

Mr. FLETCHER. Because it is utterly unreasonable to take that position.

Mr. SMOOT. I will say to the Senator from Florida that I did not so state. Further than that, as to the statement the Senator now makes, that this information was collected before the resolution was introduced, and that it cost \$50,000 to collect it, I have not a word to say against that. I believe that is true.

Mr. FLETCHER. That is just exactly my statement.

Mr. SMOOT. I believe that the information that was collected by the department may have cost \$50,000. That I do not know.

Mr. FLETCHER. Well, that is my statement. That is all I did say.

Mr. SMOOT. If the department says it cost \$50,000, well and good, let it be that way. But it has been stated and restated, Mr. President, that because of a resolution of the Senate the Government went to the expense of \$50,000 to collect the information, which of course is not the fact, as I have stated.

Mr. FLETCHER. I will say, Mr. President, that I do not know anybody who has ever stated that. This is what the letter transmitting the report says:

This report has been made up from data which has been accumulating for several years in the office of the Chief of Engineers, supplemented by investigations made in the field by district engineers of the Forest Service, and by correspondence with officials of power companies, to whom have been submitted for verification the greater part of the data on power development in 1915 as contained in this report.

The resolution was passed in 1915.

Mr. SMOOT. Mr. President, the resolution was passed at this session of Congress.

Mr. NORRIS. Oh, no.

Mr. SMOOT. I should say at the last session of Congress.

Mr. FLETCHER. Certainly.

Mr. SMOOT. Before the close of the last session of Congress.

Mr. FLETCHER. Certainly.

Mr. SMOOT. It was passed after the hearings on the water-power bill and the leasing bill were had before the Public Lands Committee. The Senator from Idaho introduced the resolution, and Mr. Merrill had the information and testified before the Public Lands Committee.

Mr. President, I do not want it understood that I object to printing any information that has not already been printed over and over again. I am perfectly willing to spend the money of the Government in printing everything that may be used in the consideration of the bills that are now upon the calendar or may be upon the calendar at this session of Congress. I may be wrong, and perhaps I am, in trying to save to the Treasury of the United States money that should not be wastefully spent. The great bulk of this, the great percentage of the report, can be found in Government documents to-day.

Mr. NEWLANDS. Mr. President, may I ask the Senator from Utah a question?

Mr. SMOOT. Certainly.

Mr. NEWLANDS. I will ask the Senator from Utah whether he does not regard this question of water power as one of the most important questions in the country, involving a resource that is of immense value in development, and whether he does not regard the diagrams of engineers explanatory of the legends in these reports as an aid, particularly to laymen, in reading these reports, and whether this expenditure is not trifling compared with the importance of the subject which is under consideration to-day, and probably will be under consideration for 20 years?

Mr. SMOOT. The Senator's question is a fair one, and I will say to the Senator that if it had not already been printed in—

Mr. NEWLANDS. I understand it has been printed in detached ways, a part here and a part there. A part of it has been presented to committees, but it never has been collated in any definite and comprehensive form, such as the form presented here.

Mr. SMOOT. I do not know in how much more comprehensive form it could be printed than in three volumes recording the hearings before the Public Lands Committee, Sixty-third Congress, third session, on House bill 16673. The hearings began December 9, 1914.

Mr. NORRIS. Will the Senator yield to me for a moment?

Mr. SMOOT. Certainly.

Mr. NORRIS. Does the Senator mean to say that there is not anything in this report that is not already available in some other report?

Mr. SMOOT. Mr. President, I did not say that. I said the great bulk of the information is available. But the Senator will say this: There is not one principle in the power bill or the leasing bill that will be discussed in this body that there

have not been hearings upon, and they have been printed. The Senator will say another thing—

Mr. NORRIS. I should like to ask the Senator what that has to do with this resolution?

Mr. SMOOT. The Senator will say another thing. If this material is printed, and the full expense of \$21,000 incurred, it will not change one word in the bill as it will be ultimately passed by Congress. Another thing I want to say to the Senator—

Mr. NORRIS. How sure is the Senator of that? Does the Senator think there is not anyone here open to conviction? Have we all formed opinions that can not be changed by evidence, as the Senator evidently has done?

Mr. SMOOT. I say there is no information in the report that has not already been printed that would affect the mind of Senators in any way as to the wisdom of the legislation.

Mr. NORRIS. How does the Senator know that? It would not change his mind, probably; but I venture to say that this information, which has been gathered according to our orders—and I should like to say that my information is that it has cost over \$20,000—after the passage of the resolution—

The VICE PRESIDENT (at 5 o'clock). The Senate stands adjourned until 12 o'clock to-morrow.

Thereupon the Senate (at 5 o'clock p. m., Wednesday, February 2, 1916) adjourned until to-morrow, Thursday, February 3, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 2, 1916.

The House met at 12 o'clock noon.

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

Our Father in heaven, we realize profoundly the duality of our being, that deep in the secrets of the heart is the conflict twixt the evil and the good, the false and the true, the animal and the spiritual; each seeking supremacy. Deliver us, we beseech Thee, from the one and help us to make dominant the other, putting under our feet the evil, emphasizing the good, crushing the false, exalting the true, holding back the malevolent, putting forward the benevolent, eliminating selfish ambitions, rising ever to the spirit of altruism, that we may be worthy of the trust reposed in us and grow in favor with Thee, our fellow men, and feel the thrill of an approving conscience; and Thine be the praise forever. Amen.

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

CALENDAR WEDNESDAY—CHILD-LABOR BILL.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is the bill (H. R. 8234) to prevent interstate commerce in the product of child labor, and for other purposes. The House will automatically resolve itself into the Committee of the Whole House, and the gentleman from Texas [Mr. GARNER] will take the Chair.

Accordingly the House resolved itself into the Committee of the Whole House for the further consideration of the bill H. R. 8234, the child-labor bill.

The CHAIRMAN. Without objection, the Clerk will report the amendment which was under consideration when the bill was last before the committee.

The Clerk read as follows:

Amend, on page 2, by striking out section 3, being from lines 17 to 23, inclusive, as follows:

"Sec. 3. That the Attorney General, the Secretary of Commerce, and the Secretary of Labor shall constitute a board to make and publish from time to time uniform rules and regulations for carrying out the provisions of this act."

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

The amendment was rejected.

The Clerk read as follows:

Sec. 3. That for the purpose of securing proper enforcement of this act the Secretary of Labor, or any person duly authorized by him, shall have authority to enter and inspect at any time mines, quarries, mills, canneries, workshops, factories, and manufacturing establishments and other places in which goods are produced or held for interstate commerce, and the Secretary of Labor shall have authority to employ such assistance for the purposes of this act as may from time to time be authorized by law.

With the following committee amendments:

Page 2, line 21, strike out the figure "3" and insert the figure "4." Line 25, page 2, after the word "factories," strike out the word "and."

Page 3, line 3, after the word "by," strike out the words "appropriation or other."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

The Clerk read as follows:

Page 2, line 22, after the word "or," strike out the words "any person duly authorized by him" and insert in lieu thereof the following: "Any United States marshal or deputy United States marshal."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Florida.

Mr. SEARS. Mr. Chairman, in this connection I desire simply to state that I have listened to able arguments on both sides of the House in respect to economy. With those arguments I heartily agree, and I offer this amendment, believing that the United States marshals and deputy United States marshals throughout the country, without the employment of additional help, can see that this bill is fully enforced if it should be enacted into law. I seek to place this in the hands of the Attorney General, without any reflection upon the Secretary of Labor, because under the Attorney General's department, it strikes me, would come the enforcement of this law more than under the hands of the Secretary of Labor. I am satisfied that the Attorney General of this great country of ours will see that this law is fully enforced by the United States marshals and deputy United States marshals. I do not believe it is necessary to place upon the people the additional burden of employing additional men to travel from one end of this country to the other for the purpose of enforcing this bill should it become a law.

Mr. FITZGERALD. Mr. Chairman, I hope the amendment will not prevail. If this law is to be effective, experience has demonstrated that it is necessary to employ men specially to search out violations in order to have the law properly enforced.

Unfortunately, because of other duties, I was not present last Wednesday when the bill was under consideration. I am fully in sympathy with its purpose, and I hope it will be enacted. If it is to be enacted, it should contain such provisions as will enable the Government to make it effective. The only department of the Government that will have any keen interest in having this law effectively carried out is the Department of Labor. Under its organic act that department is charged with the enforcement of laws and for the ascertainment of the violation of laws similar to this proposed one. That department has special employees to enforce the naturalization laws and the immigration laws, and this particular act, which is designed to prevent young children, because of particular employment, being so affected that their after lives will be materially impaired, can only be effectively enforced by having employed under the Department of Labor persons selected particularly to enforce it. For these reasons I hope the amendment will not prevail, but that the department will be clothed with sufficient authority to make the law of some avail.

The CHAIRMAN. The question is on agreeing to the amendment by the gentleman from Florida.

The amendment was rejected.

The CHAIRMAN. The gentleman from Florida offers another amendment, which the Clerk will report.

The Clerk read as follows:

On page 3, line —, after the word "the," strike out all down to and including the word "act" and insert the following: "Attorney General shall pay said United States marshal or deputy United States marshal for services rendered for the purpose of enforcing this act such sum or sums as he may deem reasonable and as may from time to time be authorized by appropriation or other law."

Mr. SEARS. Mr. Chairman, I believed when I introduced this amendment that the law would be more effectively enforced than it would otherwise be, and at the same time save hundreds of thousands of dollars to the taxpayers of this country. The first amendment having been voted down, I can not see there is any need of passing this amendment; but I still believe marshals should be paid an additional sum in addition to the very small sum they are now paid, and we would get better service, and that this law would be more effectively enforced if this amendment were passed than otherwise.

Mr. O'SHAUNESSY. Mr. Chairman, I wish to oppose this amendment which would take from the Department of Labor the enforcement of the law and place it in the Department of Justice. Let me say to the gentleman from Florida and other gentlemen here that in my State of Rhode Island the United States marshal's office could not very properly enforce this proposed law for the reason that the force is now overworked and underpaid. The Department of Labor is peculiarly well fitted to enforce the law, and I think the committee has done well in naming that department of the Government for the work. I am glad I am here to-day to support this measure be-

cause I have nothing but the heartiest commendation for the people who are behind this kind of legislation, whether they are in this House or outside of it. It is legislation worth while, and as I listened to the debate last week I could not help but think it was a struggle between humanitarians and lawyers, and I am with the humanitarians and against the lawyers. That impression was somewhat enforced by looking at the table where the minority of the committee were entrenched behind a small law library, and it is further enforced by the consideration of the committee's report. The minority report looks like a brief addressed to a court to preserve and take care of some special interest.

The report of the majority looks like a combined effort of uplifters, humanitarians, and legislators to make the world better and bring a little sunshine into the lives of the children. Now, there is no question in the world that child labor is a national evil and a blot upon the fair name of our Republic. I am thoroughly in sympathy with the sentiment expressed in that sentence, and I want to say here that while I believe in industry, and I believe that every community should make every legitimate effort for the upbuilding of industry, I will say unreservedly I would rather see an industry wither and die than see it built up upon the child labor of this country. [Applause.] We have a very decent child-labor law in Rhode Island, and, of course, Rhode Island is a beehive of industry. I remember well when that law was up for consideration in the Rhode Island Legislature that I happened to be upon the committee on special legislation, and we had the usual objections interposed. There were men there representing different concerns, notably the department stores, saying that it would disorganize their business.

If I remember rightly, I said, "I hope it will if it will bring about social justice, and if it will bring about better conditions not only for the children but for the women employees." I remember distinctly, when I asked them how much of a wage they paid these children, they said about 50 cents a day. And when they kept them at night there was nothing provided in the way of food or comfort for the children.

Those department stores are still doing business; no disorganization has taken place, and the law is being enforced. And let me ask why uniform legislation should not govern the subject of child labor, whose work is transported from State to State? I believe that we should equalize conditions and put other States on an equal footing with Rhode Island. Let us be just to the manufacturers. Congress has the undoubted power to regulate interstate commerce, and no more beneficent exercise of that power could be indulged in than the helping in a generous way the children of our land, who will be our future citizens.

This bill is in line with the enlightened progress of the age; in line with advanced thought. I dislike to see and hear men falling back upon the Constitution of the United States when progressive legislation is urged in this body. I have more respect for the men who framed the Constitution of the United States than to take refuge in that instrument whenever we attempt progressive legislation. [Applause.] While it may be a fact that the property interests were better represented than the poor interests by the men who made the Constitution, still I do not believe that it was ever their thought to prohibit Congress from enacting legislation that would be of benefit to mankind in the suppression of child labor. [Applause.]

Mr. TOWNER. Mr. Chairman, I move to strike out the last word or rise in opposition to the amendment, I do not care which. Mr. Chairman, I will say to the gentleman from Rhode Island that it is very unkind if he feels that he ought to deprive the opponents of this bill of the only possible objection that they can urge against its passage. There certainly would be nothing else that could be suggested that would give power to any man who desired to secure such desirable legislation. But, Mr. Chairman, I think that it may be said fairly that the lawyers are not by any means arrayed in opposition to this bill. Upon that proposition I desire to submit a few words in the consideration of this bill.

Each of the departments of government may have occasion to pass upon the constitutionality of a law. The legislative body which enacts the law must first determine whether or not the proposed measure conforms to the fundamental law. The Executive may be called upon to consider its constitutionality, and if he believes it unconstitutional veto it. The courts may be required to pass upon it when its constitutionality is challenged in a legal proceeding.

While the power of the courts to declare a law unconstitutional rests upon incontrovertible authority and is founded upon reason and necessity, it is evident that to declare the invalidity of a legislative act is the exercise of a very delicate and extraor-

dinary power, and not to be exercised or justified except in cases requiring it. In determining the question every presumption should be in favor of the validity of the statute, and it should be declared invalid only when clearly and necessarily in contravention of the fundamental law. This is the announced and approved rule of all the Federal and State courts. It has been followed in an unbroken line of decisions of the Supreme Court of the United States for more than a century. Thus in *Fletcher* against *Peck* it was held that the presumption is always in favor of the validity of a statute if the contrary is not clearly demonstrated; in the *Dartmouth College* case that in no doubtful case will a statute be pronounced unconstitutional; in the *Sinking Fund* cases that the presumption that an act of Congress is valid continues until the contrary is established beyond a reasonable doubt; and in *Pine Grove Township* against *Talcott* that a statute is not to be pronounced void upon the ground of repugnancy to the Constitution, unless such repugnancy be clear and the conclusion that it exists inevitable.

It is the duty of a court or a judge never to declare a statute unconstitutional unless it is so clearly, inevitably beyond any reasonable doubt. That is the rule not only because of the comity which should exist between coordinate branches of the Government, but also because constitutions are not intended as restraints or impediments to progress. Rather are they designed to aid the growth and development of the people. As new conditions arise new legislation is required, which is intended to benefit the people, to aid their progress, and lighten their burdens. It is to be presumed that legislative acts will help and not harm, will be beneficial and not injurious. Nothing should interfere with the exercise of that purpose except a clear violation of the people's will as expressed in their fundamental law. In the consideration of this bill the constitutionality of the proposed measure has been vigorously challenged, and Members have been told that if they have any doubt of the constitutionality of the contemplated legislation they should resolve that doubt against the measure and vote against it; that while it is the duty of courts to give every presumption in favor of the constitutionality of a law, Members of the House considering a bill should, if in doubt, resolve that doubt against the bill and vote against it. The reason given for this singular rule is that the courts considering the validity of legislative acts must assume that the legislative body has properly acted and only set aside its action on the clearest and most cogent reasons, while a legislature acting at first hand should never act when there is any doubt of its right to do so.

This course of reasoning is based upon what I consider an entirely false premise. No contemplated legislation which in the mind of the legislator is desirable should be prevented unless there is want of power to act or a restriction of the power to act contained in the fundamental law. Having determined the need of the legislation the legislator then considers whether there is any constitutional impediment. To refuse to enact a law which he has decided is necessary in the interest of the people because a doubt arises as to whether the Constitution might not interfere would bar the path of progress completely. Upon every ground of reason and sound sense the legislation ought to be enacted unless the constitutional bar to action is clearly shown. It could not be argued that reckless latitude should govern the legislative judgment.

Mr. BRITT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from North Carolina?

Mr. TOWNER. I do.

Mr. BRITT. I desire to ask the gentleman if it be true that the Supreme Court of the United States has held recently, as reported in *Two hundred and thirty-eighth*, that the digger of coal is not engaged in interstate commerce, coal being an innocent thing of itself and therefore not subject to control under the interstate provisions of the Constitution, how would the maker of a yard of cloth, which is an innocent thing of itself, be engaged in interstate commerce so as to let that product become a subject of interstate-commerce control?

Mr. TOWNER. I will be glad to answer that if I have the time.

The constitutional objection if urged should be fairly considered. But the legislator should be able to say, "I believe the legislation desirable, but the Constitution plainly forbids," before he opposes it on that ground. The constitutional obstacle should be definite and fairly certain in order to obstruct the course of legislation. To hold otherwise would be to block the path of progress. Constitutions were not made for that purpose. They are charters of liberty, rather than shackles of slavery. They are guideposts on the pathway of progress, rather than impediments and obstacles. Because that progress is orderly does not mean that it should be obstructed.

Mr. BRITT. Mr. Chairman, will the gentleman yield once more?

Mr. TOWNER. I can not take the time now, but I will yield if I can get the time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes. Is there objection?

Mr. KEATING. Reserving the right to object—

Mr. MANN. Do not object.

Mr. KEATING. I am not going to object, but I am going to endeavor to get an agreement as to the time on this section.

Mr. MANN. Will not the gentleman wait a little while? It is early in the afternoon. Give the gentlemen a chance to discuss the bill a little while, under the five-minute rule.

Mr. KEATING. I do not want to unnecessarily limit debate, but I would like to get on with the bill.

Mr. MANN. I do not think there is any difficulty about that.

The CHAIRMAN. Is there objection to the request that the gentleman's time be extended five minutes? [After a pause.] The Chair hears none.

Mr. TOWNER. Constitutional restrictions are designed to prevent interference and injustice, not to impede the onward march of civilization. As the minds of men are widened by the years, as the spirit of humanity is strengthened by enlarged vision, new means of helping the weak, protecting the dependent, uplifting the lowly, lightening the burdens of the poor will come into view. It would be a strange perversion of constitutional government if the very instruments under which these blessings should be obtained most easily should be made insurmountable walls, forever barring progress.

I hope no Member of this House, convinced of the desirability of this legislation, will be deterred from supporting it merely because its ingenious and energetic opponents have suggested doubts as to its constitutionality. They certainly have fallen far short of any convincing showing that it is unconstitutional.

Mr. Chairman, the Constitution gives Congress power to regulate commerce among the States. If this bill regulates commerce among the States, all questions as to its constitutionality must disappear. It provides that the products of child labor shall not be transported in interstate commerce; that is, in commerce among the States. It is argued that the object of the bill is not to regulate commerce among the States, but to prevent child labor within the States. But upon what grounds is that assumption based? It does not in terms provide that child labor shall not be used by any mill or factory within the State. It does not provide that goods made by child labor shall not be sold or transported within the State. It does not attempt in any way to regulate commerce within the State. All that is left absolutely, without restriction, to the State. But if products made by child labor are offered for commerce among the States, that portion of commerce, the regulation of which is expressly committed to Congress, such traffic is prohibited. How, then, can it be argued that Congress exceeds its powers? It does not attempt to interfere with manufacture within the State; it does not attempt to regulate or prohibit commerce within the State. It is only when the makers of products produced by child labor seek to embark in commerce among the States that congressional regulation becomes operative. It is only within that field of operation which the Constitution expressly commits to Congress that this bill takes effect.

But it is argued that the ulterior purpose of the bill is to interfere with the police power of the States. Many times the Supreme Court has held that the ulterior effects of the operation of an act will not defeat its purpose if that purpose is within the constitutional power of Congress.

In a decision handed down January 10, 1916, interpreting the food and drugs act, Mr. Justice Hughes, delivering the opinion of the Supreme Court, considered the objection that the measure, although relating to articles transported in interstate commerce, was an encroachment on the reserved rights of the States. He said that the objection was not to be distinguished in substance from that which was overruled in sustaining the white-slave act. There it was stated that—

if the facility of interstate transportation can be denied in lotteries, obscene literature, diseased cattle and persons, and impure food and drugs, the like facility could be taken away from the systematic enticement of and enslavement in the prostitution and debauchery of women.

Justice Hughes then adds:

The court concluded with the reassertion of the simple principle that Congress is not to be denied the exercise of its constitutional authority over interstate commerce and its power to adopt not only means necessary but convenient to its exercise, because those means may have the quality of police regulations.

Applying that reasoning to the present case, may it not fairly be said that Congress shall not be denied the exercise of its constitutional authority over interstate commerce because it may result in the exclusion of the products of a State which are produced by child labor? Neither will it be defeated in its endeavor to regulate commerce among the States in the interest of all the people of all the States merely because that regulation may run counter to the police laws of individual States. [Applause.]

Mr. REAVIS. Mr. Chairman, I am glad, indeed, of the opportunity of saying a word in favor of this bill.

I was very much impressed the other day with the address of the gentleman from Illinois [Mr. MANN] wherein he stated that in the arts of peace the time had come for this Government to put its house in order, that it might be sufficient unto itself if the evil days should come. I have been pleased at the opportunity of supporting measures that looked to the conservation of water power, of oil, and minerals; but, Mr. Chairman, the greatest asset possessed by this Nation is not water power, nor oil, nor minerals—the greatest asset possessed by this or any other nation is the youth of the land. [Applause.]

I was delighted at the statement made by the gentleman from Georgia [Mr. HOWARD] that he was going to resolve all of his constitutional doubts in favor of the childhood of his State. I want to say, in fairness to him and the State that he represents, that the conditions disclosed by him with reference to children being forced into the factories by "drunken daddies" is not peculiar to the State of Georgia, but obtains in every State of this Union to a greater or less degree. And if the time is now here when the natural guardians of children will not protect them from labor of this character, then the time has come for this great Government to interfere in behalf of those children and supersede, in some measure, the authority that is being abused by their natural guardians.

Mr. BRITT. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from North Carolina?

Mr. REAVIS. I must decline to yield; I have only five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. REAVIS. In conversation the other day I heard the statement made that in the environment in which many of these children live, with the limitation of their horizon, with the blood that was in them, there was not much hope for their future. Mr. Chairman, you and I, who judge superficially, have no right to pass judgment upon the future of a child. You and I, who see only externals, have no right to place limits on the souls of children. Down deep in the subconsciousness of the childhood of America lies embryonic greatness that requires only just legislation on the part of the Government to give it a chance to develop. If you and I had been walking the streets of St. Louis in the early fifties and had seen a short, heavy-set, silent man standing in the drizzle of an early fall evening by the side of his load of wood seeking a possible purchaser, as I have seen them in my home city times without number, we might have pitied him that he had no chance; and yet within the course of a very few years the crowned heads of Europe were doing homage to Ulysses S. Grant, the wood hauler of St. Louis. [Applause.] If you and I had been in the wilderness of Kentucky a hundred years ago and had seen a plain-faced, unkempt little lad studying his book by the brushwood fire, we would have pitied him because of his limited opportunity; and yet the time came when not only the people of the United States, but the people of the civilized world created of Abraham Lincoln their patron saint—the plain-faced, unkempt little boy who read by the brushwood fire. [Applause.]

Why, Mr. Chairman, if you and I had walked the streets of Bethlehem some 2,000 years ago and had seen a brown-eyed, brown-haired little Lad following His father, the carpenter, we would have pitied Him. But the time came when the earth trembled, when the sun hid its face from the tragedy on the mountain, and to-day, after the passing of 2,000 years, the civilized world bows in adoration at the feet of the Christ, the brown-eyed, brown-haired little Lad who followed His father, the carpenter. [Loud applause.]

The CHAIRMAN (Mr. GARNER). The time of the gentleman has expired.

Mr. REAVIS. Mr. Chairman, I ask unanimous consent to proceed for four minutes more.

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

Mr. REAVIS. The great need in America to-day is the development of individual character, and you can not develop character in the childhood of America by making them beasts of burden.

If I may be permitted the relation of an intimate incident that occurred in my district late last fall, I will say that by reason of being caught in a storm on the public highway and because my automobile insisted on parking itself in a ditch I was compelled to throw myself on the hospitality of a farmer for the night. And after supper was over—for we call it supper out there—and the supper dishes had been done away we repaired to the sitting room in that farm home. On one side of the stove the father was reading his paper, and on the other side the mother was doing her sewing as she talked to me. As we sat there three white-clad little figures came quietly into that room and knelt by their mother's knee and recited the prayer that has been the litany of this race for more than a hundred years:

Now I lay me down to sleep.

In the eyes of the mother was a holy look. The father, through half-closed lids, seemed to be seeing in the distant future a vision of his little boys and girls, grown to be men and women, doing their part in the work of the world, performing the duties of citizenship. I walked to the window and looked out on the quiet country night and saw the stars swing out through the broken clouds of a dying storm. I heard the patter of baby feet up the stairway, with the mother following in their wake, and the thought came to me, Mr. Chairman, and the thought is with me now, that the strength of this Nation lies not in the vulgar noise and turmoil of your great cities; the strength of this Nation is not in the lights and music and fair faces of State receptions; the strength of this Nation is not in a mighty Navy nor a far-flung battle line. The strength of this Nation, its promise of to-day, its fulfillment of tomorrow, lies in the teachings that are being given to the youth of the land in the Christian homes of America. [Applause.]

I would take the children from the factories and the mines and put them in the schools where they belong that they may be equipped for the future. I would take these children from the mines and the factories and place them upon the playgrounds where bent and wasted bodies may be restored to health and strength. I would have this Government, through this Congress, say to the man of greed and avarice, whoever he may be, wherever he may be, "No more, no more, except you choose to become a criminal under the laws of your Nation, shall you be permitted to coin dollars from the fair white body of a child." [Applause.]

Mr. SMITH of Michigan. Mr. Chairman, I wish to express my approval of the purpose of this bill. I have listened with marked attention to the discussion of the Members here upon the floor of the House; and I have failed yet to find a single Member who has risen and said that he was not in favor of prohibiting child labor under certain restrictions. This being true, now is the time to vote as you speak.

It seems to me that the purpose of this bill is best for the child, it is best for the Nation, and it is best for the State, for in the welfare of our children do we find the welfare of our Nation. And it occurs to me this bill is based not only upon the health of the children, but as well I can not see how a little child of immature years can stay in a cotton mill, with the windows closed, breathing the atmosphere that is filled with lint, and such labor not be derogatory to the child's health.

We are confronted here with the idea on the part of some Members that this is an attack against an industry of their States. A great majority of the States of our country have legislation similar to the legislation contained in this bill; and may I say that under this bill any State can manufacture goods with child labor or female labor if they wish, but if they do manufacture goods with such labor they should keep that product in their own State and out of a State that forbids the employment of child labor in the manufacture of goods produced therein. I herewith incorporate in my remarks the provision of the bill referring to child labor:

Be it enacted, etc., That no producer, manufacturer, or dealer shall ship or deliver for shipment in interstate commerce the product of any mine or quarry situated in the United States which has been produced, in whole or in part, by the labor of children under the age of 16 years, or the product of any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States which has been produced, in whole or in part, by the labor of children under the age of 14 years or by the labor of children between the ages of 14 years and 16 years who work more than eight hours in any one day or more than six days in any one week, or after the hour of 7 o'clock p. m. or before the hour of 7 o'clock a. m.

This legislation is opposed on account of contravening the Constitution, but I think, Mr. Chairman, that the court, when it comes to that question, will decide in favor of the welfare of the child under the clause to provide for the general welfare of the people. But the Constitution specifically provides that Congress shall have power to regulate commerce between the States. The right of Congress to make this legislation is full

and ample. The bill will not affect my State, as we have similar laws.

Some seem to think it is an attack on the rights and prerogatives of their States. I am inclined to think they are wrong. Twenty-seven States have laws prohibiting children under 14 years to work in factories or mines, and it is not plain to me why any outside State should ship goods into a State that prohibits the manufacture of goods by such labor within the State itself. Michigan is one of the States that prohibits a child under 14 years from working in its mines or factories. Why should it prohibit such children from working in its mines or factories if it permitted goods made in other States by children within such age to come in and be sold in its markets? I think the uniform law provided in this bill will tend to make better relations between all the States—North, South, East, and West. And, Mr. Chairman, during immature years, when the child should be fitting itself for the great work of citizenship of this Republic, there is a place far superior to the mine and the factory for those of tender years. For those reasons and others I am in favor of this legislation. [Applause.]

Mr. DILLON. Mr. Chairman, this bill makes it unlawful for the producer or dealer to make interstate shipment of products produced in whole or in part by child labor. Under its terms, first, children under the age of 16 years are prohibited from working in mines and quarries; second, children under 14 years of age are prohibited from working in mills, canneries, workshops, factories, or manufacturing establishments; third, children between 14 and 16 years of age can not be employed more than eight hours per day; fourth, children under 16 years of age can not be employed at night.

The bill seeks to outlaw products made in violation of the act from interstate shipment. The Attorney General, the Secretary of Commerce, and the Secretary of Labor constitute a board to provide uniform rules and regulations for carrying out the provisions of the act. Authority is granted to the Secretary of Labor, or any person duly authorized by him, to enter and inspect, at any time, mines, quarries, mills, workshops, factories, manufacturing establishments, and other places where goods intended for interstate shipment are being manufactured by child labor. It further provides that no dealer shall be subject to a conviction who shall establish a guaranty, issued by the manufacturing establishment, to the effect that the act had not been violated by the employment of child labor.

Fifteen years ago the policy of most of the States permitted children over 11 years of age to be employed in the factories. There was then scarcely any system of inspection in any of the States. Night work was everywhere permitted. Many States had no laws at all protecting the child in the factory.

The 1900 census contained the startling data that 30 per cent of those that labored in the cotton mills of the South were under 16 years of age. Also, that many children were working in the factories at the age of 6 years. Great changes have taken place for the betterment of conditions of children working in factories since that date. Nearly every State has now some kind of child-labor law.

Public sentiment exists everywhere favoring better conditions for children working in the factories. Only a few years ago one State refused to pass a law for the protection of the children. The law being placed before the electorate on the initiative was passed by a vote of 75,000 to 25,000.

Even where commendable laws were passed it is shown in the hearings that such laws were generally violated, and in some instances the legislatures have lowered the age limit from 14 to 12 years.

It was also developed that many of the factories had lobbyists working against such measures; that 86 per cent of the population of the United States by States has now adopted a 14-year age limit; that 85 per cent of the population of the States have legislation that prohibits children under 16 years of age from doing night work, while 50.6 per cent of the population of the States are committed to the standard of eight hours per day for children who work in the factories. It also appears that eight-hour-per-day laws are but feebly and poorly enforced.

The Census Bureau in 1900, at a time when South Carolina had no child-labor law, gave the following figures for two counties having factories in that State, showing the number of children employed in factories and the number attending school, viz:

Age.	In school.	Em- ployed.
7 to 9 years	251	147
10 years	79	351
11 years	50	391

After the 12-year age limit went upon the statutes the majority of the children under 12 years were found in school; but when the age limit was reached the children graduated from the school to the factory, there to labor under the most unfavorable conditions, affecting health and physical and moral development.

It is estimated that in this State about 1,500 children under the age of 12 years were employed in the cotton mills. It is also said that 50 per cent of the factory children were illiterate, and that the death rate of the operatives and the nonoperatives was greatly in favor of the latter.

On March 28, 1914, a canning factory in Maryland had in its employ 37 children ranging from 4 to 14 years of age. Who can doubt the fact that these children would be wonderfully benefited by the passage of this act.

It must be remembered that the children who are forced into the factories have no chance for education, no opportunity to equip themselves for the struggles of life. The system brings down the wages of the men. The adult wage is largely measured by the child's wage.

This widespread evil should be wiped out and every child should be given an education and fitted for the duties of citizenship. It becomes the duty of a great nation to protect the children from exploitation, that they may have a fair and equal opportunity for development. If the child must be placed under stress and crushing conditions that cause physical, mental, and moral decay, so must the nation to that extent be injured. The Government must ultimately rest upon the shoulders, hearts, and consciences of the coming generation.

CONSTITUTIONALITY.

Much has been said against the constitutionality of the proposed bill. Under the early decisions of the United States Supreme Court this bill probably would have been declared unconstitutional. Our court in recent years has been giving a broad meaning to the interstate-commerce clause of our Constitution in so far as public health, public morals, and the welfare of the people are concerned.

Many cases are cited to show that production is complete before commerce begins; that there is no connection between production of merchandise and commerce of the same; and that the article is not a part of interstate commerce until it is on its journey to another State.

Section 8, Article I, of the Constitution provides:

The Congress shall have power * * * to regulate commerce with foreign nations and among the several States.

The power granted is direct, without limitations or exceptions. Congress may regulate commerce among the States for the purpose of promoting public health, public morals, and general welfare of the people.

The Congress may adopt any means to put into force and effect the power granted them by the States, even if such legislation may to some extent constitute a police regulation within the State in so far as it may affect commerce. The very object of vesting this power in Congress was to create uniformity in the regulation of commerce between States so that one State could not adopt and maintain a policy offensive to the morals of the people of another State.

Under the provision Congress can deny to the citizens of one State the right to use the channels of commerce into other States when their methods in competition or in the production of the article of commerce are unfair and unjust to the people of the other States.

Many States have passed humane laws affecting child labor. Some have passed laws in a limited way while others have no laws at all. Certainly Congress should have the power to deny the citizens of one State the right to traffic in interstate commerce goods when they have adopted false and inhuman policies inimical to the health, morals, or welfare of the people.

The right exists to protect the people from unfair discrimination, from unlawful combination in restraint of trade; and in order to reach the evil Congress denies the offending operator the right to interstate transportation.

Child labor in the factories is offensive because articles are produced under conditions that shock the conscience, under conditions that are crushing the lives and injuring the health of the children.

No one should be permitted to pursue evil practices as a matter of right. Because of such fact Congress has the undoubted right to overthrow a bad system that is crushing out the health and lives of the children.

The Lottery Ticket case fully sustained the provisions of this bill. In that case it was said, in effect, that the State may for

the purpose of guarding the morals of its people forbid all sales of lottery tickets within its limits. So Congress, for the purpose of guarding all the people of the United States against this widespread pestilence and for the purpose of protecting its commerce, may prohibit the carrying of tickets from one State to another.

This decision was not made on the ground that the Government should protect the buyer of the ticket, but on the broad ground that it violated the morals and public welfare, not the individual morals, but the public morals.

If the State may take knowledge of the widespread evil of child labor, then why may not Congress as to interstate-commerce matters do so? If it is wrong in the States, why is it not wrong in the commerce between States? If it is right to prohibit child labor in one State, why should it not be prohibited in all the States? If the wrong should be driven out by the legislative power of a State, why should it be permitted to take refuge in another State?

The interstate-commerce clause allows Congress to strike at the evil in all the States by denying the product of this system the right to be sent in interstate commerce. The court sustained the lottery act because the institution was offending the morals of the people. It sustained the Mann White-Slave Act, which took away the facilities of interstate transportation from those engaged in prostituting and debauching women and girls.

Obscene literature offends the morals. The fear of contagion from diseased cattle offends public health. Impure foods and drugs are injurious to health. Misbranding of goods perpetrates a fraud. Antitrust laws have been sustained on the ground that the offending combinations should not be allowed to use interstate-commerce channels because they were engaged in a wrong. All of these have been declared to be offensive to commerce between States, and Congress has entered upon the duty of keeping the channels of transportation pure and free from these evils which affect health, morals, and public welfare.

Why, then, should goods manufactured under conditions that deprive children of health and education, under conditions that shocks the conscience of the Nation, be allowed to pollute the free channels of interstate commerce? [Applause.]

Mr. WEBB rose.

Mr. BRITT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair will state that he has agreed to recognize the gentleman's colleague from North Carolina [Mr. WEBB].

Mr. WEBB. I am perfectly willing, Mr. Chairman, that the Chair should recognize my colleague from North Carolina [Mr. BRITT].

The CHAIRMAN. Very well.

Mr. BRITT. Mr. Chairman, I yield to no gentleman on this floor in my earnest and sincere advocacy of all just and proper laws for the protection of tender childhood. But, gentlemen, I ask that that authority be exercised by the powers to which it is delegated under the Constitution of our country.

Can it be that gentlemen here believe that this Congress has the power to pass a law which will permit what is provided for in section 2 of this bill? Under its provisions if a negro boy, a water carrier, carries water to the employees who make the products of the factory one time and one time only, he being under the age of 14 years and within the provisions of this bill, then the entire product of that factory for 60 days, although it may be \$1,000,000 worth of its products, can be boycotted and obstructed and its removal prevented under the provisions of this act.

Is there anybody here who believes that the Congress of the United States, under the Constitution, has the power thus to invade the reserved powers of the States and control the production and removal of an article absolutely innocent in itself? Why, my distinguished friend from South Dakota [Mr. DILLON] says that we have the power to prevent immoral women from being transported from one State into another State. Of course we have, because they are injurious to the morals of that State. He says also that we have the power to prevent impure drugs and food from being transported from one State to another. Certainly we have, because they offend the health and decency of that State. But I ask any gentleman on this floor to name in all the decisions of the Supreme Court of the United States a single case where it has been held that an article, absolutely innocent in itself, not offending in the place where it is proposed to ship it, not hurting its morals, not hurting its people, has ever been held by the Supreme Court of the United

States to be subject to control by this Congress under the interstate provision of the Constitution of the United States?

Mr. DILLON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. BRITT. Certainly.

Mr. DILLON. I would like to ask the gentleman how does he distinguish the cases where the courts hold that they have a right to prohibit combinations from exercising the right to transport their goods in interstate commerce?

Mr. BRITT. I shall be glad to answer that. It comes under and applies to an entirely different provision of law, under an entirely different principle of public policy, where there are combinations against the public interest, and is not in line with the making of an innocent article. But in this case your bill is directed against the production of a clean, harmless, healthy, and moral article, and you propose to go into the heart of a State and take the power of that State and transfer it to this Congress. Republican as I am, Hamiltonian as I am, I can not approve it. It would make Alexander Hamilton turn over in his grave to think of the exercise of such power by the Federal authority. I favor all just, necessary, and proper laws for the regulation of child labor. I do not want the innocent child worked too long; I want him in school; I want his little limbs, body, mind, and soul conserved and protected; but I want it done by the only authority that knows how to do it.

Take my State, for instance. In one place it is wood manufactures; in another it is cotton goods; in another it is wooden novelties; in others it is pottery; in others it is the thousand and one little things that we make; all of them perfectly innocent and harmless in themselves. You make no distinction; you abolish child labor of any sort, even where it would be a pleasure for the child to get to work. You propose one blanket law for North Carolina, South Carolina, Florida, and every other State, and you do not attempt a defense of its constitutionality; you virtually admit that you have no authority to do it; but you want to make those States that have not yet made laws in harmony with your views enact them anyway, whether they meet local conditions or not. True, we have not yet done all we should do. We have not yet done all we should do in North Carolina, but we are advancing. This movement is an evolution. We are rising to the situation. Our vision is being clarified. Leave us to ourselves. It is our problem. We are equal to it. To protect our children is our right; it is our duty. This Congress has neither the power nor the duty. We have both. Leave us to our appointed task.

Gentlemen, I am in favor of protecting the child. All my life long I have been his friend, and I shall always be; but I also respect those rights that have been reserved by the Constitution to the several States of this Union, and so long as I am a Member of this Congress I shall, under my oath, give my vote for the protection of those rights. [Applause.]

Mr. WEBB. Mr. Chairman, I noticed the enthusiasm of my friend from New York [Mr. FITZGERALD] for this bill. I fear there is a good deal of false sentiment that has been created by a well organized and financed child-labor committee, and I fear that many Members are going to vote according to that sentiment. I do not like to have a man attempt to pluck the beam out of my eye until he gets the mote out of his own. I do not like to have the gentleman from New York commend the provisions of this unusual revolutionary measure, because he thinks probably that it will hit somebody else, until he cleans around his own door. I want to read just a few extracts from a recent report by Mrs. Nathan, head of the Consumers' League in New York, and I want to say that these things which she relates are taking place right under the very noses of the National Child-labor committee, backers of this bill, with its head offices at 105 East Twenty-second Street, New York. And I want to say before I read this that I defy any man, North, South, East, or West, to find anything remotely approaching such horrible conditions in North Carolina or in any one of the four States that seem to be under attack.

MRS. NATHAN FINDS BABIES WAGE SLAVES—CONSUMERS' LEAGUE HEAD TELLS OF ABUSES IN ARTIFICIAL-FLOWER INDUSTRY FOUND IN YEAR OF INQUIRY—CHILD OF 4 WORKS 14 HOURS A DAY IN TENEMENT—WOMAN TOILS FROM 6 A. M. UNTIL MIDNIGHT.

Shocking details of child slavery in this city were unfolded yesterday by Mrs. Frederick Nathan, president of the Consumers' League.

Her story, the result of a year's investigation by the league, was told in the Harris Theater before a large audience. She related instances of long hours in dingy tenement rooms for a few cents, which led in every case to the sanitarium and then the grave.

Mrs. Nathan's report follows:

"The most important investigation made by the Consumers' League in the last year was a comprehensive study of the artificial-flower trade in tenement homes.

"The labor law of New York State says: 'No child under the age of 14 years shall be employed, permitted, or suffered to work in or in connection with any factory in this State.' Yet in many families everyone, even down to the tiniest children, was found at work."

"In one home on a Saturday morning, four children of 10, 9, 6, and 4 years were found sitting by a table near the one window, making cherries. They had been there since 6 o'clock, and worked each day until 8 o'clock."

"No child above 4 or 5 is considered too young to work. Six-year-old boys and girls were found separating petals or pasting leaves on stems. One baby of 2½ years was found seated in a high chair, by his mother's side, pulling apart the petals which had been sent from the factory packed between gauze which must be separated from the petals."

"Another woman worked from early in the morning until 10, 11, and 12, and sometimes 1 and 2 o'clock at night. She had no children, and her husband, who was out of employment, did her housework in order that she might devote all her time to the work."

Now, there are a great many of these idle-rich, sentimental, good-hearted women who help out the child-labor committee agitation who want to press this bill through Congress, who next Sunday will probably wear upon their beautiful hats flowers made by the children slaves there in New York City.

To work long hours in a factory—

Says Mrs. Nathan in her report—

To work long hours in a factory surrounded by the whirl of machines and the confusion of many workers has its decided disadvantages, but when long hours are combined with work in these crowded, cluttered, often ill-smelling and dirty homes, almost any factory would be preferable.

Family after family was found where one or more of the members had "a cough and was going away to get well," where children had died of "a bad cold," or the father had been in bed for six weeks with "throat trouble." The toll of tuberculosis in these dark and unhealthy tenements is very great.

One woman was found whose three oldest children had died of the dread disease within nine years in the same house where she and her 11-year-old girl were then at work on flowers. One of her daughters was even then at the State sanitarium, and the little girl was soon to be sent away to "get over her cold."

CONTAGION INEVITABLE RESULT.

In one tenement a scarlet-fever sign adorned an open door and children from other homes were running in and out.

If goods are made in homes where dirt and filth are prevalent, or, worse still, where disease is so often found, contagion is the inevitable result. Case after case has been found where disease germs have been carried from the filthy tenements to the homes of the buyers of these tenement-made goods.

The danger to the consumer is great, to society perhaps even greater. The stunted, anaemic children whom we see in almost every tenement home can not but grow up into stunted, anaemic adults.

The price paid for the work is so excessively low that the possibility of living on it is out of the question. Prices vary from 2 cents a gross for pasting leaves on stems to \$1.40 a gross for making flower wreaths.

FAMILIES GET 60 CENTS A DAY.

One family was found in which three women working on flowers made together \$4.30 every 15 days. They made forget-me-not wreaths and received 7 cents for one dozen wreaths. Families were found whose combined earnings were only 60 cents a day.

If, therefore, we wish to prevent child labor, to conserve the health of the dwellers in tenements, to protect the consumer from the danger of contagion, and to safeguard society, we must stand for the absolute prohibition of tenement-home manufacturing.

I commend that severe arraignment of the conditions in the tenement houses to my friend from New York and to the National Child Labor Committee, and I defy him and them to point to a factory in the entire South where such horrible conditions have ever prevailed or ever can prevail.

Mr. BARKLEY. Will the gentleman yield?

Mr. WEBB. I will.

Mr. BARKLEY. Does not the gentleman think the passage of this bill would help to cure the conditions he has just recited?

Mr. WEBB. Not a particle. Tenement-house work is not included in this bill. If I offered an amendment to strike at these tenement hell holes, this House would vote it down, as they did some similar amendments. I offered an amendment touching the white-slave traffic in Chicago, and the House voted it down without even giving it consideration. You can not put an amendment on this bill that would strike the horrible tenement holes where men, women, and little children are dying of tuberculosis and scarlet fever. If you can, why do you not strike them? There is a very fertile field in New York City, and there are others in Boston and other big cities where the evils are far more terrible than in the sanitary and well-conducted cotton mills throughout the South. [Applause.]

Mr. RAGSDALE. Mr. Chairman, I was much impressed by the splendid tribute of the gentleman from Nebraska [Mr. REAVIS] to the boys whom he named here, who performed such great services as boys and as men for their homes and for this Nation; but it seemed to me, Mr. Chairman, the gentleman has overlooked one little feature that should have had his attention in paying that tribute to these boys, and that was the fact that these boys, raised by poor mothers, were taught as boys the

necessity for contributing to the support of the family. [Applause.] He has picked out boys who have made their names illustrious in the history of this country, but he has overlooked the fact that he has not named a single boy who did not have to work as a boy. It does not detract from their greatness that these poor boys made their own way; why does not the gentleman devote himself to the proposition that it has not retarded the development of these boys in any way, but has made them men sooner, in that they learned as boys to take care of themselves. And, Mr. Chairman, he has overlooked absolutely the call of the mother in this instance. When he pays his tribute to childhood, I say to him that if he would go through all the world and take all the languages he can find, and pick out the one word that stands higher than any other in the estimation of American manhood, it is the name of mother; and where you find a widowed mother in want, unable to support herself, I ask the gentleman is he doing right and justice to take these boys and these young women who are capable of earning their living, working in warm climates where the windows are open and where they can toil in safety to themselves, is he doing right to throw them out of honest employment and offer them all the temptations of vice without offering them any other honest livelihood? What positions do you offer them? What opportunities for education do you give them? What advantages do you propose to offer them? Absolutely nothing. You throw the restrictive arm of this Government between them and opportunity. You leave wide open the ports of entry from all the world, and you bring to this country the products of child labor from every country in the world and sell them in my home State and in all the States of this Union without any restriction whatever. The fact that these products are made in hell holes, that they are made by children under 10 years of age—all of these conditions are known to you, but not one single thing do you do to protect American labor against child labor abroad. You take your sweatshops located in New York and Massachusetts, and other States, and produce articles there by child labor, and send them where you will. You also take the raw products from every State in the Union, grown, raised, and produced by child labor, and you bring them from one State to another and put them in your factories and manufacture them as you will, and do you try to keep them out? No, you do not. Arrogating great virtues to yourselves, you lay an inhibition on commerce, you restrict us and injure us for your own selfish purposes, being unwilling to go far enough to do anything for a result that injures you to any degree.

Mr. SNYDER. Mr. Chairman, in the recent discussion of the child-labor bill the gentleman from Tennessee [Mr. AUSTIN] made some remarks which, it seems to me, deserve attention, especially his brief summary relative to the production of cotton and knit goods at home and abroad. In the first place, Mr. Chairman, he pointed to the fact that 525,000 women and girls and 66,000 men and boys were engaged in the manufacture of these textiles in Japan alone. He also showed that these workers were paid from 8 to 15 cents per day, and viewed with much alarm the competition the Far East is building up against American manufacturers.

While I can, in the main, corroborate by personal observation his statement as to these conditions in Japan and China, I can see no immediate cause for distress as to direct competition from that source in this country, unless the European war reaches an early termination. None of these articles are being exported to America to-day, and in 1917 I am certain a Republican President and a Republican Congress will see to it that all danger of unfair competition in foreign, cheap-labor-made textiles is promptly subdued. [Applause on the Republican side.]

No, Mr. Chairman; the competition of Japan and China in the cotton and knit goods industries does not so much concern the northern manufacturer at this time as do the conditions in our own country, which this bill will seek to terminate, if enacted.

In my mind, I might say in passing that I might not agree with all the provisions of this bill. I might be willing to agree that children in States without compulsory educational law were in less danger at early ages if engaged in some light employment rather than to become exposed to the dangers and temptations of idleness and perfect freedom of their desires and fancies. Suitable employment is not always a dangerous element in the life of a boy or girl, and brings sometimes experiences which are valuable in their after years; but to conserve their abilities by education and enlightening surroundings and environment is far better, in the last analysis, if this element of improvement and good citizenship is at hand and properly employed.

Mr. Chairman, the gentleman told us that in his district there are 2 cotton plants and 15 knitting mills, in which the wages range from 50 to 60 cents per day for beginners and from \$1 to \$1.50 per day for skilled workers. In my own district there are more than 100 of these industries. There the lowest wage is \$1 per day, and the highest for skilled labor is upward of \$3.50 per day, with an average wage of about \$1.75 per day. We have a child-labor law which provides for a minimum age of 14 to 16 years; we have compulsory education laws; we have workmen's compensation laws, which not only guard and protect the family of every worker, but which have inculcated and emphasized that wonderful principle of "safety first" among both employers and employees. All of these enactments have made gratifying changes in working conditions and have assisted potently in cementing a friendship between the workers and their employers which was not dreamed of when the laws cited were placed in operation.

Here, then, is the competition which is feared and must be met. The argument of the gentleman from Tennessee relative to the situation in Japan returns with far more force to the situation at home. His own statement proves that by reason of freedom in the matter of child labor his mills are turning out their product at about 100 per cent lower labor costs than are we of New York. He is located in the center of the production of the raw material, while we pay liberally for its transportation to our far-away industries.

Therefore, is it a source of wonderment that we of New York favor the enactment of this law? Is it a source of wonderment why some of our southern friends and neighbors oppose it? Their business interests will not suffer so greatly as they appear to fear should this measure become law, and they will enjoy the benefit of their enviable location.

The northern manufacturers, too, will be better contented to know that the present so-called unfair competition in their own country has been largely done away with, and that the southern manufacturers, on the plane of labor cost at least, have no advantage over them. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I think it is an unfair assumption on the part of some of the advocates of this bill that those who are opposed to it favor child labor. I know that, so far as I am concerned, I am opposed to this bill, but in the only speech I ever made on the subject in my own State I advocated the enactment by the Legislature of South Carolina of a law prohibiting absolutely the employment of children under the age of 14 years. According to the majority report there are but four States in the Union in which this standard provision does not prevail, so that it is boiled down to a question here whether the Congress will force those four States now to adopt the 14-year provision or whether it will allow those States to progress gradually toward the adoption of that 14-year age limit.

Now, I know that in the majority report they have quoted with approval of the committee the statement of Miss Florence Kelley that in South Carolina after the enactment of the 60-hour-a-week law the legislature evidently decided that it was too liberal, and increased the period of work from 60 to 66 hours a week. I have no doubt that that good lady was sincere in that statement; but the fact is it is untrue, for the age limit has not been increased; and the history of this legislation in all the States of the Union will show that there has been a gradual progress toward the adoption of stricter laws for the protection of children.

In the State of South Carolina that has been true. It was but a few years ago when there was no labor law for the protection of children, but gradually they have adopted laws prohibiting night work, prohibiting the work of children under 12, and allowing the work of children between 12 and 14 years of age only where permit is secured from the State for their employment. Under that provision, according to the report of the secretary of labor of South Carolina, which I hold in my hand and which with permission I will put in the Record, there has been a gradual tendency away from the employment of children. Every year there has been a reduction in the number of children employed in the textile industries in South Carolina. So I contend that, if left to the States, the States themselves will correct what you believe to be a national evil.

My good friend from Georgia, Mr. HOWARD, referred to the fact that Georgia has adopted a child-labor law. It was only a few years ago that I heard on this floor Members criticizing the State of Georgia for not adopting a child-labor law. Now they have one, and he tells us that progress is being made. In South Carolina that is true also. Now, why should Congress attempt to enforce its ideas of what a standard provision should be, without having knowledge of the local conditions, instead of

allowing these people to pursue their progress toward a standard law? You may say, "If what you say is true, what objection have you to this bill?" I have this objection: My people believe in local self-government; they believe that that legislation is best which is founded upon accurate information, and that accurate information can be secured only by those who are familiar with the local conditions. I may say that the Legislature of South Carolina is now in session, and a bill has been introduced to raise the limit to 14 years, and there is a good chance of its being adopted; but even if it is not adopted, I contend that it is better to leave the matter of regulation to the several States rather than have Congress force them to adopt the provisions of this bill whether they want to or not.

The report of the commissioner of agriculture and industries for the State of South Carolina for the year 1915 contains the following reference to the child-labor situation:

The child-labor situation in June was still continuing to lead away from the employment of the young child, even though those between the ages of 12 and 14 years of age are allowed under the law to work. At that time, as compared to last year, there were 219 more white boys and 263 more white girls between the ages of 14 and 16 years in the mills than there were the year before. Between the same ages the negro males decreased by 23 and the negro girls by 6. There were 223 less white boys between the ages of 12 and 14 in the mills this year than last year and 116 less white girls between the same ages than last year, and there were 20 less negro boys and 5 less negro girls between the ages of 12 to 14 than at the same time last year.

Summarizing the child-labor situation, the increase in children were all white children between the ages of 14 to 16, totaling 482 in number. The decreases were in children between the ages of 12 to 14. Of these, 339 were white children and 25 colored children, and then there were 29 colored children less between the ages of 14 to 16. The total decrease, therefore, in child labor amounted to 393, of which 339 were white children between the ages of 12 and 14. There were in June, therefore, only 7,425 children under the age of 16 employed in the textiles of the State of South Carolina, and of these 4,582 were above the age of 14 years, leaving only 2,843 between 12 and 14 working under permits granted by the State under the law. Most of these latter number were rapidly approaching the age of 14. Just one year before there were 4,100 white children between the age of 14 to 16 and 3,182 between 12 to 14.

It is easy to see from the figures given above that there was during the first six months of 1915 a rapid drift away from the employment of the child that is under the age of 14 years. Considering the industrial situation in the State as a whole, nothing could be more gratifying than this very fact.

Mr. McKELLAR. Mr. Chairman, I ask unanimous consent to proceed for eight minutes in stead of five.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for eight minutes. Is there objection?

There was no objection.

Mr. McKELLAR. Mr. Chairman, having read the opinion of our Supreme Court in the Lottery case, in One hundred and eighty-eighth United States, I have no doubt whatever about the constitutionality of this measure. The question of constitutionality, then, being out of the way, the only other question is whether this Congress shall exercise its power for the protection of innocent children by passing this act. I believe it should, and I believe that if we pass this bill the power of Congress will have never been used for a higher, nobler, or better purpose. [Applause.]

Mr. Chairman, I do not believe that any child under 14 years of age, or even under 16 years of age, should be permitted to work in mines, quarries, workshops, or factories, and I believe that it is the imperative duty of Congress to use all its powers to prevent this inhuman system of child labor in whatever parts of our country it may now be permitted.

There are but two reasons for child labor. One is that children can be employed cheaper than adults and thereby their employers can make more profits out of the particular business in which they are employed. The other reason is that inhuman parents are willing to put their little, innocent, helpless children into slavery in order to avoid working themselves. This fight, therefore, is a fight of helplessness and innocence on the one side against inhumanity and greed on the other. We have long since made the slaves free. We are fast freeing the women from conditions that are degrading to sex and motherhood and womanly development. Surely, it is time that we were breaking the shackles of slavery from the young children of our land. The very life of the Nation is dependent upon the mental and physical vigor and the unhampered development of the children of the Nation. This physical and mental vigor can not be had if they are permitted or forced to work long hours in mines, quarries, factories, or workshops. I am told that there are more than 2,000,000 of children in this country under 14 years of age slaving and toiling their young lives away in these institutions in order to bring greater ease and comfort to inhuman parents and in order to satisfy the greed of inhuman masters. In my view life is more important than property, and surely

innocent, young life, just budding, blooming, and quickening life, is the most important of all life, and, in my judgment, it is our solemn duty, and it ought to be our highest privilege, to protect and defend this kind of life with all the power of our great Government. [Applause.]

Again, Mr. Chairman, the greatest adornment of life is education. The one main chance to get an education is in youth. If it is not well under way by the time the child is 14 years old it is rarely ever obtained. Oh, my colleagues, what right have we to permit others to take away from these young children that one chance to lift themselves to higher and better things?

You gentlemen who are fighting this bill, whether on constitutional grounds or whatever grounds, think well before you cast your votes against the little children. I know you are high-minded men. I know you are strong men. I know you are patriotic men. I know you are sincere and honest men. But do not let your well-trained minds dry up the generous impulses of your hearts, and I urge you to think long and soberly before you vote to shut the door of hope to these 2,000,000 young children and to the countless millions more who are to come after them. I doubt if there is a man among you whose sweetest memory is not that of standing at your mother's knee in the long ago, looking at the picture of Christ blessing the little children and hearing your sweet mother read from the great Book of Books, "Suffer the little children to come unto me and forbid them not, for of such is the Kingdom of Heaven."

When you vote against this bill you vote against the teachings of that blessed book; you vote against the teachings of that Divine Saviour; you vote against the highest aspirations and the tenderest love of every true mother; you vote to make the children old before their time; you vote to prevent them from learning to read at their mothers' knee; you vote to make them too tired to stand and listen to the teachings of Holy Writ; you vote to take away from them their God-given right of mental and physical development; you vote to force them to lay their sweet, innocent young lives as a helpless sacrifice upon the cruel altar of inhumanity and greed. I beg you not to do it.

Mr. BENNET. Mr. Chairman, the gentleman from North Carolina [Mr. WEBB] a few moments ago alluded to his friends from New York who are going to vote for this bill without taking either the beam or the mote from their eyes, I forget which, or both. The gentleman from North Carolina always tries to be accurate, and this time is no exception. This time he fell into error, and that is unusual. The language that he cited was, as I recall it, absolutely accurate. That report was made by the distinguished, charitable, generous, and useful lady whose name he mentioned. Twenty-five years ago, about, the State of New York passed a statute to regulate the very evil to which that report alludes, and our court of appeals, in the case of *In re Jacobs*, declared that statute unconstitutional by a vote of four to three. Thereafter the Consumers' League was formed. To do what? To supplement the statute and to stamp out the evils of home work in the homes in the metropolis, and it has been meeting each year with a greater and greater measure of success. More than that—and I say all this for the information of my friend from North Carolina, who would himself have stated it had he known it—within the last year, as any lawyer from New York could have told him, had he inquired, the highest court has modified the case of *In re Jacobs* so that now for the first time in a quarter of a century we are permitted to regulate that evil. The language that the gentleman read from the report of Mrs. Nathan was correct, but the report was submitted some time since. Since that report the legal conditions have changed so that we can fight that evil, and to-day in the city of New York if children such as he describes should attempt to do the work to which he referred in a tenement house in the city of New York the persons responsible for the work would be arrested and convicted. Knowing my friend's generous disposition and his fairness in argument, I thought that he would like to know that the citation that he made to the House was already a condition which fortunately has passed, and that now, at least, in the city of New York we can and are rooting out the very evils to which he so graphically called the attention of this House.

Most of us from New York City are going to vote for this child-labor bill because we think it is right. We have a similar law, somewhat more drastic, on the statute books of New York, and we are for this; and further than that, there are men who are Members of this House who are owners and operators of factories in the city of New York that have for themselves in their own factories established, and are maintaining, requirements that are higher not only than those required under this

statute but higher than those under the statute of the State of New York, based on the higher law of all, the law of equality and justice and common humanity. I shall not name those men, although they are Members of this House and sitting on this floor. I want my friend from North Carolina to know these things about the great city which in part I have the honor to represent. [Applause.]

Mr. HOWARD. Mr. Chairman, on last Wednesday, a few moments before the adjournment of the House, I was very unjustly criticized by my good friend from South Carolina [Mr. RAGSDALE], and also my good friend from South Carolina [Mr. BYRNES], for what they claimed to be an intended reflection on the State of South Carolina. I merely alluded to the Carolinas by way of comparison, as the record of what I said will show. I did not intend to say anything harsh, I did not intend to point out any specific instance, but my friend from South Carolina [Mr. RAGSDALE] saw fit to hold my great State up in ridicule without the least justification in comparison with his own State of South Carolina. Mr. Chairman, old Georgia would compare most favorably with South Carolina, but I have long since learned to hold my temper and try to be fair and just; in other words, to use a practical illustration, if I belonged to the bird family I would much prefer to be a humming bird, attracted by the fragrance of the flower, than to be that bird attracted by the stench of a putrid substance; so I shall proceed to show that there was at least some justification for what I had to say.

On the 27th of January I received this letter, and I have a telegram from the gentleman who sent it authorizing me to use it. The letter is as follows:

HON. WILLIAM S. HOWARD,
House of Representatives.

DEAR SIR: I congratulate you on your speech in advocacy of the child-labor bill. Spartanburg is the center of the largest cotton manufacturing district in the South, ranking second only to Lowell, Mass. Until last September conditions here were just as you describe, and not all due to the cotton mills either.

I have been superintendent of the city schools of Spartanburg 21 years. I have been teaching 33 years, and have been advocating compulsory attendance for 31 years. Last year I prepared a bill for State-wide compulsory school attendance for the entire term, age limit 8 to 14 years. The legislature enacted an optional law and I succeeded in getting it in operation in this city. If the law had applied to the whole State, there would now be no necessity for the proposed Keating law.

I inclose herewith a copy of the report which I made to the South Carolina State Teachers' Association at its annual meeting last year. Please read on page 6, of the statement made before the joint meeting of the committees on education concerning the Palmer-Owen bill.

You need not return the report, as it has been published in the minutes of the association.

Wishing you great success in your important work for the children of the South, I am,

Very truly, yours,

FRANK EVANS.

Now, Mr. Chairman, I want to read an extract or two from this report made by the joint committees on education of the House and Senate of South Carolina:

Your weak legislator is an animal who holds his head to the ground to see what he can hear, and he does not always head aright. He has not yet learned that wireless telephony passes through the air and that men of intelligence do not have to crawl on the ground. One fellow said, "I reckon we'll have to fix you up some sort of a law." Another admitted that "the people seem to want some sort of a law." He evidently had no notion of what was needed and took no pains to find out. Nor were the representatives of this type more progressive in their ideas on the subject of election reform—

And so forth.

I read again:

I called attention to the Palmer-Owen child-labor bill, then pending in Congress. Some of them had never heard of it before. When I explained to them that it was a very brief bill, a very simple bill, providing that the carriers of interstate commerce, the railroads and steamboat lines, shall not transport the products of any factory or mine that employs or permits the labor of children under 14 years of age, providing also for any officer of the factory or mine who violates that act the punishment of a money fine and a sentence in the penitentiary, they said such a law could never pass Congress; that the interstate commerce had nothing to do with our children. The Palmer bill did pass the National House, however, by an extraordinary and nonpartisan majority. The vote was 232 to 44. It would undoubtedly have passed the Senate by a decisive nonpartisan majority had it been brought to a vote before adjournment.

Now, gentlemen, I am not going to say on this floor that South Carolina is any more backward than Georgia in educational advantages. If I did, I would be misrepresenting the fact. Neither would I say that North Carolina is any worse off than Georgia, because we are all about on an equality; but I do not want you gentlemen from the North Atlantic States to have any comfort from this, because you are just about as bad off as we are. I have got a report of the States, by school districts, from 1904 to 1914—

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. I desire to ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none.

Mr. HOWARD. I do not want all the blame to be put on the South. I find the percentage of attendance of school population enrolled in the North Atlantic division is 69.96; in the North Central division, 76.75; the South Atlantic division, which embraces the States of Georgia, South Carolina, North Carolina, and practically all the Southern States, our general average of attendance is 72.39. The South Central division is 72.5 and the Western division is 81.84. So that we are all about on a parity. But I want to say to you, gentlemen, some practical things that come from folks who know. Here is a letter from a poor fellow who is a weaver in a mill in Anderson, S. C., and he asked me not to give his name, and I am going to keep faith with him. He says:

Representative HOWARD,
Washington, D. C.

DEAR SIR: I write you to-day to say I am glad to see in the papers the fight you are making for Keating child-labor law, you and Mr. SHERLEY, while the rest of our southern crowd—

He said "crowd," but he meant "Congressmen"—

are trying to defeat it. Them petitions they got up there from S. C. was gotten up by the mill presidents and are nothing but forgeries. Mr. HOWARD, and you know it is true a grate many signed them but they done it for fear of being fired out of job or else did not know what they was doing. What you told them about no account drunken daddys is every word the truth. I know 500 at the mills at Anderson that dont do nothin but tote dinner to thayre little children, some of them not 10 years old to work all day some as low 20 cents a day. It is a burning shame and I and thousands of others are glad to see you on our side and for right. I do hope you will get through and enacted into law an enforced, not no sham thing like our State law. These are fact, Mr. HOWARD, as sure as you live. I will a little later on write you again and tell you my name, would do so now but it might get into print etc.

Yours truly,

And he says he is a weaver.

Now, Mr. Chairman, this is not any sentimental question. I have always been like I am now. I have been fighting the employment of child labor in my State for 16 years. Anybody who tries to fool this House into the belief that ignorance in a State participating in the elections of that State is not the greatest liability of that State are simply fools for the want of sense. [Applause.] Take the great State of Wisconsin, from which Mr. LENROO hails, and other gentlemen here on the floor; take their average attendance, take the statistics of the progress of that great State, and it shows you that the greatest asset that any State can have is an intelligent, educated people within its borders. You can not keep down intelligence, but you can always enslave ignorance. And from an economical standpoint, what do I care about the opinion of a fly-specking technical lawyer about the constitutionality of a question when it liberates from ignorance a certain class in my State. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman has that right under general permission already granted.

Mr. HOWARD. The statistics referred to above are as follows:

State common-school statistics, 1914.

States.	School population, 5 to 18 years.	School enrollment.	Per cent of school population enrolled.	Average daily attendance.	Per cent of enrollment in average daily attendance.
United States.....	26,002,153	19,153,786	73.66	14,216,459	74.2
North Atlantic Division.....	6,544,063	4,578,126	69.96	3,677,735	80.3
North Central Division.....	8,009,822	6,139,220	76.65	4,814,682	78.4
South Atlantic Division.....	3,916,630	2,835,357	72.39	1,906,317	67.2
South Central Division.....	5,749,744	4,142,849	72.05	2,696,622	65.1
Western Division.....	1,781,894	1,458,234	81.84	1,121,103	76.9
North Atlantic Division:					
Maine.....	163,602	144,620	88.40	113,056	78.2
New Hampshire.....	97,339	63,004	64.73	50,000	79.4
Vermont.....	84,089	65,137	77.46	51,324	78.8
Massachusetts.....	804,752	576,510	71.64	486,869	84.5
Rhode Island.....	136,807	86,505	63.23	68,183	78.8
Connecticut.....	275,897	211,975	76.83	168,060	79.3
New York.....	2,251,206	1,532,151	68.06	1,233,074	80.5
New Jersey.....	675,477	496,899	73.56	382,218	76.9
Pennsylvania.....	2,054,894	1,401,325	68.19	1,124,951	80.3
North Central Division:					
Ohio.....	1,188,359	895,167	75.33	720,442	80.5
Indiana.....	694,311	548,497	79.00	441,168	80.4
Illinois.....	1,473,347	1,043,227	70.81	908,906	87.1
Michigan.....	732,103	572,201	78.16	440,595	77.0
Wisconsin.....	671,634	440,103	65.53	323,476	73.5
Minnesota.....	509,529	457,041	76.23	354,339	77.5
Iowa.....	583,655	517,559	88.68	384,000	74.2
Missouri.....	880,323	706,364	80.24	515,233	72.9
North Dakota.....	193,312	148,021	76.57	102,490	69.2
South Dakota.....	183,192	130,812	71.41	99,078	75.7
Nebraska.....	338,130	287,566	85.05	214,152	74.5
Kansas.....	471,927	392,662	83.20	310,803	79.2
South Atlantic Division:					
Delaware.....	51,888	35,950	69.28	22,560	62.8
Maryland.....	351,760	245,258	69.72	160,281	65.4
District of Columbia.....	70,322	56,563	80.43	46,591	82.4
Virginia.....	652,958	427,937	65.54	281,976	65.9
West Virginia.....	385,744	299,135	77.55	208,004	69.5
North Carolina.....	761,900	599,647	78.70	408,464	68.1
South Carolina.....	520,747	378,699	72.72	250,163	66.1
Georgia.....	886,818	615,044	69.35	401,713	65.3
Florida.....	234,493	177,154	75.55	126,565	71.4
South Central Division:					
Kentucky.....	690,880	532,196	77.03	294,550	55.3
Tennessee.....	677,102	503,437	87.64	431,053	72.6
Alabama.....	720,707	473,150	65.65	292,540	61.8
Mississippi.....	619,062	492,756	79.60	301,922	61.3
Louisiana.....	555,455	284,136	51.15	195,670	68.9
Texas.....	1,334,411	830,642	62.25	560,173	67.4
Arkansas.....	529,386	439,624	83.04	298,597	67.9
Oklahoma.....	622,741	496,908	79.79	322,117	64.8
Western Division:					
Montana.....	99,099	85,782	86.56	63,686	74.2
Wyoming.....	34,827	29,301	84.13	24,000	81.9
Colorado.....	212,842	178,392	83.81	118,972	66.7
New Mexico.....	111,191	67,147	60.39	49,823	74.2
Arizona.....	57,491	44,303	77.06	29,912	67.5
Utah.....	120,376	96,678	80.31	79,173	81.9
Nevada.....	16,201	11,710	72.28	8,552	73.0
Idaho.....	113,348	92,437	81.55	69,398	75.1
Washington.....	308,463	238,663	77.37	180,225	75.5
Oregon.....	171,921	133,819	77.84	122,869	91.8
California.....	536,135	480,002	89.53	374,493	78.0

State common-school statistics of the South, 1914.

State.	School population 5 to 18 years of age.		Per cent of school population.		Enrollment in State common schools.		Per cent of school population enrolled.		Average daily attendance.		Per cent of enrollment in average daily attendance.	
	White.	Negro.	White.	Negro.	White.	Negro.	White.	Negro.	White.	Negro.	White.	Negro.
1	2	3	4	5	6	7	8	9	10	11	12	13
Alabama.....	388,461	332,246	53.90	46.10	325,338	147,812	83.75	44.49	200,462	92,078	64.66	62.29
Arkansas (estimated).....	382,111	147,275	72.18	27.82	322,025	117,599	84.28	79.85	222,216	76,381	64.01	64.95
Delaware (estimated).....	42,470	9,418	81.85	18.15	30,018	5,932	70.68	62.99	19,176	3,384	63.88	57.05
District of Columbia.....	47,488	22,834	67.53	32.47	38,808	17,755	81.72	77.76	31,946	14,645	82.32	82.48
Florida.....	133,004	101,489	56.72	43.28	117,384	59,770	88.26	58.89	82,556	44,000	70.33	73.63
Georgia.....	459,017	427,801	51.76	48.24	375,261	239,783	81.75	56.05	257,314	144,399	68.57	60.22
Kentucky (estimated).....	602,378	88,502	87.19	12.81	478,338	53,858	79.41	60.86	263,858	30,692	55.16	56.99
Louisiana.....	286,115	269,340	51.51	48.49	201,243	82,893	70.34	30.78	138,568	57,102	68.86	68.89
Maryland.....	278,383	73,377	79.14	20.86	200,783	44,475	72.12	60.61	134,256	26,025	66.87	58.52
Mississippi.....	247,996	371,066	40.06	59.94	231,490	261,266	93.34	70.41	149,470	152,462	64.57	58.35
Missouri (estimated).....	837,363	42,960	95.12	4.88	674,455	31,909	80.55	74.28	491,959	23,274	72.94	72.94
North Carolina.....	497,368	264,532	65.28	34.72	409,728	189,919	82.38	71.79	288,834	119,630	70.49	62.99
Oklahoma.....	560,467	62,274	90.00	10.00	459,194	37,714	81.93	60.56	298,200	23,917	64.94	63.41
South Carolina.....	202,987	317,760	38.98	61.02	175,297	203,372	86.36	64.00	114,919	135,244	65.56	66.50
Tennessee.....	513,582	163,520	75.85	24.15	478,056	115,381	93.08	70.56	347,978	83,077	72.79	72.00
Texas (estimated).....	1,049,915	284,496	78.68	21.32	679,465	151,177	64.72	53.14	464,931	95,242	68.43	63.00
Virginia (estimated).....	403,006	249,952	61.72	38.28	305,761	122,176	75.87	48.88	206,463	75,513	67.52	61.81
West Virginia.....	371,086	14,658	96.20	3.80	286,727	12,408	77.27	84.65	199,449	8,555	69.56	68.95
Total, 1914.....	7,303,197	3,243,500	69.25	30.75	5,789,371	1,895,199	79.27	58.43	3,912,553	1,205,619	67.58	63.61
Total, 1910.....	6,874,772	3,019,834	69.48	30.52	5,345,553	1,748,853	77.75	57.91	3,540,683	1,105,629	66.23	63.22
Total, 1900.....	5,892,392	2,705,142	68.55	31.45	4,261,309	1,560,070	72.32	57.67	2,775,059	981,026	65.12	62.88
Total, 1890.....	5,132,948	2,510,847	67.15	32.85	3,402,420	1,296,959	66.28	51.65	2,165,249	813,710	63.64	62.74

Mr. LENROOT. Mr. Chairman, the saddest thing about this controversy to my mind is not that certain owners of cotton mills in the South are fighting for the right to continue the employment of child labor, but that those who are upon this floor fighting this bill represent a substantial percentage of fathers and mothers of those States who desire the right to continue to coin into dollars the lives of their own children. The next saddest thing is that any Member can be found to rise on his feet upon this floor and defend the employment of little children in the factories of our country—and most of those who are opposed to this bill do defend that very thing—even the distinguished gentleman from North Carolina [Mr. WEBB], one of the ablest Members of this House, and one who commands the respect of us all, in his speech made one week ago to-day defended this very thing.

I quote just a paragraph:

Our mill employees are against this bill because it prescribes an unreasonable restriction upon their inherent right to labor, and because it would deprive them of the right to teach their children and have them help in a reasonable way to contribute toward the family expense.

Now, Mr. Chairman, it did not seem to me possible that these gentlemen would rise here and take the attitude that they do with reference to the right to employ child labor unless there was a considerable sentiment among their own constituents that they do so. I read the hearings before the committee upon this bill, and I made some amazing discoveries, not only relating to the employment of child labor, but in reference to other great questions. One of the men who appeared before that committee was Mr. David Clark, of Charlotte, N. C., the editor of the Southern Textile Bulletin, and in his testimony the question of compulsory education arose, and this is what he said:

When these people come from the mountains they do not believe in education. That is the reason we do not have compulsory education in North Carolina, because the isolated mountain districts—

Mark the words—

would go Republican if we forced compulsory education on them.

A little later in the same hearing he said:

Well, the State is Democratic—most of it—and our western counties are largely isolated communities. Those people are on the balance of power, and if we put on a State-wide system of compulsory education it would swing the balance the other way, because people of the isolated rural sections do not want compulsory education.

Mr. NOLAN, a member of the committee, said:

Do you not think you are giving a mighty lot of consideration to the minority down there?

Mr. CLARK. If it will make them the majority; yes, sir. They have been in the majority in our tenth district. We often elect a Republican Congressman from there. We have one in this Congress.

Mr. COOPER. You people in North Carolina blame your condition on the Republicans?

Mr. CLARK. Oh, no; they blame it on a certain class of people who live in the mountains.

Mr. NOLAN. They do not want to educate the Democrats, because they are afraid they might vote the Republican ticket if they were educated.

That was said in a spirit of pleasantry, but Mr. CLARK took it seriously and said.

They vote the Democratic ticket now. If you force on them compulsory education they might change around and vote the other way for spite.

Mr. Chairman, would anyone believe that any political party in any section of the Union or in any State of the Union would refuse to provide for the education of little children for merely political reasons? Why, Mr. Chairman, I should think that any man who would get up and defend these conditions in these States would blush with shame. [Applause on the Republican side.]

Mr. LEWIS. Mr. Chairman, I suggest we proceed now with the reading of the bill.

The CHAIRMAN. There is an amendment pending which is offered by the gentleman from Florida [Mr. SEARS].

Mr. LEWIS. Mr. Chairman, I ask unanimous consent that we close debate on this section in five minutes.

Mr. MANN. Can you not give us 10 minutes over here?

Mr. FINLEY. Mr. Chairman, I object.

Mr. LEWIS. Mr. Chairman, I move that all further debate on this section and amendments pending thereto be closed within 10 minutes.

The CHAIRMAN. The gentleman from Maryland [Mr. LEWIS] moves that all debate on this paragraph and amendments thereto be closed in 10 minutes.

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

Mr. FINLEY. I make the point that there is no quorum present, Mr. Chairman.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and seven gentlemen ~~are~~ present, a quorum.

So the motion to limit debate to 10 minutes is agreed to.

Mr. FINLEY. Mr. Chairman, I have listened to the—

Mr. LEWIS. I believe the gentleman from South Carolina did not have the floor.

The CHAIRMAN. The gentleman from Maryland is chairman of the committee and is entitled to the floor if he desires.

Mr. FINLEY. For how long?

The CHAIRMAN. Ten minutes. If the gentleman from Maryland does not care for the floor, he can recognize some one else.

Mr. LEWIS. Go ahead.

The CHAIRMAN. The gentleman from South Carolina [Mr. FINLEY] is recognized.

Mr. FINLEY. Mr. Chairman, I have listened to the debate here, and I want to say to the committee that there is a total misconception of the people from the mill section of the South as to this bill. I stand for education. I stand for an intelligent and an enlightened American citizenship; and the man who stands here or elsewhere and says I do not, does not speak the truth. I have advocated for many years such legislation as would give to the laboring people of this country what they were entitled to in order to make them competent, fit American citizens, and to discharge their duties. I want to say to the gentleman—I do not know what State he is from—that South Carolina has a modified compulsory-education law. This bill, in my judgment, will not affect South Carolina at all, but I say to the gentleman this, that what we do oppose is that everything that can be thought of is brought to the Congress of the United States, and the interstate-commerce clause of the Constitution is invoked in order to do it, and for what? I say to the gentleman this, that if you would put down socialism, you must leave to the States the right to enact such legislation. We are taking care of our factory people, taking care of the people who work in the mills and the mines, and it does not lie in the mouth of any man to say that we do not. And I repudiate the statements as false.

Mr. COOPER of Ohio. Mr. Chairman, I hesitate somewhat to rise for the first time on these floors, but I do desire to say a word in behalf of this bill. I am now and always have been opposed to child labor. I have listened very attentively to the men on the other side of the Chamber who have opposed this measure, and it seems to me that they would have us believe that if this bill becomes a law it would entirely destroy the manufacturing industries, or the cotton mills and the silk mills of the South.

Now, what does the bill provide? It provides that when any State in the Union permits little children of tender age—between the ages of 14 and 16—to work over eight hours a day, then they shall not ship those child-made products into other States of the Union that already have laws upon the statute books protecting the children in that State. They failed to tell the Members of this House that this bill provides that their children can work between the ages of 14 and 16, providing they do not work over eight hours a day. Is there any man on the floor of this House that would oppose eight hours a day for little children? Why, the Government sees to it that its big, strong men shall not work over eight hours a day.

Hundreds of labor organizations all over this country have been granted the eight-hour day, and at this time there is a concerted movement all over the United States of America amongst the railroad employees for an eight-hour day. And yet we have men who stand on the floor of this House and say that if we prohibit them from working the innocent children over eight hours we will destroy their cotton mills and their silk mills in the South.

For many years you have heard much on the floor of these Halls in regard to conservation—the conservation of our public lands, our mineral fields, and our water-power sites. We have just passed a measure for the conservation of our public resources, which is all very well and good. I would that we could have more conservation of our natural resources than we have to-day. But, oh, how I would to God that this Congress would get interested in the conservation of its manhood and its womanhood, in the conservation of its little boys and girls. [Applause.] For, after all, what is it that makes a nation great? It is not our large cities with paved streets and avenues over which we drive our high-powered automobiles. It is not our large manufacturing industries. It is not our banking institutions. It is not a large Army or a great Navy. No. Each country is measured up by its standard of citizenship and by the efficiency of its citizens. But it seems to me that whenever any measure is presented to this body which has for its ultimate purpose the uplifting of humanity or trying to make this a better, cleaner, and a purer place to live in; whenever a measure like this comes before this House, we always have some one stand here and bring forward

the question of State rights, personal liberty, or the constitutionality of such a measure.

Now, I am not a lawyer. I come from the ranks of labor. I know what it is to have had callouses on my hands since I was 13 years old. I am not a lawyer, and therefore I am not qualified to pass on the constitutionality of this measure. But I do believe that this body ought to have the right to pass any measure that would have for its ultimate purpose the conservation of the human race. [Applause.] For, after all, that is the greatest asset that we have in our country to-day. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENISON rose.

The CHAIRMAN. The gentleman from Illinois [Mr. DENISON] is recognized.

Mr. DENISON. Mr. Chairman, the gentleman from North Carolina [Mr. WEBB] stated just a little while ago that this bill was unusual and revolutionary. Now, Mr. Chairman, that statement coming from the chairman of the Judiciary Committee of this House seems to me a little strange, in view of the fact that about 40 States of the Union have enacted legislation similar in terms to those of this bill. And I predict, Mr. Chairman, that after this bill shall have become a law and we come to look upon it as one of the beneficent measures that have been passed by this House, the gentleman from North Carolina will wish that that statement, as well as a great many of those which he made here last Wednesday and the amendments that he then offered in his endeavor to defeat this bill by leading a filibuster, were stricken from the Record.

And, Mr. Chairman, the gentleman from South Carolina [Mr. RAGSDALE] has occupied some time this morning in arguing against this bill because it deals with child labor in this country and does not also deal with child labor in Europe and other foreign countries by prohibiting the importation into this country of child-made products from abroad. Now, Mr. Chairman, perhaps the gentleman from South Carolina can not see any difference between the duty which this Government owes to the children of our own country and that which it owes to the children of foreign countries, but those of us who are in favor of this bill recognize the difference. This bill is intended to benefit those who produce the objects transported in interstate commerce, rather than the products that are transported. And this Government has no right and is under no duty to legislate for the benefit of the laborers of other countries.

Mr. Chairman, I happen to be a member of the committee which reported this bill to the House. I attended every meeting of the committee during the hearings on the bill, and desire to say here that every question connected with this subject was given the most careful consideration by the committee. Those who were opposed to the bill appeared before the committee and testified to the favorable conditions under which children are employed in the cotton mills of North and South Carolina and other Southern States. Representatives of a number of these great industries presented to the committee what, to my mind, was convincing proof that the cotton mills of the South have in recent years responded in a marked degree to an aroused public sentiment, and have greatly improved the conditions under which their employees work. It was shown that most of these great industries are carrying on a system of welfare work that is commendable and is contributing to the educational, moral, and physical improvement of those working in the mills; and, Mr. Chairman, I think the people of these great cotton-raising States of the South, that struggled so long under adverse economic conditions, should be proud of the wonderful growth of their cotton-manufacturing industries, which have given profitable employment to their white labor and a home market for their own cotton.

But it seems there are certain kinds of work connected with the cotton mills which can be easily done by children, and the operators of the mills, who no doubt have found it profitable to use the cheaper labor of children, as well as the parents of the children, who either want or need the wages they earn, have in some few of these States prevented the enactment of child-labor legislation, which the great majority of the American people have concluded is necessary for the proper protection and well-being of the children.

Mr. Chairman, it was shown to the committee that there are now 27 States which have child-labor laws preventing the employment of children under 14 years of age in factories, and 18 other States which have the 14-year limit with certain exceptions, as by special permit, or during vacations in certain specified industries.

I find that there are 20 States which have laws preventing children under 16 years old from working in mines or quarries, or both, and 3 others which have the 16-year limit with certain exceptions.

I find that there are 19 States which have laws providing for an eight-hour day for children under 16 years who work in factories, and 4 others which have the eight-hour day with certain exceptions.

I find that there are 34 States which have laws which prevent the employment of children under 16 years old at night work in factories, and 5 other States which prohibit night work under 16 years, with certain exceptions.

The fact that so many of the different States, with their varied classes of population, differing climatic conditions, and diversified industries, have enacted laws for the prevention or protection of child labor, which are almost identical, ought to be sufficient to convince us that there has come to be almost a common conscience, a consensus of opinion in this country on the subject of child labor in mines, quarries, mills, canneries, and in manufacturing and other industries.

Now, Mr. Chairman, the provisions of this bill harmonize, in the main, with the laws of most of the States that have legislated on this subject. The committee, after a most careful consideration of the labor laws of all these different States, have reported this bill, which in their opinion conforms to and is in harmony with the consensus of public sentiment of the whole country, in so far as the public sentiment has found expression in the child-labor laws to which I have just referred.

It was well stated on last Wednesday by the chairman of the Labor Committee, the gentleman from Maryland [Mr. LEWIS], that there are two questions to be considered by Congress in connection with this proposed legislation—its desirability and its validity.

I do not see how there can be any serious difference of opinion as to the desirability of this law. It is not claimed by anyone that it will injure or disturb the cotton-mill industries themselves. Mr. Chairman, I would be slow to support any measure which I thought would seriously interfere with this splendid development and successful operation of the cotton mills of the Southern States. But the representatives of these mills who testified at the hearings, all said this proposed legislation would not in any manner injure the industries; children 14 years old can be employed for the same wages as children under 14 years. They base their opposition to the bill on the ground that it would be a hardship upon the children themselves, many of whom have to work to support themselves or, in some instances, their widowed mothers.

Mr. Chairman, while I am convinced that the owners of many of these cotton mills are doing commendable welfare work in the interest of their employees, I can not help looking with some suspicion upon the fact that the owners and the managers of the mills came to Washington with their witnesses and attorneys to oppose the enactment of a reasonable child-labor law, under the pretense that they are doing so in the sole interest of the children whom they work. Unfortunately, labor in the cotton-mill communities of the South is not organized. These employees have no organization to which they can look to safeguard their interests, and through which they can speak. Under these unusual circumstances, Mr. Chairman, I prefer to disregard the testimony of their employers who pretend to be speaking in their interests, when I know that their claims and their recommendations are out of harmony with the legislation of at least 40 other great States of our country. Mr. Chairman, I do not need the testimony of physicians upon the injurious results of long hours of work for children, although I think evidence of this character was submitted to the Labor Committee of the last Congress and resubmitted to the present committee. Nor am I willing to follow the views of those who employ the children and profit by their labors.

Mr. Chairman, I do not believe that any child, boy or girl, under 14 years of age ever voluntarily sought and continued employment that confined him or her to a continuing task for from 8 to 11 hours a day. It is contrary to human nature to expect such a thing. Children of that age need fresh air and sunshine; they need play and recreation; and common sense tells us that they will not work at a continuing task where they are confined indoors unless under compulsion. And, Mr. Chairman, when the parents of children under 14 years of age, through ignorance or selfishness, or even for a more commendable motive, if you please, insist on driving them into the mills or canneries or factories, and keeping them there for 8 or 10 hours a day, I say that it is time for the Government to step in and say to the parents, "You shall not do it."

This duty rests, of course, upon the State government in the first instance. But when the State fails to do its duty, I believe the National Government should extend its strong arm and, as far as it can do so within its constitutional limitations, protect little children from the selfishness of employers and the ignorance or indifference of their parents by prohibiting the

products of their enforced labors from the privileges of interstate commerce. There is always found to be some local opposition to legislation of this kind. But those who oppose it are often the first to praise it after it has been tried. And I fancy that the able chairman of the Judiciary Committee [Mr. WEBB] and the other gentlemen who have been trying to defeat this bill by conducting a filibuster against it will some day wish the story of their futile efforts were stricken from the RECORD.

Mr. Chairman, I have the honor to represent one of the great industrial districts of the country. There are almost 10,000 coal miners living in my district. Formerly boys under 14 years of age were allowed to work in the mines. Many boys of that age went down into the darkness of the earth to engage in that hazardous work in a commendable effort to support themselves or dependent parents. But more often did the fathers themselves take their boys into the mines to get the wages of their labors. Finally the law was changed so that none under 16 years old could work in the mines. This may have worked a hardship in some instances, but I know that it was a good law. I know that it protected the lives and health of the boys of Illinois and gave them opportunities they would not have had, and no one would now question for a moment the wisdom and the justice of that law.

The voice of labor has spoken so forcibly all over this country against child labor in mines, mills, and factories and in favor of the eight-hour law that I believe that Congress should hear the appeal and go as far as it can in the interest of the children. And so I do not believe there can be any serious difference of opinion as to the wisdom and justice of this bill.

Mr. Chairman, it is one of the most wonderful things about our Constitution, in my judgment, that by it there is given to the Federal Government all the powers necessary to guarantee its own perpetuity. One of its wisest and most far-reaching provisions is that clause wherein the Congress is given power to regulate commerce with foreign nations and between the States. It is the duty of any Government to provide by appropriate legislation for the general welfare of its citizens. In protecting its children from the greed of those who would exploit their labors, or from the ignorance or selfishness of parents who would force or permit them to work, the Government is but humanely providing for the welfare of its future citizens. While the duty clearly rests upon the several States to provide for the welfare of their citizens by appropriate legislation on the subject of child labor, I believe that when the States fail to act the Federal Government should do its part by prohibiting those who would profit through the State's neglect from the privileges of interstate commerce.

Now, Mr. Chairman, the constitutionality of this bill presents a more difficult question. I confess I was at first of the opinion that the bill, if it should become a law, would be held unconstitutional. I feared that it might be held that this legislation was but an attempt to do indirectly what Congress could not do directly; that is, legislate upon questions of purely local employment and production. But the more I have considered the question, in view of the later decisions of the Supreme Court, the further I have gotten from my first opinion. It is still a doubtful question in my mind whether the bill, if it passes, will be held valid should its validity be tested.

But, Mr. Chairman, this legislation is of such importance to the country, its desirability is so clear, I am willing to give the bill the benefit of any doubt I may have as to its validity. This suggests, I know, a question upon which there is some difference of opinion. The gentleman from Kentucky [Mr. SHERLEY] stated in his discussion of the bill on last Wednesday, if I remember correctly, that when we have doubts of the constitutionality of a measure we should vote against it. Those who share this view usually quote Judge Cooley, who says in his *General Principles of Constitutional Law* that "to pass an act when they (legislators) are in doubt whether it is not violating the Constitution is to treat as of no force the most imperative obligations any person can assume."

I have always had the highest respect for Judge Cooley; but he lived and wrote years ago. Constitutional law has developed wonderfully in late years. The attitude of the courts toward the Constitution has changed. And, moreover, Judge Cooley was a judge and jurist. He was not a legislator, I believe; and while I am willing to accept his statement as to the duty and proper attitude of a lawyer or judge toward the law, I am not willing to accept his statement as to the duty of a legislator when in doubt as to the constitutionality of a proposed law.

Unlike the gentleman from Kentucky [Mr. SHERLEY], I think if we have only a doubt of the constitutionality of a bill which does not amount to a positive conviction it is our duty to vote for it.

On the question of the desirability of a proposed law our decision must be final. The courts will not review it. If we have doubts on that subject, we should vote against it.

But upon its constitutionality our decision is not final. After we act the Supreme Court still passes upon its validity. The final responsibility on that question rests with the courts and not with us. Should we adopt the other view and never pass a law when we have any doubts as to its constitutionality there would be little or no progress in our constitutional law; the tendency of the courts would be to adopt an interpretation of the Constitution that would be rigid rather than elastic; and this elasticity of interpretation under which the Supreme Court has repeatedly extended the commerce clause of the Constitution beyond commonly accepted notions of its limitations has, I think, resulted in great good to the country.

Mr. Chairman, if we have doubts as to the desirability of a proposed law, I think we should not pass it. But if we have doubts as to its validity only, I think we should pass it and let the courts, who are better able to judge than we, determine whether or not it is constitutional.

Now, Mr. Chairman, I confess I have some doubt as to the constitutionality of this bill. But I am so strongly impressed with its desirability I think we should pass it and let the courts say whether or not it is valid.

The Supreme Court has been so liberal in construing the commerce clause of the Constitution, has gone so far in sustaining other laws under that clause, that no one can tell with any reasonable certainty what the court would do in passing upon this bill if it becomes a law. We can only reason about it from what has been done in other cases. The precise question involved has not been presented in any of the reported cases, so far as I have learned.

Mr. Chairman, very able and learned arguments both for and against the constitutionality of the bill were made before the committee. The pivotal question involved is a nice one. Able lawyers would differ about it, and I doubt not it will present perplexities to the courts that pass upon it. But I have found that the Supreme Court is not entirely immune to the influence of public sentiment. That there is a very decided public sentiment upon the question of child labor must be admitted, because so many States have legislated upon it. And in view of other cases where the Supreme Court has construed the commerce clause there is good reason for the hope, if not for the belief, that the court would sustain this bill if it passes.

Mr. Chairman, I would not attempt here to make a technical argument on the constitutionality of this bill. I would only give a few reasons that have led me to the opinion that it will be held constitutional. Section 8 of the first article of the Constitution provides that Congress shall have power to regulate commerce with foreign nations and among the several States. The grant of power to regulate commerce among the States is in the same language, and until the adoption of the fifth amendment was as plenary as the grant of power to regulate commerce with foreign nations. It has been decided by the Supreme Court in a number of cases that the power to regulate foreign commerce was absolute and included the power to prohibit.

Now, when the fifth amendment was adopted, which provides that no person shall be deprived of life, liberty, or property without due process of law, a limitation was thereby imposed upon the power of Congress over interstate commerce which was until then absolute. This limitation does not apply to the power to regulate foreign commerce, because, I think, it is fundamental that the citizens of the different States have a vested right to transport their property from one State to another in the course of commerce, whereas they have no such vested right with foreign nations. I think the Supreme Court has held that the power of Congress over foreign commerce is absolute; and that it is just as absolute over interstate commerce, subject to the limitation that no person shall be deprived of his property without due process of law.

Mr. Chairman, in studying the decisions of the Supreme Court, where the court held the Louisiana lottery law, the pure food and drugs act, and the Mann white slave act valid, I am impressed with the views of Dr. Parkinson, expressed in the committee report, that the power conferred upon Congress under the commerce clause of the Constitution is not confined to the regulation of interstate commerce in the interests of the commerce itself or of its instrumentalities, but it includes also the right to regulate interstate commerce in the interests of the public health, safety, morals, and welfare. I think there is much force in the argument that the Supreme Court sustained the lottery legislation and the Mann white slave act on the ground that the power to regulate interstate commerce included the power to regulate it in the interests of the public morals and public welfare; and the pure food and drugs act was upheld be-

cause the power to regulate interstate commerce included the power to regulate it in the interests of the public health and welfare by preventing fraud and imposition upon those persons who received the articles of commerce in the States into which they are shipped.

And, Mr. Chairman, if it be conceded, as it must be, that Congress has the power, under the commerce clause of the Constitution, to regulate interstate commerce in the interests of the safety, health, morals, and welfare of those who are to receive the things transported at the end of their journey, why does not Congress have the same right to regulate commerce in the interests of the safety, health, morals, and welfare of those who produce the things transported at the beginning of their journey. For my part I can see no logical distinction.

If this conclusion is correct, the only question that remains is whether this bill, which would prohibit interstate commerce in those things that are produced by children under the prohibited ages or by children working more than the legal hours, can be said to be in the interests of the safety, health, morals, or welfare of those producing the objects transported.

Upon this question, Mr. Chairman, I do not believe the Supreme Court would disregard or set aside the judgment of the Congress unless it should appear that the action of Congress was unreasonable or arbitrary. And in determining that question the Supreme Court would not fail to take into consideration the fact that the provisions of this bill are, generally speaking, in harmony with the provisions of State laws in about 40 of the different States of the Union. A bill which thus represents the consensus of public opinion can not, I think, be held unreasonable or arbitrary. Mr. Chairman, I find that laws similar to this that have been passed by the State legislatures have been uniformly sustained not only by the supreme courts of the States, but by the Supreme Court of the United States.

Now, the fourteenth amendment to the Constitution provides that no State shall pass any law which shall deprive any citizen of life, liberty, or property without due process of law. In other words, the fourteenth amendment imposes exactly the same limitation on State legislation that the fifth amendment imposes on legislation by Congress. Yet the Supreme Court has held that State laws regulating child labor similar in every respect to this bill are within the police powers of the State, which means the power to legislate for the public good, notwithstanding the limitation imposed upon the States by the fourteenth amendment.

Mr. Chairman, if the several States can properly legislate upon the subject of child labor under their general police powers without violating the limitation imposed upon them by the fourteenth amendment, I can not see why Congress may not legislate upon the same subject under a similar police power without violating the limitation imposed upon it by the fifth amendment. The States may legislate on questions of commerce within their borders, but can not control interstate commerce. Congress can legislate on questions of interstate commerce alone. The power of each to legislate within its proper field is the same, and the limitations upon that power in the fifth and fourteenth amendments are the same. And since the Supreme Court has held that the child-labor laws of the States are not unconstitutional, I think it is not an unreasonable conclusion that the same court will hold that this bill governing interstate commerce is not unconstitutional.

At least, Mr. Chairman, these considerations have been sufficient to change the opinion which I formerly had upon this question, and to lead me to the belief that this bill is within the constitutional power of Congress; and while I still have some doubts upon this question, I hope that this bill will become a law and that its validity will be tested. If it is sustained, there are many laws which Congress could pass under the interstate commerce clause that would, in my judgment, be of great benefit to the people of this country. And while I would not be willing to amend the Constitution for this purpose, I would like to see the power of Congress under the interstate commerce clause extended just as far as it reasonably can be.

Mr. Chairman, this is no partisan measure. There ought not to be any politics in it. Yet, I am proud to say that the gentlemen on this side of the House are almost unanimously in favor of this bill, and that the fight against it is being made by the Democrats. And while they tried to defeat the bill on last Wednesday by offering a flood of amendments to the bill and otherwise trying to filibuster against it, I hope that notwithstanding this opposition among the Democrats enough of them will stand with the Republicans to pass this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENISON. Mr. Chairman, I would like to extend my remarks.

The CHAIRMAN. The gentleman already has that privilege. The question is on agreeing to the amendment offered by the gentleman from Florida.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. DALLINGER. Mr. Chairman, I desire to offer an amendment in the form of a new section.

The CHAIRMAN. The gentleman from Massachusetts [Mr. DALLINGER] offers an amendment, which the Clerk will report. The Clerk read as follows:

Mr. DALLINGER, of Massachusetts, moves to amend by adding the following new section after section 4:

"That it shall be unlawful for any carrier of interstate commerce to transport or accept for transportation in interstate commerce the product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment offered to it for such transportation by any person, firm, or corporation which owns or operates such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, or by any officer, agent, or servant of said person, firm, or corporation, until the president, secretary, or general manager of such corporation, or a member of such firm, or the person owning or operating such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, shall file with said carrier an affidavit setting forth that none of the products so offered have been produced, in whole or in part, by the labor of children under the age of 14 years, or by the labor of children between the ages of 14 and 16 years, who work more than eight hours in any one day, or more than six days in any one week, or after the hour of 7 o'clock postmeridian, or before the hour of 7 o'clock antemeridian: *Provided, however,* That in lieu of the affidavit hereinbefore provided, the president, secretary, or general manager of any corporation, or the member of any firm, or any person owning or operating any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, as aforesaid, may file with the Secretary of Labor a general affidavit setting forth that for the six months preceding the filing thereof, in said mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, no children under the age of 14 years have been employed in any capacity, and that no children between the ages of 14 years and 16 years have worked more than eight hours in any one day, or more than six days in any one week, or after the hour of 7 o'clock postmeridian, or before the hour of 7 o'clock antemeridian, which general affidavit shall be renewed each six months thereafter. The form of said affidavits shall be prescribed by the board composed of the Attorney General, the Secretary of Commerce, and the Secretary of Labor, as hereinafter provided."

Mr. FOSTER. Mr. Chairman, I make a point of order on the amendment. The gentleman offered substantially the same amendment when this bill was last under consideration. It is not therefore in order to offer it again.

Mr. MANN. It is not offered in the same place.

Mr. FOSTER. But this amendment was offered in the consideration of this bill before. The gentleman surely does not contend that it can be offered again?

Mr. MANN. But, Mr. Chairman, the fact that an amendment offered to one place in the bill is voted down is no reason why the same amendment can not be offered in another place in the bill, because the committee and the House may not wish to put such a provision in one place in the bill and might want to put it in another place. That question constantly arises.

Mr. FOSTER. I think the House has voted on this amendment.

Mr. MANN. Not on this amendment. It has voted against inserting this matter in another place in the bill. If the Chair should so rule, the easiest way in the world to defeat a proposition would be for somebody to offer it as an amendment in the wrong place in the bill, and then the committee, refusing to insert it in the wrong place in the bill, under the gentleman's contention would refuse to insert it afterwards in the right place.

Mr. FOSTER. I insist that you can offer an amendment at each paragraph of the bill if it should be germane, but you can not keep on doing it over and over again.

Mr. MANN. You could offer a thousand amendments to this bill. We met that situation the other day, and disposed of it, I think, in a way very satisfactory to the majority.

Mr. FOSTER. I suggest that it is the offering of the same amendment twice.

Mr. MANN. The Chair would not be justified in holding that because the committee decided that an amendment was not appropriate in one place in the bill, therefore it was not appropriate in another place in the bill.

Mr. FOSTER. However, I think I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the gentleman from Massachusetts is recognized for five minutes.

Mr. DALLINGER. Mr. Chairman, this amendment is not worded exactly the same as the one that was offered by me as an amendment to section 1 a week ago to-day. There are certain perfecting words that have been inserted.

Mr. Chairman, I want to say that I have offered this amendment at this place, where it more properly belongs, as a new

section, not for the purpose of delay but simply because I have been asked by several Members of this House to offer it again, Members who believe as I do, that the bill in its present form can not be enforced and that it will be practically impossible to get a conviction under it. Now, the gentleman from Georgia [Mr. HOWARD] in his very interesting speech to-day read a letter from a weaver who expressed the hope that we would not pass any sham bill like the South Carolina law, and that is why I have ventured to take up the time of this House this afternoon to try to persuade the House not to pass a bill that may prove to be a sham bill; not simply to pass a bill so that we can go back to our constituents and say we put a child-labor law on the statute book, a law that never can be enforced, but that we have put something on the statute book that can be effectively enforced. Now, I have not seen or heard any reason advanced by the committee why the carrier should not be made liable under this bill. In the Federal statutes governing the transportation of explosives from State to State and in the statutes prohibiting the transportation of obscene and immoral literature from State to State you hold the carrier, as well as the shipper, and even the receiver, liable. Why do you make an exception in this bill, which is proposed to be enacted under the same interstate commerce clause of the Constitution? There is no real hardship imposed upon the railroads by the provisions of this amendment. This amendment simply provides that no carrier shall accept for transportation in interstate commerce any goods unless an affidavit accompanies them that the provisions of this act have been complied with in their production. And then, in order to do away with the burden of having to file a separate affidavit with each shipment, it is provided that a general affidavit may be filed semiannually with the Secretary of Labor here in Washington stating that no children under 14 years of age have been employed in any capacity in any particular establishment and that the other provisions of the act have been complied with. This general affidavit will be filed by shippers, manufacturers, and producers in every State in this Union that has an up-to-date child-labor law, and no burden will be occasioned either to the carrier or to the shipper in those States.

In those States, on the other hand, where they have failed or refused to enact decent child-labor legislation the temptation will be strong to file a general affidavit in order to get rid of the bother and trouble and burden of filing separate affidavits, and once the general affidavit is filed you can always get a conviction under this act. All you have got to prove is the fact that a child under 14 years of age has been found by the Government inspector working in that particular establishment and you are sure to obtain your conviction. On the other hand, under this bill as drawn, the burden of proof is ultimately placed on the Government to show that the labor of any particular child has actually entered into the production of a commodity that has been or is going to be transported beyond the boundaries of a particular State. After the manufacturer has put on evidence to contradict your *prima facie* case the Government must prove by evidence that the goods on which that child was working had been or were going to be carried into another State. And how is the Government going to do that? In ninety-nine cases out of a hundred it can not do it. The judge will charge the jury to that effect and you will not get any conviction.

Mr. Chairman, if you want to put upon the statute book a child-labor act that has got teeth in it and that can be enforced, you will adopt my amendment. If you simply want to put on the statute book a child-labor law, the enforcement of which will be difficult, if not impossible, you will vote against the amendment. [Applause.]

Mr. KEATING. Mr. Chairman, the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER] was considered by the House last Wednesday and quite properly rejected, and I trust the House will vote down the amendment at this time.

This bill has been carefully drafted after consultation with men and women who have devoted their lives to the task of enforcing legislation of this kind. It is their judgment that this bill has "teeth." And I submit, Mr. Chairman, that the gentleman from Massachusetts is presuming a great deal when he sets up his judgment against the judgment of those men and women, sweeping aside this entire bill, and branding it as a sham bill. One of the very best evidences that this bill has "teeth," that it can be enforced and will be enforced, is the determined opposition with which it has been met.

Now, I trust that the Members of this House will not adopt amendments which will unnecessarily weigh down the bill.

Mr. DALLINGER. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. DALLINGER. Will the gentleman who introduced this bill please explain to the House what reason there is for not holding the carrier as well as the shipper liable?

Mr. KEATING. There is one very good reason—it is unnecessary. It is unnecessary to burden every shipper in this country with the task of making an affidavit such as is provided in the gentleman's amendment. The great mass of our interstate commerce is produced by adult labor, and child labor has nothing to do with it. The great majority of the interstate shippers have nothing to do with child labor, and under the gentleman's amendment it will be necessary for them—every six months, under the amendment which the gentleman offered last Wednesday—to file an affidavit with the Secretary of Labor. It would also be a burden upon the common carriers of the country. If it were necessary to impose that burden upon producers, shippers, and carriers, I would not hesitate to impose it; but why place that unnecessary burden upon them when the mass of evidence submitted by the men and women who have had experience, and who advocate this bill, is that it is unnecessary, and that the bill as it stands can and will be enforced.

Mr. KENT. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. KENT. I should like to ask the gentleman whether in the phosphorus-match law there is any similar clause?

Mr. KEATING. I am not familiar with that.

Mr. HOWARD. That was a taxation bill.

Mr. KEATING. I am not familiar with the bill that the gentleman mentions; but so far as this bill is concerned, the committee objects to the amendment because it is unnecessary.

Mr. MANN. Mr. Chairman, the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER] is worthy of consideration, but it seems to me that it ought not to be agreed to. It proposes to penalize the innocent, not to punish the guilty. I think in laws of this kind it is usually a little better to put the punishment upon those who violate the proprieties of the law instead of penalizing those who obey the law.

Under the gentleman's amendment there would be punishment against the carrier, who is absolutely innocent as far as he is concerned. The carrier does not produce by child labor; the carrier has nothing to do except to transport the goods which are presented to him, and he ought not to be obliged to ascertain where the goods are produced regardless of whether they were produced under the law or in violation of the law. That question has been repeatedly before Congress.

Nor are those who obey the law entitled to be penalized. It is those who violate the provisions in reference to child labor—those who employ child labor—that we are desiring to reach. The amendment of my friend from Massachusetts would reach every manufacturer in the United States, although the great majority of them obey the law in reference to child labor. They would be subjected to the annoyance and trouble just the same as if they violated the law. I do not think that is desirable. If we provide, as is provided in the bill, a penalty against those who ship the goods produced by child labor and then give to the agents of the Government an opportunity of ascertaining whether child labor is employed in the manufacturing establishments, we provide a complete law and an organization to enforce it, and we can prevent the shipment of goods in interstate commerce made by those who use child labor, directing our attention to them, and not endeavoring to inconvenience the whole mass of manufacturing industry and carrier industry of the United States who are entirely innocent.

Mr. DOUGHTON. Mr. Chairman, I did not intend to make any remarks concerning the bill now before the House, but there have been so many reflections and false statements uttered against the State which I have the honor in part to represent, I feel that I would be unworthy of my position as a Representative on the floor of this House if I did not say something in rebuttal of those false and misleading statements.

The gentleman from Wisconsin [Mr. LENROOT], speaking about educational conditions in my State, said that Mr. Clark had testified before the committee that the reason we did not have compulsory education in North Carolina was that if we did enact such a law it would cause the State to go Republican. It is unfortunate, indeed, that a measure of this kind can not be considered apart from party politics. However, I notice in the papers that Mr. Clark has repudiated a portion of the remarks attributed to him along this line.

Western North Carolina has a modified system of compulsory education, and the people there are just as zealous for the welfare of their children, educationally and otherwise, as are the people of any other section of the country. My home is among the mountains of western North Carolina, of which section I am proud, and I claim to know something of the real

conditions there; and I want to say that those people need no help from the outside world, and especially do they not need advice from those who know nothing at all about their real conditions or domestic affairs. No State in this Union has made more rapid progress along educational and industrial lines for the past 10 years than has North Carolina. We have in our State an educational qualification or requirement in order to exercise the right of the franchise. This has done more to promote the cause of education within our borders than will all the child-labor laws you can pass between now and doomsday.

Those who are so strenuously advocating this legislation have had a cordial invitation to go to our State and get information at first hand and see the actual conditions that prevail there. But they preferred to listen to sensation mongers and muck-rakers. The committee was invited to go there and make examination of mill conditions and labor conditions in those mills, but they also declined. But if they had accepted the invitation, I have no doubt it would have been very illuminating to their minds, as they appear to be so benighted on the subject.

As an example I would like to have these alarmists make a visit to an ideal mill town in my district. This beautiful little city is situated on the main line of the Southern Railway between Washington and Charlotte, 7 miles north of Concord. You will recognize it by a beautiful artificial lake by the side of the railroad about 15 miles south of Salisbury. It is called "The Magic City" down there, but its real name is Kannapolis, and it was named for its founder, Mr. J. W. Cannon, who is president of the Cannon Manufacturing Co. This company operates a chain of about 20 cotton mills in North Carolina and South Carolina, several of which are in my district, a number of them being located in the town to which I refer. At this particular town which has grown to a population of several thousand since the company built some of its mills there five or six years ago, you will observe the new order that prevails in the South with reference to the conditions and surroundings of mill people since the day when sensational welfare workers found some cause for criticism and complaint. Here you will find neat, sanitary homes for the mill workers, safe and sanitary conditions under which to work; a Young Men's Christian Association especially for the men and boys who are employed in the mills; wholesome amusements for children, a library and reading room and a swimming pool; and a good graded school open for eight or nine months of the year. You will also see a home for girls who work in the mills, but whose parents do not live nearby. This home is in charge of competent matrons, and the girls who live there are as well protected as in the best home.

When you go to this town you will be greeted by a genial, elderly gentleman, a typical executive and man of affairs. This is Mr. Cannon, who has done much to disprove the charges that have been made against southern mill men. However, you may be greeted by one of his several sons, who are associated with him in the management of the great chain of the Cannon mills. They will courteously tell you that you are welcome to observe all the conditions and influences for which the management is in any way responsible in any of their mills. But you will not see any evidences of degeneracy, first, because they are not there, and, second, because you will be so impressed with the ideal conditions that prevail there you will forget all you have heard about bad conditions in the cotton mills of the South. Instead of immoral, depraved young men you will see gentlemanly, robust, and healthy young men, with a purpose written in their faces, and that purpose is to earn the promotion and confidence that is sure to come to them for efficiency and trustworthiness. Instead of wretched, slovenly girls, you will see young women who go about with the bearing of a school mistress and who are not ashamed of their work. The children, too, are just as healthy and as beautiful as other children elsewhere. This is but an example of many mills elsewhere in North Carolina and the South, though they may be on a smaller scale.

It has been stated on this floor that the fathers in North Carolina are coining money out of the labor of their children who work in the mills. I hurl this statement back into the teeth of those who make it as untrue and unworthy to come from the source it does. Of course many children, either at their own instance or by request of their parents, work in the mills of our State, but few of them are under 14 years of age. The conditions under which they work are not harmful, and their hours are not unreasonable. The mill owners of our State, in the main, are among our very best citizens, and they have a humane interest in the welfare of those who work in their mills. They provide for them neat, sanitary homes; good schoolhouses, in which schools are maintained for a good portion of each year at the expense of the mill owners. The fact is the people who work in these mills are far better off than they were before they moved to the mill districts.

The trouble with some of the advocates of this bill is that they "strain at a gnat" in our State, but "swallow a camel" in their own. [Laughter.] Take, for instance, the State of Colorado, from which comes one of the Members having this bill in charge [Mr. KEATING]. If he will compare conditions in our State with those in the State of Colorado, he will not find the comparison favorable to his own State. If those advocating this bill can demonstrate that the children who work in the mills of the South are inferior, either morally or physically, to those of a similar class who are engaged in other occupations or do not work at all, then they will have established their contention; but they can do no such thing because exactly the reverse is true, which has been stated again and again by those familiar with conditions.

I maintain, Mr. Chairman, that reasonable labor under proper conditions and regulations is not only helpful to children, but is absolutely essential to their well-being. The criminals of our land to-day do not come from the class of people who are brought up to work from childhood, but they come from those who idle and toil not. Idleness produces more vice and crime than any other cause and, since children must be engaged in something, they would much better be employed in some reasonable, honorable work than to be loafing in idleness on the streets, exposed to the evil influences and surroundings with which they must necessarily come in contact.

If you can pass this law, saying that goods which are manufactured in whole or in part by child labor shall not be shipped into another State, then you had just as well pass a law saying that farm products which are produced in whole or in part by child labor shall be denied the privilege of interstate transportation. The principle is the same, and the agitators and "hired mourners" will not cease their activities and lamentations when this law is enacted, but they will still find occasion for interference with every other line of honest endeavor in which children are employed.

Mr. BENNET. Mr. Chairman, I disagree somewhat with the gentleman from Illinois [Mr. MANN], though I think the principle he states is absolutely correct—that punishment ought to fall on the guilty—but we do find sometimes in the execution of a law that we have to have the assistance of the innocent. If we are really going to pass a child-labor law that will be enforced, the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER] will make it an enforceable law. We enforce laws against those who are helpless and against whom there can be no accusation brought. Under section 15 of the immigration law every steamer that sails out of any port of the United States—and there can be no accusation made against them as to bringing in improper immigrants—has to file a voluminous report in relation to everyone on board of foreign birth, so as to help our own authorities to enforce the laws in relation to foreign-born people. This does not impose any great burden on the manufacturer—to file twice a year a short affidavit that during the six months he has not employed anyone who comes within the prohibition of the statute. That is a very light thing to be placed on the manufacturer. Gentlemen who come from large cities, who are familiar with what manufacturers have to do under the State law—

Mr. MANN. I come from a large city.

Mr. BENNET. Oh, I admit Chicago is a large city. The gentleman can deny it all he pleases, but I affirm that it is and defy him to disprove it—gentlemen who come from large places like Chicago or New York, and I admit that that is a large place, who are familiar, as the gentleman from Illinois is, with what manufacturers have to do under local regulations, would not regard an affidavit every six months as any burden at all in addition to what they are under now.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Certainly.

Mr. MANN. Suppose that provision were inserted in the law and the manufacturer was not following the child-labor law, would it not be a very simple thing to have a selling agent who would not be obliged to make this affidavit?

Mr. BENNET. I do not quite get the drift of the gentleman's question.

Mr. MANN. Turn over the sale of his product to a selling agent. The selling agent is not required to make an affidavit.

Mr. BENNET. Yes; the gentleman from Massachusetts so says.

Mr. MANN. Then every wholesaler would have to make the same affidavit.

Mr. BENNET. Every selling agent of the manufacturer.

Mr. MANN. Every wholesaler would have to make an affidavit, every jobber would have to make an affidavit, and, perchance, every retailer. How ridiculous that is.

Mr. BENNET. Let us assume that is so.

Mr. MANN. Of all goods made in the United States?

Mr. BENNET. Oh, no. Let us assume that is so. The act would be enforced, and that, I assume, is the purpose of the gentlemen who are bringing this bill in.

Mr. MANN. I dare say it would not be enforced a year before it would be repealed, if that were the case.

Mr. BENNET. No; if this were put in as the gentleman from Massachusetts desires, within that time the four States of the Union that have not child-labor laws up to what is called the standard would have child-labor laws, and we could get back to what is better enforcement in the long run, and that is enforcement of State laws within the States on their own citizens. That would bring it about, if we once passed a provision that would really compel the law to be observed. You will never convict under section 2. I am going to vote for the bill. I would be for it if there was not anything in it except the title and the perfectly satisfactory enacting clause, in the belief that it would be perfected in another place, because I am in favor of the principle of the law.

Mr. MANN. It will not be perfected in any other place. [Laughter.]

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

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. LEWIS. I object.

Mr. CANNON. Mr. Chairman, I was called out a half hour ago to meet an engagement in connection with the business of the House and have not had the opportunity to be informed of what has been said during my absence. There is some excuse and perhaps justification for this legislation, largely from the material standpoint, that has not been much spoken of. In a few States of the Union child labor is employed. It is prohibited in other States. I apprehend if it were not for that reason this bill would not be pending here, because, as I understand it, the States that permit child labor, which would be prohibited by this bill if enacted into law, already are moving along that line. And I presume, in the light, perhaps, of interested selfishness, from one standpoint and another, they will continue to so move. You will notice that this bill does not interfere with foreign commerce. It prohibits the transportation of products of the mine and quarry produced by labor in whole or in part by children under 16 years of age from one State to another State. It also covers the product of any mill, cannery, workshop, or manufacturing establishment in the United States produced in whole or part by labor of children under 14 years of age. The largest cannery in the United States is at Hoopston, Ill., in my district. I think children do work there during the sweet-corn season, the pea season, the tomato season, and that those children are employed between the ages of 14 and 16, and perhaps some under 14. They are anxious for employment, the canning season is during the school vacation, the ventilation where the work is done is good, and the hours of labor are not oppressive.

The farmers and truckers raise the raw material. I do not know, I am just wondering, but I expect I may vote for this bill, and yet there is a good deal of talk about the children. Now, we are going to have some more talk about the people who are not covered in this bill when we come to farm-loan credits, and then it is going to be the "poor, oppressed farmer," and the "ignorant farmer" who has to be protected, and all that kind of thing. I grew up on a farm, and very largely my district is an agricultural district, with something of manufacturing and something of mining in one or two counties. But it is largely an agricultural district. I know about the farmer. One-third of the people in the United States are farmers. I have no hesitancy in saying that from every standpoint they are quite equal to the other two-thirds of our population.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, I would like to ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. MANN. Mr. Chairman, I ask unanimous consent that my colleague may proceed for 10 minutes. [Applause.]

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

Mr. CANNON. The most eloquent speech I ever read, I think, upon this question of child labor was from a distinguished Senator who spoke with an eloquent tongue. He is no longer in the public service, but he was wonderful; and as I read his speech the tears came to my eyes when he related how on the farm he had been oppressed, how he had been compelled to get

up early, and this, that, and the other. I thought when I read his speech that if he had been under different conditions, if he had not been permitted to work upon a farm, with his father and mother living in a farming country, that possibly he might never have looked inside the boundaries of the Senate. Why, take it in my little city of 40,000 people, take it in your city, take your lawyers and your doctors and your merchants—you will find, if your experience is like mine, that three-fourths of the men who are doing things to-day are men who were boys on the farm or in the mine or in the factory. Their successors 50 years from now will be the boys who learn to hustle when they are young. [Applause.]

There is much talk about social justice. Great heavens, I sometimes wonder what it means! I have sent for the dictionary and I have tried to find out what social justice is. Can any man define it? Is it to make all men equal? Is it to make all men and women equal? Is it to make all boys of equal capacity? Well, so far as I know, as a rule the man and the woman who talk most about social justice are the man and the woman who never earned a dollar but are living on the production that they inherited. [Applause.] They talk about social justice. Then there is another class that talks about it. They are good people, and I am not abusing any of them, but if you will go to work and investigate you will find that two thirds of them never earned a dollar in their lives and that the other third are being subsisted by their contributions. [Applause.]

We are making great progress in this country.

May I say a word about the amendment? I was told what my colleague had said about it. I shall vote against it. It seems to me that it is unduly oppressive, and if the law can be administered at all it can be administered without further vexing the common carriers of the country. Well, you may ask if I am a plutocrat and if I own common carriers? No. I never have been either, so far as that is concerned. And I say to you that if railways in this country, nearly half of the mileage of the whole world, would fall from the standpoint of efficiency for 10 days, half of the population of the United States would be starving. Therefore I do not care to burden them unduly. They come under the rod; yes. They are regulated by the Interstate Commerce Commission and various public-utilities commissions, but I would give them, as I would give everybody else, a fair chance under the law, because, after all, we are compelled, this hundred millions of people, to cooperate. No one lives to himself alone. True prosperity comes from liberty and cooperation on the part of the hundred millions, whether they toil in the mine or the quarry or in the textile industry or on the farm or anywhere else.

I thank the committee. [Loud applause.]

Mr. KEATING. Mr. Chairman, I would ask unanimous consent that debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that debate on this section and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from California [Mr. KENT] is recognized.

Mr. KENT. Mr. Chairman and gentlemen, I am very sorry for the men who, whether it be owing to their political situation or to the part of the country from which they come, believe it to be incumbent upon them to fight this kind of legislation. This more than any other legislation that we can consider represents the future welfare of our country. Mr. Chairman, I have little sympathy with the remarks of a gentleman opposed to this bill when I recall the fact that he stated in private conversation, when asked where he stood on this matter, "that the children of his State should not grow up in idleness," and that therefore he believed that they should work in the cotton mills. I do not believe that his own children work in the cotton mills and I do not believe that his children will grow up to habits of idleness.

I know in my own case that I was given abundant opportunity to play, abundant opportunity for outdoor life, as the result of which I am still alive. I have been able to give to a large family of my own children opportunity for outdoor life, for recreation, and, so far as I have been able to watch the growth and tendencies of those children I find in them no suspicion of idleness. I ask for all children of the Nation the reasonable opportunities that I and mine have enjoyed. I have been working for many years on a problem intimately connected with this legislation, which is to furnish playgrounds and recreation centers for children, and at this time I take the opportunity to mention in this House a measure introduced by Mr.

GARDNER, of Massachusetts, providing for the incorporation of the National Playground Association, to the end of recognizing the children's right to outdoor exercise and playtime.

I feel almost guilty in standing up here and seemingly throwing bricks at those unfortunate Members of this House who feel it necessary to defend child labor. I am sorry for them. I apologize for them if they do not apologize for themselves. But when this vote is taken we shall show them that, whatever the conditions are in their own districts, however backward their own people may be, that the Nation stands for the conservation of child life and for the inherent right of children to grow strong and sturdy and hardy under conditions of play, instead of being wrecked by absorbing, driving, ruinous toil.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That it shall be the duty of each district attorney to whom the Secretary of Labor shall report any violation of this act, or to whom any State factory or mining or quarry inspector, commissioner of labor, State medical inspector, or school-attendance officer, or any other person shall present satisfactory evidence of any such violation to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the United States without delay for the enforcement of the penalties as in such cases herein provided.

Also the following committee amendment was read:

Page 3, line 4, strike out the figure "4" and insert the figure "5."

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

The amendment was agreed to.

Mr. SEARS. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Page 3, line 13, after the word "provided," add the following words: "Provided further, That nothing in this act shall be held to refer to or include orphans dependent on their own labor for their support, or children whose mother is a widow and who is in part dependent upon their labor for their support, or children whose parents on account of sickness or other providential cause are unable to provide for their support."

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

Mr. SEARS. Mr. Chairman, I sincerely trust this amendment will be passed by this House and made a part of this bill if the same is to become a law. I can not believe the distinguished gentlemen sitting around this Hall to-day realize the full import of the arguments they have made for the purpose of getting some to vote for this proposition.

As I look over this magnificent body of American manhood and brilliant minds and men of brilliant thought; as I look around these galleries, Mr. Chairman, at the people who to-day occupy those seats, I wonder how it is that we have ever been permitted to survive and to be here for the purpose of enacting laws and listening to the magnificent speeches of gentlemen without such a law as this to protect us when we were growing up. We go out before the people in our districts during a campaign and tell them about the hard struggles we had during childhood's happy days. Each congressional candidate tells the people with some degree of pride that he stands before them a self-made man; that he began to work at an early age, and how he wants to come here because he realizes their needs, and how he hopes to continue to come here in order that he may better represent the people. And now you want to rob the children of to-day, the politicians of to-morrow, of this valuable asset which you have used so well. And yet I am told to-day, Mr. Chairman, that the very heart blood of the boy who works is sapped away, and that the child who labors will never amount to anything when he becomes a man, all of his energy having been exhausted. I am told by distinguished gentlemen who, I believe, frankly, have not investigated this matter, that in the far Southland, which in part I have the honor to represent, they are weaving by some infernal machine the very bodies and souls of children into the cloth that women are wearing on the streets to-day. This I can not believe, as I have never heard of the invention of any such machine.

I will not make any assertion nor will I make any charge as to any other section of the country, for with conditions there I am not familiar; but I do not believe, Mr. Chairman, that such is the case in the South; and I want to warn the distinguished gentlemen who are sitting here, and I trust they are paying close attention to this bill, that if this bill becomes a law without the amendment which I have offered, I fear you will make a loafer, yea, a beggar and a thief, of every child under the age of 14 who does not have the necessary means to procure the absolute

necessities of life; for a child will beg, yes steal, before he will starve.

Talk about philanthropy. If the gentlemen on this floor will join hands with me and pass a section with the proviso that thousands of dollars, if necessary, be appropriated by the Government for the purpose of educating, clothing, and feeding those children who can not make their own living and have no visible means of support—

Mr. KEATING. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Florida yield to the gentleman from Colorado?

Mr. SEARS. No; I fear to yield to the distinguished and learned gentleman, because I realize that I am just breaking into the Halls of Congress, and by his wit and wisdom he might frustrate me. [Laughter.] And, as I was about to say, make the conditions which I have suggested impossible, then they will have accomplished something.

Mr. Chairman, I want to appeal to those men who, like myself, equally as well love their mothers and love children. I thank my God that I had the strength—and I am not appealing to the galleries—when I was under the age of 14 to go out and work and make an honest dollar, for I believe I was benefited rather than injured by so doing. And I am trying in my humble way to instill into my little boy of 11 years of age the lesson that it is no disgrace at any age to do an honest day's toil. And yet if this bill becomes a law you tell him if he works before he is 14 years of age somebody is committing a crime, and you not only tell him this, but you say to him he can not work before he is 14, even though he should be starving.

Why, Mr. Chairman, the South, at my hands, needs no defense. In my own State, Florida, which I have the honor in part to represent, we have a law that prevents boys under the age of 10 years from selling papers, and which prevents boys and girls under the age of 12 from working even in stores unless they can come under a proviso somewhat similar to the amendment that I have introduced here to-day. And yet it is the South, you affirm, you are striking at; yet it is my people that by the strong arm of the law must be forced to protect their children. I want to say, Mr. Chairman, that I do not doff my hat to any man when it comes to love and respect and admiration for a child. For 10 years it has been my pleasure to give of my time to the education and the uplift of the young men of my county, and I believe I know what is best for them; and I therefore appeal to you, during the four months when there are no schools in our section, not to make of them loafers, and if they have no means of support not to make of them beggars. Do not force those who have been so unfortunate as to lose their father to gain their living and their support by the toil and the sweat of the brow of their poor widowed mother. [Applause.]

The CHAIRMAN. The time of the gentleman from Florida has expired. The question is on agreeing to the amendment offered by the gentleman from Florida.

The question was taken, and the amendment was rejected.

Mr. WEBB. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina [Mr. WEBB] offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of the section, after the word "Provided," in line 13, page 3, insert the following: "This act shall not apply to healthy sons of dependent mothers if such sons are over 12 years of age and possess a third-grade school education."

Mr. WEBB. Mr. Chairman, that amendment was not born south of Mason and Dixon's line. It came to me from the assistant prosecuting attorney of Schuylkill County, at Pottsville, Pa., to wit, Edward J. Maginnis. It appealed to me so strongly and its argument is so convincing that we should have some exception in this bill along that line that I have offered my amendment in perfect good faith.

If it will not burden you, I want this House to hear what the gentleman says. He deals with boys and criminals. He has prosecuted cases for years up there in Schuylkill County, Pa. Here is what he says:

OFFICE OF THE DISTRICT ATTORNEY,
SCHUYLKILL COUNTY,
Pottsville, Pa., January 27, 1916.

DEAR SIR: I address you as one who, I perceive, is working to have Congress pass a just child-labor bill. As one who has given the subject deep study for many years, and as one who has lived his whole life among the class of people who are directly affected by such legislation, let me state that the child-idleness legislation adopted in Pennsylvania has caused awful distress among the following classes of large families among the poor:

1. Fathers incapacitated for labor by sickness or disease.
2. Fathers incapacitated for labor by accident outside of his regular employment.
3. Fathers unable, because of industrial conditions, to obtain employment.

4. Fathers in prison.
5. Mothers and children deserted by faithless fathers.
6. Families large and fathers' wages meager.
- And so on.

Under our legislation no help whatever is provided for families in any of the foregoing classes. The distress among them is terrible. I could relate instances indefinitely. The law has taken from these families the right of self-preservation—the right of healthy children to labor when the exigencies of the home demand them to labor—and has given them nothing instead. Candidly, isn't it more in keeping with Christian doctrine to let children labor (under proper conditions) than to send whole families to pauper institutions? I began to labor about the mines when I was 10 years of age, and never afterwards ceased to be a wage earner, because my parents needed my help. I am proud of what I did; why not then leave the same privilege open to the children of the future?

I would respectfully suggest an amendment to the act which would exempt child labor which is performed in order to prevent a family (1) from starving or (2) in order to keep a poor family intact. Believe me that the men and women who advocate these child-labor laws know nothing of the actual conditions that prevail among the poor industrial classes. You must actually live among them to know—for their voices never reach the upper stratas.

I urge you in the name of the millions of Lincolns yet unborn to continue your noble efforts to obtain such amendment to the Keating bill as will leave a vestige of hope for the poor who must labor.

Sincerely, your well-wisher,

E. J. MAGINNIS.

I also wish to submit the following:

AN OPEN LETTER TO THE LEGISLATORS OF PENNSYLVANIA.

(By Edward J. Maginnis.)

[Reprinted from the Pottsville (Pa.) Republican, Apr. 1, 1915.]

EVILS OF CHILD-LABOR BILLS.

The chief danger lurking in the majority of the child-labor bills under consideration at Harrisburg arises from the fact that one class of citizens composed principally of cultured men and women of small or no families at all, living in comfort, albeit with good intentions, are attempting to force legislation on the industrial class, composed mostly of humble, stalwart men and women of large families living in contentment, but depending for existence upon their daily wages.

The distinguishing mark of a free government has been that the laws for the people are made by the people. Whenever the opulent and more intellectual element in society succeed in establishing laws that will operate exclusively upon the proletarian class, free government, as Lincoln understood it, ceases and aristocracy rules. Unless we can show that a considerable portion of the people to be affected by this legislation favors its adoption we should, as true members of a free country, defer action until the wishes of the common people are better ascertained.

The writer at much personal expense of time and labor, and because of a natural sympathy for every soul struggling against adversity, has made careful inquiry among the families of the industrial classes and he has been unable to find a single mother of five or more children depending upon the daily wages of the father for sustenance, who approves of any of the proposed measures.

In short, the rich and childless, the old bachelors and maiden ladies, are striving to impose regulations upon the family of the poor man, which the latter does not want.

If thinking, reasonable men of the influential and patriotic class can be got to realize this truth, a powerful protest will assuredly arise against the enactment of such pernicious legislation. No effective protest is yet being heard simply because the ones who will be hurt are not able to make public protest. And even if those good mothers are thus visited with heavier burdens they will suffer on in silence, and the gay world shall little know their agony. Signs of a happy awakening, however, are evident. Here and there great men are beginning to think and speak upon the subject.

On March 23 Supreme Court Justice John P. Elkin, a man possessing the broad vision and soft heart of a real statesman, declared in a public address: "The question of child labor is now being very generally considered. This is a court problem and desires the best thought of thinking people. But in considering this question let us not forget that work is the common lot of mankind. The best men and the best women of the Nation to-day are those who were taught in the school of adversity and were reared to labor with their hands."

Prof. Nearing, of the University of Pennsylvania, has compiled some statistics which are interesting. He says: "Statistics compiled by colleges of America show that the average size of the family of a college graduate is 1.9 children."

As the average family must include at least four children simply to perpetuate the race it requires small argument to show what would happen to this world if all children were constrained to become college graduates. Within a few centuries the earth would become as barren of human life as the moon. Yet we are told in beautiful language that education is the great moral force of the world.

We have a glimmering recollection that the Good Book somewhere says that man was born to labor. Prof. Nearing further states: "The birth rate in Chestnut Hill and Germantown is two and one-half children to the average family (less than in decadent France); in Kensington it is three children to the average family; and in the second ward of Philadelphia it is seven children to the family."

The lesson is startling; the more mankind is inclined to labor the more he begets respect for and obedience to the prime laws of nature. Is it not time for the brilliant ones among the industrial class to become social uplifters and urge the adoption of civil laws that will insure the perpetuation of the families of the educated and wealthy classes? Or, since the poor must assume the major burden of perpetuating the race, would it not be a just regulation to tax every adult man and woman in elite society, say, \$1,000 a year for each legitimate child he or she lacks of a normal family of four, and let the proceeds be distributed by the State among the good fathers and mothers of the industrial class who are rearing large families.

At the hearing in the hall of the house at Harrisburg on Wednesday, March 17, a host of club women from various sections of the State appeared and made pathetic pleas in behalf of the child laborer. They spoke as though they believed that the average child is sort of a non-refillable bottle, containing so much energy which when depleted leaves the child a physical wreck. And yet they all, without exception, went on record as being opposed to an eight-hour day for servant girls or domestics.

These good, noble women, upon whom rest the solemn obligation of attending to social affairs of select society, might be obliged to do some of their own housework if perchance their child servants were limited to an eight-hour workday. Are we to understand that working girls are to be forced out of the stores and factories and given the alternative of working unlimited hours as domestics? Does not this circumstance again illustrate the misguided agitation back of the child-labor reform?

And, lest the writer be charged with taking a stand against liberal education of the mind for any person who can possibly afford it, be it noted emphatically that he has an abiding faith in the good men and women of our industrial class that they will never deprive a child of the opportunity to acquire such intellectual training as the child needs or desires. Let the State provide every facility for education; provide board as well as tuition at the State college; offer premiums to the children of the poor who seek higher education; and establish free professional schools for the poor; but then leave it to the wise judgment of our good fathers and mothers to determine whether their children need manual labor as well as education in order to develop their characters.

History, which, by the way, is becoming an obsolete study, teaches that labor and sacrifice in virile youth molded the characters of most of the lovable men and women of fame. "But," the zealous social reformer retorts, "many fathers and mothers exploit their children." True, but why should that fact be a justification for laying harsh restrictions on the parental hand generally. It is a principle of common law that it is better that ninety-nine guilty escape than that one innocent person be punished. Are not our God-loving fathers and mothers of the industrial class deserving of as much consideration as the criminal? Why reverse the principle as to them, and punish the ninety-nine devoted parents in order to catch the one who exploits his or her children. Herod, it is said, put ninety-nine thousand innocent children to death in order to prevent the rearing of One who was to come to teach the dignity of labor; but Herod was a rich man without a large family of his own.

The records show and our police authorities attest that just in the same degree that we have encumbered our law books with unwise child-labor legislation have we increased the work of our juvenile courts and crowded our reform schools. An authority on such matters wrote recently in one of our large dailies: "The breaking up of the social unit—the family—is responsible for the fact that the city of Philadelphia has an army of 10,000 little ones in homes and institutions." Certainly, homes will be broken up when we deny to poor families the God-given right to sustain themselves by labor. Many boys from 12 to 14 years of age are daily brought into our juvenile courts charged with incipient crimes. Invariably it is found that such boys have formed a dislike for school training, but they are willing to work for wages.

Under our present system there is nothing left for the trial judge to do except to send them to reform schools. There they are associated with hundreds of boys all affected with different forms of vice or moral delinquency. The result is, as the writer has often verified, that they return to society a little better educated in books—and crime. How much better for society if these boys could be paroled and put to manual labor under the care of their parents.

None of the proposed child-labor bills contains an exception in favor of this large class of boys. They will not go to school, the social reformer ordains that they shall not work, hence they must become criminals, for idleness leads ever to crime. Why not first call a convention of all the probation officers of the State and get their opinion as to what ought to be done with our incorrigible, truant, and delinquent boys?

Finally, let us present the case of the mothers in such clear light that only the hardened of heart can longer advocate measures that would rob them of the last vestige of hope. When the soldier in war shoots down his brother we decorate him for valor; when the mothers of men sustain the race we strip them of their natural right to the child's help, we put no trust in their sense of honor. Instead of argument let us exhibit the living examples of the cruel consideration which the social reformer grants to our Spartan mothers.

Here are a few pages taken from the book of life; examples which have come under the eye of the writer; examples which are multiplied the country over in all our industrial centers. And be it remembered that the proposed measures, by restricting further the right of the child to labor, will immeasurably increase the miseries here depicted.

And first we take the case of Mrs. O'Brien. Mrs. O'Brien was a religious woman; she read her Bible and learned that it is God's eternal decree that man shall increase and multiply. She had six children, and her husband worked in the mines. The whole family ate well, slept well, sympathized with their less-fortunate neighbors, and obeyed the law. The earnings of the father barely provided for their current needs. One day Mr. O'Brien was stricken down with an incurable malady. The eldest boys were respectively 11 and 13 years of age. They were willing, anxious, and able to work to make up for the loss of their father's wages. But no; it was economically wrong for boys of their tender age to labor in a free country. Hence the family was divided up, one child was sent here, another there, and poor Mrs. O'Brien died of a broken heart.

And there was Mrs. Bolinski. She had eight children, the eldest a girl of 14 and the next a husky boy of 11. Her husband, in a drunken frenzy, committed an aggravated assault on a neighbor and he got two years. Mrs. Bolinski came into court with her brood and bade her husband an affectionate farewell as he was being led to prison. There was much weeping among them, and the older children strove to console the disconsolate mother with assurances that they would go to work and try to fill dad's place. But no; there was no right for them to do heroic things in a great free country erected upon the sacrifices of the hardy pioneers; hence Mrs. Bolinski and her flock were sent to the county almshouse—where there is no education for children. To date no social lifter has offered her any help.

And Mrs. Davis, too. She had but four children, just enough to entitle her to a place among the families of the elect. She had an unfaithful spouse, and he deserted her and her little ones and fled the jurisdiction. She was able to take in washing, and Johnnie, her eldest boy, could do a man's job. But Johnnie, so an employer told him, was not old enough to be permitted to soil his manly hands in ugly toil; hence Mrs. Davis, in addition to taking in washing, had to do a little begging on the side to preserve the family unity. It went hard on the proud little woman to beg.

And there was noble Mrs. Schmidt. Because of hard times her husband, a tradesman, was unable to get employment. There was plenty of work about that her boys could do, but they could not get employment certificates unless their parents took false oaths. Mrs. Schmidt,

fortunately for her, came of a hardy race. She did not go to the poorhouse, but instead took in two washings a day with ironing, and thus kept the table provided while her husband searched the country for a job. It might be added as a detail that the awful strain broke her down in body.

But less the foregoing seem but commonplace recitals of human experience, we will relate the story of Mrs. Haas for the delectation of our pseudo-social reformers. And to avoid all play on the sympathies we will not color any of the details. Last fall her husband became ill and was unable to work. She is the mother of six children, the eldest physically able to work, but prohibited by law. The family income being shut off they were actually starving when a fellow laborer happened in one day. Moved by compassion, the fellow laborer went out and soon returned with three chickens. Within an hour thereafter the chickens were devoured. It was the first substantial food they had eaten in many days. It turned out that the chickens were stolen. As soon as Haas got up from his sick bed he was arrested for receiving stolen goods. He admitted to the court that he and his family had eaten the chickens, knowing them to have been stolen. He was sentenced to serve a year and three months. The family became destitute. The distressed mother was tempted to put her virtue on the block, but she was brave. Kind friends brought the matter to the attention of the court, and after some months her husband was paroled.

Thus hundreds of faithful women are forced by legislation conceived in absolute ignorance of conditions prevailing among the industrial class to sacrifice their bodies, to beg, to retreat to pauper institutions, to sacrifice their lives, to sell their honor, in order to preserve their families.

"Oh," the college professor, the club woman, and the childless philanthropist will exclaim in unison, "the widows' pension and the compensation act will take care of those unfortunate women." The writer challenges anyone to point to a single provision in the statute books of Pennsylvania, or in any of the proposed reform bills, which provides any adequate relief for a mother in any of the circumstances above noted. And yet, if we were humanely inclined, how easy it would be to incorporate a proviso to permit the healthy sons of distressed mothers, say over the age of 12 years, and having a third-grade school education, to work at such manual labor as his home physician would certify that he is able to perform.

Down deep in the hearts of these faithful mothers of large families there is a growing conviction that the world is unconsciously uniting in a giant conspiracy to crush them because of their unbending fidelity to the primary laws of God and nature. In time, slowly it may be, American manhood will awaken to the evils of fanatical legislation, and then we can hope for a return to first principles.

I submit, gentlemen of the House, that we ought not to prevent a mother whose husband has deserted her or is in jail, or a destitute mother who is a widow, from receiving the fruits of the labor of her boys of 12, 13, and 14 years of age. She ought not to be compelled to go to the poorhouse or see her boys go to a reformatory and have the family scattered instead of the boys working in honest toil to help support her. She toiled for them in infancy, and when she becomes worn out from such toil and has no other support, it is noble and just to let her able children labor sufficiently to keep her from suffering.

I appeal to you in behalf of the tired, saddened, dependent mothers.

Now, when the mother is old and helpless, saddened and pauperized, are you going to require that her little family be scattered to other homes; are you going to let them roam the streets and finally land in a house of correction, or are you going to let an able-bodied boy, 12 years old or older, under these circumstances, who has already acquired a third-grade certificate, work for his mother?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEBB. I ask for two minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. WEBB. I say, there is much more Christian spirit, as my friend says, and there is much more common sense in letting the boy work under these circumstances; and I predict that the boy who is permitted to feel the honorable duty of helping a poor mother with his honest toil will be among the boys who will in the future sit in the Halls of Congress and run your industrial institutions, and such boys will be among your leading men. It will not be the little tramp who goes around the streets in idleness until he is 16 and says, "My mammy and daddy can keep me up, and I don't have to work." The boy who feels the responsibility of working for a widowed mother, who in his infancy protected his life, will make the better man of the two in ninety-nine cases out of a hundred.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. WEBB. Yes.

Mr. MANN. Do I understand the gentleman thinks the son of a widowed mother is benefited by having lost his father?

Mr. WEBB. No; I said no such thing as that.

Mr. MANN. The gentleman said he was in a much better attitude to succeed.

Mr. WEBB. No; I said the boy who felt the responsibility of honest toil to protect a widowed and helpless mother would become a better man than one who, when a boy, was tramping around the streets doing nothing until he was 16 years of age, and experience will prove the truth of what I say.

Mr. MANN. Then the gentleman ought to modify his statement, because as he made it it plainly was that it would benefit a child to lose his father.

Mr. WEBB. I appeal to the House that I did not say any such thing.

Mr. MANN. If the gentleman modifies his remarks, it will be all right.

Mr. WEBB. Listen to this letter from Rev. A. E. Brown, superintendent of the Department of Mountain Missions and Schools of North Carolina, a godly man, who keeps close to our people, knows their habits and their needs:

HOME MISSION BOARD OF THE
SOUTHERN BAPTIST CONVENTION,
Asheville, N. C., January 31, 1916.

Hon. E. Y. WEBB, M. C.,
Washington, D. C.

DEAR BROTHER WEBB: I note the position which Congressmen from this State are taking on the child-labor bill before Congress, and I am inclined to give my heartiest approval of this course. I think the employment of children in manufactories should be regulated and supervised by a suitable person. I do not know just how much injury has been done to children by their work in the factories, but I have noticed this, that the children who work in factories are not before our police court to be sentenced to the reformatory. I believe that labor in a measure is a preventive of crime. I think it is a greater problem to know what to do with the boys growing up in our cities and towns without employment than what to do with those who are employed in the factories.

Yours, fraternally,

A. E. BROWN, Superintendent.

[Mr. LEWIS addressed the committee. See Appendix.]

Mr. CAMPBELL. Mr. Chairman—

Mr. KEATING. Mr. Chairman, can we not arrange by unanimous consent to limit the debate on this section? I suggest that debate on this section and all amendments thereto close in 10 minutes, 5 minutes to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and 5 minutes by the gentleman from New York [Mr. FITZGERALD].

Mr. CLARK of Florida. I want to offer an amendment to the section.

Mr. KEATING. Then let us say in 15 minutes, 5 minutes for the gentleman from Florida.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] asks unanimous consent that the debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. CAMPBELL. Mr. Chairman, I shall vote for this bill, as I did for a similar bill when it passed the last Congress. I do this knowing that many children have worked and will continue to work below the age of the limit fixed by this bill. There is a difference between child work on the farm and work in mines and factories.

I saw a number of children from the Lawrence (Mass.) district when the strike conditions were being investigated by the Committee on Rules of the House. Some of them were there with their parents. In nine cases out of ten the children had violated, either through their guardians or parents, the laws of the State of Massachusetts in order to get into the mills. Their parents admitted in some instances that they had stated to the employers that their children were over 14 years of age so they could get them into the mills. That condition exists throughout the country. I have seen men take their own boys, under 14 years old, into the coal mines and have them work by their side in the mines.

While parents will consent to or permit their children to work in mills or mines, the State—and the Nation, where the State fails—must step in and take care of the child life that is wasted in employments that are ruinous to young life. If this bill was so broad in its scope that it included farm as well as factory and mine work, it would raise a serious question. But as it refers solely to the industries in which it is so ruinous to the child, and while the same parents refuse to exercise that care over their own children that they ought to, the State or the Nation must step in and do it.

Mr. WEBB. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. WEBB. This bill applies to every manufacturing plant in the United States.

Mr. CAMPBELL. Yes; it does not refer to the cotton mills only.

Mr. WEBB. It refers to mills, factories, and manufacturing establishments.

Mr. CAMPBELL. Certainly where children are placed on machines and compelled to work along with the machines, it saps the life out of the children, and it properly applies to all industries of that kind. There may be a small chance for a child in a coal mine where it is not under machine control. There is none in a mill on a machine.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. FITZGERALD. Mr. Chairman, earlier in the day I spoke in opposition to an amendment prohibiting the Department of Labor from appointing employees to enforce this law. Later, during my absence in the Committee on Appropriations on committee work, the gentleman from North Carolina [Mr. WEBB] commented upon my enthusiasm for the bill, and suggested that I should attempt to remedy conditions in the State of New York before I attempted to interfere with conditions in his State.

I did not refer to conditions in any State, Mr. Chairman. I favor this bill because of its great fundamental underlying principle and the benevolent purpose sought to be accomplished. If conditions in the State which I represent, in part, were as vicious and as bad as they are in the State of the gentleman from North Carolina, and the Congress of the United States should feel impelled to take up a bill like this one in order to eliminate those conditions, I should be so ashamed of my own State that, rather than attempt to defeat the legislation, I should retire from this House to private life.

It unfortunately is true that evil conditions exist in all communities. Wherever greed is exalted over humanity men will be found indifferent to the proper development of the child so long as pecuniary benefit results from the abuse of children by enforced labor.

Much talk is indulged in about the man from the farm, of the boy of 12 and 14 who, struggling up through youth to manhood, overcomes many obstacles and accumulates wealth and attains high position. Have you ever talked with any of them? Find one who will not regret that conditions had been such and that his life had been cast in environments so unfortunate that he had been deprived of the opportunities he was entitled to as a youth and who does not devote every energy and make every sacrifice to give his own children the privileges and benefits denied to him in his youth. [Applause.]

I have a boy 14 years of age and I have one 12 years of age. God forbid that any legislation would be enacted here which would permit them to go into the quarry or the factory or the mill to support their mother if their natural support were taken away.

Mr. Chairman, we live in a new age and under different conditions than those prevailing 20 or 30 years ago. Conditions in factories and quarries and mines are entirely different from what they were then. Society owes something to the innocent and helpless children. [Applause.] They can no longer in this country be condemned to a life of disease and helplessness and ignorance because through misfortune or accident their natural support is taken away and they are compelled to depend on the efforts and labor of an honorable and honest mother. The State owes something to dependent children, and it is one of the glories of our civilization that legislation is being enacted in recognition of that fact and for the welfare of the young. My State has taken a foremost position in such legislation and has enacted a widow's pension law in order to meet one phase of the problem.

This legislation should not be discussed because of the conditions existing in any one State. I did not intend, in advocating this bill, to refer to conditions in any particular State. Wherever the conditions aimed at exist they should be eliminated. The Federal Government can not completely control the situation; but it can aid in bettering conditions, and this bill will help materially. What chance in the future has the child placed in a mine or quarry under the age of 16 years? Put the child under 14 years of age in a mill for more than eight hours a day, or before 7 o'clock in the morning and after 7 o'clock in the evening, with the speeding-up conditions that exist in such establishments and indicate what chance has he for that physical, mental, and moral development essential to fit him to be a good citizen and a contented human being? Such children are doomed to lives of disease, in most instances to lives of crime, and if, perchance, some one of them, because of unusual conditions, peculiar capacity, and exceptional ability, manages to break through the barrier which surrounds him and climbs successfully the ladder of life it should not be held up as an example for children to emulate, but, rather, we should consider the fate of the great majority, who fall and sink to a lower plane, with the resulting misery, disease, and unhappiness. [Applause.]

This bill deserves to pass. It will help the widespread movement to conserve human life; it will give thousands of children opportunities to contribute to the betterment of mankind who otherwise will be a menace to their fellows.

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

The CHAIRMAN. The Chair will state that there is an amendment pending offered by the gentleman from North Carolina [Mr. WEBB].

Mr. CLARK of Florida. Very well; I will withhold my amendment for the present.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WEBB].

The question was taken; and on a division (demanded by Mr. WEBB) there were—ayes 8, noes 104.

So the amendment was rejected.

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

The Clerk read as follows:

Add at the end of line 13, page 3, the following:

"Provided, Nothing herein contained shall apply to goods made or prepared by any boys' or girls' canning club existing in any State."

Mr. CLARK of Florida. Mr. Chairman, I simply want to call the attention of the House to the fact, well known, I think, to all of the membership, that the Department of Agriculture for a number of years has been encouraging the building up of boys' and girls' canning clubs in the different States of the Union. These canning clubs can vegetables, fruits, and other things of that character, and they ship them into other States for sale. I have offered this amendment solely to protect those canning clubs. If this House thinks that that spirit of enterprise and industry among the boys and girls of the country ought not to be encouraged, of course they will vote down the amendment. I do not care at this time to go into any argument of the merits of the bill, but I think if it is to become a law this exception ought to be made, and I have offered the amendment for that purpose.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. DOWELL. Will not this amendment open up the door for the organization of these clubs in every community where they desire to violate the law?

Mr. CLARK of Florida. I do not suppose it would create them in communities that want to violate the law. I think they exist in nearly all of the agricultural communities in this country to-day. They are existing now all over the West and all over the South and, I think, in the East and in almost every agricultural community they have their boys' canning clubs and their girls' canning clubs.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. MANN. Might we not be able to add some word to the amendment of the gentleman which would clearly show that if the amendment should be adopted it would be impossible for a corporation to call itself a boys' canning club or a girls' canning club?

Mr. CLARK of Florida. I am willing to have such an amendment adopted.

Mr. MANN. These boys' clubs are voluntary organizations, not incorporated.

Mr. CLARK of Florida. Absolutely; but the products which they make do at times ship into other States. I am quite willing to add any word that will protect it from any intentional violation of the law.

Mr. MANN. After the word "club," if you would add the words "not incorporated," I think it might make it safe, so that it could not be used by any company engaged in canning.

Mr. CLARK of Florida. Then I will ask that the words "not incorporated" shall be inserted at the proper place. I make that request, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to amend his amendment in the manner stated. Is there objection?

Mr. KEATING. Mr. Chairman, reserving the right to object, I will say to the gentleman from Florida [Mr. CLARK], as I did a moment ago in private conversation, that it is not the intention of those who drafted the bill that it should affect the canning clubs operating under the encouragement of the Department of Agriculture.

Mr. CLARK of Florida. But it does affect them.

Mr. KEATING. And the gentleman's amendment as he has drafted it, as the gentleman from Illinois [Mr. MANN] suggests, is entirely too broad. It seems to me that it should be left to the discretion of the Secretary of Agriculture or the three Cabinet officers mentioned in section 3 of this bill, who are to draft rules and regulations.

Mr. MANN. But they could not draft rules and regulations in violation of the act. It looks as though section 1 would cover anything that could be called a cannery.

Mr. CLARK of Florida. Let me read from the bill a moment: The product of any mill, cannery, workshop, factory, or manufacturing establishment.

These boys and girls have what they call a cannery, and this language would certainly exclude the products of their cannery.

Mr. HOWARD. Mr. Chairman, if the gentleman will permit, would not the words "bona fide canning clubs recognized by the Department of Agriculture of the United States" clear up the meaning of the gentleman's amendment?

Mr. CLARK of Florida. I am perfectly willing to accept any amendment which will make it perfectly clear. All I desire to do is to protect these very commendable canning clubs of boys and girls in the agricultural sections of the country.

Mr. DAVIS of Texas. Will the gentleman yield for a moment?

Mr. CLARK of Florida. I do.

Mr. DAVIS of Texas. I sympathize with the gentleman's proposition. The fact is you will now kill the bill with my vote if the proposition is not accepted. In my county we are not operating under the United States Department of Agriculture, but we are operating under the State department of agriculture in our own State, and we have, I think, some twenty-odd voluntary canning clubs, where they can all kinds of farm products.

The CHAIRMAN. The time of the gentleman has expired; all time has expired on this paragraph and amendments thereto.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All time has expired.

Mr. MANN. Was there an agreement? I ask unanimous consent that the gentleman from Florida may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois that the gentleman from Florida have five minutes?

Mr. FOSTER. Mr. Chairman, I would ask that the gentleman from Colorado have five minutes.

The CHAIRMAN. The gentleman from Illinois amends the request of his colleague by asking that the gentleman from Florida have five minutes and the gentleman from Colorado have five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HOPWOOD. I would like to ask unanimous consent to have five minutes on this matter.

Mr. MANN. The gentleman can get it on the next paragraph.

Mr. CLARK of Florida. Mr. Chairman, I have asked unanimous consent—and I believe it was granted—to make this proposed amendment read "unincorporated boys' and girls' canning clubs." Now, I want to say, as I have already, to make it plain, that if this legislation is to pass at all—and I assume it will—I am not in favor of it, and I want to be perfectly frank with the House and therefore make that statement. We have upon the statutes in Florida a much better, a more full and complete child-labor law than this; and, in addition, I am one of those who believe that we have not the jurisdiction to engage in this character of legislation. I understand it is labeled a bill to deal with interstate commerce, but that is a mere subterfuge. It is, in fact, a bill to deal with child labor throughout the United States, with which the Congress has nothing to do. And I want right here, Mr. Chairman, as long as I have gotten the time, to relate a statement made to me by a Member of Congress who has passed to his reward—a gentleman whom all the older Members knew and whom, I think, we all loved—an old gentleman about 70 years of age, of magnificent physical proportions. He stated to a number of Members on a certain occasion that he was once a member of the State senate of his State, and he said there was a little doctor, also a member of the senate, who got up a child-labor bill; and he said one day that little doctor made a powerful speech in favor of his child-labor bill, and in the course of his speech, among other things, said "this way of working young children had to stop; it would stunt them, and that they would grow up to be little runts and never would be of any account." Our friend said when the doctor got through he himself took the floor and he said, "Gentlemen, I want you to look at me." He was over 6 feet and weighed about 260 pounds. He said, "I think I am a pretty good specimen of a man, and I do not remember the day when I was not working." He said he then sat down, and the little doctor came again. "Well," said the little doctor, "if it did not tell on you it will tell on your children, and they will be little runts and dwarfs and never amount to anything." My friend said, "I knew they did not know anything about my family, and when the doctor got through I took the floor again and I said, 'Gentlemen, I haint got but two children in the world, and they are both boys. One of them weighs 260 pounds and the other weighs 340; and if I had not been stunted by

work when I was young the Lord only knows what they would have been.'" [Laughter and applause.]

I look upon all this talk as being sickeningly sentimental, with nothing else to it; but if you are going to adopt it, if you are going to say that the boys of this country shall not grow up strong, rugged, fully capable of making their way in the world, as they have in the past, then I ask you to put this amendment in the bill, and at least protect the little boys and girls who are engaged in gardening and in canning the fruits of their labor and trying to learn something which will be useful to them in after life. Tell me that a boy ought not to work, that it is ruinous to him? Look at the men on this floor; look at the men at the other end of the Capitol; a great majority of them came not from the lap of luxury; and I want to say if I had my right to-day to will to my two boys when I die \$100,000 or a million dollars apiece, I do not know of anything worse on earth that could happen to them. They ought to work. The scripture says, "In the sweat of thy face shalt thou eat bread." I hope this amendment will be adopted.

Mr. Chairman, the Southern States have been quite severely criticized in the course of discussion upon this bill because, forsooth, some of us from that section are still loyal to the Constitution of the land in both letter and spirit. We have been painted as inhumane and with no kindly interest in the children of this country. I do not care to criticize others, but if I lived in New York, Boston, or other large cities in the North where I have seen small boys—much below 14 years of age—thinly clad, ragged, and almost barefooted, trudging through the snow and ice and shivering in the winter winds as they cried their newspapers in an effort to earn a few pennies with which to buy bread, I hardly think I should have the supreme nerve to set myself up as a teacher of the most humane method of rearing children.

What do the advocates of this bill propose to do with children under 14 years of age after they have denied them the privilege of earning a dollar by honest toil? Who will care for and support those whose parents are unable to care for and support them? What will become of those who have no parents and no property? Will the law which denies to them the privilege to earn an honest living by light toil make provision for their support? What will become of them? Perhaps these very humane gentlemen, who seem to delight in lecturing us on our cruel treatment of children, prefer that they shall be brought up in poverty, indolence, and idleness, which invariably leads to crime, rather than have them taught to be industrious in youth, which invariably leads to independence in maturer years. Mr. Chairman, I do not believe a case can be found in all the world where moderate labor ever proved either mentally or physically injurious to a child. "Idleness is the devil's storehouse," with the boy as well as with the man. "As the twig is bent so is the tree inclined," and if you bring up a boy, rich or poor, in idleness, ninety-nine times out of a hundred he will not be worth a "tinker's damn" to himself or the community when he becomes a man. If employers of child labor are oppressive and inhuman, punish such employers and regulate child labor along humane lines; but do not deny to the poor boy, perhaps alone in the world, the chance to carve out his own fortune by honest labor and write his name high on the scroll of fame, as so many before him have done. Give him a chance in the race of life, and do not hamper him with misfit legislation born of a sickening sentimentality which has no place in a Government like ours.

Mr. KEATING. Mr. Chairman, as I stated a few moments ago it was not the intention of the men who drafted this bill that it should apply to the so-called boys' and girls' canning clubs, and yet if you begin to place exemptions in this bill I think you will very seriously weaken it. This particular amendment is offered by a gentleman who avows his opposition to the bill, his anxiety to defeat the bill. I believe under the circumstances that the House will act wisely if it rejects his amendment. I do not believe that any proper interpretation of the law will interfere with the operation of any legitimate boys' and girls' canning club.

Mr. CLARK of Florida. Will the gentleman permit a question?

Mr. KEATING. Yes.

Mr. CLARK of Florida. Does not the gentleman think a cannery would include a boys' and girls' club?

Mr. KEATING. No; not a boys' and girls' canning club. A cannery has a very definite meaning.

Mr. CLARK of Florida. Will the gentleman permit a further question?

Mr. KEATING. Certainly.

Mr. CLARK of Florida. What possible harm would it do?

Mr. KEATING. As the gentleman has drafted his amendment any club called a boys' and girls' canning club may get its out-

put into interstate commerce. It would be the simplest thing in the world to crawl through that particular loophole and violate the law.

Mr. BLACK. Will the gentleman permit a question?

Mr. KEATING. Certainly.

Mr. BLACK. We have in my district community canneries, where the farmers in the vicinity come together and can their products, and in that way use the labor of their children, no doubt some of them under 14 years of age. They carry these to the wholesale grocery houses and in that way get a market for canned goods of that kind. Of course, some goes into interstate commerce in Oklahoma and New Mexico. Does the gentleman think that the bill would cover cases of that kind?

Mr. KEATING. I do not believe that children should be worked in canneries. That is the provision of this bill, and I believe that provision should be retained, and that we should not put into the bill weakening exemptions. I trust the House will vote down the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman—

Mr. MANN. Mr. Chairman, I move to amend the amendment by striking out all after the word "club" and inserting in parentheses the word "unincorporated."

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment to the amendment, which the Clerk will report.

Mr. CLARK of Florida. Mr. Chairman, if the gentleman will pardon me, I got consent to include the word "unincorporated" just before the word "boys," to read "unincorporated boys' and girls' clubs."

Mr. MANN. I did not know that consent had been granted.

Mr. CLARK of Florida. Yes. I would like to ask the Clerk to read the amendment as amended.

The Clerk read as follows:

Mr. MANN moves to amend by striking out—

Mr. CLARK of Florida. Mr. Chairman, I made the request some time ago.

The CHAIRMAN. The Chair will state to the gentleman from Florida that the gentleman did make that request, but in the confusion the Chair did not put it; but, if the gentleman from Florida desires, the Chair will put the request now. The Clerk will read the amendment.

The Clerk read as follows:

Amend the amendment by striking out, after the word "club," the words "existing in any State," and insert the word "unincorporated."

Mr. COOPER of Wisconsin. I would like to ask the gentleman from Illinois [Mr. MANN] and the gentleman from Florida [Mr. CLARK] a question.

The CHAIRMAN. There are two minutes remaining.

Mr. KEATING. I will yield two minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Children can not manufacture products and sell them. If these children's canneries are to be unincorporated, who will make the contracts with purchasers and with carriers, and who will receive and pay out the money? If these canneries are not incorporated, they must be partnerships or something of that kind. Who is to do the business for the children if they are to ship goods in interstate commerce?

Mr. MANN. They not only can a great many goods but sell them.

Mr. CLARK of Florida. They can not make a legal contract.

Mr. COOPER of Wisconsin. They can not make a legal contract, but the man who wants to work children can make such a contract. In my judgment the pending amendment ought to be defeated.

Mr. HOWARD. Mr. Chairman, I desire to offer a substitute for the amendment as amended.

The CHAIRMAN. The gentleman from Georgia offers a substitute for the amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, after line 4—

The CHAIRMAN. Page 2 is not now under consideration.

Mr. HOWARD. Wherever the gentleman's amendment came in. I did not hear the page.

The CHAIRMAN. Page 3, line 13.

Mr. HOWARD. After page 3, line 13.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to modify his amendment. Is there objection? [After a pause.] The Chair hears none.

The Clerk will read the substitute offered by the gentleman from Georgia.

The Clerk read as follows:

After line 13, insert "Provided, That nothing in this act shall be construed to apply to bona fide boys' and girls' canning clubs recognized

by the agricultural departments of the several States and of the United States."

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

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Georgia for the amendment.

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

Mr. HOWARD. Division, Mr. Chairman.

The committee divided; and there were—ayes 89, yeas 9.

So the substitute was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as a substitute.

The amendment as a substitute was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That any person who violates any of the provisions of section 1 of this act, or who refuses or obstructs entry or inspection authorized by section 3 of this act, shall for the first offense be punished by a fine of not more than \$200 and for each subsequent offense shall be punished by a fine of not more than \$1,000 nor less than \$100, or by imprisonment for not more than three months, or by both fine and imprisonment, in the discretion of the court: *Provided*, That no dealer shall be subject to conviction under the provisions of this act who shall establish a guaranty issued by the person by whom such goods were manufactured or produced, resident in the United States, to the effect that in the manufacture and production of such goods, neither in whole nor in part, had children been employed or permitted to work in any mine or quarry under the age of 16 years, or in any mill, cannery, workshop, factory, or manufacturing establishment under the age of 14 years, or between the ages of 14 years and 16 years who worked more than eight hours in any one day or more than six days in any one week or after the hour of 7 o'clock p. m. or before the hour of 7 o'clock a. m., and in such event the guarantor shall be amenable to any prosecution, fine, or penalty to which the person seeking the protection of such guaranty would otherwise have been subject under the provisions of this act. Said guaranty, to afford the protection above provided, shall contain the name and address of the person giving the same.

Also, the following committee amendments were read:

Page 3, line 14, strike out the figure "5" and insert "6."

The amendment was agreed to.

Page 3, line 16, strike out the word "three" and insert the word "four."

The amendment was agreed to.

Mr. HOPWOOD. Mr. Chairman, I move to strike out the last word.

In answer to an argument on the other side of the House against this bill, founded upon a letter received from Pennsylvania, I am brought to my feet as a Member from Pennsylvania to say a few words in favor of the bill, and in answer to that argument.

Pennsylvania has the most advanced laws, I think, or as advanced, as any State in the Union on all questions pertaining to children. In the first place, our educational laws are among the best in the United States. We have erected the finest school buildings and we have the largest percentage of attendants, and we have the best care of our children in an educational sense that any State can have.

Our mining laws in Pennsylvania are among the most advanced of any State in the Union. I happen to live in a mining section. I represent a mining district in the coke and coal regions in southwestern Pennsylvania. In the past 25 years the mining laws of that State have added to the welfare of those people, so that you would not recognize their homes if you had seen them 25 years ago and would see them now, by reason of the advanced legislation that has allowed them to have these fine homes, surrounded by green fields, fine gardens, and flowers, and everything that makes life comfortable and pleasant.

The child-labor law of Pennsylvania is one of the most advanced in the Union, and that that child-labor law has in any way prevented the people of Pennsylvania, the widows of Pennsylvania, as was said here, from the best to which they are entitled, the best things in this land for usefulness and happiness, is not correct. We have the best laws or as good laws as are in the United States in regard to the care of the indigent poor. We have poor-farms on which they are cared for.

We have a system of outdoor relief, where a family that wants to live together and does not want to be sent to the poor farm, whereby the widow and her children are cared for in their own homes. So that the lady who wrote the letter referred to is entirely misinformed in regard to Pennsylvania.

I just wanted to answer that stricture on Pennsylvania, and to say that Pennsylvania is in favor of every advancement that can be had for the protection of the children. I am in favor of the enactment of this law as an additional law to make the States that are not coming up and marching with the other States of the Union—only a few of them are lagging behind—toe the mark, and march along with equal step. It will keep the products of the child labor of such States out of Pennsyl-

vania and other States which are willing to take care of their children as they should be cared for, and will give them the opportunity which they ought to have without being compelled to compete with the child labor of such States as still insist on the employment of such labor. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. AIKEN. Mr. Chairman, in the report of the committee on this bill, on page 7, this statement appears:

It was evident through this testimony that the only opposition from manufacturers personally appearing before the committee has been from the cotton-manufacturing sections of Virginia, North Carolina, South Carolina, and Alabama, and that the manufacturing associations of these States have been in the past opponents before their own State legislatures of the raising of the age limit or shortening of the hours for the working children.

Now, Mr. Chairman, I desire to read a copy of the resolutions which were adopted by the Cotton Manufacturers' Association of South Carolina on January 22, 1909. I read:

RESOLUTIONS ADOPTED BY THE COTTON MANUFACTURERS' ASSOCIATION OF SOUTH CAROLINA.

Resolved, That the association renews its recommendation to the legislature that there be passed a general compulsory education law requiring the compulsory education of children under 14 years of age.

Resolved, That provided there be passed such compulsory education law this association feels that there is no objection to advancing under proper limitations and restrictions the age limit of children working in textile mills and other industries to an age to comply with the general compulsory education law as passed.

Resolved, That this association also renews its strong and urgent recommendation to the legislature that a law be passed in this State requiring registration of births and marriage licenses.

Now, Mr. Chairman, those resolutions were presented and read before the committee of the South Carolina Legislature and repeatedly presented to that body. They were sent to me by one of the leading cotton manufacturers in the South, Capt. E. A. Smyth, of the Pelzer Mills. I believe he is the largest manufacturer in the South to-day of cotton goods. I believe if the report of the committee throughout is no more reliable than the statement which I have quoted from it, it must be taken with a good deal of salt.

I know that the Manufacturers' Association of our State has been in favor since 1909 of a child-labor law, but the legislature has not passed it. I wish to have these resolutions printed as part of my remarks.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

Mr. AIKEN. Now, Mr. Chairman, while I am not a lawyer, I claim to have a reasonable amount of common sense, and some one has said that law is, or should be, based on common sense.

I can conceive of the National Government prohibiting the use of the mails for the conduct of a lottery between States, for gambling in itself is an evil subject to police regulation. I can conceive of the National Government forbidding the carrying of girls or immoral women from one State to another, affording the States some protection against the immoral practices of citizens of other States. I can conceive of the ever-ready interstate commerce act being called into play to suppress the illicit sale of whisky. These all come within the scope of police regulations and find justification in the right of the National Government to protect one State against those immoral or illegal practices that the citizens of another State would inflict upon it. But that the National Government should prohibit the shipping of a bolt of cloth, or a sewing machine, or a box of shoes, or a suit of clothes from one State to another or to an alien country because children under the age of 16 years may have aided in their manufacture is stretching the inhibitions of interstate commerce beyond the limit.

I am opposed to the pending bill because it undertakes to usurp a duty that belongs exclusively to the States and that the States can perform more satisfactorily than the National Government can.

North and South Carolina, New Mexico, and Wyoming have been cited as the only States in the Union where a child under 14 years of age can be legally admitted to factory work. The State legislature, through the efficient service of its department of commerce and labor, is handling this question more intelligently and satisfactorily to employer and employee alike than the National Government could possibly handle it.

I can not lose sight of the fact that any interference with the right of a parent to put his child to work at such age as he may deem wise, if that labor is necessary for the support of the family, is in a measure subversive of the individual rights of the citizen. The parent is the natural guardian of the child, and it is reasonable to suppose that, except in rare instances, he is not going to impose labor on his child unless poverty or stern necessity impels it. But if there are some abuses, and I admit there are, the State is nearer to its own citizens and is better qualified to take on itself paternal obligations than the Nation.

We want no Federal agents going through our mills and mill villages telling our people when their children shall go to work and when they shall not, and telling our men and women how many hours they may work per day and how many not.

And why apply the provisions of a Federal act to children of mill operatives? Why not the children of lawyers, farmers, merchants, or other professions or callings? I can readily conceive of the employees in manufacturing plants feeling righteous indignation at this effort of the Federal Government to supervise their private affairs.

With the State the feeling is different. We are a homogeneous people, of one blood and of a common interest. Our people have accepted such laws as the State legislature has passed as being for the common good, and employer and employee are working hand in hand through the State legislature, slowly but surely, for the permanent betterment of labor. Any effort to standardize labor and wages through a Federal act, even if it were constitutional, which it can not be, must fail. What might suit New York, for instance, might not suit South Carolina at all. A large per cent of the labor of the North is of foreign lineage, if not actually foreign. In the South we are of one blood, one interest, and whatever may be the necessity for Federal supervision of labor in the North, there is no such necessity in the South. The Southern States are not going to lay unreasonable demands on any of its citizens, and such demands as it does make for the good of society will be administered humanely and with every consideration for the rights of the individual.

This Federal child-labor bill, grafted, as it were, on an entirely foreign and irrelevant act of Congress, is inconsistent in its very title, to wit, "A bill to prevent interstate commerce in the products of child labor." If it should pass, it could be made operative only by putting a Federal agent in every mill village in the South, for who could tell by inspection whether a bolt of cloth was manufactured wholly or in part by child labor?

Mr. Chairman, I sympathize with those little ones, even of the age of 14 years, who must rise early in the morning and stand at the post of duty until day has faded into night. But I realize that all of our people are comparatively poor, and there are few southern families, without as well as within our mills, in which children do not work some. I realize that beyond 14 years the child can take on labor without materially impairing his growth, and I know that the southern parent, except in the rarest instance, is not going to impose work on his or her children, except as necessity or duty prompts. We are solving this problem satisfactorily. We are solving it in the light of conditions that this National Government can not adapt itself to. We are solving it with the interests of all of our people at heart. I feel sure, then, that it would be a mistake for the National Government to interfere, if it had the right, and I feel even more sure that it has absolutely no right in the premises.

Mr. WEBB. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from North Carolina [Mr. Webb] moves to strike out the last three words.

Mr. WEBB. Mr. Chairman, I do not know whether it has been stated or not, but it should be said that the cotton manufacturers of North Carolina were the first great body of business men to advocate compulsory education in North Carolina.

I desire, Mr. Chairman, to sum up briefly my arguments against this bill. What I have done I have done from conscience. I believe I am trying to save the great distinguishing feature of this Republic. Other republics have risen and fallen, because no republic in the past had that splendid balance that we have of State sovereignty on the one side and national sovereignty on the other.

The regulation of the morals and the health of the people for 125 years has been left wisely to the States, as was intended by the framers of the Constitution. This is one of the cases covered in this bill that should be likewise left to the States and constitutionally belongs to them, and where it has always been heretofore. Whenever you unbalance our splendid system of government and let the National Government absorb all these multifarious things that have been heretofore done by the people themselves in their States and localities then you will have a vast government that will ultimately fall of its own weight.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Missouri?

Mr. WEBB. Yes.

Mr. MEEKER. I am a new Member. Do I understand that the gentleman introduced the national prohibition resolution or bill?

Mr. WEBB. I did. I will say to my friend that there is no analogy between that and this bill. That bill leaves to the States themselves the amendment of their constitution in an orderly and a constitutional way, but this bill is a proposition to take charge, by mere congressional act, of the rules and regulation of labor connected with manufacturing in 48 States, in 299,000 manufacturing plants.

My chief objection to this bill, Mr. Chairman, is that, in my opinion, it is flagrantly and obviously unconstitutional. I would not be bold enough to say that if I were the only man who had said it, but the great lawyers who composed and headed the Committee on the Judiciary in times past, including Judge Jenkins, of Wisconsin, and Judge Birdsall, of Iowa, and Judge Parker, of New Jersey, and Mr. Littlefield, of Maine, and Judge De Armond, of Missouri, all members of the great Judiciary Committee seven years ago, had this same matter before them and unanimously reported that it was unconstitutional. The Senate Committee on the Judiciary at the same time, containing, as I recall, as members Senator Root and Senator Knox, of Pennsylvania, made the same report—that the bill was unconstitutional because the Congress of the United States had no power to regulate the hours of labor of women and children wholly within a State, which this bill undertakes to regulate.

Again, I am opposed to this bill, because I do not believe a Federal bureau here in Washington to supervise and look after the administration of this law can be as well trusted to administer properly the labor laws of 299,000 manufacturing plants that are scattered all over the 48 different States of the Union as the people of those 48 States.

I am opposed to the bill also because under it you have two sets of morals. You say it is immoral or wrong to circulate in interstate commerce goods made by child labor in the United States, but you do not exclude the products of the labor of children in Panama, or in Hawaii, or in other parts of the world. They can come in and circulate at liberty in our interstate-commerce channels. In addition, this bill will not affect the products of child labor to be shipped into foreign countries. It will not affect the industries of Massachusetts or New Jersey or North Carolina or South Carolina or any other seaboard State engaged in manufacturing goods to be shipped to foreign countries. We have here two or three standards of morals. If it is wrong for one State to receive child-labor goods made in another State, it is wrong to use goods made anywhere by child labor. Why not exclude all child-made goods from interstate-commerce channels in the United States? I offered a proposition to that effect, but you voted it down; and your Republican floor leader, Mr. MANN, voted against my amendment. I do not know if you will be able, when you go back to your constituents, to satisfactorily tell them why you made such a discrimination in favor of foreign-made child-labor products as against manufacturers of this country who use the labor of children only 14 to 16 years of age.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. WEBB. Mr. Chairman, I would like to have five minutes more.

Mr. KEATING. Mr. Chairman, reserving the right to object—although I do not intend to object—I think we might be able to agree upon a time when the debate on this section should close—say, in 25 minutes.

Mr. COOPER of Wisconsin. I would like to have some time. I will not take more than six minutes.

Mr. KEATING. Make it 26 minutes, Mr. Chairman. I ask unanimous consent that the debate on this section and all amendments thereto close in 26 minutes.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] asks unanimous consent that all debate on this section and amendments thereto close in 26 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from North Carolina [Mr. WEBB] is recognized for five minutes more.

Mr. WEBB. I shall probably not consume the five minutes allotted to me, because I have about finished what I wanted to say.

There is still another objection to the bill, and that is that in order to punish the four States which have been under such constant discussion here you gentlemen are willing to penalize the 275,000 manufacturing plants of the United States. This bill does not apply alone to cotton mills, canneries, and quarries, but it applies to all the manufacturing establishments in the country, and you are willing to require those 275,000 manufacturing plants to put upon every rake, pitchfork, digger, wheelbarrow, package of canned goods, bolt of cloth, and every other one of the million different things that are manufactured in the United States a pure "child-labor" certificate, certifying that

they are not made with the child labor denounced in this bill, before any dealer will be willing to handle those articles. Now, gentlemen, we have heard much talk about the odiousness of putting stamps on checks. Stamping checks will not be a marker, it will be only a mild zephyr compared to a Kansas cyclone, to the labor and expense to which the innocent manufacturers of this country, if you please to call them that, will be subjected in putting upon the articles which they manufacture the millions upon millions of stamps which will be required before those articles can be moved in interstate commerce. The average manufacturer does not understand that he has got to do that in order to make two or three States, that are rapidly coming up to the standard, come up to it at once.

I object to the bill again and lastly because there is no provision in it which will permit a big, strapping 12-year-old, or 13, 14, or 15-year-old boy to work for a destitute or pauperized mother. You may talk all you please about sentimentality. I have a boy 11 years old, and I want him to work. I would be willing to have him work in a cotton mill rather than to run about the streets and learn bad habits and hear the vulgar stuff that is often dished out in his presence by older men. The president of one of the best cotton mills in this country, a man whom I know, put his boy in the mill, when school was not going on, when the boy was just 12 years old, to keep him out of the bad company that he would encounter running around town doing nothing. I tell you, gentlemen, we are letting a false sentimentality work upon us and force us into doing an impracticable and improper thing, in my opinion.

In this connection I want to put in the RECORD the labor laws of North Carolina:

No child under 12 to work in any factory or manufacturing establishment within this State. No child between 12 and 13 to work in a factory except as apprentice, and then only after having attended school four months in preceding 12 months.

Sixty hours shall constitute a week's work in all factories and manufacturing establishments, and no minor or woman shall be worked in such factory or establishment more than that length of time, and no adult male to be worked therein longer than that time per week, unless a written contract entered into between him and employer, under terms of which he shall receive extra compensation for extra hours. No employee in any factory or establishment to work exceeding 11 hours a day. This section not to apply to engineers, firemen, superintendents, overseers, section and yard hands, office men, watchmen, or repairers of breakdowns.

Parents of children hiring them to factory or manufacturing establishment to furnish written statement of age of child and certificate of school attendance.

Mr. GREEN of Iowa. Mr. Chairman, in view of the fact that it has been stated by the gentleman who has just taken his seat [Mr. WEBB] that this bill is flagrantly and boldly unconstitutional, I want to call attention to the fact that no lawyer upon the floor of this House has attempted to prove its unconstitutionality, except those who come from States affected by its provisions. I have the highest respect for the learning, ability, and conscientiousness of the distinguished gentleman from North Carolina and the equally distinguished gentleman from Virginia, who have contended against the constitutionality of this bill; but in view of the fact I have just stated, I hope I may be pardoned in saying I am convinced that their judgment is somewhat warped by their surroundings.

In such time as has been permitted to me I have made a careful study with reference to the constitutional questions involved in this bill. I have also at various times given much study to the general principles which involve control by the Government under such circumstances as this bill will cover, and I have come to the abiding conclusion that this bill is constitutional. The objections that have been made to its constitutionality have been for the most part, as it seems to me, disposed of, but there are one or two remaining of which no particular mention has been made, and they have been insisted upon so vociferously by gentlemen who are opposed to the bill that I wish to devote just a few moments to them.

One was mentioned by the gentleman from North Carolina [Mr. WEBB] who has just spoken. He has insisted that it is not the business of the Government, and that the Government has no right to take into consideration questions which relate purely to the morals and health of the citizens of some particular State. Yet those questions, as it seems to me, are entirely and completely disposed of by the lottery cases, which relate to the morals of the State, and by the pure-food laws, which pertain to the health of the State.

It remains possibly to be determined as to whether the Government may go one step further and, through its power over interstate commerce, undertake to regulate transportation which is in aid of anything that injuriously affects the public welfare or the public morals. This is the gist of the principle which controls and makes constitutional the provisions of this act.

That principle, in my opinion, has been affirmed recently in the white-slave cases.

Inasmuch as it has been so positively asserted here on this floor that no act has been held constitutional when the transportation inhibited by its provisions did not injuriously affect the people of the State into which such transportation came, I wish to say that if that principle was carried to its logical conclusion the white-slave act would be shorn of most of its power. It is true that the principal object of the white-slave act, or at least one important object which was probably in the mind of the author of that act, was to prevent injury to the morals of the community into which some person was taken for purposes of prostitution or lewdness; but the white-slave act has been applied over and over again to cases where the persons transported and the parties who engaged in the inhibited transportation had no intention to affect, and never would in the least degree have affected, either the morals, the conscience, or the feelings of the community into which they came, because they carried on their proceedings in perfect secrecy, so far as that community was concerned. The only harm was to the morals and the welfare of the community where the transportation originated, just as in this case the general welfare of the community where the transportation originates will be injured if this particular traffic is permitted to be carried on. In both cases the act of transportation was not injurious in itself, but only because it was used as an instrument in aid of the injurious act. And I conclude, Mr. Chairman, by saying that this act is justified because it refuses longer to permit interstate commerce to be used as an instrument for carrying on, aiding, and affecting business operations which are inimical to the welfare and health of the producers.

Mr. Chairman, it would not seem necessary to say anything in support of the merits of the bill. With a few exceptions, those who have opposed it have admitted that its purpose was useful and the results of its enactment would be of great aid in social uplift. Being unable to attack the bill upon its merits, some have sought refuge in its alleged unconstitutionality, and some have even gone so far as to assert that if a Member had had any doubt as to the constitutionality of the bill he ought, as a matter of duty, vote against it. This, Mr. Chairman, is an extreme position and states a principle which, I trust, will never be followed by this House in voting upon any bill. The logical effect of such a rule would be to transform those provisions of our Constitution, whose doctrines we find somewhat difficult to define or whose application somewhat in doubt, into absolute prohibition wherever such doubt arises. Such questions, to my mind, should be decided with the broader view. I concede that the States have certain rights upon which we ought not to infringe, but in determining what those rights are we ought to hold the scales in equal balance and only let them fall upon that side which has the weight of the better reasoning. In so weighing these questions we ought also to take into consideration the purpose and object of our Government, the needs of society, and the axiomatic rule that power and control must vest somewhere, and if it be not found in the States must necessarily belong to the General Government. That there is a crying need for such legislation is doubted by few and affirmed by all of the best thinkers upon the subject. No more important legislation can come before this body than that which aims to protect, improve, and build up the mind and the health of the youth of this Nation, and moved by such considerations I unhesitatingly urge the passage of this bill.

Mr. GARLAND. Mr. Chairman, I have listened to the discussions of this question as to the constitutionality of this bill. We find that there are a number of men of eminence in the law who have been quoted as saying this bill is unconstitutional. I find there is another large number who say it is not unconstitutional. I am not a lawyer. I am willing to take the advice of lawyers on the subject, but as there seems to be a division of opinion as to its constitutionality, then, if we are going to err, for God's sake, let us err on the side of humanity. [Applause.] Let us pass the bill. And if some court declares it unconstitutional, let it do so, but let us not stand here in an attitude of fear as to what the court will do and refuse to do the thing that ought to be done.

I was not in at the time a gentleman read a letter from some one up in Pennsylvania protesting against this bill. I want to say here, being a Representative from Pennsylvania, that this is not the feeling of the employers over there. For 40 years I have been active in labor matters, for years almost constantly on conferences over in Pennsylvania and other States in the iron industry where we met each year, with millions of capital represented on one side of the table and hundreds of thousands of men with families directly and indirectly represented on the other side. We talked our matters over, talked

over the conditions of employment, talked over the conditions of labor, and I never found along the employers a desire to enslave child labor. Their contention has always been, and rightfully, too, that they ought to be protected against States making the same material using child labor; they expected that protection. It is up to the United States Government through its Congress to give that protection to the States that have already passed laws protecting the children. We do not care anything about what they do in their own State, if they do not come over the line, but when they come over the line where we are trying to give the children better conditions, we say it is time to cry "Halt."

I have heard a lot of talk about men coming up from the bottom. I am not a good example for pity, not any better than the gentleman from Florida referred to when speaking of the people who are ill treated in youth. I started early—I am sorry I had to do so, for I have felt the loss of a chance to go to school all my life—and it has been my endeavor in all the time I have been in labor circles, and the endeavor of all men who are interested in the labor movement, to try and get a better condition for the children who are to grow up than we had ourselves. [Applause.] That is what we are talking for now and that is what this bill intends to do. The bill is going to pass. I want to say, in reply to the gentleman who spoke about letting in things from abroad made by child labor, that that is true, because his side of the House will not agree to protect us against child-made merchandise coming from abroad. But let us pass this bill, so that we can protect ourselves and our children against the Southern States, where they have no restrictions on child labor, and the next Congress, the Sixty-fifth Congress, will see to it, by a tariff bill that will protect, that there will not be any child-made labor goods coming in from abroad. [Applause on the Republican side.]

It has been said on this floor that a large number of prominent men have come from poor families and had to work at an early age, but that does not prove that useful and prominent men are not coming forward now and will be in the future with a higher age limit and a better labor condition. But it is true, to my mind, that more boys who were given the chance of an education before being compelled to become wage earners will be of prominence and of value to their country than where the reverse has been the condition. There is this to be said in favor of child-labor legislation since it has been enacted, that with each succeeding census the stature of man seems to be increasing and their longevity extended.

Mr. COOPER of Wisconsin. Mr. Chairman, I wish to say a word in reply to the gentleman from North Carolina [Mr. WEBB]. He seemed to be fearful that the enactment of this bill into law would result in undue centralization of power in the National Government; and yet if this bill shall become a law, practically all the powers of government that touch the family and social life and the ordinary business relations of the people will still remain with the States. The States will continue to make the laws which govern the purchase and sale of property, the forms of conveyance, the descent of property, marriage and divorce, the protection of personal liberty, the distribution of estates, the making of wills—in other words, all which affects the people in their intimate personal relations will abide with the State even if the pending bill should become a law.

The gentleman from North Carolina cited the fact, which he seemed to think important, that some years ago the Judiciary Committee of the House declared a bill similar to this to be unconstitutional. But this fact is not decisive of our duty respecting the pending measure; for it has happened more than once that the Supreme Court of the United States has reversed decisions of distinguished judges as to the true interpretation of the interstate-commerce clause of the Constitution. And before permitting that committee opinion to cause us to surrender our own convictions that the pending bill is constitutional and ought to pass it will be well to recall an interesting and instructive fact respecting the decision of the Supreme Court of the United States in *Gibbons against Ogden*, the leading case touching the interstate-commerce clause of the Constitution and the power which it grants to Congress. Members will recall that the Legislature of the State of New York had by law granted to Livingston and Fulton the exclusive right, for a term of years, to navigate steamboats on the navigable waters within the jurisdiction of that State, and that the power of the State to grant this exclusive right was sustained by the very eminent Chancellor Kent, author of Kent's Commentaries, in an elaborate decision declaring the unanimous judgment of the highest court of that State. But when the case reached the Supreme Court of the United States, Chief Justice Marshall, in an immortal opinion, ground the Livingston-Fulton contention and the logic of Chancellor Kent's opinion into dust.

But what would have happened to the United States of America if the men of that day had merely pointed to the decision of Chancellor Kent and his associates, surrendered their own convictions, and insisted that the case should go no further? And here I pause to say what this bit of history powerfully suggests—that the Supreme Court of the United States demands not men who are mere worshipers of the dusty precedents of the books but men who combine with great knowledge of the law the forethought, the soul, the imagination of the statesman. [Applause.]

Several of the opponents of the bill have said that if we enact it into law it would afford a precedent for Congress to do many foolish things. For example, they ask, what would prevent Congress from declaring that no goods manufactured by one-armed men could go through the channels of interstate commerce? Now, it is a sufficient answer to this sort of argument to say that the fact that Congress might do a foolish thing is not at all an argument to show that Congress has not the constitutional power to do it. This afternoon the two Houses of Congress could, under the power granted by the Constitution, declare war against every other nation on the globe. It has such power but will not exercise it. The fact that in exercising a power Congress might do a very foolish thing does not prove that the power does not exist.

The gentleman from North Carolina says that this bill, if enacted into law, would not obstruct the coming in of goods manufactured by child labor in Europe. But as a Democrat he has no business to rise on this floor or elsewhere and contend for the enactment of a law for the specific purpose of preventing child-made European goods coming in here, because his party platform declares that Congress has no constitutional power to pass a law for the purpose of protecting an American industry. The Republican Party is the party of protection.

Mr. WEBB. Mr. Chairman, will the gentleman permit an interruption there?

Mr. COOPER of Wisconsin. The Democratic Party maintains that laws to restrict the importation of foreign goods must be for the purpose of obtaining revenue only, with an accent on "only."

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BARKLEY. Mr. Chairman, in listening to the arguments of these gentlemen who have so eloquently pleaded that this law is unconstitutional I am reminded of the remark which I think Madam Roland made during the French Revolution: "O Liberty! Liberty! how many crimes are committed in thy name!" So far as the constitutionality of this bill is concerned, nobody could discuss it in five minutes, but the other day during the very eloquent remarks of my friend from North Carolina [Mr. WEBB] I interrupted him to ask him if this bill were not similar to the pure food and drugs act. He said then that the difference between that act and this bill, so far as its bearing upon the decision of the Supreme Court as to the constitutionality of the food and drugs act was concerned, was that the Supreme Court decided that act to be constitutional because the things prohibited by that act were deleterious to the human family. Mr. Chairman, if it is deleterious to the human family, it is deleterious at the place where it is ultimately consumed. It is not deleterious at the place of manufacture, it is not deleterious in its transportation, and if it is constitutional because it happens to be deleterious at its destination, I can not conceive of any difference between a product deleterious at its destination and one deleterious at its source. In other words, if Congress has the right to prevent the shipment of an article in interstate commerce because it may endanger some one's anatomy when it gets to its destination, it has the same right to regulate and prevent interstate commerce of an article if it endangers some one in its manufacture and production.

The gentleman from North Carolina [Mr. WEBB] again said that he was against this bill because it infringed upon the rights of the States. Mr. Chairman, I believe in State rights, but I do not believe in State wrongs, and I will not vote here to protect any State wrong any more than I would vote to infringe upon the right of any State; but I am getting a little tired, a little impatient, every time some legislation comes up in this House, which is for the benefit of humanity and the progress and enlightenment of our Nation, of hearing the stand-pats on both sides of the Chamber hide behind an antiquated interpretation of the doctrine of State rights. [Applause.] I am not—and I am glad that I am not—one of those Democrats who believes that this great Nation of ours is a monster. If I believed that the Federal Government, of which I am a part, and that the flag to which I owe allegiance was the flag of a cruel, monstrous Government, I would leave it. I would go to

Germany and join Von Hindenberg's army or go to England and become a baron. [Laughter.] I would not stay here.

Mr. Chairman, I have no doubt in my mind of the constitutionality of this law nor of its desirability as a matter of public policy. Congress a few years ago passed a bill known as the insecticide law to protect bugs and ants and grasshoppers from having their rights infringed upon with insecticide. Was there anything in that law that involved its constitutionality because it might kill a bug or a grasshopper or a lizard or a worm of some kind in an unconstitutional manner? I have greater regard for the boys and girls of this Nation than I have for the grasshoppers and June bugs, and as my good friend from Georgia the other day said, if there is any doubt at all about the constitutionality of the law upon which we are about to vote, and which I am glad to say we are about to pass, I am willing so to vote that the boys and girls of this Nation may receive the benefit of that vote, because there is nothing in all this world that is sadder than a girl without a girlhood or a boy without a boyhood. [Applause.]

The CHAIRMAN. The pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 6. That the word "dealer" or the word "person" as used in this act shall be construed to include any individual or corporation or the members of any partnership or other unincorporated association. The term "ship or deliver for shipment in interstate commerce" as used in this act means to ship or deliver for shipment from any State or Territory or the District of Columbia to or through any other State or Territory or the District of Columbia.

The committee amendment was read, as follows:

Page 4, line 17, strike out the figure "6" and insert the figure "7."

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

Mr. CLARK of Florida. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

At the end of line 24, on page 4, add the following:

"Provided, That nothing contained in this act shall apply to any State of the Union whose legislature has already enacted legislation relating to child labor."

Mr. KEATING. Mr. Chairman, can we make an agreement in reference to limiting debate?

Mr. CLARK of Florida. I only want two or three minutes.

Mr. KEATING. I ask unanimous consent that debate close in 10 minutes.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none. The Chair did not know as to the division of debate, and he recognizes the gentleman from Florida.

Mr. CLARK of Florida. I only want three minutes.

The CHAIRMAN. The gentleman from Florida is recognized for three minutes.

Mr. CLARK of Florida. Mr. Chairman, I want to state that I have offered this amendment, as I did the other amendments that I offered, in the utmost of good faith. I want to repeat what I said a while ago, that the State of Florida, which I have the honor in part to represent on this floor, has a more complete child-labor law than this proposed enactment. We feel, Mr. Chairman, that under our peculiar form of government we have the absolute right to deal with the question for ourselves. We have dealt with it, and there is not a State in this Union—North, South, East, or West—that has dealt with it in a more enlightened manner than we have in the State of Florida. Our children are protected there as well as they are protected in any State within the broad confines of this Republic, and I do not care in what section of the Union you find it.

Mr. Chairman, our educational laws will compare favorably with the educational laws of any State of this Union. We have spent as much money per capita for education as any of them, and we go as far as any of them in the matter of conserving the childhood of the State. We regard it as a matter peculiarly within the State jurisdiction; and if it is not within the province of the State to legislate upon it, why do these gentlemen name this child an "interstate-commerce" regulation? It is not an interstate-commerce regulation. It is not intended for that. It was intended to regulate child labor in this Republic, and why do not these gentlemen give it the proper name? In my judgment it is simply because they know that the Congress has no jurisdiction to handle the question of child labor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARNHART. Mr. Chairman, I have seen the Constitution of the United States cuffed about so much on this floor during the past eight years that, not being a lawyer, I have

about reached the conclusion that there is some doubt about the constitutionality of the Constitution of the United States. [Laughter.] Whenever a matter of great moment comes on the floor of this House, those who oppose it are very much given to hiding behind the fear of its unconstitutionality. Possibly it may be; but in that event there is always a court of last resort, and they have their recourse there. But really, it seems to me that such a question as that ought not to figure largely in a matter of so much concern to humanity's welfare as that of child labor. Some statistician has figured out that it costs an average of \$3,000 to bring a boy from babyhood to manhood, to clothe him, to educate him, to doctor him, to make a man of him; and it costs a whole lot more than that. It costs the average father many short meals and long hours, and it costs the mother many sleepless nights, pain and anguish, heartaches, and all of that in order to bring up that boy to be a man. And yet under the conditions which prevail in this country in many places, despite the sacrifices which are made by the parents, we bring children up to manhood defective in physical organism and mentally unprepared to meet the battle of life. I believe as firmly as that I stand here that the innocent child's blood that bespatters so many windowpanes in the factories of this country is a stain upon the character of every legislative authority in this country which tolerates it, and it ought to be abolished. I do not know what the Constitution may do about it; but as for me, Constitution or no Constitution, I am in favor of providing for the childhood of this country the largest possibility for growing up into a vigorous, sturdy, and responsible citizenship, and this bill will help to that triumph. [Applause.]

Mr. BLACKMON. Mr. Chairman, during the past year I have noticed a great deal of criticism by eastern magazines relative to the child-labor proposition in the Southern States, and I have listened to-day with much interest to the debate about taking care of children. While I have always been a staunch advocate of proper legislation to safeguard the interests of children who of necessity are compelled to labor in manufacturing plants, yet as a Democrat I am a firm believer in the broad principle of our Government that the States are amply capable of taking care of their own affairs, without the interference of the Federal Government. Many years ago while in the senate of Alabama I introduced the first child-labor bill ever introduced in that State. The State of Alabama has always been watchful of the interests of her people, and we have always felt, and still feel, that we are thoroughly capable of doing so without legislation by Congress. We have a splendid child-labor law and are protecting our children and propose to continue to do so, regardless of what action Congress may take on the measure.

It strikes me that some of these gentlemen on the floor are unduly alarmed about the State not being able to take care of its own affairs. It appears to me that these gentlemen need about as much protection as do the children in the different States.

If the States of the Union are not able to safeguard their children, we must confess that our system of government has been more or less a failure. No one is more deeply interested in the welfare of the children of my State or the welfare of the children of any State of the Union than I am, and no one within the State of Alabama will go further in the matter of legislation to protect their lives and future happiness; but what I want you to do is to recognize the independence of my State and of your sovereign States. Of course in the minds of some of the distinguished gentlemen Alabama can not take care of her children, though they feel that their own particular State can; but by thorough investigation they would learn that Alabama has and is taking care of the laboring element of her citizenship and will continue to do so.

Gentlemen, we should view this matter in an honest, common-sense way, and not in a demagogic fashion, with appeals about the "poor children." That is the trouble with the country to-day. Some Members of the House, when they think that a matter is popular in their district, flock to it without giving the matter any study and without using any reasoning.

Let us allow the State of Alabama and the other States of the Union to take care of their own children and other affairs affecting the internal welfare of their State. We understand local conditions in Alabama better than the man from the far East or the far West, and the man in Pennsylvania understands his home conditions better than we in Alabama could possibly understand them.

I am in favor of all legislation tending to protect the children, but I believe that this is a matter that should be dealt with by the States individually, without Federal interference.

My opposition to this bill is not based on the idea of my not caring for the women and children of the country. My objection to it is that it is another step in an effort to centralize

all power at Washington. Centralization of power at Washington will necessarily be harmful to the great masses of our people. Do you think that the people of the different States are willing to admit that they are not capable of local self-government? For myself, I shall never admit nor by my vote indorse the proposition that my people in my State must call on other States to aid them in the regulation of their affairs which are purely domestic. We are a growing State and are from time to time passing laws that deal with all questions that are purely local to our people. Why, then, should we transfer to the Federal Government the right to dictate to Alabama what she should do in the matter of regulating child labor or any other question? All my people in Alabama favor proper legislation with reference to working the children in factories and elsewhere, and I am of the opinion that we are capable of handling this question without the aid of other States. [Applause.]

The American people must sooner or later wake up to a realization of the fact that we have in Congress and elsewhere people who desire the centralization of all power at Washington. Centralization of power here means the destruction of local self-government. The Federal Government conducts its business on the most expensive plan of any government in the world. It has been my effort on more than one occasion to cut down expenses in the different departments of our National Government. This, as the thoughtful citizen knows, is difficult to do.

Mr. Chairman, are not the people of your State better prepared to pass on local questions than are the people from other States? Why, then, should we undertake to pass a law taking away from the different States the right to regulate this great question? The section from which I come is rapidly assuming ascendancy in manufactures. Why is it that the Federal Government, through the proponents of this bill, are attempting to take from the State her individual rights which this bill will clearly do.

I will not say that this is done for the purpose of injuring the section from which I come. I can not understand, if this legislation for which a number of the Members of this body are so strenuously contending is meritorious now, why was it not presented and adopted long ago? [Applause.]

Are we, as citizens of Alabama, willing to admit that we are incapable of operating our cotton mills and of manufacturing that great product of the South, wherein we have shown such wonderful skill, without asking the aid and supervision of the Federal Government? I feel that I voice the sentiment of the people of my State and all of the cotton-growing States when I answer no. I am not unmindful of the fact, as the records of this body will show, that when the cotton-growing States, apparently crushed by the war in Europe, sought aid of the National Government to tide over what threatened to be the darkest financial period in their history, most of the gentlemen who now propose to dictate to the South the terms and conditions under which it shall manufacture its cotton and other products were unwilling to have the Federal Government extend a helping hand. Whither are our lawmakers drifting when they are not willing to trust the people of the different States to pass on all questions that vitally affect them?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CLARK].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 7. That in prosecutions under this act each shipment or delivery for shipment shall constitute a separate offense.

Also the following committee amendment was read:

Strike out the figure "7" and insert the figure "8."

Mr. KEATING. Mr. Chairman, I desire to move to strike out the last word, for the purpose of inserting in the Record a telegram which I have just received from a Member of this House, Hon. H. GARLAND DUPRE, Representative from the second district of Louisiana. It is as follows:

NEW ORLEANS, February 2, 1916.

Congressman EDWARD KEATING,
House of Representatives, Washington, D. C.:

If child-labor bill comes to a vote to-morrow, please see that I am paired affirmatively for it. I voted for the measure in the Sixty-third Congress and would again vote for it but for my enforced absence, which I greatly regret.

H. GARLAND DUPRE,
Representative Second Louisiana District.

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

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

The Clerk read as follows:

Sec. 8. That this act shall take effect from and after one year from the date of its passage.

Also the following committee amendment was read:

Strike out the figure "8" and insert the figure "9."

Mr. LEWIS. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 8234) to prevent interstate commerce in the products of child labor, and for other purposes, and had instructed him to report the same to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. KEATING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Mr. CANNON. Mr. Speaker, I move to recommit the bill, with the following instructions: To strike out the word "cannery," in line 7, page 1, and report the same forthwith to the House.

The SPEAKER. The Clerk will report the amendment.

Mr. LEWIS. May I ask whether the gentleman is in favor of the bill or not?

Mr. CANNON. I intend to vote for the bill.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CANNON moves to recommit the bill with instructions to strike out the word "cannery," on line 7, page 1.

Mr. CANNON. On which I move the previous question.

The SPEAKER. The motion is on the previous question on the motion of the gentleman from Illinois to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. CLARK of Florida. Division, Mr. Speaker.

The House divided; and there were—yeas 35, yeas 137.

So the motion was rejected.

Mr. LEWIS. Now, I ask for the passage of the bill, and on that I demand the yeas and nays.

The SPEAKER. The gentleman from Maryland [Mr. LEWIS] demands the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the bill will, when their names are called, answer "yea," and those opposed will answer "nay," and those present and not voting will answer "present," and the Clerk will call the roll.

The question was taken; and there were—yeas 337, nays 46, answered "present" 3, not voting 48, as follows:

YEAS—337.

Abercrombie	Cantrill	Dallinger	Ferris
Alexander	Capstick	Danforth	Fess
Allen	Caraway	Darrow	Fields
Anderson	Carew	Davenport	Fitzgerald
Anthony	Carlin	Davis, Minn.	Flood
Ashbrook	Carter, Mass.	Davis, Tex.	Flynn
Aswell	Carter, Okla.	Decker	Fordney
Austin	Cary	Dempsey	Foss
Ayres	Casey	Denison	Foster
Bacharach	Chandler, N. Y.	Dewalt	Frear
Bailey	Charles	Dickinson	Freeman
Barchfield	Chilperfield	Dill	Fuller
Barkley	Church	Dillon	Gallagher
Barnhart	Cline	Dixon	Gallivan
Beakes	Coady	Doolittle	Gandy
Beales	Coleman	Doremus	Gard
Bennet	Collier	Dowell	Garland
Boehrer	Connelly	Drukker	Garner
Borland	Dunn	Dyer	Gillett
Britten	Cooper, Ohio	Eagan	Glass
Browne, Wis.	Cooper, W. Va.	Edmonds	Glynn
Browning	Cooper, Wis.	Edwards	Good
Bruckner	Copley	Ellsworth	Goodwin, Ark.
Brumbaugh	Costello	Elston	Gordon
Buchanan, Ill.	Cox	Emerson	Gould
Buchanan, Tex.	Crago	Esch	Gray, Ind.
Burke	Cramton	Estopinal	Greene, Iowa
Butler	Crosser	Evans	Greene, Mass.
Byrnes, Tenn.	Curry	Fairchild	Greene, Vt.
Campbell	Dale, N. Y.	Farr	Griest
Cannon	Dale, Vt.		Griffin

Guernsey	Kinkaid	Neely	Smith, Tex.
Hadley	Konop	Nichols, Mich.	Snell
Hamilton	Lafane	Nolan	Snyder
Hamilton, Mich.	La Follette	Norton	Steele, Iowa
Hamilton, N. Y.	Lazaro	Oakey	Steenerson
Hamlin	Lehlbach	Oglesby	Stephens, Cal.
Hart	Lenroot	Oldfield	Stephens, Nebr.
Haskell	Leshner	Oliver	Sterling
Hastings	Lewis	Olney	Stiness
Hawley	Lieb	O'Shaunessy	Stone
Hayden	Liebel	Overmyer	Stout
Hayes	Lindbergh	Padgett	Suloway
Heaton	Linthicum	Palge, Mass.	Summers
Helgesen	Littlepage	Parker, N. Y.	Sweet
Helm	Lloyd	Peters	Swift
Helvering	Lobeck	Phelan	Switzer
Henry	Loft	Platt	Taggart
Hensley	London	Price	Tague
Hernandez	Longworth	Quin	Talbot
Hicks	Loud	Rainey	Tayvenner
Hill	McAndrews	Raker	Taylor, Ark.
Hilliard	McArthur	Ramseyer	Taylor, Colo.
Hinds	McClintic	Randall	Temple
Holland	McCracken	Rauch	Thomas
Hollingsworth	McDermott	Reavis	Thompson
Hopwood	McFadden	Ricketts	Tillman
Howard	McGillicuddy	Rlordan	Tilson
Howell	McKellar	Roberts, Mass.	Timberlake
Huddleston	McKenzie	Rouse	Tinkham
Hulbert	McKinley	Rowe	Towner
Hull, Iowa	McLaughlin	Ruby	Treadway
Hull, Tenn.	McLemore	Rucker	Vare
Humphrey, Wash.	Madden	Russell, Mo.	Volstead
Husted	Magee	Russell, Ohio	Walsh
Hutchinson	Maher	Sanford	Ward
Igoe	Mann	Schall	Wason
Jacoway	Mapes	Scott, Mich.	Watkins
James	Martin	Scott, Pa.	Watson, Pa.
Johnson, Ky.	Matthews	Scully	Wheeler
Johnson, S. Dak.	Mays	Sells	Williams, Ohio
Johnson, Wash.	Meeker	Shackleford	Williams, T. S.
Kahn	Miller, Del.	Shallenberger	Williams, W. E.
Kearns	Miller, Minn.	Sherley	Wilson, Ill.
Keating	Mondell	Sherwood	Wilson, La.
Keister	Montague	Shouse	Wingo
Kelley	Moon	Siegel	Winslow
Kennedy, Iowa	Moore, Pa.	Sims	Wood, Ind.
Kennedy, R. I.	Moore, Ind.	Sinnott	Woods, Iowa
Kent	Morgan, La.	Slemp	Young, N. Dak.
Kettner	Morgan, Okla.	Sloan	Young, Tex.
Key, Ohio	Moss, Ind.	Smith, Idaho	
Kless, Pa.	Mott	Smith, Mich.	
Kincheloe	Mudd	Smith, Minn.	
King	Murray		

NAYS—46.

Adamson	Dent	Lee	Small
Aiken	Dies	Lever	Stedman
Bell	Doughton	Nicholls, S. C.	Stephens, Miss.
Black	Finley	Page, N. C.	Tribble
Blackmon	Garrett	Park	Venable
Britt	Godwin, N. C.	Parker, N. J.	Vinson
Burgess	Hardy	Pou	Walker
Byrnes, S. C.	Hood	Ragsdale	Watson, Va.
Callaway	Houston	Rayburn	Webb
Candler, Miss.	Hughes	Saunders	Whaley
Clark, Fla.	Humphreys, Miss.	Sears	
Crisp	Kitchin	Sisson	

ANSWERED "PRESENT"—3.

Harrison Sparkman Wise

NOT VOTING—48.

Adair	Gardner	Miller, Pa.	Rodenberg
Almon	Graham	Mooney	Rogers
Brown, W. Va.	Gray, Ala.	Morin	Rowland
Burnett	Gray, N. J.	Morrison	Sabath
Caldwell	Gregg	Moss, W. Va.	Slayden
Cullop	Haugen	North	Smith, N. Y.
Dooling	Hay	Patten	Stafford
Driscoll	Heflin	Porter	Steele, Pa.
Dupré	Jones	Powers	Stephens, Tex.
Eagle	Kreider	Pratt	Sutherland
Farley	Langley	Reilly	Van Dyke
Focht	McCulloch	Roberts, Nev.	Wilson, Fla.

So the bill was passed.

The Clerk announced the following pairs:

On the vote:

Mr. CALDWELL (for) with Mr. WISE (against).

Mr. ROGERS (for) with Mr. HARRISON (against).

Mr. HAUGEN (for) with Mr. LEVER (against).

Mr. BURNETT (for) with Mr. SLAYDEN (against).

Mr. PATTEN (for) with Mr. WILSON of Florida (against).

Until further notice:

Mr. DOOLING with Mr. MOSS of West Virginia.

Mr. DRISCOLL with Mr. PRATT.

Mr. SPARKMAN with Mr. GRAHAM.

Mr. ADAIR with Mr. PORTER.

Mr. ALMON with Mr. LANGLEY.

Mr. STEELE of Pennsylvania with Mr. MILLER of Pennsylvania.

Mr. DUPRÉ with Mr. NORTH.

Mr. SMITH of New York with Mr. POWERS.

Mr. SABATH with Mr. ROWLAND.

Mr. REILLY with Mr. SUTHERLAND.

Mr. MORRISON with Mr. RODENBERG.

Mr. HEFLIN with Mr. ROBERTS of Nevada.

Mr. HAY with Mr. MORIN.
Mr. GREGG with Mr. MOONEY.
Mr. EAGLE with Mr. McCULLOCH.

Mr. DUPRÉ with Mr. KREIDER.

Mr. CULLOP with Mr. FOCHT.

Mr. BROWN of West Virginia with Mr. GRAY of New Jersey.

Mr. HARRISON. Mr. Speaker, I should like to change my vote from "no" to "present," as I am paired with the gentleman from Massachusetts, Mr. ROGERS, who is not here.

Mr. WISE. I wish to inquire whether the gentleman from New York, Mr. CALDWELL, voted?

The SPEAKER. He is not recorded.

Mr. WISE. Mr. Speaker, I am paired with the gentleman from New York, and I desire to change my vote from "no" to "present."

Mr. McKENZIE. Mr. Speaker, my colleague Mr. RODENBERG is ill and unable to be present. He has requested me to state that if he had been present he would have voted for the bill.

The result of the vote was announced as above recorded.

On motion of Mr. KEATING, a motion to reconsider the last vote was laid on the table.

LEAVE TO ADDRESS THE HOUSE.

Mr. TAYLOR of Arkansas. Mr. Speaker, I ask unanimous consent that immediately after the approval of the Journal tomorrow my colleague, Mr. CARAWAY, and myself be permitted to address the House for 10 minutes each on the suffering, destitution, and distress caused by the great flood on the Arkansas and Mississippi Rivers in the State of Arkansas.

The SPEAKER. The gentleman from Arkansas [Mr. TAYLOR] asks unanimous consent that to-morrow, after the reading of the Journal and the transaction of the business on the Speaker's table, the gentleman from Arkansas [Mr. TAYLOR] and his colleague [Mr. CARAWAY] shall each be allowed to address the House for 10 minutes on the subject of the destruction of life and property by the floods on the Arkansas and Mississippi Rivers in the State of Arkansas. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I think it likely that there will be a matter before the House the first thing to-morrow which will give the two gentlemen from Arkansas an opportunity to be heard, and when it will be quite appropriate that they should be heard, and therefore I object.

The SPEAKER. The gentleman from Illinois objects for the reasons stated.

Mr. DAVIS of Texas. Mr. Speaker, I ask unanimous consent that on Saturday, immediately after the reading of the Journal and the transaction of other business on the Speaker's table, I be permitted to address the House for 20 minutes on the Mexican problem and the national defense.

The SPEAKER. The gentleman from Texas [Mr. DAVIS] asks unanimous consent that on Saturday, immediately after the reading of the Journal and the disposition of business on the Speaker's table, he be allowed to address the House for 20 minutes on the subject of Mexico and the national defense. Of course, this request and all similar requests are subject to privileged matters, appropriation bills, and such things.

Mr. MANN. Reserving the right to object, Mr. Speaker—and I shall object—I think the gentleman from Texas [Mr. DAVIS] and other gentlemen of the House will have very fair opportunity to address the House in Committee of the Whole House on the state of the Union during the consideration of these various appropriation bills; and it has been the invariable custom of the House to refuse permission to gentlemen to address the House on such matters in the House itself when there were appropriation bills coming along.

Mr. DAVIS of Texas. I withdraw the application, Mr. Speaker.

The SPEAKER. The gentleman withdraws his application.

LEAVE TO WITHDRAW PAPERS—CORONADO BEACH CO.

By unanimous consent, Mr. KETTNER was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of the Coronado Beach Co. (H. R. 22901, 62d Cong., 2d sess.), no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LANGLEY, indefinitely, on account of illness in his family.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until Thursday, February 8, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination for waterway from small-boat harbor, Newport News, Va., to York River, with a view to connecting by canals New Market Creek, Back River, and Poquoson River with York River, in order to provide a safe inland passage for small boats between Newport News and York River (H. Doc. No. 644); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

2. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report of the Mississippi River Commission (H. Doc. No. 645); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the president of the Washington Railway & Electric Co., transmitting report of the City & Suburban Railway of Washington for the year ending December 31, 1915 (S. Doc. 273); to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ending December 31, 1915 (S. Doc. 272); to the Committee on the District of Columbia and ordered to be printed.

5. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ending December 31, 1915 (S. Doc. 269); to the Committee on the District of Columbia and ordered to be printed.

6. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Georgetown & Tennytown Railway Co. for the year ending December 31, 1915 (S. Doc. 271); to the Committee on the District of Columbia and ordered to be printed.

7. A letter from the chairman of the Public Utilities Commission, transmitting balance sheets and other information required by the public utilities commission of the various utilities under its jurisdiction for the year ended December 31, 1915 (H. Doc. No. 646); to the Committee on the District of Columbia and ordered to be printed.

8. A letter from the Secretary of the Navy, recommending that certain changes be made in the estimates of appropriations required for the Naval Establishment for the fiscal year ended June 30, 1917, as they appear in the House Naval Committee's draft of the naval appropriation bill (H. Doc. No. 647); to the Committee on Naval Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 4701) to establish in the War Department and in the Navy Department, respectively, a roll, designated as "the Army and Navy medal-of-honor honor roll," and for other purposes, reported the same without amendment, accompanied by a report (No. 113), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GARRETT, from the Committee on Rules, to which was referred the resolution (H. Res. 122) to amend the standing rules of the House of Representatives, reported the same without amendment, accompanied by a report (No. 114), which said resolution and report were referred to the House Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 1684) for the relief of Cyrus F. Goddard, reported the same adversely, accompanied by a report (No. 111), which said bill and report were laid on the table.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 4885) for the relief of Bolognesi, Hartfield & Co., reported the same adversely, accom-

panied by a report (No. 112), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 2978) for the relief of Dennis J. Neagle, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McCracken: A bill (H. R. 10646) directing the Secretary of the Interior to make a survey of the Black Canyon irrigation project, in southern Idaho, to ascertain its cost and feasibility; to the Committee on Appropriations.

Also, a bill (H. R. 10647) providing for the purchase by the United States of the Kings Hill irrigation system in southern Idaho, and providing for the completion of said system by the Reclamation Service under the direction of the Secretary of the Interior; to the Committee on Appropriations.

By Mr. Leshner: A bill (H. R. 10648) to authorize the provision of accommodations for the United States courts in the Federal building at Sunbury, Pa., and to increase the limit of cost for said building accordingly; to the Committee on Public Buildings and Grounds.

By Mr. Kincheleoe: A bill (H. R. 10649) for the erection of a public building at Madisonville, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. Dooling: A bill (H. R. 10650) to develop and promote the industry of utilizing the natural resources of the United States which are useful for chemical products; to the Committee on Industrial Arts and Expositions.

By Mr. Cantrill: A bill (H. R. 10651) to provide for the erection of a public building in the city of Eminence, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. Garrett: A bill (H. R. 10652) to authorize a survey of the Forked Deer River from Dyersburg, Tenn., to the point at which it empties into the Mississippi River; to the Committee on Rivers and Harbors.

By Mr. Browning: A bill (H. R. 10653) providing for a survey of Newton Creek from the Delaware River to Mount Ephraim Turnpike, on the north and south branches, respectively, and to Cuthbert Avenue, Collingswood, on the main branch; to the Committee on Rivers and Harbors.

By Mr. Cooper of Wisconsin: A bill (H. R. 10654) to provide for the purchase of a site and the erection of a public building thereon at Whitewater, Walworth County, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10655) for the relief of the city of Racine; to the Committee on Claims.

By Mr. Cary: A bill (H. R. 10656) to amend H. R. 1339, Sixty-second Congress; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10657) to pension widow and minor children of any officer or enlisted man who served in the War with Spain or Philippine insurrection; to the Committee on Pensions.

Also, a bill (H. R. 10658) for the retirement of employees of the Government who served in the War with Mexico or the Civil War; to the Committee on Reform in the Civil Service.

By Mr. Cooper of Wisconsin: A bill (H. R. 10659) to provide for the purchase of a site and the erection of a public building thereon at Lake Geneva, Walworth County, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. Tinkham: A bill (H. R. 10660) regulating the street improvements in the District of Columbia; to the Committee on the District of Columbia.

By Mr. Lindbergh: A bill (H. R. 10661) to provide capital for agricultural and urban home development; to create standard forms of investment, one based upon farm mortgages and another upon urban home mortgages; to equalize rates of interest; to provide for deposits and personal credits; to furnish a market for United States bonds; to create Government depositaries and financial agents for the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. Olney: A bill (H. R. 10662) authorizing the Secretary of War to donate to the Holbrook Memorial Association, of Holbrook, in the county of Norfolk, and Commonwealth of Massachusetts, two bronze or brass cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. Davis of Texas: A bill (H. R. 10663) to make classifications for military and naval service, to promote preparedness, to provide for adequate and efficient national defense, to require that in all naval and military service of the United States, whether in time of peace or war, wealth shall bear and perform its proportional part of the service, and that money shall be made to fight for its country the same as men; to the Committee on Ways and Means.

By Mr. Stephens of California: A bill (H. R. 10664) authorizing the Secretary of War to investigate, examine, and report upon sites near Los Angeles, Cal., for the establishment of a brigade mobile army post for the better defense of the Pacific coast; to the Committee on Military Affairs.

By Mr. Barkley: A bill (H. R. 10665) making an appropriation for rebuilding, improving, and strengthening the levee on the Mississippi River at Hickman, Ky.; to the Committee on Rivers and Harbors.

By Mr. Johnson of Washington: A bill (H. R. 10666) authorizing improvement of the site and plant of the Cushman Indian Trades School, at Tacoma, Wash., and appropriating \$100,000 therefor; to the Committee on Indian Affairs.

By Mr. Beales: A bill (H. R. 10667) to provide a suitable memorial to the memory of Abraham Lincoln at Gettysburg, Pa.; to the Committee on the Library.

By Mr. Gandy: A bill (H. R. 10668) to repeal section 4 of the act of Congress approved June 11, 1906, known as the forest homestead act, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 10669) to prohibit the traffic in peyote, including its sale to Indians, introduction into the Indian country, importation and transportation, and providing penalties therefor; to the Committee on Indian Affairs.

By Mr. Caraway: Joint resolution (H. J. Res. 131) making appropriations for the relief of sufferers from floods in the Mississippi Valley and St. Francis Valley; to the Committee on Appropriations.

By Mr. La Follette: Joint resolution (H. J. Res. 132) providing for the Board of Indian Commissioners to consider and report upon the Rodman Wanamaker expedition of citizenship to the North American Indian, and for a report upon the information secured by Dr. Joseph K. Dixon, leader of the expedition, and empowering the said commissioners to report a bill upon the entire reorganization of Indian Affairs; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. Almon: A bill (H. R. 10670) granting a pension to George V. McAllister; to the Committee on Pensions.

Also, a bill (H. R. 10671) granting a pension to Mark Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10672) to satisfy the findings of the Court of Claims in the claim of William Moseley, administrator of Temperance Moseley, deceased; to the Committee on War Claims.

By Mr. Anthony: A bill (H. R. 10673) granting a pension to James H. Hunt; to the Committee on Pensions.

Also, a bill (H. R. 10674) granting an increase of pension to Sophia F. Twist; to the Committee on Pensions.

Also, a bill (H. R. 10675) granting a pension to William Sommers; to the Committee on Pensions.

By Mr. Bailey: A bill (H. R. 10676) granting a pension to Jasper Robinett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10677) granting a pension to Joseph Hemming; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10678) granting a pension to Abraham Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10679) granting a pension to William Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10680) granting an increase of pension to Albert Saunders; to the Committee on Invalid Pensions.

By Mr. Barnhart: A bill (H. R. 10681) granting a pension to Hannah C. Hoffman; to the Committee on Invalid Pensions.

By Mr. Bruckner: A bill (H. R. 10682) to carry out the findings of the Court of Claims in the case of Edward I. Gallagher, administrator of Charles Gallagher, deceased; to the Committee on War Claims.

By Mr. Burgess: A bill (H. R. 10683) for the relief of Charles W. Hosman; to the Committee on Military Affairs.

Also, a bill (H. R. 10684) for the relief of the legal representatives of Rebecca J. Smith; to the Committee on War Claims.

By Mr. CLINE: A bill (H. R. 10685) granting an increase of pension to Mary M. Linn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10686) granting an increase of pension to Isabella Neal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10687) granting an increase of pension to John P. Jackson; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 10688) for the relief of William A. Persons; to the Committee on Military Affairs.

Also, a bill (H. R. 10689) for the relief of William Kinney, alias William Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 10690) for the relief of James U. Quinn; to the Committee on Military Affairs.

Also, a bill (H. R. 10691) for the relief of Rev. Oscar Samuel, alias August Meier; to the Committee on Naval Affairs.

Also, a bill (H. R. 10692) for the relief of S. O. Onsdard; to the Committee on War Claims.

Also, a bill (H. R. 10693) for the relief of William G. Keats; to the Committee on War Claims.

Also, a bill (H. R. 10694) for the relief of the heirs of Patrick Sullivan; to the Committee on War Claims.

Also, a bill (H. R. 10695) to remove bar of the statute of limitations and pay to Napoleon Van de Bogert a sum of money as pension because of disabilities incurred in service; to the Committee on War Claims.

Also, a bill (H. R. 10696) for the relief of Milton S. Harrington; to the Committee on Claims.

Also, a bill (H. R. 10697) for the relief of S. Spencer Carr; to the Committee on Military Affairs.

By Mr. DALE of New York: A bill (H. R. 10698) granting a pension to Agnes Sullivan; to the Committee on Invalid Pensions.

By Mr. DOOLING: A bill (H. R. 10699) granting a pension to Richard H. Berningham; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 10700) granting an increase of pension to James Giddy; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 10701) granting a pension to Niles D. Crites; to the Committee on Pensions.

By Mr. PREAR: A bill (H. R. 10702) granting a pension to Jennie Holloway Gibbons; to the Committee on Pensions.

By Mr. GARRETT: A bill (H. R. 10703) granting an increase of pension to Sarah A. Harrison; to the Committee on Pensions.

By Mr. HAMLIN: A bill (H. R. 10704) granting a pension to Thomas L. C. McAchran; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 10705) granting an increase of pension to Julia E. Cook; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 10706) granting a pension to James J. Huff; to the Committee on Pensions.

Also, a bill (H. R. 10707) granting an increase of pension to William H. K. Southard; to the Committee on Pensions.

By Mr. JAMES: A bill (H. R. 10708) granting an increase of pension to Hugh J. Gallagher; to the Committee on Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 10709) granting an increase of pension to Charles E. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10710) granting an increase of pension to Myron H. Isabell; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 10711) granting an increase of pension to Ione D. Bradley; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Iowa: A bill (H. R. 10712) granting an increase of pension to Columbus L. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10713) granting an increase of pension to Stephen S. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10714) granting a pension to Daniel F. French; to the Committee on Pensions.

By Mr. LAFEAN: A bill (H. R. 10715) granting an increase of pension to John Malehorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10716) granting an increase of pension to Jonathan M. Glatfelter; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 10717) granting an increase of pension to Adaline L. Power; to the Committee on Invalid Pensions.

By Mr. LEHLBACH: A bill (H. R. 10718) for the relief of the Commonwealth Building & Loan Association; to the Committee on Claims.

By Mr. LITTLEPAGE: A bill (H. R. 10719) granting an increase of pension to George Shults; to the Committee on Invalid Pensions.

By Mr. McCracken: A bill (H. R. 10720) for the relief of John J. McCue; to the Committee on Claims.

By Mr. McGILLICUDDY: A bill (H. R. 10721) granting a pension to Georgianna H. Peabody; to the Committee on Invalid Pensions.

By Mr. MURRAY: A bill (H. R. 10722) granting a pension to Rachel F. Burd; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 10723) granting a pension to Martha J. Meloy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10724) granting a pension to Shelby L. Taylor; to the Committee on Pensions.

By Mr. OVERMYER: A bill (H. R. 10725) granting a pension to Elizabeth Boetticher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10726) granting an increase of pension to Philson Hutchinson; to the Committee on Invalid Pensions.

By Mr. PAIGE of Massachusetts: A bill (H. R. 10727) for the relief of Edgar W. Preble; to the Committee on Military Affairs.

By Mr. PARKER of New York: A bill (H. R. 10728) granting a pension to Margaret Mallory; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 10729) granting a pension to Samuel N. Munro; to the Committee on Pensions.

Also, a bill (H. R. 10730) granting a pension to Elizabeth White Orr; to the Committee on Invalid Pensions.

By Mr. RAYBURN: A bill (H. R. 10731) granting an increase of pension to Charles W. Noyes; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 10732) granting a pension to Mary C. Ryan; to the Committee on Pensions.

Also, a bill (H. R. 10733) granting a pension to Sarah H. Matheny; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10734) granting an increase of pension to James Hickman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10735) granting an increase of pension to Joseph Nichols; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10736) granting an increase of pension to Chalmers Canan; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 10737) for the relief of Eli Pettijohn; to the Committee on Claims.

By Mr. SCULLY: A bill (H. R. 10738) granting an increase of pension to Thomas Newman; to the Committee on Pensions.

Also, a bill (H. R. 10739) granting an increase of pension to William S. Jackson; to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 10740) granting an increase of pension to John Branson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10741) granting an increase of pension to Thomas R. Maples; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10742) for the relief of Elizabeth Fisher Snorgrass; to the Committee on War Claims.

By Mr. SLEMP: A bill (H. R. 10743) granting a pension to J. A. Bunn; to the Committee on Pensions.

Also, a bill (H. R. 10744) granting a pension to John J. Brogan; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 10745) granting a pension to Tirzah Maria Willson; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 10746) granting a pension to Mary Hamilton; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 10747) granting an increase of pension to Daniel Baughman; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 10748) granting an increase of pension to William M. Noel; to the Committee on Pensions.

By Mr. SCULLY: Resolution (H. Res. 125) authorizing the appointment of William F. Cody upon the Capitol police force; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Palmetto Harbor No. 74, urging that House bill 9678 be not passed; to the Committee on the Merchant Marine and Fisheries.

By Mr. ANTHONY: Petitions of W. H. Newby and others, of Tonganoxie; John W. Spickelmier and others, of Willis; H. L. Wikoff and others, of Onelda; R. M. Petherbridge and others, of Basehor; First National Bank of Holton; O. J. Potter, for officers, stockholders, and patrons of Easton State Bank, all of Kansas, against revenue stamps on bank checks; to the Committee on Ways and Means.

Also, resolution adopted by the Christian Church, representing 300 members, of Highland, Kans., and bearing the indorse-

ment of G. W. Cohouer, favoring national prohibition; to the Committee on the Judiciary.

Also, resolution adopted by the German Methodist Church of Wathena, Kans., representing 200 members, and bearing the indorsement of E. Crepin, favoring national prohibition; to the Committee on the Judiciary.

Also, petition signed by C. E. Smith and other citizens of Huron, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by J. H. Wilhelm and other citizens of Winchester, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by George A. Magill and other citizens of Kelly, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, resolution adopted by Methodist Episcopal Church of Wathena, Kans., and bearing the indorsement of Rev. E. L. Geyer and other members of the church and congregation, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Christian Church of Troy, Kans., representing 600 members and bearing the indorsement of J. Tilden Sapp, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Robert Rorson and other citizens of Valeda, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by Charles G. Royer and other citizens of Winchester, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by L. C. Burns and other citizens of Hoyt, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by A. J. Smith and other citizens of Lancaster, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by Scott Hopkins and other citizens of Topeka, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by J. E. Blevins and other citizens of Linwood, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by Albert Neese and other citizens of Richland, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by C. D. Lamme and other citizens of Hiawatha, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by J. M. Everts and other citizens of Baileyville, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

Also, petition signed by E. J. Kelly and other citizens of Effingham, Kans., protesting against stamp tax on bank checks; to the Committee on Ways and Means.

By Mr. AYRES: Petition of citizens of Maize, Kans., against the proposed law requiring revenue stamps to be placed on bank checks; to the Committee on Ways and Means.

Also, petition of citizens of Andale, Kans., against proposed law requiring revenue stamps to be placed on bank checks; to the Committee on Ways and Means.

By Mr. BAILEY: Petition of sundry citizens of Pennsylvania, against preparedness; to the Committee on Military Affairs.

Also, petition of business men of Bellwood, Pa., favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. BEALES: Memorial of Travelers' Protective Association of America, favoring the passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of United Spanish War Veterans, favoring national preparedness and advocating national defense; to the Committee on Military Affairs.

Also, papers to accompany House bill 10248, to correct military record of Charles P. Kibler; to the Committee on Military Affairs.

Also, memorial of Chamber of Commerce of Sacramento, Cal., favoring submitting the question of railway mail pay to the Interstate Commerce Commission; to the Committee on the Post Office and Post Roads.

Also, petition of McFarland Lumber Co., Philadelphia, Pa., favoring the passage of the Small bill regulating compulsory pilotage on barges; to the Committee on Interstate and Foreign Commerce.

Also, petition of Howard L. Neff, Thomas E. Coule Lumber Co., and Smedley Bros. Co., of Frankford, Philadelphia, Pa., favoring the passage of the Small bill regulating compulsory

pilotage on barges; to the Committee on Interstate and Foreign Commerce.

Also, memorials of Pennsylvania Lumberman's Association and the Lumberman's Exchange of the city of Philadelphia, favoring the passage of the Small bill regulating compulsory pilotage on barges; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Dubuque County Retail Druggists' Association, Dubuque, Iowa, urging the amendment of section 6 of the Harrison antinarcotic law; to the Committee on Agriculture.

By Mr. BURKE (by request): Petition of the Woman's Christian Temperance Union of Poynette, Wis., and 115 other people of Poynette, Wis., in favor of the passage of a constitutional amendment for nation-wide prohibition; to the Committee on the Judiciary.

Also, resolutions adopted by the New York Zoological Society, of New York, asking for the passage of legislation to convert the national forest reserves of the United States into game reserves for the protection of wild life; to the Committee on the Public Lands.

By Mr. CAMPBELL: Petitions of depositors in banks of Arma and Winfield, Kans., against revenue stamps on bank checks; to the Committee on Ways and Means.

By Mr. CARY: Petition of New York Zoological Society, favoring game sanctuaries in national forests; to the Committee on Agriculture.

By Mr. CHARLES: Petition of members of the International Brewery Workers' Union, of Schenectady, N. Y., against national prohibition; to the Committee on the Judiciary.

By Mr. CRAMTON: Petitions of Summers Linen Co., of Port Huron, and the Richmond Woolen Mills, of Richmond, Mich., in support of House bill 702, the dyestuffs bill; to the Committee on Ways and Means.

Also, petition of Lutheran St. Paul's Church, of Filion, Huron County, Mich.; Gustav Moeller and Anton Ertter, of Kinde, Mich.; and Wendel Block, Charles Heilz, Theodore Hunsanger, C. F. Block, and Raymond Heilig, of Minden City, Mich., in support of embargo on shipment of war material; to the Committee on Foreign Affairs.

Also, protests of 10 members of Almont Grange, 33 members of Grove Grange, 20 members of Ray Grange, 15 members of Custer Grange, and 28 members of Bark Shanty Grange, of Michigan, against increase in appropriations for national defense; to the Committee on Appropriations.

Also, petition of Methodist Episcopal Congregation of Memphis, Mich., for submission of constitutional amendment providing national prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of Pittsburgh Hungarian Political Club, relative to bill to prevent belligerent powers from interfering with mails; to the Committee on Foreign Affairs.

Also, petition of Harry P. Knight, against the use of "Quaker" by certain business interests; to the Committee on the Judiciary.

Also, petition of New York Zoological Society, favoring plan for game sanctuaries in national forests; to the Committee on Agriculture.

Also, petition of the J. L. Mott Iron Works, New York, against the curtailment of mail deliveries in New York City; to the Committee on the Post Office and Post Roads.

Also, petition of Hilton-Dodge Sales Co., of New York, relative to removing compulsory pilotage from barges; to the Committee on the Merchant Marine and Fisheries.

Also, petition of H. E. Aitken, of New York, against censorship of motion-picture films; to the Committee on Education.

Also, petition of M. L. Hornaday, of New York, favoring House bill 6881, to increase productiveness of national forests; to the Committee on Agriculture.

Also, petition of business men of the State of New York, favoring river and harbor improvements in State of New York; to the Committee on Rivers and Harbors.

Also, petitions of Connecticut General Life Insurance Co., of Hartford, and Provident Life & Trust Co., of Philadelphia, Pa., favoring House bill 9320, to compel insurance companies to file bills of interpleader; to the Committee on the Judiciary.

Also, petition of Charles H. Clarke, of New York, favoring passage of House bill 9814, relative to purchase of land from Oregon & California Railroad Co.; to the Committee on the Public Lands.

By Mr. DANFORTH: Petition of business men of the State of New York, favoring river and harbor improvements in New York State; to the Committee on Rivers and Harbors.

Also, petition of New York Zoological Society, of New York, favoring game sanctuaries in national forest; to the Committee on Agriculture.

By Mr. DARROW: Petition of Perkasio Council No. 127, Junior Order United American Mechanics, in favor of Burnett immigration bill; to the Committee on Immigration.

Also, petition of Evangelical Lutheran Labor Church of Olney, Philadelphia, in favor of an embargo on arms and ammunition; to the Committee on Foreign Affairs.

By Mr. DOOLING: Petition of Richard H. Benningham, for increase of pension; to the Committee on Invalid Pensions.

By Mr. DYER: Petition of the John Deere Plow Co., St. Louis, Mo., favoring passage of House bill 6883, relative to payment to Indians of Oklahoma; to the Committee on Indian Affairs.

Also, petition of Conrad Lillick, St. Louis, Mo., relative to restrictions in the immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Thomas Phelan, St. Louis, Mo., favoring passage of the Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of St. Louis Cotton Exchange, against cotton-futures act; to the Committee on Agriculture.

Also, memorial of St. Louis Woman's Christian Temperance Union, favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the Travelers' Protective Association, favoring the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGAN: Petition of Edward P. Buffet, for Federal censorship of moving pictures and constitutional amendment prohibiting liquor selling; to the Committee on the Judiciary.

By Mr. ELSTON: Memorial of Central Labor Council of Oakland, Cal., favoring Federal aid to indigent tuberculous persons, etc.; to the Committee on Appropriations.

By Mr. EMERSON: Petition of grape growers of the twenty-second congressional district of Ohio, against the Overmyer bill; to the Committee on Ways and Means.

By Mr. ESCH: Papers in support of House bill 10511, granting an increase of pension to Ida E. Hazen; to the Committee on Invalid Pensions.

Also, petition of New York Zoological Society, favoring game sanctuaries in national forests; to the Committee on Agriculture.

Also, papers in support of House bill 7802, granting an increase of pension to Edgar Abbott; to the Committee on Pensions.

By Mr. FLYNN: Petition of Pittsburgh Hungarian Political Club, favoring bill to prevent belligerents from interfering with mails; to the Committee on the Post Office and Post Roads.

Also, memorial of New York Zoological Society, favoring game sanctuaries in national forests; to the Committee on Agriculture.

Also, petition of H. E. Aitkin, against censorship of motion-picture films; to the Committee on Education.

Also, petition of business men of State of New York, relative to various river and harbor improvements; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of Post No. 68, Grand Army of the Republic, and No. 116, Woman's Relief Corps, of Streator, Ill., favoring preparedness; to the Committee on Military Affairs.

Also, petition of Illinois Chapter, American Institute of Architects, against passage of House bill 743, relative to building for Department of Justice; to the Committee on Public Buildings and Grounds.

Also, petition of retail merchants of Sheridan, Verona, and Kinsman, all in the State of Illinois, favoring tax on mail-order houses; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of Massachusetts State Board of Trade, favoring nonpartisan tariff commission; to the Committee on Ways and Means.

Also, petitions of Frank T. Menzson, of Rox, and George Schroth, of Boston, both in the State of Massachusetts, favoring embargo on arms, etc.; to the Committee on Foreign Affairs.

Also, petition of Arbuckle Bros., relative to duty on sugar; to the Committee on Ways and Means.

Also, memorial of retail liquor dealers against tax on beer, etc.; to the Committee on Ways and Means.

By Mr. GRIEST: Memorial of the Traffic Club, of Erie, Pa., favoring the submission of the question of railway mail pay to the Interstate Commerce Commission for investigation and report; to the Committee on the Post Office and Post Roads.

Also, petition of H. B. Workman Co., of Littitz, Pa., favoring protection for manufacturers of dyestuffs in America; to the Committee on Ways and Means.

By Mr. HADLEY: Petitions of 1,000 people of Washington State, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HASTINGS: Papers to accompany House bill 9840, for relief of Nancy Proctor; to the Committee on Pensions.

By Mr. HAWLEY: Petition of 70 people of Alpine, Oreg., for national constitutional amendment; to the Committee on Rules.

Also, petitions of Woman's Christian Temperance Union, 75 people, of Clatskanie; United Brethren Church public meeting, 350 people, of Philomath; and United Brethren Church, 30 people, of Ashland, all in the State of Oregon, in favor of national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. HAYDEN: Petitions of First Baptist Church, 1,500 people; First Methodist Episcopal Church, 750 people; Central Methodist Episcopal Church, 600 people; Woman's Christian Temperance Union, 85 people; and Christian Church, 350 people, all of Phoenix, Ariz., for national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. HILL: Petition of William C. Rogers, jr., and others, of New York and New Jersey; Lloyd Knitting Mills, of Salt Lake City, Utah; and the Reed Manufacturing Co., of Springfield; Philadelphia Axminster Carpet Co. and Ford Silk Hosiery & Dyeing Co., Universal Hosiery Co., and Lehigh Silk Hosiery Mills, all of Philadelphia, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. HOWELL: Memorial of John T. Taylor and 10 other business firms of Providence, Utah, favoring passage of Stevens standard-price bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Gottfried Bentler and eight others, of Providence, Utah, favoring an embargo on arms, etc.; to the Committee on Foreign Affairs.

By Mr. JAMES: Petition of officers of Italo-American Federation of the Upper Peninsula of Michigan, against the literacy test in immigration bill; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Rhode Island: Memorial of Woman's Christian Temperance Union of Rhode Island, favoring passage of child-labor bill; to the Committee on Labor.

Also, petition of Rhode Island Protective Textile Alliance, of Pawtucket, favoring printing of report of commission on Industrial Relations; to the Committee on Printing.

By Mr. KIESS of Pennsylvania: Petition of citizens of Lycoming County, Pa., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. KONOP: Petition of citizens of Appleton, Wis., in favor of House bill 702; to the Committee on Ways and Means.

Also, petition against repeal of mixed-flour law; protest against enactment of House bill 9409; to the Committee on Ways and Means.

Also, protest of A. Duchateau and others, of Wisconsin, against prohibition in District of Columbia; to the Committee on the District of Columbia.

Also, petition of sundry citizens of Peshtigo, Wis., in favor of woman suffrage; to the Committee on Rules.

By Mr. LAFEAN: Memorial of Pittsburgh Hungarian Club, adopted January 30, 1916, objecting to suspension of parcel-post service to Hungary; to the Committee on the Post Office and Post Roads.

Also, petition of Schmidt, Ault Paper Co. and other manufacturers of York, Pa., favoring tax on dyestuffs; to the Committee on Ways and Means.

Also, memorial of New York Zoological Society, indorsing game sanctuaries in national forests; to the Committee on Agriculture.

By Mr. LOBECK: Memorial of Harry I. Brown Camp, No. 11, United Spanish War Veterans, in favor of the Key bill; to the Committee on Pensions.

By Mr. LOUD: Petition of M. V. Anthony and 23 other members of Pleasant Valley Grange, of Michigan, against increase of national expenditures for Army and Navy; to the Committee on Appropriations.

By Mr. McLEMORE: Petition of sundry citizens of Yoakum, Tex., favoring embargo on arms, etc.; to the Committee on Foreign Affairs.

By Mr. McKENZIE: Petition of Evangelical Lutheran Church, 387 people, of Polo, Ill., and Independent Presbyterian Church, 200 people, of Polo, Ill., for national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Petition of Why Bros. & Co., of Philadelphia, favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Petition of Universal Winding Co., of Providence, R. I., protesting against the Dietrick amendment; to the Committee on Labor.

Also, memorial of F. J. McGovern, of Providence, R. I., in favor of making Columbus Day a legal holiday in the District of Columbia; to the Committee on the District of Columbia.

By Mr. OAKLEY: Petitions of Woman's Christian Temperance Union of Warehouse Point and Plantsville, Conn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. PAIGE of Massachusetts: Papers in support of House bill 10190, for pension for Carl O. Nelson; to the Committee on Pensions.

Also, petition of Walter B. Hall and others, of West Warren, Mass., favoring tax on dyestuffs; to the Committee on Ways and Means.

By Mr. PRICE: Petition of citizens of Maryland and others, favoring repeal of the seamen's law; to the Committee on the Merchant Marine and Fisheries.

By Mr. RAMSEYER: Petition of sundry citizens of Sigourney, Iowa, against press-muzzle bills of every description; to the Committee on the Post Office and Post Roads.

By Mr. ROWE: Petition of proprietors of Ritz-Carlton Hotel, of New York City, against curtailing mail deliveries in business section of New York; to the Committee on the Post Office and Post Roads.

Also, petition of Central Labor Union of Brooklyn, N. Y., favoring passage of House bill 6871, relative to convict labor; to the Committee on Labor.

Also, petition of sundry citizens of Brooklyn, N. Y., favoring the child-labor bill; to the Committee on Labor.

Also, petition of United Textile Workers of America, favoring passage of House bill 6871, for regulation of interstate commerce; to the Committee on Interstate and Foreign Commerce.

Also, petition of Cigarmakers' Progressive International Union, No. 149, relative to congress of neutral nations; to the Committee on Foreign Affairs.

Also, petition of Men's Class of Central Presbyterian Church, of Brooklyn, N. Y., favoring passage of the Smith-Hughes motion-picture commission bill; to the Committee on Education.

By Mr. SANFORD: Petitions of sundry citizens of Albany, N. Y., favoring censorship of motion-picture films; to the Committee on Education.

Also, papers to accompany House bill 10372, to remove the charge of cowardice against John McNeil; to the Committee on Military Affairs.

By Mr. SCULLY: Petition of Hunter Jones, of Asbury Park, N. J., in favor of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, letter from Isaac Stern, favoring embargo on shipment of war material; to the Committee on Foreign Affairs.

Also, memorial of Travelers' Protective Association of America, in favor of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of New York Zoological Society, of New York City, indorsing the plan for game sanctuaries in national forests; to the Committee on the Public Lands.

By Mr. SMITH of New York: Petition of Public Interests League, Women's Antisuffrage Association, Massachusetts, favoring new immigration station at Boston, Mass.; to the Committee on Public Buildings and Grounds.

Also, resolution of the New York Zoological Society, of New York, favoring national bird preserves; to the Committee on the Public Lands.

Also, resolutions of Albion City Federation of Women's Clubs, of Albion; and Michigan State Federation of Women's Clubs, of Adrian; and Woman's Christian Temperance Union of Albion, in favor of Keating child-labor bill; to the Committee on Labor.

Also, protest of Triangle-Film Corporation, New York City, against Hughes-Smith Federal motion-picture censorship bill; to the Committee on Education.

By Mr. SNYDER: Petitions of Evans & Gishling, Rome, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petition of Utica-Willowvale Bleaching Co., the Sanquoit Spinning Co., and the Fort Schuyler Knitting Co., and Foster Bros., of Utica, N. Y., for a tariff on dyestuffs; to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petition of First Congregational Church, 300 people; Methodist Episcopal Church, 600 people; and Baptist Church, all of Fruita, Colo.; to the Committee on the Judiciary.

By Mr. TILSON: Petition of Meriden Young Men's Christian Association, favoring legislation to prohibit the sale and manufacture of intoxicating liquors; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Petition of 1,710 people of Boulder, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WARD: Petitions of sundry citizens of Hudson, N. Y., favoring censorship of motion pictures; to the Committee on Education.

Also, petitions of International Union and United Brewery Workmen of America and the Central Labor Union, Hudson, N. Y., against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry retail liquor dealers of the State of New York, against increase of tax on beer, etc.; to the Committee on Ways and Means.

Also, petitions of sundry merchants of Des Moines, Iowa, favoring tax on mail-order houses; to the Committee on Ways and Means.

SENATE.

THURSDAY, February 3, 1916.

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

Almighty God, we pray Thee to keep us this day from sin. Thou art the God of all power. Thou art the God of grace as well. In the great conflict of life, the stage upon which Thou dost enable us to develop our mental and moral power, we pray that we may have regard for the development of our spiritual life as well, that we may not sin against God. Give to us victory over ourselves that our lives may be open in Thy sight and may be approved of Thee. Guide us this day in the discharge of the duties that are upon us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, January 31, 1916, when, on request of Mr. VARDAMAN, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PRODUCTION AND CONSUMPTION OF GASOLINE.

The VICE PRESIDENT. The Chair presents a communication from the Secretary of the Interior, submitting, in response to Senate resolution No. 40, certain information as to the production, consumption, and price of gasoline. It is in response to a resolution submitted by the Senator from North Dakota [Mr. McCUMBER]. The Chair does not know to what committee the communication should be referred.

Mr. BRANDEGEE. Unless there is some other suggestion made, I suggest that the communication lie on the table temporarily until the Senator from North Dakota arrives.

Mr. GALLINGER. And that it be printed.

Mr. BRANDEGEE. Let it be printed.

The VICE PRESIDENT. The Chair finds that the communication is accompanied by illustrations, and it will be referred to the Committee on Printing for action.

ARMY DREDGES "ATLANTIC" AND "RARITAN."

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, referring to his letter of December 21, 1915, inviting attention to the lack of sufficient water in the ship canals leading to the navy yard, Brooklyn, and conveying the information that the large Army dredges *Atlantic* and *Raritan* are now laid up at the navy yard, New York, on account of lack of funds to proceed with further work, which was referred to the Committee on Naval Affairs.

FINDINGS OF THE COURT OF CLAIMS.

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

John F. Fee v. The United States (S. Doc. No. 306);
Thomas Woods v. The United States (S. Doc. No. 305);
Chris C. Lennet v. The United States (S. Doc. No. 304);
Charles H. Rankins v. The United States (S. Doc. No. 303);
William T. Dwyer v. The United States (S. Doc. No. 302);
Edward G. Grossman v. The United States (S. Doc. No. 301);
James S. Page v. The United States (S. Doc. No. 300);
Wallace N. Evans v. The United States (S. Doc. No. 299);
Walter P. Noonan v. The United States (S. Doc. No. 298);
William Edwards v. The United States (S. Doc. No. 297);
Alfred J. Leigh v. The United States (S. Doc. No. 296);
Henry W. Sims v. The United States (S. Doc. No. 295); and
Henry C. Brock v. The United States (S. Doc. No. 294).

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