the Senator from Nevada is struggling so hard to secure, and I regret that he has not been able to finish it; but I can not now consent to allow anything to interfere with the unfinished business, which has already been too often postponed. I hope the Senator will not press his request.

I am going to ask the Senate to-night instead of adjourning to take a recess until to-morrow, in order that the unfinished business may be constantly before the Senate from now on until it is completed. I tried to get a unanimous-consent agreement to shorten the debate, and I have not been able to do so. I am now going to ask the Senate to do the next best thing, and that is to keep this business constantly before the body until it is disposed of.

Mr. PITTMAN. Mr. President, after that statement, and believing that the Senate will not object to the calendar coming up—the bill which has been before the Senate being the first on the calendar, and will come up to-morrow morning at the close of the morning business—I shall not ask any further to have the unfinished business set aside, but will then go on with the remarks I was making when the hour of 2 o'clock arrived.

Mr. NORRIS. Mr. President, the question immediately before the Senate, as I understand the parliamentary situation, is the substitute offered by the Senator from North Dakota [Mr. McCUMBER] to the amendment of the Senator from Arkansas [Mr. CLARKE]. It therefore is a question in voting to decide which of these two proposed amendments to the bill is the most desirable in the mind of the person voting.

I have a great deal of sympathy, Mr. President, with the amendment offered by the Senator from Arkansas, because I think in a great measure it is a proper settlement of the Philippine question, but it has some things that it seems to me are very objectionable. It provides that the President of the United States shall undertake to get an agreement with other nations in regard to the independence of those islands, and that upon a failure to get such agreements with all he applies to, to make agreements with those who are willing to enter into them. If none are willing to enter into such an agreement, then the United States alone shall guarantee the independence of the Philippine Islands for five years. It is true he provides in his redrafted amendment that during those five years the United States shall maintain sufficient force there to preserve order, and so forth.

Another objectionable feature, to my mind, is that it provides for retaining perpetually coaling stations and naval bases in the islands. The substitute proposed by the Senator from North Dakota is very short, and I want to read it as it has been modified by the Senator who introduced it. It seems to me to be preferable to the amendment introduced by the Senator from Arkansas, inasmuch as it omits the two objectionable features, or at least what appear to me to be objectionable features. The amendment of the Senator from North Dakota reads as follows:

The President of the United States is hereby authorized and directed to indicate to the great powers of the world the desire of this Government to extend to the Philippine Islands and the Philippine people full and complete independence so soon as it shall be warranted in the belief that such independence will be respected by the other powers of the world. The President is further authorized and requested to secure from such other powers such agreements as will insure the independence of said islands, and when such agreements have been made he shall forthwith direct a convention to be held in such islands for the purpose of adopting a constitution providing for a republican form of government, and as soon as such constitution has been adopted and officers have been elected and a government inaugurated thereunder he shall, by proclamation, declare such islands and the people thereof to be a free and independent state, with all the powers of complete sovereignty.

It will be observed, Mr. President, that if this should be added to the bill under consideration as an amendment it would not interfere in any way with the bill itself, and should the President of the United States find that it was impossible to

get agreements from the other leading nations of the world in regard to the independence of the Philippine Islands the bill would be effective just as though this amendment had not been attached to it. Of course this amendment would have no legal effect until such agreements were entered into.

So, it seems to me, from the point of one supporting the bill itself, there could be no objection if the person believed that we ought to give to the Filipino people independence, and that to bring about such independence at as early a date as possible it would be desirable to have other nations acquiesce in the scheme.

Mr. SHAFROTH. Mr. President—

Mr. NORRIS. I yield to the Senator.

Mr. SHAFROTH. I will ask the Senator whether he has taken into consideration that the amendment which has been proposed by the Senator from North Dakota is an amendment in the nature of a substitute for the Clarke amendment?

Mr. NORRIS. Yes; that is my understanding.

Mr. SHAFROTH. But the difficulty is this: If it takes the place of the Clarke amendment, it has a provision in it which makes it inoperative in regard to independence until there has been an agreement between the nations of the world. It makes our conduct simply depend upon the action of some foreign country.

Mr. NORRIS. As far as this particular amendment is concerned that is true. In other words, the amendment itself would have no legal effect if all the other powers of the world refused to negotiate with us or refused to enter into an agreement by which they would respect the independence of the Philippine Islands.

Mr. SHAFROTH. Does the Senator—

Mr. NORRIS. But that would not defeat the bill.

Mr. SHAFROTH. No; but it seems to me it is very unfortunate that it is so worded, because we can not afford to tie our hands by what some foreign nation may do—

Mr. NORRIS. Oh, no.

Mr. SHAFROTH. Or what a number of foreign nations would do.

Mr. NORRIS. No, I would not do that; but there is a difference of opinion among honest men who have studied the subject in detail as to whether the Philippine Islands ought to be independent now, whether their independence would last if it were granted now, and whether we ought to grant it in 10 years from now, or whether they would be able to control and rule themselves in a hundred years from now. But I think most of the objections which are made against granting independence now are coupled with the proposition that if we turn them loose among the nations they will become the prey of other nations. I think there may be some ground for that belief. I would feel differently about simply declaring them independent and turning them loose now without any such agreement than I would if we had an agreement upon the part of the leading nations that they would respect their independence.

Mr. SHAFROTH. Of course we would all rather have an agreement with the leading nations.

Mr. NORRIS. That is the object of this amendment, and that is what we are trying to get.

Mr. SHAFROTH. No; further than that it would make it impossible for the President of the United States to act or to recognize the independence of the Filipinos themselves unless the leading nations of the world agreed.

Mr. NORRIS. Yes; I admit that. Now, let me answer that suggestion. If this were not adopted and the bill was passed just as the Senator and his committee reported it to the Senate, that same objection, if it be an objection, would lie. There would have to be further action by Congress. I do not believe it will be true, but suppose the other nations refuse to enter into such an agreement, this amendment becomes a dead letter. It comes back and Congress can legislate in the future just the same as it can, the same as it probably will, if we pass the bill without this amendment.

In the first place, I do not believe that there is any question but what every nation that we take the question up with will agree with us and will agree to recognize the independence of those islands. I do not believe there is any doubt about it. I believe if this amendment is put on the bill it means the independence of the Philippine Islands as soon as this agreement can be brought about. But if it should not, then we are placed in the same situation—at least as I see it—as though we had passed the bill without this amendment, because we would have to legislate to give them independence. We could start out next year, if we wanted, and give them their independence at once, or we could do it at a later date, whenever it was decided that they could take care of themselves if we gave them independence.

Mr. SHAFROTH. The difficulty with the situation is that if this were simply an amendment to the bill, without being a sub-

stitute for the Clarke amendment, there might be great force in what the Senator says.

Mr. NORRIS. That is all it is, I will say to the Senator.

Mr. SHAFROTH. Oh, no.

Mr. NORRIS. The Clarke amendment is a new section to the bill. If this substitute for the Clarke amendment should be adopted, it would become a new section of the bill. It would not modify a single sentence in the bill.

Mr. SHAFROTH. Whenever you move a certain amendment as a substitute for an amendment the natural inquiry and consideration is to contrast the two, so as to ascertain which of the amendments is the best.

Mr. NORRIS. Exactly.

Mr. SHAFROTH. I have not any doubt that the Clarke amendment is better and fairer, both to the Philippine people and to the United States, than the McCumber amendment.

Mr. NORRIS. Now, I have not any doubt that this is better. Of course the Senator, feeling as he does, will vote against this amendment. That is all there is of that.

Mr. SHAFROTH. That is true.

Mr. NORRIS. The Senator has placed it there fairly and just as I want him to place it. It is a question as to whether a Senator, in voting, prefers to have enacted into law the McCumber amendment or the Clarke amendment.

Mr. SHAFROTH. The contrast and the argument ought to be, then, as to which is the better amendment.

Mr. NORRIS. That is what I am trying to bring about. I pointed out some objections to the Clarke amendment as I look at it. I want to take them up briefly.

The Clarke amendment provides that when we go out we shall retain in the Philippine Islands coaling stations and naval bases. I am opposed to both those propositions. I believe when we leave the Philippine Islands, whenever that time may be—this year or in a hundred years from now—we ought to go out without any strings tied to our departure. If we do not want to retain the Philippine Islands, we would have that liability. In my judgment, we might just as well retain the islands as to retain a coaling station and a naval base.

In the first place, why do we want a naval base there in Asia if we do not have the Philippine Islands? Why do we want a coaling station there if we do not have the Philippine Islands? The only object in having a naval base and coaling station is to be able to better defend our territory in the vicinity of such base. If we give up the Philippine Islands, we will have no territory on that side of the world to defend, and hence no earthly use for a naval base. If we retain a naval base and coaling station, then we must defend the naval base, we must defend the coaling station, to the same extent that we must defend the Philippine Islands as long as we retain them.

I believe that it would be more burdensome to defend a coaling station and a naval base when the sovereignty of the Philippine Islands has been turned over to the Philippines than it would be to defend them now, when we retain the sovereignty, because if we are going to defend them now we can at any time we see fit place an army on the islands to defend any shore on the other side or any place around them. If the Philippine Islands are independent and we want to defend a coaling station or a naval base, the island lying by the side of it will be a country over which we have no sovereignty and over which we have no control, and we would find it more difficult, in my judgment, to defend that than though we retained the islands themselves.

Mr. President, it is not fair that we should retain a coaling station and a naval base over in Asia if we go out of the Philippine Islands. If we give them their independence, we ought to go out absolutely. We ought no more to attempt to retain a coaling station and a naval base in Asia than we would permit an Asiatic country to maintain a naval base on the shores of Mexico, and everyone knows that would create an eruption at once in the United States.

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. NORRIS. I yield to the Senator.

Mr. VARDAMAN. I would suggest to the Senator that if the islands should be turned over and the Filipinos be given their independence and if at any time in the near or remote future the United States determined to abandon that little coaling station it would be a very simple matter to get out.

Mr. NORRIS. It is not a simple matter of getting out. We could get out now if it were just a matter of getting out.

Mr. VARDAMAN. If we are going to remain there five years and guarantee the integrity of the islands it would not be a bad idea to keep a coaling station in the islands.

Mr. NORRIS. If we are going to remain there five years and want to retain possession during all that time or for any length of time, I do not think we ought to get out until we go out bag and baggage.

Mr. VARDAMAN. The matter of that little coaling station is entirely in the hands of Congress, which is sitting almost continuously, and it can be done without any difficulty at all.

Mr. NORRIS. I think the Senator will find a great deal of difficulty.

Now, let me ask the Senator, if we turn over the Philippine Islands and declare them independent and acknowledge their independence, why should we retain a coaling station anywhere around the islands?

Mr. VARDAMAN. As far as I am personally concerned, I say frankly to the Senator that I would prefer packing up our bags and coming away absolutely. I should like to have come away yesterday. I should like just to brush the dust off of our feet and come away, but that does not seem to be the opinion of a great many Senators; there are a great many American people who think that there is a moral obligation devolving upon the United States to train those people a little bit longer. That is the purpose of it. It is one of those compromise measures.

Mr. NORRIS. It is not the purpose of the Clarke amendment to train the people a little bit longer.

Mr. VARDAMAN. Yes; the purpose is that the enactment of this law shall give them an autonomous form of government and that they may be trained, and then gradually and gracefully we will retire.

Mr. NORRIS. Yes; that is the purpose of the bill, I understand, but not of the Clarke amendment. This is only offered as a substitute for the Clarke amendment.

Mr. VARDAMAN. As a matter of fact, the bill will be in operation for not less than two and not more than four years, which ought to give ample time to install it and start it out on its good work.

Mr. NORRIS. If we adopt the Clarke amendment, there will not be much delay in the President undertaking to negotiate with other powers and bringing about our departure. If we adopt this amendment, in some respects the same procedure will be had, although we would not retain a naval base or a coaling station. We would not guarantee their independence after we left.

Mr. LANE. Mr. President—

Mr. NORRIS. In just a moment. I have a great deal of sympathy with the class of people mentioned by the Senator from Mississippi, who think we ought to stay there and teach them a little bit longer. There is not any doubt but what a great many people, perhaps the majority of them, I have no way of determining, believe in that theory. I do not want to get out of the Philippines until we can do so with honor and with credit. I do not want to do anything that would not be fair to the Philippine Islands, to the Filipino people, to our own Government, or to our own people; but I believe, first, that the Filipino people do not want to become citizens of the United States; that they have no desire to become citizens of the United States; that they are anxious for an independent citizenship of their own; and, further, that the retention of the islands can do us no good; that it is a constant menace, and in the case of war would be a liability that would mean that we would have to spend thousands of lives and millions of property in the defense of the islands. I should like to get out as soon as we possibly can, and I sympathize with the Filipino who wants a country of his own. The Filipinos are entirely different; they are a different class, a different race; and they will never assimilate with us. That is no disrespect to them, nor to us. They ought to be independent and to be working out their own salvation, and just as quickly as we can get away, and do it honorably and fairly, I want to do it.

Now I yield to the Senator from Oregon.

Mr. LANE. Mr. President, I, like the Senator from Nebraska, am in favor of getting out of the Philippine Islands as soon as possible with honor both to ourselves and to them; but I notice one provision in the McCumber amendment which I do not quite understand. In line 7 it reads:

The President is further authorized and requested to secure from such other powers such agreements as will insure the independence of said islands in perpetuity.

"In perpetuity" means forever.

Mr. NORRIS. The words "in perpetuity" have been stricken out.

Mr. LANE. I am glad to hear it, for it seems to me that nobody could legislate in that manner.

Mr. NORRIS. It would probably be difficult for the President to know how long that would mean; but those words have been stricken out.

Mr. SHAFROTH. I want to say to the Senator from Nebraska that he has made a powerful speech in the last three minutes, giving nearly all the reasons why the United States Government should surrender sovereignty to the Philippine Islands. I want to ask him, after noting his sympathy in this matter—it is really practically the same as mine—whether, if the amendment of the Senator from Arkansas [Mr. CLARKE] were modified to the extent of saying that the President "may" retain a coaling station instead of using the word "shall," which is now the language of the amendment, that would not modify the Senator's views and cause him to support the Clarke amendment?

Mr. NORRIS. That would materially modify my views; but, Mr. President, it strikes me that that would not be fair to the President; that would be shifting a responsibility from our own shoulders that we ought not to try to shift onto somebody else. It seems to me it is peculiarly a question that Congress ought to decide, as to whether we should retain a coaling station and a naval base in the Philippine Islands. If the change were made which has been suggested by the Senator, and I knew the President would say, "I will not retain anything," I would not, of course, have much objection to the provision; but, at the same time, I do not believe that we ought to try to put that responsibility on the President. We ought to decide it for ourselves.

Mr. McCUMBER. Suppose the President should say the opposite?

Mr. NORRIS. Of course, he might say the opposite.

Mr. SHAFROTH. Mr. President, the difficulty about that situation is this: I do not see the necessity for a coaling station or for a naval base at the present time; but I am not a military expert; I do not know whether conditions might be such that it would be desirable, and not only desirable but to the great advantage of this country to have them. According to my present information they would be of no value, but I do not want to decide that question now, because I have not the evidence before me nor is it likely that we can get it soon; but at the time we are about to surrender the islands to the Philippine people it seems to me we can vest the discretion very wisely in the President, and let the President determine whether or not we should have such a naval base and coaling station there. The President would then have to come to Congress in order to get the provision through, I should think, because if we were to retain such stations it would require appropriations for the purpose of making the necessary improvements there, either for a naval base or for a coaling station.

Mr. NORRIS. Yes; the President would have to get the appropriation from Congress; but the Senator from Colorado knows, and I think we all understand, that if the President exercised his discretion under that kind of a law and retained a coaling station, there would be very few of us who would vote against the proper appropriation. I know I should not, although I am opposed to keeping it. If, however, we decide, whether through the President or through Congress, to retain a coaling station and retain a naval base, then I should be in favor of voting whatever appropriation was necessary to keep them in proper shape and in first-class condition.

I do not want to submit this question to anybody. In the first place, it requires no evidence—I do not mean now that I am right and that everybody else is wrong—but it requires no evidence to decide whether we are in favor of keeping up a governmental establishment over in Asia; whether we are or whether we are not, it is a governmental policy, and whether we keep a coaling station and a naval base over there is a question of governmental policy on the part of the United States. Those who believe we ought to do so of course would favor that kind of a provision, while those who believe we ought to get away from Asia, that we are out of place over there, that we are misunderstood over there, and that there is danger lurking to our own welfare in staying there are in favor of deciding as a governmental policy that we ought to go out without any strings tied to our departure.

Mr. SUTHERLAND. Mr. President—

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

Mr. NORRIS. I yield to the Senator.

Mr. SUTHERLAND. Does the Senator from Nebraska think we ought to abandon our trade in the Orient?

Mr. NORRIS. No; I would not abandon it if I could retain it by any honorable means.

Mr. SUTHERLAND. Does the Senator from Nebraska think that we ought to have our merchant vessels going from this country to Japan and China?

Mr. NORRIS. I would be very glad to have them go there. I think some of them go there now.

Mr. SUTHERLAND. Then, if that be so, is it not advisable that we should have a cruiser or two in that locality now and then?

Mr. NORRIS. In my judgment, it is not. If we are going to build up a Navy and start out a merchant vessel and convoy it with a battleship in order to get trade, then we would need a naval base; but that is no way to get trade.

Mr. SUTHERLAND. No, Mr. President; and, so far as I am concerned, I do not want to do anything of the sort; but if we are going to trade in China and if we are going to have trade in other parts of the world, it is almost inevitable that now and then we shall have trouble.

Mr. NORRIS. Let me ask the Senator from Utah, is he in favor of having trade with Brazil, with Argentina, with Ecuador, or with Peru? If he is, then is he in favor of maintaining naval stations all around those shores?

Mr. SUTHERLAND. That is hardly the question. Of course I am in favor of having trade with Brazil.

Mr. NORRIS. I thought the Senator was.

Mr. SUTHERLAND. And of having trade with every country that will trade with us; but that does not mean that we should have a naval station in every country with which we trade. But let me suggest this to the Senator: At the time of the Spanish-American War part of our fleet was in oriental waters. It became a vital necessity that the Spanish fleet at Manila should be at once sought out, captured, and destroyed, because so long as that fleet was free to come and go it threatened us anywhere we might be. If we had not succeeded—if the situation had been such that we could not have succeeded in destroying the Spanish fleet with the utmost promptness—we should have been obliged to entirely abandon oriental waters. It would have been necessary for Commodore Dewey's fleet to go something like 5,000 miles before it could have obtained coal.

Mr. NORRIS. No; it would not. Commodore Dewey's fleet could have gotten coal at any station in Asia, except a Spanish station. We have a right under international law to get coal.

Mr. SUTHERLAND. But we would have had to get out in 24 hours.

Mr. NORRIS. We would only have had to get out as soon as we could have gotten our coal. We would have obtained the coal and then got out; and why should we not have done so? Why would our fleet have wanted to lie around in Asiatic waters if there were not any Spanish vessels to fight?

Mr. SUTHERLAND. It might have been of the utmost importance to us at that time that our fleet should have had a place where it could rendezvous and remain longer than 24 hours.

Mr. NORRIS. Yes; I conceive such a thing might have happened; but let me tell the Senator from Utah, that if we retain the coaling station and naval base in the Philippine Islands, this is what is likely to occur: We shall have our fleet over there; war might break out; and then the fleet would be 7,000 miles from home. In case that naval base or coaling station were captured, then the vessels which we had in the vicinity would be left out in the cold, and they would be much worse off than they would have been if we had not had such a coaling station, because in that case they would not have depended upon our coaling station.

Mr. SUTHERLAND. Mr. President, if we have a naval base over there, we must take steps to defend it and fortify it.

Mr. NORRIS. That is one of the objections I have to retaining a coaling station and naval base. That will be used as an argument on every naval appropriation bill we shall have under consideration. If we retain a naval base, it will be said: "Here is a naval base in the Philippine Islands right next to Japan; Japan is likely to have a war with us, and the naval base is 7,000 miles away from our shores, therefore, we must have men; we must have ammunition; we must have fortifications; and we must have more battleships and more of all kinds of ships in order to defend that naval base."

Mr. SUTHERLAND. Mr. President, of course we have to do that. We have to do that as to the Hawaiian Islands and we have to do it as to Guam.

Mr. NORRIS. Exactly; and it will be the same as to all of them—we will have to do that. That is one of the reasons why I do not want to keep the islands. They are a source of danger and so would be a coaling station, and they would invite attack. They are too far away. If we get out of the Philippine Islands, we shall then have no territory in that section of the world to defend. Therefore we shall not need a Navy over there in case of war. Of course if we waged a war of conquest it would be different.

Mr. SUTHERLAND. If we are going to eternally take counsel of our fears, the Senator from Nebraska is right.

Mr. NORRIS. We do take counsel of our fears every time we make an appropriation for a battleship, and every time we pro-

vide for a fortification anywhere we are taking counsel of our fears. There is not any other reason why we are doing it except through fear.

Mr. SUTHERLAND. We had better take steps to defend ourselves than to run away from these propositions, as it seems to me.

Mr. NORRIS. That is what I think, that we had better defend ourselves, and we had better not place ourselves in a position where we have something on our hands that we can not defend except at a great disadvantage; and something that will be of no good to us after we shall have defended it.

Mr. President, that is one of the principal objections that I have to the Clarke amendment, and that is one of the respects in which I think the amendment of the Senator from North Dakota meets my idea as to what ought to be done to meet the situation.

The other objection, that after we have acknowledged the independence of the Philippine Islands we should defend them for five years, is, it seems to me, one of danger. We ought not to do it, and there is no reason why we should do it. If we acknowledge the independence of the Philippine Islands, that country becomes a new nation, one entitled to as much respect as any other nation. There would be no more reason why we should then defend it than there is why we should defend some other nation. If we must be responsible for its international relations—and that is what it means—we ought to stay there and keep possession not only of a coaling station but of the entire islands in order better to carry out the objects of our stay.

Mr. STERLING. Mr. President—

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

Mr. NORRIS. I yield to the Senator.

Mr. STERLING. I should like to ask the Senator from Nebraska if he thinks that by relinquishing our sovereignty over the Philippine Islands and giving them independence we do thereby get out of the Philippines?

Mr. NORRIS. Is the Senator through with the question?

Mr. STERLING. I am through with that question.

Mr. NORRIS. Yes; I think we would get out of them. I think I understand that what the Senator means by the question—and there is something in it—is that we have been there and we will have an interest in them, of course, after we are out. We will naturally look with suspicion upon any other country that would try to take advantage of them, and all that; but, Mr. President, the longer we stay the greater becomes that idea. If we stay there five years from now and then go out, we will go out with the same reluctance; we will have the same fear, that we are somewhat responsible for them and ought to look after them; and I share in that feeling, I will say to the Senator. I should look with a good deal of jealousy upon their independence, and I would want to see that they were properly treated; I would want to see that no advantage was taken of them; but we will have that feeling whenever we go out, if we go out. The reason why I particularly think the provisions of the amendment of the Senator from North Dakota [Mr. McCUMBER] are good is because we avoid, as much as human action can avoid, that very objection by entering into an agreement with the other nations of the world that they will respect the independence of the islands.

Mr. STERLING. Mr. President—

Mr. NORRIS. Just a moment and I will yield again. It seems to me we naturally have a right to believe that when the other nations enter into such an agreement with us they will respect it much more than they would if we were keeping in the islands a coaling station and a naval base or obtaining any advantage there that the other nations did not possess. I doubt whether any nation would enter into an agreement with us except on terms of absolute equality. As suggested by the Senator from Arkansas [Mr. CLARKE] himself, we must enter into this negotiation on the theory that the nations are all equals. If we enter into negotiations with other nations and say to them, "We want you to acknowledge and guard the independence of the Philippine Islands with us; we will retain a coaling station and a naval base and you will have nothing," we would hardly be putting up a fair proposition to the other Governments. If we say to them that we want such advantages, they might properly talk back to us and say, "We want the same advantage there that you have if we are going in on this agreement, and if you retain a coaling station and a naval base we, too, want them." It would not be right to give every nation in the world a coaling station and a naval base in the Philippine Islands; and yet, as I look at it, there is just as much reason why some other nation should have a coaling station and a naval base there as we if we want to acknowledge the independence of the islands. Now, I yield further to the Senator.

Mr. STERLING. To my mind, Mr. President, the proposition involved in my question to the Senator from Nebraska is one of the most vital and important in this whole discussion. I say we are in the Philippine Islands and have been there for the last 17 years. The independence of the Philippine Islands will not take us out of the Philippines. Our trade and commerce are there; our teachers by the thousands have been there; our merchants have been there; and they have established such interests and attachments in the Philippines that they will last forever in connection with the trade that we will carry on there in the future, whether the islands are independent or not.

Mr. NORRIS. Well, I should like to ask the Senator a question there. If the objection which the Senator has just raised is a sufficient reason why we should not leave the Philippines now, I want to ask the Senator, in all candor, whether the same objection will not exist at all times in the future? If we can not go out now on that account, we never can go out.

Mr. STERLING. But, Mr. President, we are likely to have less difficulty, less friction with other nations by reason of our retention of the Philippines than if we were to grant them independence. Such a nation will necessarily be weak for many years to come; there will be contentions among different nations for different privileges and spheres of influence there, for the trade and commerce of the islands, and there may be now and then—and I think it more than a possibility—oppression of the islanders and undue advantage sought to be taken of them. Because of the attachment, because of the interest we feel in them, because they have been under our guardianship for all these years we as Americans will resent some of these activities, and trouble or war is more likely to arise out of that condition of things than if we were to retain the Philippines with full rights there which other nations would be bound to respect.

Mr. NORRIS. The Senator's argument is a very good one from the standpoint of one who believes that we ought to always keep the islands; but, Mr. President, if we are not to keep them, then it follows that there must come a time when we will leave, and when that time comes we will necessarily desire to see the Philippines prosper after we leave. We will look upon them with jealous care, and perhaps we will interfere where we can in a friendly way to prevent them from getting into trouble. I have no doubt we will all feel that way, and that feeling will exist whether we go out to-morrow, whether we go out one year from now, or whether we go out a hundred years from now; the only difference being that it will increase the longer we stay.

I do not believe in the theory that we have any right, in the first place, to govern the Philippine people without their consent. I do not believe it is right to the Filipinos to try to make them citizens of the United States; and I am not in favor of keeping forever any people under our control and under our subjection unless they can at some time be made citizens free and equal with the rest of us. On the other hand, the Philippine people have a history of their own. They are a different race from us. The things that we perhaps think ought to be done by the Government they might not agree with. In the first place, they are 7,000 miles away. Everybody knows that if we should have war with any nation in the world of any considerable prominence and power the Philippine Islands would be the first place that would be attacked. If they were independent, of course, they would not be attacked. If we had a naval base there it would be the first place that would have to meet an attack. They are the source of the greatest weakness we have in our National Government.

Mr. President, the Senator from South Dakota [Mr. STERLING] and the Senator from Utah [Mr. SUTHERLAND] have suggested that we should retain the Philippines in order to keep our trade.

In my judgment, the keeping of a coaling station and a naval base would not give us the trade of the islands. We do not have any naval base in England, and yet we have a very great trade with England; we do not have a naval base in Italy, nor in Norway, nor in Sweden, nor in Denmark, nor in any country of South America, and yet we have more trade with many of those countries than we have with the Philippines, where we not only have a coaling station but have the entire country. The Senator from Minnesota [Mr. CLAPP] suggests that we have a coaling station at Guam, but we have not had any very great trade with Guam on that account.

Mr. President, I do not want to keep trade by backing it up with guns. In the end that will not work. I do not want to make any attempt by sending warships to a country to compel its people to trade with us. That will not work in the end. We can not get trade with the Philippine Islands by sending warships along with our merchant vessels; and, Mr. President, it is not right, in my judgment, in the next place, to insist that we should keep the islands simply to build up trade with us. Such

an idea is founded on an illogical and unfair basis. No nation has the right to hold another nation in subjection and under its sovereignty simply to make dollars and cents for its people. That would be true even if we were making money by retaining the Philippines; but it has been demonstrated over and over again that we are losing money every day, and have been ever since we have been in the Philippine Islands, on account of their retention.

I believe that the amendment of the Senator from North Dakota will bring about an easy and wise solution of the difficulty. It is equivalent to saying to all the world, "We are going out as soon as you will agree with us that these people shall have their independence respected, and we are going out without any advantage over you; we are going to place them upon the world's surface as an independent nation, and the rights of other nations shall be the same as ours, and the duties of the Filipinos toward other nations shall be the same as toward us." That is fair; that is a square deal; that is honest, not only to ourselves and to the Filipinos but to the remainder of the world.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota [Mr. McCUMBER] to the amendment of the Senator from Arkansas [Mr. CLARKE].

Mr. CLAPP. Mr. President, before voting on the amendment I want to say a word. I should like very much to vote to give the people of the Philippine Islands their independence for the reason, among others, to avoid complications; and in proportion as I should like to see the Filipinos independent to relieve us of complications, I hesitate to vote for either of these amendments that make new and additional complications. My view of this matter is somewhat different from that of others perhaps. The morning before Dewey sailed into Manila Bay, had some other nation sought to subdue the Filipinos, I can not understand that we would then have been under any obligations to have fought any nation for the independence of the Filipinos any more than to-day if some nation should attempt to overrun Siam, we would be under obligation to go there and prevent Siam from being conquered by some other nation. If on that morning we were under no obligation to sacrifice the lives of our young men to prevent some other nation from taking the Philippine Islands, we certainly are under no obligation to-day, unless in those 17 years our tutelage of those people, our government of those people has been such as to make them less capable, less likely to get along and maintain their independence than they were before we went there. If it is true that 17 years of American tutelage and guidance have rendered those people less competent, less able to take care of themselves, then we, being responsible for that kind of tutelage, there would be a responsibility resting on us to repair the wrong which we had done them. If, on the other hand, those 17 years have been years of education, years of building up of the individuality of the inhabitants of those islands; if, in other words, those 17 years have added to the capacity and the ability of the Filipinos to take care of themselves, surely there is no obligation resting upon us at this time.

Mr. President, a great deal of evidence has been offered here to prove whether the Filipinos want or do not want independence. There are some things so well known, so universal as a part of human nature, that it is a waste of time to read the testimony of this man or that man upon some great fundamental question. The moment we reached the Philippine Islands we reached there with a flag around which clusters the traditions of freedom, the traditions of independence, and that flag would fall short of its purpose and its mission as a symbol of freedom to humanity if 17 years of its presence did not in itself develop a desire for independence. The moment we reached those islands we carried to those people the American history and the American schoolbook—the American history replete with the traditions of freedom and of independence; and American history fails in its mission to teach its lesson if 17 years of study would not develop in the minds of any people a desire for independence and a desire for freedom.

It was my sad duty to help convey from Washington to Canton the remains of that great Christian statesman, William McKinley. Along that whole distance a Nation was in mourning, not because McKinley had been a soldier, for this Nation then was filled with men who were illustrious for their achievements on the field of battle; not because McKinley had been a particularly great statesman, because the greater part of McKinley's activities had been along economic lines; but that mourning Nation stood there, bowed in grief, because it felt that a great Christian character had passed from earth. McKinley's declaration to the Filipinos was, "This is for the Filipinos"; and I believe to-day he would hardly recognize as compatible with his character, as compatible with his purpose, as compatible with his high purpose, a declaration reversed now, and that we should say, "This is for America instead of the Filipinos."

When from the lips of the great McKinley there fell the declaration, "This is for the Filipinos," it meant that the interests, the rights, the obligations should be measured not by the interests of the American people, but by what would be best for the Philippine Islanders. There can be no question of that. We would do violence to his implied promise to say now, We never intend to give you your independence. From that day to this the utterance of those who have gone to those islands representing our Government has been the thought that sooner or later those people would be free.

It may be said that these men spoke beyond the warrant of the Constitution; that Congress alone, not Executives, could give them independence. Undoubtedly they did. Unfortunately, Senators, more and more it has become of late years the habit of those who use the function of the executive office to speak beyond the warrant of the Constitution in the assumption of authority which the fathers vested in Congress. But if an officer of this Nation exceeds his constitutional warrant in holding out promises and inducements, shall a people who know of our Government only by the conduct of our officials be held to a strict constitutional knowledge of the limitations of an executive officer when that executive himself disregards those limitations? High officials have held out to them the suggestion of their ultimate independence.

Then we come down to the declarations of political parties. Those people have a right to accept the verdict of 1912, when a party on a platform declaring for their independence was placed in power by the American voters, as the declaration of the American people that they would give the Filipinos their independence.

While justice to them demands we should keep what they had a right to understand as our promise, the welfare and best interests of our people requires that we should give them their independence, and stop before we go any further in the dangerous, new policy of holding over-sea territory.

For all history has demonstrated one truth, and that is that over-sea territory is always a liability and never an asset of a nation. We may go back to the history of ancient Empires; we may go back to the history of Rome as a Republic, grand and glorious on the surface as a Republic, but decadent under the Empire. But decay itself is never anything but the evidence of conditions which precede the decay; and it was in those centuries of the Roman Republic, grand and glorious as it seemed on the surface, holding foreign conquests, that there were sown the seeds of that decay and rottenness which brought fruitage when the nation became an Empire. The story of Rome is the story of the folly of over-sea colonial possessions. The story of Rome is the story of the folly of a nation seeking to govern people who do not ask for that government.

Spain followed in the same course. History on that subject reads but one lesson, and that is that when a nation holds territory against the wish of the people of that territory, as in every other instance in human activities, when a wrong is done that wrong does its injury to the wrongdoer rather than to the victim of the wrong; and if for no other purpose than to free our own people of the reflex action of holding an alien race against its will and against its rights, we ought to let the Filipinos go, and we ought to bid them Godspeed, at the earliest moment.

No people can be free from this effect upon the nature of a people. This great war in Europe to-day is callousing even the American heart. We read of it and we read of it until the slaughter of thousands scarce stirs the blood in our veins. Exercising a power and a dominion over an alien people makes us callous of the rights of others; and if for no other reason than to protect ourselves from the insidious growth of that spirit, we ought to stop this suggestion of embarking upon a reversal of the traditions of this Republic in the holding of distant alien races by power.

While we have acquired territory by peaceful means, while we have acquired territory by settlement, the acquisition of foreign territory against the will of a people was a reversal, not a continuation, of the traditional policy of this Nation, and the sooner we get through with that reversal, the sooner we return to the old traditional policy of the fathers, the better it will be for all concerned. The holding of the Philippines, an alien distant race, against their will is the reversal of the spirit of our Government, is the reversal of the traditional policy of our people.

Now, in regard to these people learning the lesson of freedom and independence from our flag and from our schoolbooks and our history, no man can question the desire of these people to be free; and there is no warrant in any suggestion, brought from any source where truth asserts her supremacy, that one nation has the right to assert its superiority and its function to govern another nation against its will and against its desire,

And so, while I believe that while that struggle was on years ago to restore order in the islands, it had to be carried on until the supremacy of order was restored. Having asserted that supremacy, having given them 17 years of American tutelage, we have but one duty left to discharge, and that is to give them the independence they desire and which they have a right to expect from us.

There is one phase of this question that I have several times interjected into the debate, and yet it seems to be usually forgotten and ignored by those who discuss the question, and that is this: We are constantly told here that the possession of the Philippine Islands by our Government is a menace to our Government. There can be no question of that. It is a menace to us in the upbuilding of American ideals. It is a menace to us in the tendency to enlarge our Army and Navy because we must protect those islands. It is a menace to us because, so far from our shores, we can not easily protect them. If there is anything in all this clamor to day for war—I do not know who it is proposed that we shall go to war with at once—but if there is anything in this talk of war the Philippine Islands are a menace and a weakness to us.

But, Mr. President, we have a duty and an obligation resting upon us. We have a right and we have a duty to take into account whether or not this relation is a menace to the Philippine Islands themselves. If there is anything in all this continued talk of war that seems to be a world-wide craze to-day, just in proportion as there is a danger of war we impose a menace and a danger upon the Philippine Islands and upon the islanders themselves. All that we have to do, sir, is to look to the record of the genesis of our own relation with those islands. They would not have been touched by the war with Spain had they not been a part of the Spanish Kingdom. Being under the American Government as surely as we had war we would put those people to the risk of an attack, of having the islands ravaged by war, when if the islands were not under our control there would be no occasion for their invasion by this imaginary foe that is supposed to land shortly upon the American shores and desolate this fair land of ours. I say "imaginary" for at present, at least, it can only be imaginary.

So, Mr. President, not only are those distant islands a menace and a weakness to us, but so long as they are held by us, if there is any such thing as danger of war, the fact that they belong to us is an additional danger and menace to the Filipinos themselves; and it is as much our duty to consider those people in their relation to being menaced by a war which we may get into as it is our duty to consider that they are a liability to us in case we get into war.

Mr. President, believing that once and for all we should redeem the promise that first came from the lips of McKinley when he said "This is for the Filipinos"—a promise repeated year in and year out by officials in the Philippine Islands, a promise repeated by the American people in the election of 1912—I believe we should grant the Filipinos their independence. One of my reasons for that, as I have said, is that I think we should avoid complications; and, desiring to avoid the complications involved in our continued possession of the islands, I am loath to vote for either of these amendments, because they continue and multiply the complications.

Mr. SUTHERLAND. Mr. President, with very much of what the Senator from Minnesota [Mr. CLAPP] has said I agree. The difference between the Senator from Minnesota and myself is that he thinks, as I understand him, that the time has now come when in the discharge of our duty and responsibility we can get out of the Philippine Islands. If I believed, as he seems to believe, that the Philippine people themselves would be better off under a government established by themselves, I should entirely agree with what the Senator has said, and I should be in favor of granting them independence now.

Mr. CLAPP. Mr. President—

Mr. SUTHERLAND. If the Senator will pardon me a moment, I agree with what Mr. McKinley said, that we are not and ought not to be in the Philippine Islands for the purpose of exploiting them. I think we are there with a great moral responsibility; I think we have a duty of a very high character to discharge with reference to those people. I for one am not in favor of abandoning them, of "scuttling" and running away, until they are in a position to take care of themselves, and I think very clearly that that time has not yet come.

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

Mr. SUTHERLAND. Certainly.

Mr. CLAPP. I simply want to say that I honor the position taken by the Senator. I have no quarrel with anyone who says "we must retain the Philippine Islands so long as it is for the best interests of the people of those islands," and I have no quarrel with one who believes that that time has not come.

That is a matter of judgment about which the Senator from Utah may be right and I may be wrong; but I honor his position, and I agree with the position that this matter should be discussed from the standpoint of the interests of the people of those islands.

Mr. SUTHERLAND. Precisely. The Senator from Minnesota and I agree about that. In other words, I think we are in the Philippine Islands not for our sake but for the sake of the people of the islands.

Mr. CLAPP. That is right.

Mr. SUTHERLAND. I think, too, that the people of the Philippine Islands are no more fitted for self-government to-day than are 8,000,000 children being educated in the primary schools of the United States. It would be a futile and a vain thing to undertake to set up 8,000,000 school children in the business of carrying on a government; and yet I think that number of American children, educated in the grammar schools of the United States would be better fitted to carry on an independent government than the people of the Philippine Islands, as a whole, are to-day.

While I am not a prophet, and not much given to prophecy, I do not hesitate for one moment to predict that if we leave the Philippine Islands, and those people set up a government of their own, riot and bloodshed and anarchy will run from one end of the archipelago to the other. We will have abandoned a trust, and some other great nation will be obliged to take up the work that we have been too cowardly to finish. Japan or some other country will go into the Philippine Islands. They will not permit a condition to exist such as I have indicated I believe will exist.

Mr. CLAPP. Mr. President, will the Senator pardon another interruption?

Mr. SUTHERLAND. Surely.

Mr. CLAPP. I hardly think the Senator means to use the expression "cowardly." Suppose that 10 years from now the Senator himself should feel that the people of those islands had reached the point where they could take care of themselves, but some one else, equally interested from the viewpoint of what was best for the islands, should think they had not reached that point. Surely the Senator would not want his judgment that the time had been reached, and his action based on that judgment, characterized as the cowardly leaving of the islands. It is a matter of opinion.

Mr. SUTHERLAND. Oh, I do not mean that the Senator is cowardly.

Mr. CLAPP. No; I know the Senator does not mean that.

Mr. SUTHERLAND. And I do not mean that anybody who votes for this legislation is cowardly.

Mr. CLAPP. I knew the Senator did not mean that.

Mr. SUTHERLAND. But I characterized the act, from my point of view, as being a cowardly act, because I think it is running away from a plain duty.

Now, let me call the Senator's attention and the attention of the Senate to a statement contained in an article in the Army and Navy Journal of five years ago upon the occasion of the visit to those islands of the then Secretary of War, Mr. Dickinson. The article goes on to give an account of a meeting on the island of Mindanao, at Zamboanga, where the Secretary met a number of the Moros and some of the Filipinos. As I understand, in the island of Mindanao and the two or three surrounding islands, Sulu and others, there are to-day something like 600,000 Moros, and in those islands perhaps six or seven thousand Filipinos. In the course of the speech making some suggestion was made about turning over the islands to the Filipinos, and that brought out some very vigorous objections from the Moro chiefs. Let me read the account of that part of the meeting:

In the speech making that followed at a meeting in the Zamboanga Theater the friction between the Moros and the Filipino elements of the population was much in evidence. Señors Mendoza and Lim were the Filipino speakers. Stripped of their profusion of rhetorical figures, these addresses were a plea for taking the Moro Province from under the dominion of the military and placing it under the Philippine civil government.

Of course, they did not attempt to go as far as we now propose to go by this bill.

Then Dato Mandi, chief of the Zamboanga Moros, took the platform. He said that the Filipinos on the general reception committee had sought to prevent the Moros from going out in their native boats to greet Mr. Dickinson, as he might get the impression there were only Moros in the Province. "As I look about me," said the dato dramatically, "I see more Moros than Filipinos, and that is why it is called the Moro Province. [Tremendous applause.] I have heard a rumor that we Moros are to be placed in the hands of the Filipinos. If the American Government does not want the Moro Province any more it should give it back to us."

Mandi was followed by another dato named Sakaludan, who said: "I am an old man. I do not want any more trouble, but if it should come to that, that we are to be given over to the Filipinos, I still would fight." [Applause.] He was succeeded by Hadki Nunvo, who explained the difference in race and religion between the Moros and

Filipinos. "And if we should be given over to the Filipinos," he asked, "how much worse would they treat us when they treated even the Spanish badly? We far prefer to be in the hands of the Americans, who are father and mother to us now, than to be turned over to another people."

At a meeting of the Moro datos on August 24 Secretary Dickinson made a speech through an interpreter. He assured them that the Americans had no intention of "exploiting" the Moros. If their necessities compelled them to use anything belonging to the Moros the latter would be paid in full. The Americans would never interfere with their religion or religious customs. "All the money the Moros will have to pay the Government will be used among them for their own benefit." Secretary Dickinson said he agreed with them that it was a bad plan to change governors often and believed the wisest thing would be to keep a good governor as long as possible. If at any time a governor should be unfair or unjust all the Moros had to do would be to make it known to Gen. Pershing, who would see that justice was done. This speech made a decidedly favorable impression upon the native chiefs, who doubtless took back to their people complimentary reports on the intentions of the Americans.

Mr. President, it is now proposed to turn over these islands to the self-government of a people 90 per cent of whom have no understanding of the principles of government—far less capable of carrying on a government than the people of Mexico, where only 80 per cent of them are not trained in governmental matters.

Can it be otherwise than that the condition would follow that I have indicated—that quarrels would result—that these people of various tribes and races, of different religions, different languages, different degrees of intelligence, would be fighting one another? Can there be the slightest doubt that that would result? If that is to be the case, upon what theory of national responsibility can we withdraw our protecting hand from them?

Mr. SHAFROTH. Mr. President, if the Senator will yield—

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

Mr. SUTHERLAND. I yield.

Mr. SHAFROTH. The same prediction which is contained in that statement was made when it was said that if the Filipinos attempted to exercise any governmental powers over the Moros they would immediately begin fighting each other. Mr. Frank Carpenter was appointed governor of the Mindanao district. He went down there. He solicited the aid and assistance of the Moros. He granted to them commissions for such offices as justice of the peace. There are no American soldiers, strictly in the sense of Americans, there. They have never gotten along as well as in the last two years and a half, since that has been done. They are living together in numbers. Six colonies were sent from Cebu down to Mindanao, and the Filipinos of three of those colonies were located upon 40-acre tracts of land almost alternately with the Moros, and the other Filipinos of the colonies were located almost in the heart of the Moro district. There has been no insurrection. There has been nothing in the nature of an uprising. There has been nothing in the way of a clash between classes. There has been nothing in the way of a disturbance that would be indicative of religious opposition or hostility.

Mr. SUTHERLAND. I understand all that, Mr. President; but the Governor is an American. The American Government is there. We are governing both classes of people. It would be a far different situation if the Filipinos were undertaking to govern the Moros instead of the Americans undertaking to govern both of them. The strong hand of the American Government is over them all the time—not only the strong hand, but the just hand. Five years ago that was the attitude of these Moro chiefs, that they would not trust the Filipinos; they would not trust the Filipinos to govern them. They were willing to live side by side with the Filipinos so long as the American Government undertook to govern both of them, but neither would submit to the government of the other.

Mr. SHAFROTH. Mr. President, you can get expressions of opinion expressed during the last three years by Datos themselves directly opposed to that which the Senator has just read. They assemble and meet all the people who visit there. The most harmonious relations exist between the Filipinos and the Moros, and Gov. Carpenter is the man who accomplished it. He has told them that he is there to have them help govern with the Filipinos, and almost an entire revolution of sentiment has taken place.

The difficulty with the situation is that whenever we as a Nation say, "We will determine this thing just as we want it," "We will give you independence when we get ready; we will give you independence 50 years or a hundred years from now," we crush the hopes and aspirations of that people. They read our Declaration of Independence; they read our American history, as the Senator from Minnesota [Mr. CLAPP] has said; and when they get the same spirit of liberty infused into their veins as we did in ours, and we would not want anyone

to say to us, "We will give you independence when we want you to have it."

Mr. SUTHERLAND. Mr. President, what proportion of the native inhabitants of the Philippine Islands does the Senator think ever heard of the American Declaration of Independence?

Mr. SHAFROTH. Why, Mr. President, there is hardly a schoolboy but has read the Declaration of Independence. Whenever people visit there, a young man rises and makes a speech to the visiting crowd in behalf of independence, and it is always with relation to the fact that we have gotten our liberty and they are entitled to theirs. Right in the Moro district, where I visited a school, a young man 14 years old delivered an address of welcome to us in the English language.

Now, of course, if we say that we are going to give them independence at the end of 50 years, if they are then capable of self-government, you can make the same statement then, that they are not prepared for it. There ought to be some limitation on it. Seventeen years—long years to them—have elapsed since promises of independence, which they supposed were authoritative, were made to them.

Mr. SUTHERLAND. Now, Mr. President, if the Senator will permit me—

Mr. NEWLANDS. Will the Senator allow me?

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SUTHERLAND. In a moment. The Senator bears out what I have been saying. We are educating the children, but I imagine the Senator would not contend that the children are able to carry on the government. This young man of 14 years of age, who knew so much about the Declaration of Independence, is hardly fitted to go into the legislature or to carry on the government.

My position is that if we will go on with that sort of thing for another generation, if we will educate those people, if we will build into their very existence the principles of Anglo-Saxon self-government, then they will be ready to carry on a government; but my whole argument is that they are not ready for it now.

Mr. SHAFROTH. Mr. President, I have thought that whenever a people have an educated class, college graduates, by the hundreds and thousands and they are the persons who are elected to the general assembly of those islands they are capable of passing good laws, especially when we consider that being twitted by the Americans as not being capable of self-government they have set the example to the world so far as sending graduates of universities to their general assembly. Out of 81 members there are 81 graduates of universities there.

Is it possible that those people are not capable of making good laws? Is it possible that the men who are attending to the duties of the executive offices of the Government there would lose their power to control in the administration of affairs as soon as they were selected by their people instead of being appointed by our Government? I think not.

Mr. SUTHERLAND. Oh, no. I have said several times during the course of this debate that there are people, limited in number, in the Philippine Islands who are educated, who understand matters of government, and who are probably capable of self-government; but the testimony, as has been said here over and over again, has been to the effect, and I have not heard it contradicted, that not to exceed 10 per cent of them occupy that status; that not to exceed 10 per cent of them are capable of discharging the functions of government. Ninety per cent of them are to be governed. Does the Senator want to set up an autocracy over there?

Mr. SHAFROTH. Oh, no.

Mr. SUTHERLAND. Does he want to have a governing class?

Mr. SHAFROTH. No; Mr. President.

Mr. SUTHERLAND. In our own country, if 90 per cent of our own people were of the character that 90 per cent of the Philippine people are and only 10 per cent of our own people were educated and capable of discharging the functions of government, we could not carry on a popular government here. It is because the great body of the people are schooled in the lessons of government that we can carry on a popular government. That is the only reason. You can not have a democracy without a substantial foundation of that kind. You can not have a democracy with a ruling class of 10 per cent and 90 per cent incapable of participating in the government. It is absurd to talk about it, as it seems to me.

Mr. SHAFROTH. Look at the South American countries. It seems to me that no one can question but that Argentina is making a success of independent government, that Brazil and Chile are doing the same, and yet their percentage of illiterates is as great as that of the Filipinos, and in some instances

greater. Is it possible that we alone are to judge? If we go to the Declaration of Independence, we at least should assume the truths therein expressed, as applicable to all people. If there are any exceptions, the burden should be upon those who are opposed to independence. If a people have an inalienable right to life, liberty, and the pursuit of happiness; if in order to attain these ends, governments are instituted among men deriving their just powers from the consent of the governed, anyone who makes an exception must show to me clearly that the people excepted are not capable of self-government in order to get me on his side of the controversy.

Mr. President—

Mr. SUTHERLAND. Let me ask the Senator a question. I have the floor, and I do not want to have that fact overlooked, and I am anxious to proceed. He is in favor of this bill reported from the committee, I understand.

Mr. SHAFROTH. I am in favor of the Clarke amendment, and I am supporting the Clarke amendment.

Mr. SUTHERLAND. I am not speaking of the preamble. I am speaking of the body of the bill.

Mr. SHAFROTH. Yes, sir.

Mr. SUTHERLAND. What proportion of the people of the Philippine Islands will be permitted to vote under this bill?

Mr. SHAFROTH. In this bill under the franchise which we are giving to those who either read or write their native tongue, 750,000 to 900,000 people is the estimate which has been made.

Mr. SUTHERLAND. That is about 10 per cent.

Mr. SHAFROTH. Yes; probably 10 per cent.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Utah yield, and to whom?

Mr. SUTHERLAND. I yield to the Senator from Iowa.

Mr. CUMMINS. The Senator from Colorado does not mean 10 per cent. That would be 10 per cent of the whole population, including women and children.

Mr. SHAFROTH. Yes; it would be 10 per cent of the entire population. I thank the Senator for his suggestion.

Mr. CUMMINS. I do not think it could be 10 per cent of the men of mature age.

Mr. SUTHERLAND. The Senator may be right about that, but it is not my information.

Mr. SHAFROTH. The estimate by Gen. McIntyre was that in 1903 those who were capable of reading and writing constituted 32.4 per cent of those over 21 years of age. He estimated that, by reason of the extension of education since 1903, the percentage was now 50 per cent.

I want to say this, Mr. President, and then I will not interrupt the Senator any more. Whenever a people have the power to give self-government to another, it is often resisted by people from one cause or another, and honestly too, upon their own part, so that independence will not come unless there is almost a universal sentiment in favor of it, and this thing of treating the people of different classes in a different way is not fair to them.

I want to read just one sentence—

Mr. SUTHERLAND. Let the Senator do that in his own time.

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

Mr. SHAFROTH. Very well.

Mr. SUTHERLAND. I have been reasonably generous to the Senator, and I want to conclude what I have to say.

Mr. CUMMINS. I would like to ask the Senator from Utah a question, and it shall be a question.

Mr. SUTHERLAND. Very well.

Mr. CUMMINS. Does the Senator from Utah intend to train the people of the Philippine Islands to become citizens of the United States?

Mr. SUTHERLAND. No, Mr. President; I do not.

Mr. CUMMINS. What does he intend to train them to do?

Mr. SUTHERLAND. The Senator does not intend to do anything about it himself, but I am in favor of retaining possession of the Philippine Islands until the people are measurably capable of carrying on a government of their own, a condition which I do not think exists to-day.

Mr. CUMMINS. Did the Senator ever know a master who thought his slave would be better off in freedom than in slavery?

Mr. SUTHERLAND. Mr. President, the Senator's question hardly requires an answer. We do not occupy that relationship in the Philippine Islands. We are not treating them as slaves. We are not treating ourselves as masters. I think, and I believe that the Senator will agree with me, that there never has been in the history of all the world a more magnificent, a more unselfish service rendered to any people than has been rendered by the American Government to those people in the Philippine Islands.

Mr. CUMMINS. Mr. President, I agree to that.

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

Mr. SUTHERLAND. I yield.

Mr. CUMMINS. Mr. President, I agree to the statement just made by the Senator from Utah. It has been a wonderful service, but it has been the service of a master to a subject, for so long as the Congress of the United States has the sole power of determining the fortunes of the people of the Philippine Islands so long they do not enjoy the essence of freedom.

Mr. SUTHERLAND. If the Senator thinks that, then he must think that the service we render to our own children in this country when we insist they shall live with us for 21 years, that they shall be educated, that they shall fit themselves for the duties of citizenship before they undertake to discharge the duties of citizenship, involves the relation of master and slave. The service which we have rendered those people over there has been as tender and as altruistic as the service we render to our own children here at home.

Mr. CUMMINS. Of course, the Senator from Utah recognizes the difference between the relation of our own country to a subject colony and the relation of a parent to a child, and I need not enlarge upon that, but analytically and accurately a child who must obey the wish of his parents is not a free person.

Mr. SUTHERLAND. He is not a slave. The Senator would hardly contend that.

Mr. CUMMINS. There are certainly incidents connected with the relation between a master and a slave that are not found in the relation between a parent and a child, but the Senator from Utah must admit that if the child is bound to obey the will of another he is not a free person.

Mr. SUTHERLAND. He has not all the powers of the adult citizen. The Senator admits that, of course.

Mr. NELSON. Mr. President, I never knew before that our children up to the time they were 21 were serfs or slaves until it was implied by the Senator from Iowa.

Mr. CUMMINS. No.

Mr. NELSON. Because they owe obedience to their parents; because they owe obedience—

The PRESIDING OFFICER. Does the Senator from Utah yield?

Mr. NELSON. Because they owe obedience to the Government of the United States, that stands in the place of parent, they are to be called slaves.

Mr. SUTHERLAND. I yield to the Senator from Iowa for a moment.

Mr. CUMMINS. Mr. President, the Senator from Minnesota did not understand me to say, because I did not say, that the relation between parent and child was the relation of a master to a slave, but I still insist that the child is not free. However tender the relation may be, however careful the parent may be, the child is not free.

The Senator from Utah puts the people of the Philippine Islands in the same relation to the United States that a child is to the parent. If he is right about that, then of course they not only should not be free but we should not give them the power to legislate as has been given heretofore and as is further given in the bill before us.

Mr. SUTHERLAND. The Senator understood perfectly well that I was using that as a mere illustration. I did not mean that the conditions were precisely similar. Of course they are not. But the fact remains, as I view it, that the people of the islands as a whole are not to-day capable of carrying on a government of their own. If we undertake to intrust them with a government of their own, disaster will inevitably follow and some other country will take possession of them and they will lose their independence.

Now, I intended to say just a word with reference—

Mr. McCUMBER. Before the Senator leaves that point—

Mr. SUTHERLAND. Let me finish the sentence first, and then I will yield. I intended to say a word with reference to the provision of the Clarke amendment which requires us for five years to guarantee the independence of the islands after we have gotten out and to defend them against outside force. When I have said that I am through. In the meantime I will yield to the Senator from North Dakota for a question.

Mr. McCUMBER. I wish to ask the Senator, because he has shown considerable familiarity with the Filipinos, what is the predominant racial blood of those people?

Mr. SUTHERLAND. I do not know what is the predominant racial blood.

Mr. McCUMBER. Are they not of Malayan extraction?

Mr. SUTHERLAND. I think that predominates, although I am not sure about it.

Mr. McCUMBER. I want to ask the Senator if in the whole history of Asia it is not a fact that the Malaysians have been able to maintain self-government? Are not these people as well educated, are they not as docile as the Siamese people, and have not the people of the nearest blood to the Filipinos been able for centuries to maintain self-government when they were left alone? As a matter of fact, does not that apply to all the Malayan peninsula and to those southern countries?

Mr. SUTHERLAND. As I understand the situation in the Philippine Islands, it is altogether different from the situation in Siam, Japan, or any of those other countries. There is no homogeneity in the Philippine Islands. There is in the Philippines a great variety of people and a great variety of languages and dialects. They never have had a nationality. They were under the control of Spain for 300 years, during which time they were not permitted to exercise any of the functions of local government. They had no opportunity of learning the lessons of government. They are a heterogeneous lot of misfit units, who, as I view it—the Senator is welcome to his own opinion about it—are utterly incapable of coming together and carrying on a government. There is not a single element that makes them one people neither historically nor from having an opportunity to carry on together the functions of government.

But now, Mr. President, the amendment of the Senator from Arkansas proposes what to me is the most dangerous proposition in the whole amendment, namely, that after having sailed away and permitted those people to set up a government of their own, which, as I think, will inevitably result in disaster, we must still from a distance of 7,000 miles guarantee their independence and defend them against attack from any outside force. The five years that are specified in the amendment constitute precisely the time when they are most likely to fail in their government. If they get along for five years, and carry on a government acceptably, there is some hope of their continuing for the future, but the critical time is during the first year or two or four or five years. I think it is as inevitable as that the sun will continue to rise and set that within that five years they will give occasion for some great civilized power to intervene. If a condition arises such as I think will arise, such as has arisen in Mexico, Japan would be fully justified in intervening, just as I think we would have been justified, although for prudential reasons we have kept out, in intervening in Mexico.

Conditions will be as bad there. The chances are that the Japanese will undertake to intervene. But no matter what the cause may be, no matter how the intervention of Japan may be, or of any other country, we have bound ourselves, at the cost of no one knows how many lives or how much money, to defend them against any intervention from the outside. As it seems to me, that situation is inevitable; and being inevitable, the only wise thing for us to do is to stay there and prevent the condition from arising.

Mr. KENYON. I should like to ask the Senator does he believe that we would send over there and defend and protect the Philippine citizens if the islands were attacked?

Mr. SUTHERLAND. That might depend upon what sort of an administration we have in power at the time. We have been setting some examples which justify that inquiry on the part of the Senator. We had better not make such a provision anyhow.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Missouri?

Mr. SUTHERLAND. I do not want to yield for a speech. I will yield for a question.

Mr. REED. Is there anything so ominous in my rising as to indicate a speech? The result of the colloquy just had is that we have not defended our people and have not gone to war for them. Do either of the Senators who have taken their seats think we ought to have gone to war? Are they in favor of it now; and if so, what particular nation do they propose to have us attack?

Mr. KENYON. If the Senator is directing that question to me—

Mr. REED. I am directing it to both Senators, because the colloquy leads directly to the innuendo that if we had the right President we would have gone to war to protect our people.

Mr. KENYON. I do not want to disturb the Senator from Utah, but I will say that the principal difficulty I have about the Clarke amendment is whether, if the Philippines should be attacked in the future, the people of this country would be willing to send our Army and Navy there to protect the people of the Philippine Islands.

Mr. SUTHERLAND. Then let me say to the Senator from Iowa we ought not to make a promise we are not going to keep.

Mr. KENYON. I wish the promise was eliminated from the Clarke amendment. I could support it with much more readiness.

Mr. SUTHERLAND. My argument is entirely in favor of eliminating that provision.

Now, in answer to the Senator from Missouri [Mr. REED], I do not believe in going to war unless it becomes necessary. If it is necessary and that is the only way we can protect our citizens in foreign countries, then I am in favor of going to war. I think, since the Senator has asked me the question, that a firmer and a different policy on the part of the present administration with reference to our affairs in Mexico would have straightened out the situation without putting us in the place we now occupy, where we are in constant danger of armed intervention. I think the greater part of the trouble in Mexico has been due to the vacillating policy of the administration, and a firmer stand with reference to the situation would have obviated the danger of armed intervention.

Mr. REED. Mr. President, the answer of the Senator is a mere generality; it gets us nowhere. The import of the colloquy I referred to was that even if our Government should solemnly agree to maintain the independence of the Philippine people we would not go to war to redeem that pledge. The reason alleged was that we will not now make war to protect our own people. There was the implication that our Government had been very derelict in the latter respect. My inquiry, then, whether the Senators were themselves willing to adopt a policy of war was pertinent. It is very easy for any man to say that if we had "adopted a firmer policy," without defining the policy, a better result would have obtained. Such an assertion proves nothing. Possibly if that policy which the Senator has in mind, and which is still in nebula so far as our knowledge of it is concerned, had been adopted we might have involved ourselves in war. Perhaps such a policy might have served only to multiply the murders in Mexico. Perhaps the "firmer policy" spoken of by the Senator would only have brought misery and death. Who shall answer? I do, however, make bold to declare that the Senator will not now and here say that we ought to have invaded and conquered Mexico.

We hear a good deal about what the Government ought to do with reference to our foreign relations with other countries than Mexico. Every once in a while some gentleman gets up and says, "We ought to enforce our rights; we ought to preserve our dignity as a Nation more thoroughly than we are doing," the innuendo being that we ought to go to war. Yet there is not a man in this Chamber who would vote for a declaration of war against any European power to-day.

The truth is, there is a good deal of cheap politics being played by gentlemen who sit in the grand stand and who say, in effect, that if they were captain of the team there would be nothing but wonderful errorless games, whereas, like most grand-stand critics, the probabilities are if they were put into the game they could not catch a ball as big as a balloon and could not "field" it home in a week.

I am getting just a little out of patience with constant carping criticism, upon the one hand, because we have insisted too strenuously upon our rights, and, upon the other hand, because we have not with fire and sword enforced our demands. It is a very happy thing for this country that the extremists to whom I am referring have not been controlling the destinies of the Nation. It is a very fortunate thing that there has been by the President a constant and determined insistence upon the rights of the American Republic so that our rights have not been surrendered. It is equally fortunate that a hot-headed, ambitious demagogue, willing to plunge the country into war in order to further his political fortunes, has not occupied the White House. There are a great many valiant men who are brave when they have no opportunity to put their courage to the test of execution. The peaceful banks of Oyster Bay are about the safest place in the world from which to issue a declaration of war.

I make no invidious comparison when I call attention to what almost every boy has observed, namely, the difference between the ferocity of a dog securely chained in his own yard and one that is at liberty upon the streets where his challenge of battle can be accepted.

Mr. FALL. Does the Senator mean—

Mr. REED. In a moment. I once owned a fighting dog of that variety. He was the best I was able to accumulate. He never manifested any great degree of courage until after he was accused of stealing chickens and I had tied him up to save his worthless life, whereupon my yellow animal was transformed into a raging lion. Let a stray canine pass along the streets, instantly my warrior would draw back malicious lips, displaying dangerous, gleaming fangs; his eyes glared like the head-

lights of a locomotive; his red tongue lapped out for gore; his hair stood on end and he filled the air with roarings and growlings typically Rooseveltian. But unchain the brute and tabby cat might twitch his tail with perfect impunity. Indeed, his natural habitat was under the porch. [Laughter.]

Mr. FALL. Mr. President, will the Senator yield a moment?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from New Mexico?

Mr. REED. Yes; I think I am through now with that.

Mr. FALL. I hope the Senator will not conclude with that phrase until he answers a question. I should like to know whether in 1898 he thought Oyster Bay was a safer place than Kansas City?

Mr. REED. Oh, no; I did not think anything of the kind. I understand the innuendo of the gallant knight from the Southwest; but, since the Senator has asked me the question, I will say to him that I had a regiment raised and the promise of the governor of my State that it should be the next to be mustered in. The only reason I did not go was because the war was over before Missouri was assigned any more troops. I have, however, not been in the habit of parading my modest efforts. I would not mention the circumstance now, except for the somewhat contemptuous and insulting remark the Senator has passed over to this side of the Chamber.

The VICE PRESIDENT. Let us be careful not to violate the rules of the Senate.

Mr. FALL. If the Senator can construe my question to be an insult, he is welcome to such construction as he desires to place upon it.

Mr. REED. I understood the Senator would come back with his usual courtesy and repeat what he had already said; that has happened often in the Chamber, and it has no more effect on me now than it has had in the past.

I pass from that fruitless topic to remark that much cheap politics are these days being played. Men who, if they were charged with the grave duties devolving upon the head of this Government, would observe a discreet silence are very voluble and highly critical. These knights of forum and sanctum talk all the braver because they only fight with words and bear small measure of responsibility, else they might not be so often heard carping. I declare that it is my humble judgment that the man who at this crisis of the world's affairs will intentionally do anything to aggravate the international situation is a bad man, a dangerous citizen, and the worst kind of a demagogue. What we ought to be trying to do is to preserve our calm, our deliberation, and to keep ourselves as nearly as possible before all the world as a Nation standing impartial, desiring only to see the European conflict brought to an end.

It may be that we ought to have invaded Mexico with an Army of 200,000 men; it may be that we ought to have imposed a debt of two or three billion dollars upon our people; but I repeat that if the question were put to a vote in this Chamber to-day the men who have so often criticized our Mexican policy would not dare to vote a declaration of war against Mexico. I have said that much simply because the intimation was rather broad, as I understood it, that, after all, if we really had a red-blooded President, we would have better maintained the dignity of this country and we would have better protected our citizens.

I conclude with this remark, that I trust even those who did not go into the Spanish War, as did the Senator from New Mexico [Mr. FALL], may be permitted in this Chamber to express an opinion with reference to our national or international matters and even to speak the sacred name of a Roosevelt without any further intimations that they are lacking in personal courage or in patriotism. The quality of courage is not limited to any one race or to any one man. It is therefore possible that courage may be sometimes associated with great vehemence of speech or even a contemptuous intolerance for the opinions of others.

Mr. McCUMBER. Mr. President, having settled the Mexican question for all time, I am now ready to bring my amendment up to the slaughter. I understand very well that this amendment is sandwiched in between a determination on the part of a great many on this side that they will vote for nothing except to retain the Philippine Islands and on the other side by a determination of what seems to be a majority that we will kick the Filipinos out of our house unceremoniously and let them take care of themselves. I appreciate the little show that an amendment of this kind will therefore have as between these predetermined forces.

I am now going to discuss for a moment the amendment of the Senator from Arkansas [Mr. CLARKE] and the amendment which is offered as a substitute for it. I need not take more than five minutes more upon that subject. The amendment which we have before us, for which I offer a substitute, is an amendment that says we shall throw out the Philippine Islands

without the protecting influence of this country after a given number of a few years and then let them take care of themselves. Both these amendments propose to give independence to the Philippine Islands. The real difference between them is whether, when we walk out of the Philippines we go out of the front door honorably and fairly, showing our belief that we were there for their own good, or whether we sneak out of the back door like a burglar who has found nothing of value on the premises. The difference, in my opinion, is a difference between performing a duty toward them and failing to perform that duty.

It is a very simple proposition, and I am going to put the question right up to the Senator from Colorado [Mr. SHAFROTH] and let him answer it. I think I have his idea. I have a conviction—and no argument that I have heard so far can remove that conviction from my mind—that unless before we cease our control over those islands we have an agreement with the great nations of the world that their independence will be respected, they will not hold their independence very long against some of those countries. If the Senator from Colorado should believe that within a comparatively short time after we had ceased our control over the Philippine Islands they would be taken possession of by some other great power, would he still be in favor of granting them their independence to-day and letting them take their chances?

Mr. SHAFROTH. Mr. President, the first premise of the Senator from North Dakota is something in which I do not believe. When we put to the Filipino people the proposition as to whether or not they want their independence without a protectorate, and they say that they do—and it is the intelligent people over there who are saying that—it is a matter of which they and not we should judge.

Mr. McCUMBER. I am not talking of a protectorate now.

Mr. SHAFROTH. Well, even an international protectorate.

Mr. McCUMBER. No; I am not talking of a protectorate of any kind. The provision of my amendment avoids the protectorate; it asks no country to protect them; it simply proposes to enter into an agreement beforehand, negative in its character, that those countries will merely respect the independence of the Philippines—not that they will guarantee it against each other. Those two propositions are as far apart as are the two poles.

Mr. SHAFROTH. Mr. President, I concede that there is a good deal of merit in the position which the Senator from North Dakota takes in his amendment; but the difficulty with it is that it makes our action as to the independence of the islands dependent upon what other nations may do. If we want to grant them independence, and we can not get this agreement with other nations, according to the Senator's substitute for the Clarke amendment, we would have to quit and say to the Filipinos, "We can not give you independence at all without a new act of Congress."

Mr. McCUMBER. Well, Mr. President, if we can not get their agreement that they will respect the independence of the islands before they pass out of our control, we can not get their agreement that they will respect it or guarantee it afterwards. If we can not get their agreement beforehand that they will respect the independence of those islands, then, I am frank to say, I would say to them our duty toward those islands is such that we will hold control over them until you do consent.

Mr. SHAFROTH. That would be all right if the Filipinos were willing to agree to it; but it is not all right without their consent to make independence contingent upon the action of some outside nation.

Mr. President, the situation of the Senator's amendment is simply this: He wants the nations to guarantee—

Mr. McCUMBER. No.

Mr. SHAFROTH. Or he wants them to agree not to occupy any of the territory of the Philippine Islands, and to make their independence contingent upon that agreement, irrespective as to how capable we think they are; irrespective of their wishes as to whether they should have independence or not; irrespective as to whether or not they could maintain their independence.

On the other hand, the Senator from Nebraska [Mr. HITCHCOCK] the other day objected to the Clarke amendment, on the ground that it was attempting to get an indorsement from the nations of the world before there was any government established. He said no nation would entertain any kind of an agreement either to guarantee or to respect the neutrality of what? Of something not formed, of something not made, of something that is not in existence? His objection was that the Clarke amendment was too strong and that it should not be framed in that way, whereas the position of the Senator from North Dakota is that we should make this agreement in advance,

before there is a government established, and before there is any independent government to recognize.

Mr. President, it seems to me there should be a middle ground taken. Neither one of these Senators, in my judgment, is correct. I sympathize with much the Senator has said, but when the position is taken on one side that we must negotiate an agreement with foreign powers before any independent government is established in the Philippines, and then, on the other side, have it asserted that the independent government must be established before any negotiations are undertaken, it seems to me the wisdom is demonstrated of having something in the nature of the Clarke amendment. That gives a certain length of time for carrying out the purposes contemplated, and provides that not earlier than two years, and not later than four years, independence may be granted, unless in the meantime conditions should arise or disturbances ensue which would make it appear unwise to give independence in that time, in which event the time can be extended for a year and a half more. That provision will give the Filipinos independence within a reasonable time.

Mr. McCUMBER. Mr. President, the question was rather short; the answer has been decidedly long; and yet the Senator has not answered the question. The question in its simplicity was this: If the Senator believes that those islands would be taken possession of by any other great power in a short time after we let go of them, would he still believe that we should grant them their independence? I know the Senator said that he believed they would not be interfered with.

Mr. SHAFROTH. Yes.

Mr. McCUMBER. But I ask if the Senator believed that they would, would he still be in favor of letting them go to take their chances?

Mr. SHAFROTH. I would leave that entirely to the Filipinos. They are the ones who are capable of deciding that question. They may take their choice as to whether they would run the risk of some other nation taking them, or whether they prefer an iron-hand policy which might be invoked by our own Government. They might well say, "We would rather take the chances of foreign interference than of an iron-hand policy imposed by the Government which now controls the islands."

Mr. McCUMBER. Mr. President, if I had taken a child into my own family and educated him for some time, I would have no right to keep him—I admit that—but if I were going to turn him out into the world, I would want to know that I was not turning him out among a pack of wolves. I would want to know that before I opened the door for him to pass out. We are governed by altruistic motives if we act at all in releasing the Philippine Islands. I am not certain that every other country in the world would be governed by the same motives, and I am fearful that the Philippine people would lose their independence. They do not want to be freed from dependence upon one nation simply to become the dependency of another; and if I feel they are in danger, is it not my duty first to try, at least—I may fail—but is it not my duty at least to try to see if I can not get an agreement from the other nations of the world before I turn them loose to their tender mercies? I feel if I have lost anything, I have only lost the period of time occupied in attempting to secure what I thought was for their benefit. Then if another Congress saw fit to take action, and if the Philippine people were still willing to take their chances, I would probably be willing to vote for the same proposition that the Senator contends for now; but I would make the attempt, at least, to secure such an agreement as I have indicated.

Mr. SHAFROTH. Mr. President, I recognize that the very highest motives prompt the Senator from North Dakota in offering his substitute and in all his views upon the Philippine question, but I want to say to the Senator that there are many who have not that altruistic feeling with respect to this matter. There are Senators in this Chamber who believe in keeping the islands forever, no matter whether the Filipino people are capable of self-government or not. There are people who believe that the islands are rich and might become of great value to the United States. I do not attribute such motives to the Senator from North Dakota; but what will be the situation if, after years of negotiation with other nations, it is determined that they will not grant this request upon the part of the United States? There may be in power then those who do not want to ever give up the islands. Therefore I would take the chances now of giving a reasonable time to bring about Philippine independence without requiring another act of Congress—that is, permitting them to become independent automatically, when the time expires. It seems to me that course is much better and safer for them and much better and safer for us.

Mr. McCUMBER. Mr. President, if I thought for a single moment that we could not secure within a very short time an

agreement with other nations that they would respect the independence which we propose to grant to those islands, I might be influenced by the argument of the Senator; but I am satisfied that we would have no difficulty whatever in securing such an arrangement with every Government of the world. I am satisfied that we never could secure from any Government a guaranty that that Government should look after the independence of the islands. We could not secure it before, and we could not secure it after we had granted independence. We differ upon that simple proposition.

Mr. CHILTON. Mr. President, will the Senator yield for a moment to let me introduce a resolution regarding the sessions of the Senate?

Mr. McCUMBER. I would yield if the Senator could do that under the rules of the Senate, but I am a little inclined to think the Chair would rule him out of order.

The VICE PRESIDENT. There is a plain rule, which the Chair is required to enforce, that no Senator can be interrupted to introduce a bill, resolution, or other business of that character.

Mr. McCUMBER. I want to say just a word, in closing, about the capability of the Filipino people for self-government. I determine the capability of any people for self-government more by their racial characteristics than anything else. I think if we will look over the history of the countries of Asia we will find that, while they are not capable of continuing and maintaining our form of government, they have been capable of maintaining a pretty fair government, and one that was adapted to their civilization. The Filipino people are Malayan in character and in blood. As a rule they are a docile people; as a rule they may be willing to be governed by 10 per cent of their citizenship.

If the 10 per cent are capable of governing and the people desire that kind of government, very well; I have no objection whatever to their conducting that kind of a government. Believing that they are capable of maintaining self-government, I am willing to let them, in the first instance, try to carry on the government which I would propose to establish for them, namely, a republican form of government. If it should drift into a monarchy, that is a question for them, and not for us.

The only argument that has been made against that is the argument that was made by the Senator from Utah [Mr. SUTHERLAND], in which he stated that the Moros, constituting less than one-tenth of the population, fear that they may not be treated fairly by the other inhabitants of the islands, having a different religion. Mr. President, if that were the measurement by which we were to determine the right of people to self-government, I am afraid we would not have it in the United States. There was a time along about the sixties and running on to 1865, when there was a portion of the people of this country who feared the prejudices of the people of another section of the country. The Senator would not claim that that in any way militated against the ability of those people for self-government. If I cross the ocean to-day, I will find in the next great self-governing country that there has been pending in their parliament a bill to grant a certain autonomy of government to one of the islands of Great Britain, and I will find that several of the counties in that island—some five of them in the northwestern part—believe that the others would be so prejudiced against them that they would not be safe in their hands; and yet we would not question the right of the British or the Irish people to have self-government, because there might be racial prejudices or there might be political prejudices or there might be religious prejudices. That is not the measure. I believe that the people of the Philippines are capable of self-government; and the only thing about which I differ from the Senator from Arkansas and the Senator from Colorado is that I can not vote to give them their independence immediately without some kind of an understanding that that independence will be respected. If Senators vote down this amendment, as they have a right to do and as they undoubtedly will do, on account of divergent views, my own vote will be that we shall hold them until we can be assured of that fact.

Mr. CHILTON. Mr. President, I move that at not later than 6 o'clock the Senate take a recess until 12 o'clock to-morrow.

The VICE PRESIDENT. Is that proposed as an order?

Mr. CHILTON. No; it is presented as a motion. The present standing order is that, unless otherwise ordered, the Senate shall adjourn at 5 o'clock.

Mr. WILLIAMS. The Senator's motion would "otherwise order."

Mr. CHILTON. The motion is to otherwise order that, instead of that order, to-day at not later than 6 o'clock the Senate take a recess until 12 o'clock to-morrow.

The VICE PRESIDENT. The question is on the motion of the Senator from West Virginia.

The motion was agreed to.

The VICE PRESIDENT. The question now is on the amendment proposed by the Senator from North Dakota [Mr. McCUMBER] to the amendment proposed by the Senator from Arkansas [Mr. CLARKE].

Mr. LANE. Mr. President, I understood that the motion of the Senator from West Virginia to take a recess was agreed to, but I did not understand at what time the recess was to be taken.

Mr. CHILTON. At not later than 6 o'clock we shall take a recess until to-morrow at 12 o'clock. It is a change of the standing order for to-day.

Mr. LANE. I should like an opportunity to make a few remarks on the pending amendment before it is submitted to a vote.

The VICE PRESIDENT. The Senator is in order now.

Mr. LANE. Mr. President, once each year, in honor of the attainment of our own independence, we set aside a day of celebration of that event, at which time we indulge in much self-praise as a free and independent Nation, and furnish children with explosive, noise-making devices, with which they incidentally blow off their little fingers or put their eyes out or acquire lockjaw, and whoop it up generally about the sacred rights of liberty and independence.

I purpose voting for that amendment to this bill, which will most nearly and quickly give independence to the people of the Philippine Islands. If that amendment fails to pass, I am then going to vote for the next amendment which gives the best promise of accomplishing that result, and so on down the line.

It is not going to make any difference to me who offers the amendment or what his politics are. I am not favorably impressed with the theory advanced by those who contend that it is our duty to pilot the Filipinos up to some undefined standard of education, of citizenship, or capacity for self-government; nor do I feel that it is our duty to supervise the building of roads in that country "the while" hundreds of thousands of our own people, farmers and others, have to drag their products through the mire to market and thousands of others are marooned entirely from market on account of impassable roads.

If it were possible to arouse an equal amount of enthusiasm in the gentle bosoms of those who are urging our duty to the Filipinos in such matters and divert it to the betterment of highways and additional school facilities in this country, it would result in great good to this Nation. It would greatly benefit those who are now taxed to pay for maintaining troops in the country of another people whose ways are not ours, yet a good people withal, but who love us not and have no reason to do so.

Before we become too seriously engaged in irritating the eyes and feelings of the Filipinos in an attempt to rid them of some of their mores, we had best set about getting some of the beams out of our own and purge ourselves and live cleanly.

I have no great confidence in the benefits which they will derive from our guardianship of their affairs, and if it should prove to be no better in its results than that which we have exercised over the affairs of the Indians it will prove anything but a blessing to them.

I have no great amount of patience, either, with the attempt now being made to compel the Filipinos to remain in subjection to us until such time as they reach an arbitrary standard of mental and political qualification which will be pleasing to us, and for which no other standard is set, but which must needs make them conform to a sliding scale of indefinite length, manipulated by an interested referee. I have been around too many logging camps not to know what happens when a scaling rod is used in such hands. The proposition is refreshing, however, and I have no doubt but what it would be interesting to watch the misguided Filipinos while they were trying to catch that will-o'-the-wisp.

If this Nation continues that policy, their only hope of ever attaining their independence will rest upon a successful revolution. To make such a proposal can not be accepted by the people of those islands except as an insult, and it deceives neither them nor anybody else. The proposal to hold them in subjection until, in "our" judgment, they become fit for self-government is coolly insulting, and is, in my opinion, a self-righteous assumption of superiority which, whether based on facts or not, can not with good taste be urged by a people who acquired their own independence only after a bloody revolt against a country which urged the same reasons for not freeing us from their subjection.

It has cropped out that behind the dread that the Filipinos may not govern themselves with that sedateness and nicely balanced poise which seem so desirable to some, lies the fear that some goodly profits will be cut off from those who have speculated in properties and grants in that country, and forsooth

we are under obligation to keep them under subjection and spend millions of dollars in maintaining an army over there in order that they may realize and fully appreciate the beauties of our enlightenment.

This Nation, if it does its duty by its own citizens, can find plenty to occupy its full time in looking after their welfare, which in many ways is suffering from neglect; also, it can find use for all and more money than this Congress will appropriate for much-needed improvements, for the lack of which its progress is being impeded, and the homes of many thousands are being lost to them, with the result that families are being broken up and scattered throughout the country, thereby bringing the level of want and poverty to a higher level than it would otherwise reach if we expended it as our duty demands that we expend it. If we are, as we claim to be, a people intelligent enough and wise and just and broad enough to govern an alien race for their best interests, we will deal with some of the evils to which our attention has been called by the Vice Commission which has just been in session in Chicago, the summing up of which show that hundreds upon hundreds of working girls, from their inability to derive a living wage, a wage sufficient to keep body and soul together, are being forced out upon the public streets into a life of prostitution. A nation that allows that kind of a cancer upon its bosom, that sort of a social disease to grow up in its own body and within its own vitals, is not a nation in a position to strike too high a tone of righteousness to a people with whose ways and affairs the majority of the people of this country are entirely unfamiliar.

In time of stress we will have to part with the Philippines, whether we wish to do so or not. To retain them, in the event of war, will prove costly and result in the loss of no man knows how many lives or how much money; and to the exact extent of that loss of lives and the expenditure of that money will the defenses of this country be depleted.

Seven thousand miles from our nearest coast is too far to safely or economically transport troops, foodstuffs, and munitions of war with safety.

Half the nations of the world seem to have gone insane, and most of those of Europe are at war now. If this Nation should become involved, the Philippine Islands will be the most vulnerable point of attack upon this country; and through and by its possession and our inability to take care of it and to defend the coasts of this country this Nation may lose its own liberty.

I heard with a good deal of interest one gentleman say that we have constructed upon those islands—near Cavite, I suppose; I never was there—another Gibraltar, an impregnable fortress. That is very good, and I am glad to hear it. I am proud of our ability to have done it; but I question the wisdom of having erected a Gibraltar of defense over in that far-away country and at the same time having neglected to erect at least one, if not more, along our own unprotected coasts. It is possible that if we are real nice and polite in our parting with the Philippines we may be able to trade that impregnable fortress off to the Filipinos for something with which we can defend ourselves nearer at home if we go to war or become entangled in war with some other nation.

I do not believe that any nation, however wise or just it may be, can govern another people, an alien people, as well as they can govern themselves. I do not think any nation in the world, no matter what its state of civilization may be nor what its wealth may be, has the right in justice to impose subjection upon another country which wishes to be free, and, for all we know, would have been a free and independent and a prosperous nation, in the case of the Filipinos, 200 years ago if the Spanish blight had not fallen upon it. We are not skulking out of that country. It is our humane and just duty to them and to ourselves to part with them in good will and in kindness, and it is to their best interests and to ours to do so at as early a date as possible; and I am going to vote for any amendment to this bill which will accomplish that purpose.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from North Dakota [Mr. McCUMBER] as a substitute for the amendment of the Senator from Arkansas [Mr. CLARKE].

The amendment was rejected.

EXECUTIVE SESSION.

Mr. STONE. Unless some other Senator wishes to go on further with the Philippine bill at this time, I move that the Senate proceed to the consideration of executive business.

Mr. CLARKE of Arkansas. Mr. President, the Senator from Iowa [Mr. CUMMINS] contemplated presenting an amendment, now that the pending amendment has been disposed of; and it is also his purpose to address the Senate. He is out of the Chamber at this time, under the belief that the remarks submitted by the Senator from Oregon [Mr. LANE] would consume

more time than has been the case. I hope the motion of the Senator from Missouri will prevail.

The VICE PRESIDENT. The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 8 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 1, 1916, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1916.

UNITED STATES ATTORNEY.

Dennis B. Lucey, of Ogdensburg, N. Y., to be United States attorney, northern district of New York, vice John H. Gleason, resigned.

POSTMASTERS.

CALIFORNIA.

Walter D. Neilson to be postmaster at Del Monte, Cal., in place of Walter D. Neilson. Incumbent's commission expired January 11, 1916.

CONNECTICUT.

Daniel A. Smith to be postmaster at Moosup, Conn., in place of W. F. Sheldon. Incumbent's commission expires February 1, 1916.

FLORIDA.

John H. Collins to be postmaster at Milton, Fla., in place of Lawrence Brown. Incumbent's commission expired January 24, 1916.

E. L. Powe to be postmaster at De Land, Fla., in place of W. A. Allen. Incumbent's commission expires February 8, 1916.

GEORGIA.

Louis J. Leavy, jr., to be postmaster at Brunswick, Ga., in place of C. L. Elliot. Incumbent's commission expired December 14, 1915.

KANSAS.

Vardie V. Goeden to be postmaster at Lakin, Kans., in place of I. L. Cason. Incumbent's commission expires February 1, 1916.

D. G. M. Keen to be postmaster at Greenleaf, Kans., in place of C. B. Scott. Incumbent's commission expires February 20, 1916.

L. M. Rich to be postmaster at Coldwater, Kans., in place of Z. P. Jackson. Incumbent's commission expires February 1, 1916.

MARYLAND.

W. J. Woodford to be postmaster at Centerville, Md., in place of W. C. Orrell. Incumbent's commission expires February 8, 1916.

MASSACHUSETTS.

James J. Murtaugh to be postmaster at Hopkinton, Mass., in place of J. F. Phipps. Incumbent's commission expired December 12, 1915.

MICHIGAN.

Howard W. Brown to be postmaster at Plymouth, Mich., in place of M. H. Ladd. Incumbent's commission expired December 20, 1915.

MINNESOTA.

F. L. Frye to be postmaster at Elk River, Minn., in place of F. N. Corey. Incumbent's commission expired January 24, 1916.

W. R. Hodges to be postmaster at Sleepy Eye, Minn., in place of J. P. Graff. Incumbent's commission expired January 11, 1916.

James Lynch to be postmaster at Lanesboro, Minn., in place of H. E. Glasoe. Incumbent's commission expired January 24, 1916.

NEBRASKA.

William A. Nyrop to be postmaster at Elgin, Nebr., in place of C. B. Guffy. Incumbent's commission expired January 24, 1916.

NEW HAMPSHIRE.

John H. Dowd to be postmaster at Portsmouth, N. H., in place of J. P. Conner. Incumbent's commission expires February 20, 1916.

NEW JERSEY.

John H. Lindemann to be postmaster at Closter, N. J., in place of William Tate. Incumbent's commission expired January 18, 1916.

OKLAHOMA.

C. C. Kidd to be postmaster at Wanette, Okla., in place of F. C. Wright. Incumbent's commission expired January 24, 1916.

SOUTH CAROLINA.

Ellison Capers to be postmaster at Summerton, S. C., in place of Ellison Capers, jr. Incumbent's commission expires February 21, 1916.

Landrum Padgett to be postmaster at Pelzer, S. C., in place of Landrum Padgett. Incumbent's commission expires February 20, 1916.

TEXAS.

August Kleinecke to be postmaster at Hitchcock, Tex., in place of Robert Dempster. Incumbent's commission expired December 12, 1915.

WASHINGTON.

J. F. Lavigne to be postmaster at Chewelah, Wash., in place of J. W. Patterson. Incumbent's commission expired December 14, 1915.

WYOMING.

F. E. Godfrey to be postmaster at Lander, Wyo., in place of H. A. Bucher. Incumbent's commission expired December 12, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1916.

UNITED STATES ATTORNEY.

Dennis B. Lucey to be United States attorney, northern district of New York.

POSTMASTERS.

FLORIDA.

George J. Dykes, Eustis.
Arthur A. Jones, Lake Worth.

MINNESOTA.

Julia A. Keefe, Morton.

PENNSYLVANIA.

John J. McCormick, Bridgeport.

RHODE ISLAND.

Emory H. Desilets, Manville.

TENNESSEE.

L. N. Alley, Oakdale.

VIRGINIA.

William A. Coates, South Washington.
John L. Henley, Tappahannock.

WISCONSIN.

Henry Knapstein, New London.
A. H. Tarnutzer, Prairie du Sac.

REJECTION.

Executive nomination rejected by the Senate January 31, 1916.

Pearl P. McCarroll to be postmaster at Walnut Ridge, Ark.

WITHDRAWAL.

Executive nomination withdrawn January 31, 1916.

Robert O. Mimmack to be postmaster at Plymouth, Mich.

HOUSE OF REPRESENTATIVES.

MONDAY, January 31, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who, from the heights of Thy glory, dost look down into the hearts of men and from whose all-seeing eye nothing is hid, cleanse our minds and hearts from all unholiness and so prepare us to meet the duties and responsibilities of the new week opening before us. The gravity of the new conditions, the questions involved, the possible conclusions, call for clear thought, wise deliberations, and unanimity of action. To this end let Thy spirit come mightily upon these Thy servants that they may be guided to do Thy will after the similitude of the Master. Amen.

The Journal of the proceedings of Saturday, January 29, 1916, was read and approved.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, the Committee on Immigration has directed the report of the immigration bill and have also directed me to ask unanimous consent that the minority may have until Tuesday of next week, including that day, in which to file their views.

The SPEAKER. The gentleman from Alabama, the chairman of the Committee on Immigration, asks unanimous consent that the minority have until Tuesday of next week in which to file their views. Is there objection? [After a pause.] The Chairs hears none, and it is so ordered.