

By Mr. HULBERT: Joint resolution (H. J. Res. 131) to grant citizenship to Charles E. Beck, jr.; to the Committee on Immigration and Naturalization.

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 Mississippi State Bar Association, urging passage of a bill for additional United States district judge for Mississippi; to the Committee on the Judiciary.

Also (by request), memorial of common council of the city of Schenectady, N. Y., asking independence for Bohemia; to the Committee on Foreign Affairs.

Also (by request), memorial of women of the State of Mississippi, favoring immediate passage of suffrage amendment; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of New York State Pharmaceutical Association, against tax on alcohol; to the Committee on Ways and Means.

Also, petition of G. T. Moss, of Amsterdam, N. Y., favoring bill for osteopathic doctors to serve in Army and Navy; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petitions of the National Sewing Machine Co., of Belvidere; the J. D. Tower & Sons Co., of Mendota; the Valley Chemical Co., of Chicago; the Western Glass Co., of Streator; and the Illinois Valley Manufacturers' Club, of La Salle, all in the State of Illinois, protesting against the sliding-scale rate on excess profits as proposed in the war-revenue bill, the elimination of the Jones amendment, and the substitution of a flat rate on the net earnings of business enterprises, with the allowance of at least 8 per cent on minimum profits; to the Committee on Ways and Means.

By Mr. GARD: Petitions of Engineers and Firemen, Local Union No. 255, and Central Labor Union of Dayton, Ohio, against national prohibition; to the Committee on the Judiciary.

By Mr. HAYES: Memorial of members of the Woman's Christian Temperance Union of Cupertino, Cal., favoring a protective zone about military camps; to the Committee on Military Affairs.

By Mr. HULBERT: Memorial of citizens of New York, favoring food-control bill; to the Committee on Agriculture.

Also, memorial of sundry citizens of United States, favoring change in patent law relative to manufacture of medicines and chemicals; to the Committee on Patents.

By Mr. KALANIANA'OLE: Petitions of Woman's Guild of St. Andrews Cathedral and Main Branch of Woman's Board of Missions, of Honolulu, Hawaiian Islands, favoring zone around military camps; to the Committee on Military Affairs.

By Mr. LUNN: Petition of Charles H. Bennett and citizens of Broadalbin, N. Y., asking for prohibition of the manufacture, sale, and transportation of intoxicating liquors during the war; to the Committee on the Judiciary.

Also, resolution of Misha Applebaum, representing the Humanitarian Cult, and favoring the immediate enfranchisement of women, as a necessary development of democracy in this hour of stress; to the Committee on the Judiciary.

Also, petition of Roe Reamy Mitchell and citizens of Sprout Brook, Cherry Valley, and town of Canajoharie, asking for immediate prohibition of the manufacture and sale of alcoholic liquors as a measure of food conservation; to the Committee on the Judiciary.

Also, petition of Rev. Thomas Stevenson and citizens of Long Lake, N. Y., asking for prohibition of the manufacture and sale of alcoholic liquors as a means of food conservation during the war; to the Committee on the Judiciary.

By Mr. MOTT: Memorial of Jefferson County Suffrage Organization, favoring woman suffrage; to the Committee on the Judiciary.

Also, petitions of citizens of Adams and members of the Baptist Church of Oneida, N. Y., favoring prohibition as war measure; to the Committee on the Judiciary.

Also, petition of united churches of Black River, N. Y., against polygamy in the United States; to the Committee on the Judiciary.

Also, petitions of members of North Hannibal Grange, No. 672; Copenhagen Grange, No. 90; and Brookfield Grange, No. 1235, all of the State of New York, against passage of the food-control bill; to the Committee on Agriculture.

By Mr. PLATT: Petitions of sundry citizens of Middleton, Clinton, and Montgomery, N. Y., favoring national prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, July 31, 1917.

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

Almighty God, Thou hast called us into being as a Nation. Thou hast gathered together many of the different kindred and blood of the peoples of the earth and shaped and fashioned them into a mighty Republic of the west. We thank Thee that the inspirations which are before us are not limited to the traditions of any line of blood, but that the passions of humanity are the passions of our great Nation. Grant us, we pray Thee, to see with clear vision the path over which Thou wouldst lead us, and that out of this Nation Thou wouldst send forth a mighty force to gather the nations into the larger brotherhood and lift the world to a higher life. May we feel that there is a divine mission and purpose in our national life. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 2695) to authorize the construction, maintenance, and operation of a bridge across Little River, at or near the foot of the gar hole about one-half mile south of the Jonesboro, Lake City & Eastern Railway bridge across Little River, Ark.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMALL, Mr. BOOHER, and Mr. KENNEDY of Iowa managers of the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 3331) for the protection of desert-land entrymen who enter the military or naval service of the United States in time of war, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. CUMMINS. I present two resolutions of the General Assembly of the State of Iowa, one relating to universal military training and the other relating to the term of enlistment of the National Guard. I ask that they be printed in the RECORD and referred to the Committee on Military Affairs.

The resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Concurrent resolution.

Be it resolved by the senate (the house concurring):

Whereas this Nation must at last face the stark and naked truth that to-day we are virtually at war with a foreign power; and whereas the one great principle that is to be determined in the stupendous conflict that is now devastating the civilized world is whether or not government of the people, by the people, and for the people shall not perish from the earth; and whereas the blood of our breed, all the way from Bunker Hill to Appomattox Courthouse and Manila Bay, has been gladly, willingly, and joyously spent in the preservation and defense of the God-given principle that the people and not the kings or classes shall rule: Therefore be it

Resolved by the senate (the house concurring), That at this moment in the world's history, when the inevitable conflict between democracy and despotism has arrived at its supreme test, and with as full a realization of the import and solemnity of our action as that which inspired our forefathers who enunciated the Declaration of Independence that has made this world a livable place for the common people, we, the senators and representatives in the Thirty-seventh General Assembly of Iowa, conscientiously believing that we hereby express the will and sentiment of our State, call upon the Congress of the United States at once, and before it is too late, to enact into law a bill that provides for such general military training in this Nation to the end that the blood of our forefathers shall not have been shed in vain and that constitutional government, bought by that blood, may yet survive; be it further

Resolved, That engrossed copies of this resolution be, and they are hereby, ordered transmitted to the President of the United States, to the Hon. ALBERT B. CUMMINS and the Hon. WILLIAM S. KENYON, Senators of the State of Iowa, and to each of the Members of Congress from the State of Iowa.

ERNEST R. MOORE,
President of the Senate.
M. B. PERRY,
Speaker of the House.

I hereby certify that this concurrent resolution originated in the senate.

THOMAS WALTERS, Jr.,
Secretary of the Senate.

Approved by the senate, March 29, A. D. 1917.
House concurred, April 2, A. D. 1917.

Concurrent resolution.

Be it resolved by the Senate of the General Assembly of the State of Iowa (the House concurring), That—

Whereas, under section 69 of chapter 134 of the first session of the Sixty-fourth Congress of 1916, it is provided as to enlistments in the National Guard that the same shall be for six years, the first three of which shall be in the active organization and the remaining three in the National Guard Reserve; and
Whereas this long period of enlistment is deterring many from enlisting in the service who otherwise would gladly enlist for the period of the world-wide war in which we are engaged: Be it

Resolved by the Senate of the General Assembly of the State of Iowa (the House concurring), That we hereby respectfully petition Congress, at present in special session, to promptly amend the said law by striking out the six-year period of enlistment and substituting therefor provisions for enlistment in the National Guard service during the period of our present war with Germany;

And that an engrossed copy of this resolution be sent to the Hon. A. B. CUMMINS and Hon. W. S. KENYON, United States Senators from Iowa, and to each of the honorable Representatives in Congress from the State of Iowa.

ERNEST R. MOORE,
President of the Senate.
M. B. PITT,
Speaker of the House.

I hereby certify that this concurrent resolution originated in the senate.

THOMAS WALTERS, Jr.,
Secretary of the Senate.

Adopted by the senate, April 10, A. D. 1917.
House concurred, April 10, A. D. 1917.

Mr. SMITH of Michigan. I send up a telegram in the nature of a memorial, and I ask that it be read for the information of the Senate.

The PRESIDENT pro tempore. Without objection, the Secretary will read it.

The Secretary read the telegram, as follows:

DETROIT, MICH., July 30, 1917.

Hon. WM. ALDEN SMITH,
Washington, D. C.:

Please insist on heavy dog tax in revenue bill.

COMFORT A. TYLER,
Secretary American Hampshire Sheep Association.

Mr. FERNALD. I present resolutions adopted at a meeting of the board of the Free Baptist Woman's Missionary Society, of Ocean Park, Me., which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

FREE BAPTIST WOMAN'S MISSIONARY SOCIETY,
Ocean Park, Me., July 28, 1917.

To the SENATE (by courtesy of the Hon. B. M. FERNALD):

The board of the Free Baptist Woman's Missionary Society, in session at Ocean Park, Me., July 27 to August 2, a body representing several thousand women throughout the United States who are heroically giving husbands, brothers, sons to the service of our country, hereby—

Resolve, To most earnestly request that the Senate of the United States shall, as a war measure, prohibit the manufacture and sale of alcoholic liquors in the interest of our food supply and of the morale of our Army and Navy of the Nation.

Also, we most earnestly request of the Senate that the military camps and naval stations be so safeguarded and extended as to protect adequately our sons and brothers from the assaults of clandestine or commercialized vice.

The members of this organization throughout our land unite in asking you to safeguard their precious members whose welfare is to them and to the Nation of the utmost importance.

Respectfully submitted.

LENA S. FENNER,
Corresponding Secretary of the Free
Baptist Woman's Missionary Society.

Mr. SHEPPARD presented a petition of Local Division No. 187, Brotherhood of Locomotive Engineers of Fort Worth, Tex., praying for equality in taxation and remonstrating against an increase of taxation on fraternal organizations, which was referred to the Committee on Finance.

He also presented a petition of the Woman's Methodist Missionary Society, of Dodsonville, Tex., and a petition of the Woman's Missionary Society of the Methodist Episcopal Church South, of Alba, Tex., praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. POMERENE. I have received a large number of memorials from citizens of Cincinnati, Ohio, remonstrating against the adoption of the national prohibition amendment. I ask that the petitions be received and appropriately referred.

The PRESIDENT pro tempore. The petitions will lie on the table.

Mr. POMERENE. I have also received a large number of telegrams in the nature of memorials from labor organizations,

brewers, manufacturers, bankers, liberty leagues, and citizens in the State of Ohio, remonstrating against national prohibition, which I ask may be received and appropriately referred.

The PRESIDENT pro tempore. The telegrams will lie on the table.

Mr. POMERENE. I have also received telegrams from Henry and Fannie Fleek, of Newark; from D. A. Greene, of Newark; from sundry churches of Croton; from 200 members of the Federated Clubs of Newark; from Clara Moore Ogden, of Greenville; from the congregation of the First United Brethren Church of Akron; and from the Woman's Christian Temperance Union of Burghill, all in the State of Ohio, praying for national prohibition.

The PRESIDENT pro tempore. The petitions will lie on the table.

Mr. FRANCE presented a petition of the preachers' meeting of the Methodist Episcopal Church of Baltimore, Md., praying for the adoption of the prohibition features of the so-called food bill as a measure of food conservation, which was ordered to lie on the table.

Mr. WILLIAMS presented a petition of the Woman's Missionary Council of the Methodist Episcopal Church South, of Columbus, Miss., praying for national prohibition as a war measure, which was ordered to lie on the table.

ALLEN M. SUMNER.

Mr. GERRY, from the Committee on Naval Affairs, to which was referred the bill (S. 2117) to appoint Allen M. Sumner a captain on the active list of the United States Marine Corps, reported it with an amendment and submitted a report (No. 95) thereon.

BILLS INTRODUCED.

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

By Mr. SHEPPARD:

A bill (S. 2704) for the acquisition of additional land at the Leon Springs Military Reservation, Tex.;

A bill (S. 2705) to create the Air Board and provide for its maintenance; and

A bill (S. 2706) for the acquisition of land for mobilization, aviation, maneuver, training, and supply purposes in El Paso county, Tex.; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 2707) granting an increase of pension to George H. Fogg (with accompanying papers); and

A bill (S. 2708) granting an increase of pension to Charles F. Ward (with accompanying papers); to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 4285) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, disagreed to by the House, and requesting a conference of the Senate on the disagreeing votes of the two Houses thereon.

Mr. FLETCHER. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the President pro tempore appointed Mr. FLETCHER, Mr. RANSDALL, and Mr. NELSON conferees on the part of the Senate.

ENLISTMENT OF ALIEN RESIDENTS.

The PRESIDENT pro tempore. The morning business is closed.

Mr. STONE. I ask unanimous consent to call up Senate resolution 108 and have the same laid before the Senate.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read Senate resolution 108, reported yesterday by Mr. McCUMBER, from the Committee on Foreign Relations, as follows:

Whereas there are in the United States a vast number of subjects and citizens of the several European nations now waging war against the allied central powers of Europe; and

Whereas nearly all of said subjects and citizens have emigrated to this country either for the purpose of becoming citizens thereof, or for the purpose of securing the benefits of the greater wages and better opportunities afforded in this country, which opportunities have been created, defended, and maintained by the energies and sacrifices of the American people; and

Whereas it is the moral and patriotic duty of said subjects and citizens to support the several Governments to which they owe allegiance in the desperate warfare in which such Governments are engaged; and

Whereas the United States is also engaged in war against the said central powers, for the protection of the rights of the several nations so waging war against the said central powers, as well as its own sacred rights; and

Whereas it is most unjust to ask or require the American people to sacrifice their sons, their brothers, and their treasure in battling for the mutual rights and welfare of all the other nations prosecuting this war against the said central-powers while their own subjects and citizens in vast numbers enjoying in this country the special and wonderful industrial opportunities which this war affords them are wholly relieved from service or sacrifice: Now, therefore, be it

Resolved, That the President of the United States be, and he is hereby, requested to propose to all European nations engaged in war against the said central powers and, if possible, secure from them an agreement authorizing and empowering the United States to apply the provisions of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, to all such subjects and citizens domiciled in this country in the same manner and to the same effect as such provisions are applied to the citizens of the United States in selecting and raising an army or navy for service in the present war.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none.

Mr. STONE. I ask that the Secretary may read the report submitted by the Senator from North Dakota [Mr. McCUMBER], who offered the resolution and made the report. I think it unnecessary in reading the report to read the resolution copied into the report, but just the remainder of it.

The PRESIDENT pro tempore. Without objection the Secretary will read as requested by the Senator from Missouri. The Chair hears none.

Mr. CHAMBERLAIN. May I ask what is before the Senate?

The PRESIDENT pro tempore. At the request of the Senator from Missouri [Mr. STONE] the Senate has proceeded to the consideration of Senate resolution 108, a resolution relating to alien residents.

Mr. CHAMBERLAIN. Was unanimous consent given to take it up, and if so is it too late to object? I did not hear the question stated.

The PRESIDENT pro tempore. Unanimous consent was given, the Chair hearing no objection.

Mr. CHAMBERLAIN. It was probably my fault. There is another resolution pending upon the same subject. I think it would be very much better to have them considered together, if it is not too late.

Mr. LODGE. It is on the calendar and can be taken up on motion.

Mr. CHAMBERLAIN. The Senator means the one now before the Senate is on the calendar?

Mr. LODGE. The one now before the Senate is on the calendar and can be taken up on motion.

Mr. CHAMBERLAIN. I know it can be taken up on motion, but I understand that unanimous consent was asked.

Mr. LODGE. Unanimous consent was asked and granted, undoubtedly.

Mr. CHAMBERLAIN. I desire to object.

The PRESIDENT pro tempore. If the Senator from Missouri will permit, the Chair will consider it as a motion to take up the resolution.

Mr. STONE. I would like very much to have the resolution considered, for the reason that if it is to be agreed to it is important that diplomatic negotiations should be speedily hastened. I think the Senator from Oregon will not object to this resolution. This is simply a Senate resolution. If he cares speedily to press his joint resolution, he can do so and it can be considered. The joint resolution to which the Senator from Oregon refers is, of course, in substance a statute; it is legislation.

Mr. FLETCHER. May I inquire of the Senator from Missouri whether there is not this difference between the resolution proposed by the Senator from Oregon and this resolution: Does not this resolution apply to citizens and subjects of other countries domiciled in the United States, whereas the proposal of the Senator from Oregon is to reach the citizens of the United States who have for the purpose of joining the army in other countries taken the oath of allegiance to other Governments? The Senator from Oregon, I understand, proposes to provide that those persons who have taken such an oath for the purpose of joining the military forces of other countries shall be still regarded as citizens of the United States. This resolution seems to have reference to citizens of other countries residing in the United States, making our laws apply to them, as far as military service is concerned. So there might not be any conflict between the two resolutions.

Mr. STONE. The Senator has correctly stated the scope of the Senate resolution. At all events, it is not legislation; it is a mere suggestion to the President of the United States, and I can not see that it interferes with what the Senator from Oregon has in mind.

Mr. CHAMBERLAIN. May I interrupt the Senator for a moment? The position assumed by Senate joint resolution 84 is that it is not necessary to take up this question or any allied question with foreign Governments, but that the Congress of the United States has power to act in the first instance. If that position be true, and I think it is sustained by the authorities, then there will not be any necessity for having the President take this matter up with foreign Governments with a view of obtaining some sort of treaty stipulation upon the whole subject. I maintain and insist that the Congress of the United States has jurisdiction to do all that Senate joint resolution 84 authorizes to be done, and that it is not necessary to waste time in this crisis in taking up diplomatic negotiations. I hope that both measures may be considered together, if they are going to be considered.

Mr. STONE. I do not see how we can consider the Senate resolution and a bill at the same time. I think it would be very confusing. In my time I ask that the report made by the Senator from North Dakota may be read with the exception of the part that contains the resolution.

The PRESIDENT pro tempore. Unanimous consent was given to the reading of the report by the Secretary.

Mr. LODGE. I suppose the Senator does not ask for the reading of the whole report, but just page 2, not the appendices, and not rereading the resolution.

Mr. STONE. I said that.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

The preamble of the resolution describes the persons whom it is intended to have enlisted into the military forces of the United States, and gives the reasons why these persons should bear their proportionate share of the burdens of this war.

It is well established under international law that aliens domiciled in any country are not subject to enforced military service. In addition to this well-established fact, we have a number of treaties with different countries, some of which are now at war with the central powers, which expressly provide against such compulsory military service. We have treaties with other countries containing the "favored-nations" clause, which in effect prohibit such compulsory service.

In the opinion of your committee the only proper course is by securing through regular diplomatic procedure such release from these treaties, and the general principles of international law as will enable this country to utilize in the common cause the great army of aliens, subjects, and citizens of allied powers, now domiciled in this country. The subject therefore, in its initiation at least, is one for Executive diplomacy rather than legislative action. Any action by the Congress before the President has attempted to secure agreements with the countries referred to, authorizing us to bring their subjects into the fighting forces of the United States, would seem to be not only premature but also an invasion of the field of Executive authority.

It is proper here to note another most important suggestion against the advisability of proceeding by legislative enactment which shall be dependent upon obtaining in the future the sanction of the Governments affected.

This Government must make separate agreements with each independent power. It is hardly probable that such agreements would be alike in all their details. Each nation might call for the insertion in such agreements of conditions which might be peculiar to its own situation. No legislation, it seems to the committee, could anticipate the divers conditions that might be imposed in the several new agreements. As the legislative enactment must conform to the diplomatic arrangements made with the several powers, it would seem to be the much wiser course that it should follow rather than precede such arrangement as the President might conclude with each country.

In view of the fact that the treaty-making powers are vested in the Executive and the Senate, the committee is of the opinion that the Senate resolution is more appropriate to secure the desired end, hence the recommendation that the joint resolution be changed to a Senate resolution.

For the information of the Senate we attach a table showing the total registration, the number of aliens, of alien enemies, and percentage of aliens to total population in each of the States.

Mr. McCUMBER. It is not necessary to read the portion of it which follows, but I should like to have the Secretary read the letter from the Department of State of July 28, the very last paragraph on page 10.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

There is hereby submitted the following letter from Hon. Frank L. Polk, Solicitor of the State Department, which is made a part of the report:

DEPARTMENT OF STATE,
Washington, July 28, 1917.

HON. WILLIAM J. STONE,
United States Senate.

MY DEAR SENATOR STONE: Referring to your letter of July 20, in regard to S. J. Res. 83, introduced in the Senate by Mr. McCUMBER, and to the department's telephone communication to your secretary on July 25, to the effect that this resolution, together with other bills on the same subject, had been laid before the President for his consideration, I beg now to advise you that the President informs me that, of the bills before the Congress relating to the enlistment or drafting of alien residents in the United States, S. J. Res. 83 (or H. J. Res. 115, which appears to be identical) seems to him most appropriate in the circumstances, as, in his opinion, the matter is properly a subject for negotiation with the countries concerned.

Very sincerely, yours,

FRANK L. POLK.

The report entire is as follows:

[S. Rept. No. 93, 65th Cong., 1st sess.]

LOOKING TO THE ENLISTMENT OF CERTAIN ALIEN RESIDENTS IN THE ARMY OF THE UNITED STATES.

Mr. McCUMBER from the Committee on Foreign Relations, submitted the following report to accompany Senate resolution 108:

The Committee on Foreign Relations, to which was referred the Senate joint resolution (S. J. Res. 83) looking to the enlistment of certain alien residents in the Army of the United States, having had the same under consideration, report the following resolution, with the recommendation that it do pass:

"Whereas there are in the United States a vast number of subjects and citizens of the several European nations now waging war against the allied central powers of Europe; and

"Whereas nearly all of said subjects and citizens have emigrated to this country either for the purpose of becoming citizens thereof, or for the purpose of securing the benefits of the greater wages and better opportunities afforded in this country, which opportunities have been created, defended, and maintained by the energies and sacrifices of the American people; and

"Whereas it is the moral and patriotic duty of said subjects and citizens to support the several Governments to which they owe allegiance in the desperate warfare in which such Governments are engaged; and

"Whereas the United States is also engaged in war against the said central powers, for the protection of the rights of the several nations so waging war against the said central powers, as well as its own sacred rights; and

"Whereas it is most unjust to ask or require the American people to sacrifice their sons, their brothers, and their treasure in battling for the mutual rights and welfare of all the other nations prosecuting this war against the said central powers while their own subjects and citizens in vast numbers enjoying in this country the special and wonderful industrial opportunities which this war affords them are wholly relieved from service or sacrifice: Now, therefore, be it

Resolved, That the President of the United States be, and he is hereby, requested to propose to all European nations engaged in war against the said central powers and, if possible, secure from them an agreement authorizing and empowering the United States to apply the provisions of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, to all such subjects and citizens domiciled in this country in the same manner and to the same effect as such provisions are applied to the citizens of the United States in selecting and raising an army or navy for service in the present war."

The preamble of the resolution describes the persons whom it is intended to have enlisted into the military forces of the United States and gives the reasons why these persons should bear their proportionate share of the burdens of this war.

It is well established under international law that aliens domiciled in any country are not subject to enforced military service. In addition to this well-established fact, we have a number of treaties with different countries, some of which are now at war with the central powers, which expressly provide against such compulsory military service. We have treaties with other countries containing the "favored-nations" clause which in effect prohibit such compulsory service.

In the opinion of your committee the only proper course is by securing through regular diplomatic procedure such release from these treaties and the general principles of international law as will enable this country to utilize in the common cause the great army of aliens, subjects, and citizens of allied powers now domiciled in this country. The subject, therefore, in its initiation at least, is one for Executive diplomacy rather than legislative action. Any action by the Congress before the President has attempted to secure agreements with the countries referred to authorizing us to bring their subjects into the fighting forces of the United States would seem to be not only premature but also an invasion of the field of Executive authority.

It is proper here to note another most important suggestion against the advisability of proceeding by legislative enactment which shall be dependent upon obtaining in the future the sanction of the Governments affected.

This Government must make separate agreements with each independent power. It is hardly probable that such agreements would be alike in all their details. Each nation might call for the insertion in such agreements of conditions which might be peculiar to its own situation. No legislation, it seems to the committee, could anticipate the divers conditions that might be imposed in the several new agreements. As the legislative enactment must conform to the diplomatic arrangements made with the several powers, it would seem to be the much wiser course that it should follow rather than precede such arrangement as the President might conclude with each country.

In view of the fact that the treaty-making powers are vested in the Executive and the Senate, the committee is of the opinion that the Senate resolution is more appropriate to secure the desired end, hence the recommendation that the joint resolution be changed to a Senate resolution.

For the information of the Senate we attach a table showing the total registration, the number of aliens, of alien enemies, and percentage of aliens to total population in each of the States.

	Total registration.	Aliens.	Alien enemies.	Percentage of aliens to total population.
Alabama.....	179,828	1,173	89	0.7
Arizona.....	36,932	14,652	193	39.6
Arkansas.....	147,522	566	98	.4
California.....	297,532	67,464	3,948	22.7
Colorado.....	83,038	9,027	372	10.9
Connecticut.....	169,761	58,519	1,126	36.6
Delaware.....	21,864	2,833	92	13.2
Florida.....	84,663	5,682	208	6.7
Georgia.....	231,418	1,224	120	.5
Idaho.....	41,150	3,883	181	9.4
Illinois.....	672,498	95,145	6,051	14.2

	Total registration.	Aliens.	Alien enemies	Percentage of aliens to total population.
Indiana.....	255,145	13,651	1,149	5.4
Iowa.....	216,594	11,788	1,862	5.4
Kansas.....	150,029	6,388	911	4.2
Kentucky ¹	187,573
Louisiana.....	157,827	2,966	216	1.9
Maine.....	60,176	10,043	120	16.7
Maryland.....	120,453	7,387	912	6.1
Massachusetts.....	359,323	106,014	1,508	29.5
Michigan.....	372,872	69,282	3,021	18.6
Minnesota.....	221,715	24,599	1,971	11.1
Mississippi.....	139,525	567	45	.4
Missouri.....	299,625	10,992	1,008	3.7
Montana.....	88,273	11,790	687	13.4
Nebraska.....	118,123	5,044	1,155	4.3
Nevada.....	11,821	3,670	87	31.0
New Hampshire.....	37,642	9,507	79	25.3
New Jersey.....	302,742	77,372	4,956	25.6
New Mexico.....	32,202	4,324	108	13.4
New York.....	1,054,302	233,906	30,807	22.2
North Carolina.....	200,032	560	73	.3
North Dakota.....	65,007	7,205	615	11.1
Ohio.....	565,384	82,408	6,189	14.6
Oklahoma.....	169,211	2,947	219	1.7
Oregon.....	62,618	6,131	577	10.0
Pennsylvania.....	830,507	174,898	12,674	21.1
Rhode Island.....	53,415	15,043	126	28.2
South Carolina.....	128,039	447	58	.4
South Dakota.....	58,014	2,606	484	4.5
Tennessee.....	187,611	1,030	85	.6
Texas.....	408,702	26,029	1,834	6.4
Utah.....	41,952	7,145	344	17.0
Vermont.....	27,658	3,487	72	12.6
Virginia.....	181,826	2,575	179	1.4
Washington.....	108,330	16,001	791	14.8
West Virginia.....	127,409	10,678	1,003	8.4
Wisconsin.....	240,170	5,588	23,121	2.3
Wyoming.....	22,848	3,353	329	14.7
District of Columbia.....	32,327	1,570	79	4.9
National parks.....	85	4	2	4.7
Indians.....	6,001
United States.....	9,659,382	1,239,179	111,933	12.7

¹ Kentucky complete figures not yet received.

We also attach, under the headings of "D," "E," "F," "G," "H," a statement of our treaties and the general principles of international law governing the case, which was reported and printed by Mr. ROGERS in the CONGRESSIONAL RECORD of July 13.

APPENDIX D.

PROVISIONS IN TREATIES ENTERED INTO BY THE UNITED STATES WITH OTHER COUNTRIES RELATING TO THE RIGHT OF EITHER COUNTRY TO EXACT COMPULSORY MILITARY SERVICE OF CITIZENS OF THE OTHER COUNTRY RESIDING THEREIN.

Article 10 of the treaty between the United States and the Argentine Confederation (1853) provides in part as follows: "The citizens of the United States residing in the Argentine Confederation and the citizens of the Argentine Confederation residing in the United States shall be exempted from all compulsory military service whatsoever, whether by sea or by land."

The treaty between the United States and the Independent State of the Kongo (1891), article 3: "The citizens and inhabitants of each of the high contracting parties shall be exempt in the territories of the other from all personal service in the Army, Navy, or militia, and from all pecuniary contributions in lieu of such."

The treaty between the United States and the Republic of Costa Rica (1851), article 9, provides: "The citizens of the United States residing in the Republic of Costa Rica and the citizens of the Republic of Costa Rica residing in the United States shall be exempted from all compulsory military service whatsoever, either by sea or by land, and from all forced loans or military exactions or requisitions."

The treaty between the United States and the Dominican Republic (1871), terminated January 13, 1898, on notice from the Dominican Government, article 2, provides: "The citizens of each of the high contracting parties residing or established in the territory of the other shall be exempt from all compulsory military service by sea or by land, and from all forced loans or military exactions or requisitions."

The treaty between the United States and France (1788), abrogated by act of Congress of July 7, 1798, article 14, provides: "The subjects of the Most Christian King and the citizens of the United States who shall prove by legal evidence that they are of the said nations, respectively, shall in consequence enjoy an exemption from all personal service in the place of their settlement."

The treaty between the United States and the Republic of Haiti (1864), denounced by Haiti to take effect May 7, 1905, article 5, provides: "The citizens of each of the high contracting parties residing or established in the territory of the other shall be exempt from all compulsory military duty by sea or by land and from all forced loans or military exactions or requisitions."

The treaty between the United States and the Republic of Honduras (1864), article 9, provides: "The citizens of the United States residing in the Republic of Honduras and the citizens of the Republic of Honduras residing in the United States shall be exempted from all compulsory military service whatsoever, either by sea or by land, and from all forced loans or military exactions or requisitions."

The treaty between the United States and His Majesty the King of Italy (1871), article 3, provides in part: "The citizens of each of the high contracting parties shall be exempt in their respective territories from compulsory military service, either on land or sea, in the Regular forces, or in the National Guard, or in the militia."

The treaty between the United States of America and the Emperor of Japan (1894), superseded by the treaty of 1911, infra—article 1, provides: "The citizens or subjects of either of the contracting parties

residing in the territories of the other shall be exempt from all compulsory military service whatsoever, whether in the Army, Navy, National Guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions."

The treaty between the United States and the Emperor of Japan (1911), article 1, provides: "The citizens or subjects of each of the high contracting parties shall * * * be exempt in the territories of the other from compulsory military service, either on land or sea, in the Regular forces, or in the National Guard, or in the Militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions."

The treaty between the United States and the United Mexican States (1831)—terminated in 1881 by virtue of notice given by Mexico—article 9 provides: "The citizens of both countries, respectively, shall be exempt from compulsory service in the Army or Navy."

The treaty between the United States and Paraguay (1859), article 11, provides: "The citizens of the United States of America residing in the territories of the Republic of Paraguay, and the citizens of the Republic of Paraguay residing in the United States of America, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans or military exactions or requisitions."

The treaty between the United States and Serbia (1881), article 4, provides: "Citizens of the United States in Serbia and Serbian subjects in the United States shall be reciprocally exempted from all personal service, whether in the Army, by land or by sea; whether in the National Guard or Militia; from all contributions, whether pecuniary or in kind, destined as a compensation for personal service; from all forced loans, and from all military exactions or requisitions."

The treaty between the United States and Spain (1902), article 5, provides: "The citizens or subjects of each of the high contracting parties shall be exempt in the territories of the other from all compulsory military service, by land or sea, and from all pecuniary contributions in lieu of such, as well as from all obligatory official functions whatsoever."

The treaty between the United States and Tonga (1886), article 9, provides: "All citizens of the United States residing in the Tonga Islands, and Tongan subjects residing in the United States, shall be exempted from all compulsory military service, whether by sea or land, and from all forced loans, military requisitions, and quartering of troops."

The treaty between the United States and the two Sicilies—rendered obsolete by the consolidation of the two Sicilies with the Kingdom of Italy in 1861—article 5, provides: "The citizens or subjects of one of the high contracting parties, traveling or residing in the territories of the other, shall be free from all military service, whether by land or sea, from all billeting of soldiers in their houses, from every extraordinary contribution, not general and by law established, and from all forced loans."

The treaty between the United States and Venezuela (1860)—terminated in 1870 pursuant to notice from Venezuela—article 2, provides: "The citizens of each of the high contracting parties, residing or established in the territory of the other, shall be exempt from all compulsory military service by sea or by land, and from all forced loans or military exactions or requisitions."

It will thus be seen that in at least 17 treaties entered into between the United States and foreign Governments the policy of mutual exemption from compulsory military service of the citizens or subjects of one of the contracting parties, residing in the territories of the other, has been established. At least 10 of these treaties are still in full force and effect.

The following treaties between the United States and other countries contain a "most-favored-nation" clause, which would probably be deemed to include a similar exemption from compulsory military service even if not otherwise existing by treaty or by international law:

- Algiers, 1816, article 12.
- China, 1858, article 30.
- Korea, 1882, article 14.
- Hanseatic Republic, 1827, article 9.
- Japan, 1854, article 9.
- Morocco, 1880, article 17.
- Persia, 1856, article 3.
- Samoa Islands, 1878, article 6.
- Spain, 1902, article 2.
- Tonga, 1886, article 3.
- Japan, 1911, article 4.

NOTE.—Several of the above treaties have been abrogated or been rendered obsolete; and several of the "most-favored-nation" clauses are, in this particular connection, rendered unnecessary by inclusion in the same treaty of a specific exemption against the imposition of compulsory military service by either country upon the citizens or subjects of the other.

APPENDIX E.

MAY THE UNITED STATES, EVEN WHEN TREATY STIPULATIONS DO NOT PREVENT, EXACT COMPULSORY MILITARY SERVICE OF ALIENS?

Under this head, for the purposes of this phase of the discussion, I define "alien" to mean a citizen of some country other than the United States who has not in the United States declared his intention to become a citizen thereof. I shall later consider the availability for compulsory military service of an alien who has so declared his intention to become a citizen of the United States.

The precedents of this and other countries show some confusion as to the right of a nation to exact military service of the citizen of another who is domiciled or temporarily residing within its territories.

I shall first set forth some of the precedents which deny the right; then those which assert, at least qualifiedly, the right; and finally attempt to indicate what seems to be the true rule.

In 1804 Mr. Madison, then Secretary of State, wrote to Mr. Monroe, then our minister to England: "Citizens or subjects of one country residing in another, though bound by their temporary allegiance to many common duties, can never be rightfully forced into military service * * *"

Naturally many cases involving the question arose during the Civil War. Secretary Seward had occasion to express himself a number of times. In 1862 he said: "I can hardly suppose that there exists anywhere in the world the erroneous belief that aliens are liable here to military duty." Later the same year he wrote to the governor of Indiana: "There is no principle more distinctly and clearly settled in the law of nations than the rule that resident aliens not naturalized are not liable to perform military service. We have uniformly claimed and insisted upon it in our intercourse with foreign nations." In 1864 he

wrote to Mr. Stanton, Secretary of War: "In a case of alleged fraudulent enlistment of an alien his Government has an undoubted right and duty to ask for a prompt investigation and satisfactory answer; and if it appears that he was improperly enlisted and he has fallen in battle, his family ought to have some compensation." In Halleck's International Law it is stated: "In 1861, during the American Civil War, the British Government declared that if enforced enlistments of British subjects for the war were persisted in, the Government would be obliged to concert with other neutral powers for the protection of their respective subjects, but neither in the Northern or Southern States was the discharge of any British subject enlisted against his will refused on proper representation." (Vol. 2, p. 6.)

In 1874 Secretary Fish wrote: "We did not claim the right to impress aliens into our forces during the late Civil War, but it is understood that in one instance at least, in the case of a siege, we sought to justify such an impressment."

The United States has been very positive indeed in its action when Mexico has sought to impose military service upon citizens of the United States. The most notable cases, however, occurred in 1880, at the time when the treaty of 1831, forbidding compulsory military service, was still in force. The American authorities, however, appear to have put their protest upon grounds of international law as well as upon treaty obligations. The American minister to Mexico was instructed that there was "scarcely any act of which a nation should be less tolerant than that of a neighboring power forcibly impressing its citizens into their military service, perhaps to be obliged, at some future time, to fight against their own flag." Mr. Evarts later in the same year wrote "that whenever protest was made by Mexico during our Civil War, it was the practice of the State Department to bring the subject at once to the attention of the Secretary of War, and that "no single instance is met with in which the Mexican citizen's claim to exemption from military service in the armies of the United States was not promptly recognized and respected by this Government." The following year Mr. Blaine, then Secretary of State, wrote: "It is notorious that the impressment of American seamen into the naval service of a foreign power was at one time a serious grievance, not to be acquiesced in, and raised a question upon which all parties in this country were unanimous in regarding as one of international character. Public sentiment here in regard to that subject was borne in mind during the late Civil War. The number of persons of foreign birth, especially in the large cities, led to the accidental or involuntary enrollment of un-naturalized aliens in the military or naval service. These, however, as is shown by the large space in the records of the department at the time, were at once discharged upon complaint made and in the absence of proof of their naturalization. It is hoped, therefore, that in considering this subject the Mexican Government will not only have due regard to the unlawfulness of the impressment, but to the universal and strong sentiment upon the subject which pervades this country."

In 1888 Mr. Bayard summed up the situation thus: "It is well settled by international law that foreigners temporarily resident in a country can not be compelled to enter into its permanent military service. It is true that in times of social disturbance or of invasion their services in police or home guards may be exacted, and that they may be required to take up arms to help in the defense of their place of residence against the invasion of savages, pirates, etc., as a means of warding off some great public calamity by which all would suffer indiscriminately. The test in each case, as to whether a foreigner can properly be enrolled against his will, is that of necessity. Unless social order and immunity from attack by uncivilized tribes can not be secured except through the enrollment of such a force, a nation has no right to call upon foreigners for assistance against their will."

So much for the cases in which the propriety of exacting military service has been negated. Let me now cite a few cases where the right, at least, whatever the considerations of comity and reciprocity, was maintained. Secretary Seward, in 1868, wrote: "This Government is not disposed to draw in question the right of a nation in a case of extreme necessity to enroll in the military forces all persons within its territories, whether citizens or domiciled foreigners."

The following year Secretary Fish wrote: "This Government, though waiving the exercise of the right to require military service from all residents, has never surrendered that right, and can not object if other Governments insist upon it." And again in 1871 Secretary Fish wrote: "I must decline to enter into the question to what extent and under what circumstances do our citizens, native or naturalized (in the absence of treaty stipulations), owe military service to a foreign Government in whose dominions they are domiciled for commercial or other purposes. They certainly do not stand on the same footing as mere travelers or temporary sojourners."

Assistant Secretary Davis in 1873 wrote: "There is no treaty stipulation between the United States and Great Britain which exempts the citizens or subjects of either party from military duty in the forces of the other, either in peace or war. Consequently we can not claim such exemption as a matter of right. As a matter of comity and reciprocity, however, we certainly can claim them."

Although it will be observed that there is some conflict of opinion indicated in the above extracts (oftentimes doubtless to be partially or wholly explained by the nature of the correspondence or the addressee of the letter), the general rule would seem to be that in the absence of treaty stipulations a country has the right to impress for military service those within its territory, even though citizens of another power. But this right is on grounds of comity and reciprocity to be exercised sparingly, because almost certain to be followed by urgent representations by the Government of the citizens concerned. Only in case of urgent necessity and for service coterminous in time and nature with the necessity will enforced military service willingly be tolerated without protest by the other Government. The right, then, exists, but its exercise is so fraught with difficulty that without the express and explicit consent of the other Government concerned it is doubtful if this exercise would often be wise.

APPENDIX F.

MAY THE UNITED STATES, EVEN WHEN TREATY STIPULATIONS DO NOT PREVENT, EXACT COMPULSORY MILITARY SERVICE OF ALIENS WHO HAVE DECLARED THEIR INTENTION TO BECOME CITIZENS OF THE UNITED STATES?

Revised Statutes of the United States, section 2165, provides in part as follows: "An alien * * * shall declare on oath * * * two years at least prior to his admission that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, * * *"

It will be observed from the language of the above statute that a declared for citizenship neither takes a present oath of allegiance to the

United States nor disclaims allegiance to the country of his origin. It would seem natural to expect, therefore, that the authorities would regard his citizenship status as absolutely unaffected and would settle the question of his liability to compulsory service exactly as if he had never taken even the first step toward becoming a citizen of the United States.

Mr. Seward wrote to the governor of Indiana in 1862: "The law of Great Britain holds that a native British subject owes allegiance to the British Government until he has completely effected his naturalization in the United States under the laws of Congress. . . . From the foundation of the Government the Department (of State) had refused to grant passports as citizens to aliens who had merely filed the preliminary declaration of intention and who had not effected their naturalization under the United States laws, and had informally recognized the passports granted to them by the proper authorities of the Governments of which they had been born subjects."

In 1863 Mr. Seward stated the rule as follows: "No alien-born person is liable to render military service unless either he has been naturalized on his own application or has made a voluntary declaration, on oath, of his intention to become a citizen by naturalization according to law, or has claimed and actually exercised the political right of voting as a citizen of the United States."

While this language does not expressly state that a declarant is liable to render compulsory military service, it evidently squints in this direction. Doubtless Mr. Seward, in writing it, had in mind the language of the act of Congress of March 3, 1863—the conscription act—which expressly declared that the levy should include "all persons of foreign birth who shall have declared on oath their intentions to become citizens."

In 1863 certain able-bodied male persons of foreign birth, who had declared, on oath, their intention to become American citizens, were called upon for military duty by the United States. The British Government suggested that British subjects who had merely declared their intention to become American citizens but had not exercised any political franchise in consequence of such declaration ought to be allowed a reasonable period after the passing of the act to exercise the option of leaving the United States or of continuing residing therein with the annexed conditions. The United States Government thereupon allowed 65 days to such persons to exercise their option, and the British Government refused to interfere on behalf of any intended citizens who had not availed themselves of the opportunity. (Parliamentary Papers, 1863, No. 337.)

By the act of March 3, 1863, aliens who had made a declaration of intention and who were under specified conditions liable to military duty were permitted to obtain passports, but this privilege was repealed in 1866. Switzerland objected to President Lincoln's proclamation concerning the liability of Swiss in the United States to perform military service. Mr. Seward suggested that a just interpretation of the war measures of Congress constituted a new and additional law of Federal naturalization. "But," he adds, "it was foreseen that some emigrants who had declared their intention might complain of surprise if they were immediately subjected to conscription. To guard against this surprise the proclamation was issued, giving them ample notice of the change of the law, with the alternative of removal from the country if they should prefer removal to remaining here on the footing on which Congress had brought them. Surely no foreigner has a right to be naturalized and remain here in a time of public danger and enjoy the protection of the Government without submitting to general requirements needful for his own security."

In Moore's Digest of International Law, volume 3, pages 336 to 353, will be found the precedents conclusively establishing that the declaration of intention to become a citizen neither confers citizenship in the United States nor divests citizenship in the country of origin.

It will be seen from this review of the authorities that the status of a declarant for citizenship is legally in no way different from that of an alien who has not made declaration. But it is natural that the country of origin should feel somewhat less interested and concerned in behalf of the former than of the latter. He has shown his wish to throw off his old allegiance, and there is no very evident reason why the mother country should go out of her way to protect him. As we have seen, there is a right, aside from treaty stipulations, to impress any alien into the military service of the country where he has gone to reside. This right is controlled by considerations of comity. But in the case of a declarant the considerations of comity are, for the reasons just indicated, much weaker. Therefore it follows naturally that military service is more likely to be successfully exacted of an alien who has declared his intention to become a citizen than of an alien who has not so declared. Great Britain in the precedent cited above doubtless did her full duty in securing for her citizens, declarants for American citizenship, a period of 65 days within which to leave the United States on pain of being subjected to military service if they remained. It is doubtful if any country would do more to-day; many might do less.

The recently enacted selective-draft law (an act of Congress to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, sec. 2) follows the selective-draft law of the Civil War by including in the liability to military service "male persons not alien enemies who have declared their intention to become citizens." No good reason is perceived why at least a contingent liability—conditioned, perhaps, upon their preferring to remain in this country after opportunity to leave has been afforded them—should not be exacted of these declarants.

Of course, it should be understood that this suggestion is predicated upon the absence of any treaty stipulation, effective and unwaived, standing in the way.

APPENDIX G.

Joint resolution (H. J. Res. 115) requesting the Secretary of State to open diplomatic negotiations with certain Governments with a view to obtaining their approval and sanction for action by the United States permitting the inclusion in the armed forces of the United States of such citizens of the countries of such Governments as are within the United States.

Whereas by section 2 of the act of Congress approved May 18, 1917, and entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," it is provided that the draft "shall be based upon liability to military service of all male citizens, or male persons not alien enemies, who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive"; and

Whereas the effect of this provision will be to exempt from military service all aliens except those who, not being alien enemies, have declared their intention to become citizens of the United States; and

Whereas under the principles of international law, the treaties of the United States, and the rules and precedents established for many years by the Department of State of the United States the right of the United States to require military service of the nationals of other nations, whether or not declarants for United States citizenship, may be questioned by those nations; and

Whereas it is reported that the President, in order to avoid the raising of any question by other nations, will, notwithstanding the provisions of said act of May 18, 1917, cause to be exempted from military service under said act those aliens also who have declared their intention to become citizens; and

Whereas in a report to the Senate of the United States, dated June 22, 1917, the Secretary of War has stated that the registration prescribed by said act of May 18, 1917, discloses that 1,239,179 persons who have not declared their intention to become citizens of the United States, and who are not citizens of a country with which the United States is at war, so registered on June 5, 1917, which number is over one-eighth of all who registered; and

Whereas a large number of persons who, not being citizens of the United States, have declared their intention to become citizens, also registered on June 5, 1917; and

Whereas under the law and under the reported decision of the President no person of the 1,239,179 and no one of the large number of declarants for citizenship will be held for military service, although all of them have in many cases for many years enjoyed the privileges and protection of citizens of the United States; and

Whereas a large number of these persons are citizens of countries at war with a country with which the United States is at war; and

Whereas because of their present residence such persons are enabled to avoid military service against the enemy of the United States for which they would otherwise be liable or available; and

Whereas it is repugnant to justice and equity that such persons should be wholly exempted from military service while citizens of the United States are held to military service: Therefore be it

Resolved, etc., That the Secretary of State be, and he is hereby, requested to open diplomatic negotiations with the Governments of the several countries at war with a country with which the United States is at war with a view to obtaining their approval and sanction for action by the United States looking to the imposition upon such citizens of those countries as are within the United States of the liability to and performance of military service in the armed forces of the United States during the continuance of the present war between the United States and Germany, and to report to the Congress of the United States as soon as practicable the result of such negotiations.

APPENDIX H.

I append resolutions dated July 10, 1917, signed by Mr. E. W. Dunbar, chairman of the committee on public safety of Hudson, Mass., which read as follows:

"The committee on public safety for the town of Hudson have adopted the following resolutions, which are meant to convey to you the general feeling of the citizens of this town:

"Whereas a certain class of aliens have forced our citizens to believe that they are planning to profit at the expense of our young men when the latter have been drawn away from their positions to military duty; and

"Whereas all aliens who have received in the past the benefits of this free Government of ours ought now to expect to do their part in the maintenance and preservation of those democratic principles upon which our Government is founded and for which the present world war is being waged; and

"Whereas under existing laws or conditions these same aliens are not required to make the sacrifices demanded of the young men of the United States: Be it therefore

Resolved, That we the undersigned citizens of the town of Hudson, respectfully ask you, our Representative in Congress, to urge the passage of such laws as may in your judgment be necessary to remedy the injustice described above."

Also, a letter recently published from Mayor Hurley, of Lawrence, which deals with the general question which I have been considering:

"DEAR SIR: The citizens of Lawrence are quite generally convinced that the expressed intention to make population the basis for the proposed draft of young men for military service will be a great injustice to Lawrence. The exclusion of aliens from the draft will inevitably cause Lawrence to furnish a larger quota in proportion to population than almost any city or town in the country. As you know, the proportion of aliens in this city is very high, and it is especially true of young men between the ages of 21 and 31, because between these ages a man is most likely to emigrate.

"It seems to me that the young men of Lawrence, although as patriotic as any, and willing to bear their share of the burdens, should not be called on to bear more than their just share. I sincerely hope you will enter a protest to the President and his advisers and try to have some method which will be more equitable for cities having a large foreign population.

"I might suggest that if the basis used was citizenship or citizens and declarants, it would be a fairer system for Lawrence. If it is possible to accomplish anything in this matter, I am sure the people of Lawrence will gratefully appreciate it.

"Very sincerely yours,

"JOHN J. HURLEY."

And finally an extract from a letter which I have within a day or two received from a constituent:

"I am taking the liberty of writing, as I thought you might be interested to know the views of some of your constituents in regard to the present situation. I hear many favorable comments on the bill which you introduced to allow the conscription of the citizens of our allies who are living here and are not eligible for the United States draft.

"Many of the young men who are subject to draft have expressed the opinion that it was unfair to them to allow all these other men to enjoy the advantages of this country without being eligible for service, either in this or their own country, and I feel sure that it will create a much better feeling among the men eligible for draft if some such bill is passed. It has been a frequent occurrence in this section for so-called foreigners to comfort the young men about to be drafted, or are at present serving in the militia or other military service, with remarks like that passed by a foreigner to a young militiaman I know, and this is typical of many such cases. He greeted him as follows: 'Hello, John. You go fight? That's good. By'n by I get your good job, go to your house, do anything I want.'"

There is hereby submitted the following letter from Hon. Frank L. Polk, Solicitor of the State Department, which is made a part of the report:

DEPARTMENT OF STATE,
Washington, July 28, 1917.

MY DEAR SENATOR STONE: Referring to your letter of July 20, in regard to S. J. Res. 83, introduced in the Senate by Mr. McCUMBER, and to the department's telephone communication to your secretary on July 25, to the effect that this resolution, together with other bills on the same subject, had been laid before the President for his consideration, I beg now to advise you that the President informs me that of the bills before the Congress relating to the enlistment or drafting of alien residents in the United States S. J. Res. 83 (or H. J. Res. 115, which appears to be identical) seems to him most appropriate in the circumstances, as, in his opinion, the matter is properly a subject for negotiation with the countries concerned.

Very sincerely, yours,

FRANK L. POLK.

Hon. WILLIAM J. STONE,
United States Senate.

Mr. McCUMBER. Mr. President, I think that we all agree that some action should be taken in the premises. I am certainly in hearty accord with what the Senator from Oregon [Mr. CHAMBERLAIN] desires to accomplish, and I am satisfied he is in accord with me in what ought to be accomplished and in the shortest possible time. I can see no conflict whatever, or necessity for conflict, between the two resolutions. The Senate being a part of the treaty-making power of this Government, we may well express our conviction that the President should proceed at once to obtain agreements from the several powers who are jointly interested with us in this war, to the end that their subjects and citizens in the United States may perform the duties which they owe to their own governments.

Mr. President, the table presented in the report shows that there are a vast number of people from countries which are engaged with us in a common warfare. They range from 20 to nearly 40 per cent of those eligible for service in some of the States. Every one of those who are registered owes an allegiance to some one of these governments; each one of those governments is bound to protect its citizens and subjects in the United States or elsewhere. Those citizens and subjects, therefore, owe to their home governments the corresponding duty of defense.

It is recognized by all that the people who have emigrated to this country and who have not taken out their citizenship papers are enjoying opportunities growing out of this war, the greatest in the matter of remuneration that has ever been known in the world. The old American citizen, whose ancestors for generations passed have been born in this country, and the new American citizen who has taken out his citizenship papers, both agree that it is unjust that they should shed their blood, that they should bear the burdens of this great war which, to say the very least, is as beneficial to the countries across the sea as it is to our own country, while the subjects and citizens of those countries are taking the positions which our own men must surrender and are reaping these benefits. We all agree, I think, as to the propriety of enlisting those people into one of the armies, either into the American Army or compelling them to enlist in their own armies.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. I am sure that we desire to reach the same end. The thought suggested itself to me, however, that if the resolution which has been reported out of the Committee on Foreign Relations were adopted by the Senate, Congress might feel that it ought not to proceed through legislation that would be effective at once, until diplomatic negotiations had been entered into and had been consummated, resulting either in failure or in success. If the Senator's resolution were adopted and diplomatic negotiations were entered upon, and delay should occur and nothing substantial be accomplished, does the Senator think that Congress in the meantime could proceed to legislate as proposed in joint resolution 84?

Mr. McCUMBER. I should say most earnestly, Mr. President, that if the Senator from Oregon could convince me that we have a right to act in the matter in any way, I certainly would join him in acting immediately in the matter by legislation.

Mr. CHAMBERLAIN. Mr. President—

Mr. McCUMBER. My own conviction is that it is a question, first, for diplomacy; my own conviction is that we have no right as a Nation to compel the military service of aliens; my own conviction is that, independent of that general principle of international law which would prohibit us forcing aliens into the military service of the United States, we have a number of treaties, some directly declaring that such aliens shall not be compelled to enter into the service, and others containing the favored-nation clause, which would practically bring all under the same group; but, however that may be, if I am mistaken in that respect, there is nothing lost in acting upon what I

understand to be the view of the department, and my own view, and authorizing the President to proceed immediately; and we, as one of the treaty-making powers, can do that with entire propriety. We should lose by proceeding now along this line of procedure.

Mr. CHAMBERLAIN. If the Senator has read Senate joint resolution 84, he has found that provision is there made for the very cases that he mentions; that is, where we have treaty stipulations that forbid us to impress men into the service. That is provided for, and I think every case that could arise is provided for. It is not a case of first impression, for the matter has been up a number of times between this Government and other governments, and it has been decided both ways. Englishmen were impressed into the service during the Civil War, and our nationals have been impressed into the service of foreign governments.

Mr. McCUMBER. There is quite a lengthy brief upon the subject embodied in the report, and I think our State Department agree with me that we have no such right of impressment and, therefore, can not exercise it.

I want, however, merely to answer the last suggestion made by the Senator from Oregon. We can not tell what kind of an arrangement we can make with any single power. We should perhaps have to make as many different arrangements as there are different nations with whom we would make them, no two of them being exactly alike. Therefore, I think it impossible for us to anticipate by legislation at this time every matter that a foreign nation might want to put into the agreement and which would require special legislation upon our part. It seems to me, therefore, that diplomacy should precede legislation, rather than that legislation should precede diplomacy.

I want, however, most earnestly to say to the Senator that I certainly will support any measure on the subject that he may introduce, and I shall vote for it and vote to bring it up and to put it through, if we can do so properly. I am somewhat doubtful, as I said, about our anticipating the particular character of arrangement that can be made with a foreign power. Russia might require certain things for us to do before she would agree to our drafting her citizens; Great Britain might require very much less; Serbia might impose some other condition; and so as to Belgium and France. It seems to me to be impossible to draft a law which could anticipate and meet the many conditions that might arise.

Mr. LEWIS. Mr. President, I desire to engage the attention of the Senator from North Dakota. I agree, of course, as I fancy every other Senator does, that a foreign-born citizen in this country should either have the loyalty to return to his own country and fight for it, if it is engaged in war, or should have the devotion to this country, that is giving him his home, to fight for us; one or the other he ought to be forced to do. What I want to ask the Senator is, if he has had occasion in the consideration of this resolution, to deal with its effect upon our own nationals, citizens of the United States, who might at this time be in Germany or Austria? I desire to ask the Senator if he has any estimate of the number of Americans who are in Austria or in Germany who might, in retaliation, promptly be put into the German and Austrian armies?

Mr. McCUMBER. Mr. President, I think the Senator misunderstands the scope and intentment of this resolution. We certainly should be guilty of a crime against international law if we should attempt to force into our armies the citizens of an alien enemy. There is no such purpose as that in the resolution. It simply provides for the right to draft aliens, subjects or citizens of States which are joined with us in this war, exactly upon the same footing as we draft our own, taking them in proportion to their numbers, taking them in the draft order exactly as we take our own. Certainly none of the allied countries can complain; in fact, I am informed that all of them would be glad to have us enlist every one of their subjects, and not merely proportionately.

Mr. LEWIS. As I understand the Senator, then, there is nothing in the resolution that is in such violation of treaties or general international law as to give apparent justification or excuse to Germany or Austria for seizing such Americans as are within their jurisdictions and forcing them into the war on the side of Germany in retaliation for our having forced their subjects in this country into the war on the side of the United States?

Mr. McCUMBER. Certainly not, because we will not force any of their subjects into this war. The German citizen, the Bulgarian citizen, the Austrian citizen, the Turkish citizen, can remain here without interference in the slightest degree.

Mr. LEWIS. But ought there not be some measure by which these aliens living in our country, enjoying the benefits of our community, could be forced into some form of service to the

United States while they are deriving their existence here and our own American boys are going to the front to die?

Mr. McCUMBER. I think that would be very questionable, Mr. President. Our treaty relations allow the subjects of all countries to come here at will and return to their respective home countries. If war suddenly breaks out, the individual who happens to be here is not responsible for it. We should not punish him because he was found in this country nor punish the home Government. We have a right to intern such persons if we regard them as dangerous, but I do not understand that right has been exercised to any extent.

Mr. LEWIS. At any rate, the Senator says this resolution does not enter upon that field?

Mr. McCUMBER. Oh, no; not at all.

Mr. CUMMINS. Mr. President—

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

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

Mr. CUMMINS. There is one important difference between the joint resolution and the Senate resolution which has not yet been mentioned, and I venture to bring it to the attention of the Senator from North Dakota with the object of securing an explanation.

The joint resolution provides that all aliens who are not aliens of enemy countries can be impressed into our service, provided such countries through their diplomatic representatives shall waive the provisions of any treaty which exempts their subjects in this country from such service. The Senate resolution simply directs the President to enter into negotiations with the European nations that are engaged in war with Germany, and to secure from them, if possible, such modifications of our treaties as will enable us to use their subjects in this country.

Under the Senate resolution reported by the Foreign Relations Committee, what becomes of aliens, subjects of Sweden, Norway, Denmark, Holland, Spain, and Switzerland? These are all neutral countries; they are covered by the joint resolution reported by the Military Committee, but they are not covered in any way by the proposed Senate resolution. I am asking for information pure and simple. Is it intended that aliens, subjects of neutral countries, can not be required to enter into the service of the United States even with the consent of those countries?

Mr. McCUMBER. Certainly not; they are not at war with the central powers, and, not being at war, we can not compel them to enter into war and break their own neutrality; and we ought not attempt to draft their citizens into our armies, and thereby force, to the extent that their citizens are here, neutral powers into the war.

Mr. CUMMINS. I am not disputing the proposition stated by the Senator from North Dakota, but I am pointing out a very important difference between the joint resolution and the Senate resolution.

Mr. McCUMBER. Let me call the attention of the Senator right there to another feature. It will be noted that in the Senate resolution we deal only with European powers. There are two reasons for this. The first reason is that Japan, for instance, is engaged also in the war; but Japan is not situated, by reason of the gentlemen's agreement which we all understand, as the European powers are situated. Her citizens of late years have not been coming to this country at all. I am very doubtful of the propriety of raising that question with the Japanese Government, and therefore that was left out. There might also be some South American countries that may make a declaration of war, but their subjects in this country are so few that it was thought best not to include them.

Mr. REED and Mr. CHAMBERLAIN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. I yield first to the Senator from Missouri, who, I think, first addressed the Chair.

Mr. REED. Mr. President, I desire to ask the Senator, the author of this resolution, if it is intended in the resolution to declare war against Austria and Turkey?

Mr. McCUMBER. Oh, no; there is nothing about a declaration of war at all.

Mr. REED. I call attention to this language:

Whereas the United States is also engaged in war against the said central powers—

That is just as much a declaration of war as we have made against Germany, and it seems to be broad enough to embrace all of the so-called central powers, which are Germany and Austria-Hungary, and, I presume, Turkey and Bulgaria. I should like to ask the Senator if this resolution was submitted to the Department of State for their opinion?

Mr. McCUMBER. The whole matter was submitted to the Department of State.

Mr. REED. And did the Department of State send this back with this language in it without suggesting that it amounted to a declaration of war?

Mr. McCUMBER. The letter from the department on the subject is at the close of the report, and that matter is not mentioned at all, one way or the other.

Mr. REED. I call attention now to some other language in the same part of the resolution. I am speaking of the fourth "whereas." It is in the same clause to which I have referred. I will read the whole "whereas":

Whereas the United States is also engaged in war against the said central powers—

That language I have called attention to. I now call attention to this language:

for the protection of the rights of the several nations so waging war against the said central powers, as well as its own sacred rights.

I question the propriety, Mr. President, of the United States declaring that it is in this war for the purpose of protecting the rights of certain foreign nations.

Mr. McCUMBER. But the Senator does not deny that in fighting with them the effect is the protection of their rights, and that is all there is in the resolution.

Mr. REED. I do not agree with the Senator. I call his attention to the fact that it is a square declaration that we are engaged in this war for the purpose of protecting their rights, as well as protecting our own. I think, if I understand the situation, the United States has not, up to this time, engaged itself in the European controversy beyond the declaration that it proposes to fight for the protection of its own rights, and if we have gone beyond that it would be interesting to know how far and upon what authority.

Mr. McCUMBER. Mr. President, it seems to me the objection along that line does not go to the merits of this resolution.

Mr. REED. It does not. I am for the spirit of the resolution, but I called this matter to the attention of the Senator because I wanted to get him right on it. I think this "whereas" is wholly unnecessary, however, and I think it ought to be cut out.

Mr. McCUMBER. The whole preamble could be cut out, as far as that is concerned. The preamble merely expresses the sentiment and the reasons for the resolution; and that we are at war with these nations, whether we have declared war or not, is a known fact.

Mr. NELSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield to the Senator.

Mr. NELSON. Some of the theories and doctrines announced here this morning seem to me strange indeed. I think, if you will examine our several treaties, you will find that they simply relate to the matter of commercial intercourse in one way or another. If a foreigner comes to this country to reside in the United States, to enjoy all the benefits and blessings of this country, he ought to bear all the burdens of the Government. If he own property here or does business here, he has to pay taxes like a citizen of the United States. If a road has to be improved, and there is a poll tax, he will be compelled, according to the decision of the Supreme Court, to work out or pay the poll tax. I hold that every foreigner in this country is liable to military service, and that there is nothing in any of these treaties, unless in express terms, that gives him immunity. All these treaties simply relate to trade, commerce, and traffic in some form. They do not relate to the matter of personal service.

Of course we can not impress alien enemies into our ranks; but to all other people we can say: "If you live here in America, and enjoy the blessings of this country, you must perform your share of military service, or go back to the country whence you came." I have not any doubt but that we have that right under all the fundamental principles of international law; and I do not know why a foreigner who comes to this country and enjoys all the blessings of the United States should not be compelled to enter the Army and fight for the best interests and liberties of this country when he is enjoying the blessings of the country. There is nothing in international law, as I understand it, that will prevent it; and I think if you will scrutinize these treaties you will find that there is nothing in them that will prohibit it.

Mr. PHELAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from California?

Mr. McCUMBER. Just one moment; then I will yield to the Senator. First, I want to convince the Senator from Minnesota that he is in error with reference to these treaties.

We will take, for instance, the treaty between the United States and Italy. Article 3 provides, in part:

The citizens of each of the high contracting parties shall * * * be exempt in their respective territories from compulsory military service, either on land or sea, in the regular forces or in the National Guard or in the militia.

There is a similar one between this country and Japan.

Here is one between the United States and Spain, made in 1902:

The citizens or subjects of each of the high contracting parties shall be exempt in the territories of the other from all compulsory military service by land or sea and from all pecuniary contributions in lieu of such, as well as from all obligatory official functions whatsoever.

There are a vast number of these, and I think the Senator, upon more mature deliberation, will come to the same conclusion that the State Department has come to—that the clause in all of our treaties which grants to each nation the rights that are granted to the most favored nations, known as the most-favored nation clause, will cover this question of compulsory military service.

Mr. PHELAN and Mr. BRADY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. I first yield to the Senator from California, who rose first.

Mr. PHELAN. Mr. President, I know a very great injustice would be done to the men in this country who are drafted into the military service if their places are taken in our industrial life by aliens. It strikes one's imagination, at any rate, if not his judgment, as wrong to allow them to profit by their exemption by reason of their alien character from military service. But the problem of the West to-day is labor; and I desire to know from the Senator, who has considered this question very carefully, whether it would not be more advantageous to this country to hold them for the purpose of utilizing their labor than to compel them to go back to their alien country, with which we are at war, and where they would take up arms and add to the effective force?

Mr. McCUMBER. I can answer that very briefly. I should prefer to keep some of our own citizens and allow them to secure the benefits of the additional opportunities due to this war, rather than send them across the ocean to fight the battles over there while the people of those countries are crossing the sea to get the advantages upon this side. If there are any advantages at all, I think they belong to our own people and to our own laborers.

Mr. PHELAN. I do not think that is an answer to my question, Mr. President.

Mr. McCUMBER. I thought it was. It was intended as such.

Mr. PHELAN. My idea is to divest ourselves now of all sentimentality and to ask ourselves whether the labor of these aliens would not be more valuable to us in this crisis than turning them over to the enemy, where they would augment his forces on the other side.

Mr. LODGE. This does not touch enemy forces.

Mr. McCUMBER. I think not. I think that would apply just as much to our own citizens as it would to the aliens.

Mr. PHELAN. Oh, it is granted we are sending our own citizens abroad. We are divesting the fields of their labor. What substitute labor shall there be?

Mr. McCUMBER. Remember, we are not affecting aliens other than those whose nations are engaged in this war—none of the neutrals.

Mr. PHELAN. I realize that. There are a large number who are not citizens of the United States, who have not taken out their papers nor declared their intention to become citizens; and I was merely thinking, in this connection, of the labor shortage which would accrue by reason of requiring them to leave the country under the provisions of this measure.

Mr. McCUMBER. If we were required to raise a million men, and 300,000 of them were aliens, we would not affect the labor market any more than if we were to take the million wholly from the American citizens and none from the alien citizens.

Mr. HARDWICK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Georgia?

Mr. McCUMBER. I do.

Mr. HARDWICK. If we can get away from the labor question just a moment and get down to the real merits of this proposition, I want to say to the Senator that I am in hearty sympathy with his resolution, and I thoroughly believe we ought to do just what the resolution seeks to do; but I quite agree with the junior Senator from Missouri [Mr. REED] that we ought to strike out this fourth "whereas" at the bottom of

the page. We do not want to declare solemnly to our own people nor to the world that we are fighting this war for the protection of foreign powers. Now, I wonder if the Senator would not be willing to strike that out and let us pass the resolution?

Mr. McCUMBER. I would be willing to strike out the entire preamble.

Mr. HARDWICK. Let us strike out all the preamble and pass the resolution then.

Mr. McCUMBER. I am perfectly willing to strike out the preamble; but I must say that I do not agree with the conclusion of the Senator that it is improper to say that by engaging in this war we are assisting the other nations who are fighting the battles over in Europe, and that, in reality, is all there is in it.

Mr. HARDWICK and Mr. SWANSON addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator yield?

Mr. McCUMBER. I yield first to the Senator from Georgia, and then to the Senator from Virginia.

Mr. HARDWICK. Mr. President, of course I do not think the Senator who drafted this resolution meant it as we construe it; and yet, to my mind, it is hardly capable of any other construction, except that these words are words expressing a purpose, and I know the Senator did not intend to do that. He has disavowed that intention. Therefore, let us avoid that trouble by striking out this thing, and all of us who are for it vote for the resolution.

Mr. McCUMBER. I now yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, as I understand, under the rules the resolution must first be passed, and then the perfection of the preamble comes up as a separate proposition. I suggest that we first vote on the resolution, and then the preamble, under the rules, I think, would come up subsequently.

Mr. GRONNA and Mr. BRADY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. I yield to my colleague.

Mr. GRONNA. Mr. President, in reference to what has been said by the Senator from Virginia [Mr. SWANSON], I wish to suggest that it will make quite a little difference in the vote whether we vote upon the resolution with the preamble in it or with the preamble stricken out. I do not know of any rule that prohibits us from perfecting a resolution—

Mr. SWANSON. I think the rule of procedure is first to pass the resolution, and then the question comes up as to the preamble.

The PRESIDENT pro tempore. That is in accordance with the decisions of the Senate, as the Chair understands.

Mr. SWANSON. I insist that the resolution, under the rules, must first be disposed of, and then we will take up the preamble.

Mr. GRONNA. Mr. President, if my colleague will yield to me, I desire to make a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. GRONNA. Is it not possible to perfect any resolution by striking out the preamble, if there is no objection?

The PRESIDENT pro tempore. The question on agreeing to the preamble comes immediately after the adoption of the resolution. If the resolution is defeated, of course it defeats the preamble.

Mr. GRONNA. We are now considering the entire resolution—the preamble and the resolution itself.

The PRESIDENT pro tempore. The Chair will state to the Senator from North Dakota that the preamble is not a part of the resolution.

Mr. HARDWICK. Mr. President, if the Senator will yield, there is no practical trouble of that sort. The author of the resolution states that he is willing to strike it out.

Mr. McCUMBER. I shall move, if the resolution is passed, to strike out the preamble entirely.

Mr. GRONNA. With that understanding, I have no objection.

Mr. HARDWICK. There is no trouble about it. Let us pass the resolution.

Mr. McCUMBER. The only purpose of the preamble is to explain why we are suggesting to the President of the United States that he take up this matter diplomatically with other nations engaged with us in this war.

Mr. POMERENE and Mr. NORRIS addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator yield?

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

Mr. POMERENE. Mr. President, I feel greatly obliged to the Senator from North Dakota for presenting this resolution, and I hope it may be adopted. Apparently there is some difference of opinion as to whether this resolution should be passed or the joint resolution presented by the chairman of the MIL-

tary Affairs Committee. My belief is that we do not now have the power to draft these aliens. I am not clear about it, however. As I understand, the State Department has at different times expressed different views upon the subject. For the most part, they have held that we did not have that power. Again, it was said that the Department of State would not concede that we did not have that power. But whatever may be the true construction of the present law upon the subject, I see nothing inconsistent in our adopting the resolution of the Senator from North Dakota and later adopting the joint resolution of the Senator from Oregon, if we now have the authority to draft aliens. My belief is that the adoption of the resolution of the Senator from North Dakota will simplify many questions which might arise hereafter as between the nations now at war.

I want, if I may, while I am on my feet, to make this further suggestion to the Senator from Oregon, as well as to others on the Military Affairs Committee, that when it comes to the drafting of aliens, we should not only draft hereafter the same proportion of aliens that we do of natives and naturalized citizens, but that we should draft a further number of aliens to equalize them with our native and naturalized citizens who have already been drafted into the service.

Mr. McCUMBER. Mr. President, I just want to suggest to the Senator from Ohio that at least the Committee on Military Affairs seem to be divided in opinion or to have some doubts as to whether it would not be necessary to obtain the consent of the other Governments, because provision is made and the law itself is made subject to such modification of treaties or agreements as we may secure. The fact that we start immediately to secure those agreements certainly is not out of harmony with the purpose of the Senate joint resolution.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator a moment?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. The two resolutions start out to attain the same end, but the resolution of the Senator from North Dakota starts on the theory that before drafting aliens into the service we shall enter into negotiations with the Government and get that Government's consent, which is a long way to reach an end. Senate joint resolution 84 proceeds on the theory that we will draft the alien into the service. We have not any power to do it under the law at all, and would not have if the Senator's resolution passes. Now, I proceed on the theory that we will draft the alien into the service, and then his Government can make the request that he be exempted from such service.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. I yield to the Senator from Massachusetts.

Mr. LODGE. How are you going to find out whether his Government wants him exempted or not?

Mr. CHAMBERLAIN. Why, the diplomatic representative of the Government in question represents every individual citizen of that country.

Mr. LODGE. Yes; but who is going to ask the question?

Mr. CHAMBERLAIN. Then if nobody asks it, he will not be exempt. He will have to serve.

Mr. LODGE. But somebody has got to ask it.

Mr. CHAMBERLAIN. Not necessarily.

Mr. LODGE. Well, if there is no question asked, to whom does he go if he wants to be exempted?

Mr. CHAMBERLAIN. He goes to the diplomatic representative.

Mr. LODGE. Precisely; and you have got to start there under your joint resolution, just the same as under everything else.

Mr. CHAMBERLAIN. I insist, Mr. President, that an alien is not of necessity exempted from the draft. He may be drafted into the service, and if he goes voluntarily nobody can make any question; but if he does not want to submit to the terms of the draft, all he has to do is by letter to notify his diplomatic representative, and if that diplomatic representative thinks he ought to be excused he will be excused, and that is all.

Mr. LODGE. That is a very clumsy way to go about it.

Mr. SMITH of Michigan. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Michigan?

Mr. McCUMBER. Certainly.

Mr. SMITH of Michigan. Mr. President, the only way in which you can get an alien into the military service is by his voluntary consent and the consent of his Government, or by drafting him; and, of course, you can not draft him if the treaties prevent it.

Mr. CHAMBERLAIN. He can not even enlist now.

Mr. SMITH of Michigan. No. He can not even enlist now, because of international comity and the reciprocal custom of nations, but you have got to do one of two things—either make a new treaty or nullify present treaties. The Senator's resolution will nullify the present treaties, in my judgment.

Mr. CHAMBERLAIN. No.

Mr. SMITH of Michigan. It will operate pro tanto, to nullify our treaties which prevent service of alien subjects in the Army of the United States, unless exceptions are made by law. Over and over again, Secretary Seward, Secretary Stanton, Secretary Fish, Secretary Bayard, and Assistant Secretary Davis passed upon these questions during the Civil War. After the doctrine, at one time quite general, of the indefeasible allegiance had been abandoned our Government attempted to reach this kind of resident citizens, but you can not reach them appropriately except by treaty. We can nullify present treaties by the resolution of the Senator from Oregon, a very summary process, or you can start treaty making under the resolution of the Senator from North Dakota.

Mr. CHAMBERLAIN. If that is going to be the policy of this Government then we will not get the aliens. The aliens in some of the sections of this country are 50 per cent of the population.

Mr. SMITH of Michigan. They are and should be reached.

Mr. CHAMBERLAIN. That is what this joint resolution 84 attempts to do. The result is that the American boys, 50 per cent of the population in some New England cities, go to serve permanently and the quota of alien population stay there and take the native American's place. Let me say to the Senator the purpose of this is to draft an alien and make him serve equally with the native-born American citizen. If his Government wants to exempt him let him make the claim for exemption.

Mr. SMITH of Michigan. Mr. President, I say to the Senator I trust these aliens can be taken by law. It is a very easy and simple matter for the Executive to make it possible for us to do this promptly by law. We found a great deal of fault with the disregard of treaties by other Governments, and we must not disregard them ourselves.

I agree with the Senator from Oregon that the invidious distinction which is made under our draft law of allowing a man to have a safe place to work and a safe place to live, and protect him by the law, and police his property, and yet not be able to take him in the service of our country when the Nation is in need is an outrageous thing. Aliens should have no premium placed upon their lack of national spirit.

The other day I was in a mining town in Pennsylvania where 40 per cent of the men who were registered were aliens. They are living under our law and protected by our Government, and they owe a duty to the country. Protection and responsibility should be equal under our flag. I favor the resolution. I want some law passed that will meet this situation promptly and effectively, and I really believe if we pass the resolution of the Senator from North Dakota we will in the correct and proper and diplomatic way, without offense to anyone, be able to take these people under the second draft, which is bound to come, and make them a part of the defensive army of the United States.

Mr. PITTMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. McCUMBER. In just one moment. I think I ought to correct the statement made by the Senator from Oregon. I think he has not gone to the bottom of those legal rights. If I understood him correctly, he assumed that we would have the right to draft all these foreigners immediately and then we could hold them unless their own Governments made objection. Every alien under our treaties has the right to go into our courts. He has the same right as our citizens have to defend all his rights, and if we have no right to draft him he can immediately apply to the courts if we attempt to exercise those rights over him.

Mr. HARDWICK. In other words, any alien can claim it as much as his Government.

Mr. McCUMBER. Just as much as his Government. It is the individual right of the alien. I now yield to the Senator from Nevada.

Mr. PITTMAN. I wish to direct my first question to the chairman of the Committee on Military Affairs, the Senator from Oregon. I wish to know from the Senator from Oregon if he would feel that our Government had the same legal right and moral right to impress the aliens of countries with which we were not allied as of countries with which we are allied.

Mr. CHAMBERLAIN. Oh, no; the resolution that I have prepared—

Mr. PITTMAN. I am not talking about the resolution; I am asking the Senator a question.

Mr. CHAMBERLAIN. An alien, a national of a country with which we are at war?

Mr. PITTMAN. I did not say at war; I mean with which we were not at war and with which we were not allied.

Mr. CHAMBERLAIN. I think we have, Mr. President. We protect him under the treaty obligations, and I claim that we have attempted to do that.

Mr. PITTMAN. Let me follow that up. Whether that be the law or not the law, it certainly is very poor policy for this Government to establish and would be a very disastrous precedent. Under those circumstances Mexico could impress our citizens in a fight with bandits. In a case of this character or kind China could impress our citizens in any fight it might have in that country. In other words, all control over the moral right or the legal right to impress our citizens in all characters of wars in foreign countries would be lost forever. In our present situation it may not be legally right but it is morally right that the nationals of our allies should fight either for their own Government or ours. It is morally right to compel these aliens to fight on our side or to fight on the side of our allies. But in the event that these aliens were not our allies it would be wrong for us to impress them in a war with a country in which their Government had not the slightest interest. Yet under the precedent that the Senator from Oregon is attempting to establish by his bill any other country would have that legal right to impress our citizens.

Mr. CHAMBERLAIN. I want to qualify that statement just a little. We must protect the right of aliens. We have given two alternatives here. We have exempted the alien from the effect of a draft provided his diplomatic representative asks not that the individual be excused but that the national of that particular country be excused. That protects him under the treaty obligation. Then we give him the further right, if he is not satisfied with the ruling, he can leave the country, and that is what he ought to do.

Mr. PITTMAN. I am not saying—

Mr. CHAMBERLAIN. Just a moment, if the Senator will permit me. That question was up in the Civil War between the United States and Great Britain. Great Britain insisted that we did not have the right to draft a British subject into the forces of the Union, yet if we did undertake to draft him we must at least give him an opportunity to leave this country, and Great Britain was satisfied when we gave them 65 days in which to leave the country if they did not want to be subject to the draft. That is all the resolution that I have proposed does. It says that the draft shall be applicable to the foreign subject unless the diplomatic representative asks that he be relieved because of treaty stipulations, and then if he does not see fit to submit to the draft and the diplomatic representative asks that he be excused it gives him 90 days to leave the country, and that is what he ought to do.

Mr. McCUMBER. Does not the Senator think that it is rather a harsh proposition to force people from the State who have come here, and lawfully come here, and say, "Enter this Army or we will deport you"? Does the Senator really think that any diplomatic agent of a foreign country without any change in our treaty could dictate whether or not any foreigner who is drafted into our Army should remain there? Has not the individual under our treaties the right to say, "Until that treaty has been changed between the Governments I have a right under the treaty to be relieved from compulsory military service," and can he not go into our courts and get his relief?

Mr. CUMMINS. Mr. President—

Mr. McCUMBER. The Senator from Nevada is on his feet and I will first yield to him.

Mr. PITTMAN. I shall not take much more of the time of the Senator. I simply want to make my position clear on this matter. It is not whether we are treating aliens justly or not justly. The question is whether or not the Government of those aliens should have any say as to what is justice. I am unwilling that the citizens of this country shall be impressed into military service in any other country, no matter whether that country thinks it just or unjust, unless our Government has an opportunity to determine for its own citizens whether or not it is just or unjust. I shall never vote for any policy or any precedent that would deny this Government the right to intervene hereafter upon behalf of its citizens when some other Government attempts to impress them into the military service. If we have not that legal right now it should be confirmed by

treaties with every other country; a treaty not giving that right should not be allowed to continue longer.

There is no danger in this matter, because there is no question whatever that every one of our allies will instantly seek the opportunity to either impress these aliens in their own armies or in our Army. The result is exactly the same. The only difference is that we preserve our policies under this form of government by the resolution of the Senator from North Dakota, and yet just as effectually enforce enlistment of aliens.

Mr. McCUMBER. I now yield to the Senator from Iowa.

Mr. CUMMINS. I am not as familiar with the subject as I might be if I had examined it carefully, but I believe there is a good deal of confusion and a good deal of error in some of the conclusions that I have heard announced. First, there is no difference in the legal status of an alien before he has declared his intention to become a citizen and afterwards, so far as this question is concerned.

Mr. McCUMBER. Up to the time he takes full citizenship papers.

Mr. CUMMINS. He still is the subject of a foreign country. He is entitled to no privileges in this country except those which follow his preparation and allow him to proceed with it to full citizenship. We have already passed a law which impresses aliens who have filed their declaration of intention to become citizens of the United States. If we have a constitutional right to draft such aliens, we have the constitutional right to draft aliens who have not declared their intention to become citizens. I am not speaking about the wisdom of pursuing or enforcing the right; I am simply speaking of it from its legal standpoint.

Mr. LODGE. Will the Senator allow me a moment?

Mr. CUMMINS. I yield, if I have the right to yield.

Mr. McCUMBER. I yield to the Senator from Massachusetts.

Mr. LODGE. Of course nobody pretends for a moment that a declaration of intention forfeits citizenship. There is not a man who has declared his intention who is drafted who can not relieve himself from that by going into any court; but where they had declared the intention I suppose it was thought by Congress and by the department the probability is that they would not resist draft. If they resist it, of course, they are on exactly the same footing as the alien. Everybody knows that.

Mr. CUMMINS. I thought that idea had been somewhat lost in this discussion; but, assuming now that that proposition is well established, I do not agree with the subsequent statement of the Senator from Massachusetts that an alien who has declared his intention to become a citizen of the United States can exempt himself from the draft. I do not agree that any alien can exempt himself from the draft upon his own application unless there is a treaty between the United States and his nation which exempts him from compulsory service.

Mr. McCUMBER. That is what I am claiming, both by direct treaty and by the favored-nation clause in all the other treaties.

Mr. CUMMINS. I do not believe that the favored-nation clause in the treaties covers the question. I am rather inclined to agree with the Senator from Minnesota that so far as those treaties are concerned they relate to commerce and traffic and not to individual status. I would hesitate, then, to take a course upon the resolution of the Senator from North Dakota that would preclude the insistence upon the part of the United States that aliens domiciled in our country belonging to powers which are neutral in this controversy may not be compelled to fight for the United States. If they are here without the intention of returning, if they are not mere visitors, if they have come here to live, without regard to their declaration of intention to become citizens, they are subject, in my opinion, to military service and can be impressed into it without any offense to the neutral country from which they come.

Mr. STONE. Mr. President—

Mr. CUMMINS. Aside from that one idea, I would be very glad to see the resolution coming from the Foreign Relations Committee pass, because I really think that is a proper way to proceed with our allies, but I am not prepared to admit that we can not take these other people and make them stand in the armies of the United States for our own protection.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. McCUMBER. I yield.

Mr. STONE. Will the Senator at this pertinent juncture allow me to read a very brief extract from what I think are authoritative expressions on this subject? I ask the Senator if he will permit me to do that for just a few moments?

Mr. McCUMBER. Certainly.

Mr. STONE. First I read three or four lines from Moore's Digest of International Law, three or four lines from a communication by Mr. Madison, then Secretary of State, to Mr.

Monroe, minister to England, dated January 5, 1804, in which the Secretary says:

Citizens or subjects of one country residing in another, though bound by their temporary allegiance to many common duties, can never be rightfully forced into military service, particularly external service, nor be restrained from leaving their residence when they please. The law of nations protects them against both.

Again, August 14, 1862, Mr. Seward, Secretary of State, used this language in a communication to the minister addressed:

I can hardly suppose that there exists anywhere in the world the erroneous belief that aliens are liable here to military duty. If you think otherwise, there will be no objection to your giving any publication you please to this communication.

Again, September 5, 1862, Mr. Seward, in a letter to Gov. Morton, of Indiana, said:

There is no principle more distinctly and clearly settled in the law of nations than the rule that resident aliens not naturalized are not liable to perform military service. We have uniformly claimed and insisted upon it in our intercourse with foreign nations.

One other brief extract, and I am through. This is from Mr. Oppenheim's work on International Law, volume 1, page 394. He says:

But apart from jurisdiction and mere local administrative arrangements, both of which concern all aliens alike, a distinction must be made between such aliens as are merely traveling and stay, therefore, only temporarily on the territory, and such as take their residence there either permanently or for some length of time. A State has wider power over aliens of the latter kind; it can make them pay rates and taxes, and can even compel them, in case of need, under the same conditions as citizens, to serve in the local police and the local fire brigade for the purpose of maintaining public order and safety. On the other hand, an alien does not fall under the personal supremacy of the local State; therefore he can not be made to serve in its army or navy, and can not, like a citizen, be treated according to discretion.

I have read that much, and I could go on reading from other authors like things almost without limit. I know nothing to the contrary.

Mr. McCUMBER. Mr. President—

Mr. CUMMINS. Mr. President, will the Senator from North Dakota allow me to interrupt him?

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

Mr. McCUMBER. I do.

Mr. CUMMINS. If the Senator from North Dakota will indulge me a moment, I desire to read a word or two from the report which the Committee on Foreign Relations has laid before the Senate. I have not examined this question, and I do not pretend to speak upon it as the result of an investigation. I did not expect to address myself to it all, but here is a statement to which the committee has given its authenticity:

Secretary Seward, in 1868, wrote: "This Government is not disposed to draw in question the right of a nation in a case of extreme necessity to enroll in the military forces all persons within its territories, whether citizens or domiciled foreigners."

Under that statement the only question would be whether we have reached the point of extreme necessity.

Mr. STONE. Now, Mr. President—

Mr. CUMMINS. Wait a moment. Let me read the rest of it, and then I shall be very glad to hear the comment of the Senator from Missouri. The report continues:

The following year Secretary Fish wrote: "This Government, though waiving the exercise of the right to require military service from all residents, has never surrendered that right and can not object if other Governments insist upon it."

Mr. McCUMBER. That was Secretary Fish.

Mr. CUMMINS. That was Secretary Fish. Again he wrote, in 1871:

I must decline to enter into the question to what extent and under what circumstances do our citizens, native or naturalized (in the absence of treaty stipulations, owe military service to a foreign Government in whose dominions they are domiciled for commercial or other purposes. They certainly do not stand on the same footing as mere travelers or temporary sojourners.

Assistant Secretary Davis in 1878 wrote: "There is no treaty stipulation between the United States and Great Britain which exempts the citizens or subjects of either party from military duty in the forces of the other, either in peace or war. Consequently we can not claim such exemption as a matter of right.

I read now a comment from Moore, which is found in his Digest of International Law. It is also quoted in the report. He is discussing the question of the difference, if any, in the legal status between an alien who has declared his intention to become a citizen and one who has not done so. He reaches the conclusion, of course, that there is no difference, legally speaking, and the conclusion that the Senator from Massachusetts [Mr. LODGE] very emphatically affirmed a few moments ago. Then he continues:

As we have seen, there is a right, aside from treaty stipulations, to impress any alien into the military service of the country where he goes to reside. This right is controlled by considerations of comity. But in the case of a declarant the considerations of comity are, for the reasons just indicated, much weaker. Therefore it follows naturally that military service is more likely to be successfully exacted of an

alien who has declared his intention to become a citizen than of an alien who has not so declared. Great Britain in the precedent cited above doubtless did her full duty in securing for her citizens, declarants for American citizenship, a period of 65 days within which to leave the United States on pain of being subjected to military service if they remained. It is doubtful if any country would do more to-day; many might do less.

I am reading these extracts to indicate that the opinions in times past of distinguished jurists in this country have not been uniform with regard to the right of the Government to impress aliens within our borders who have taken up their residence for purposes of business, without regard to whether or not they have filed the declaration of intention to become citizens. I will not say at this moment that I believe the weight of opinion is upon one side or the other; but I do say that the course pursued by the Committee on Military Affairs could not be regarded as offensive to any nation, and it does give every foreign power and every foreign citizen ample opportunity to exert whatever right they may have in the premises.

Mr. McCUMBER. Mr. President, I desire to close in a very few moments. There has been some conflict between the authorities upon the question of the right of the Government with reference to those who have merely declared their intention to become citizens and different rules have been applied. I have examined the later authorities down the line, and while in the earlier days, when we were in a war, we sought to justify ourselves when we impressed aliens into our service, the prevailing authorities at the present time seem to be against that view, and the later authorities all seem to be along the same line, that the mere declaration of an intention to become a citizen does not change or vary the legal status of the declarant, but that he has the same right to the protection of his home Government, the right to refuse to complete his declaration by actual citizenship, and to stop anywhere short of becoming a citizen. Even Secretary Fish seemed to have modified his opinion later on; at least, he said he did not intend to go to the extent indicated by what the Senator from Iowa has read, because in 1874 he wrote:

We did not claim the right to impress aliens into our forces during the late Civil War, but it is understood that in one instance at least, in the case of a siege, we sought to justify such an impression.

Then in 1888 Mr. Bayard summed up the situation thus:

It is well settled by international law that foreigners temporarily resident in a country can not be compelled to enter into its permanent military service. It is true that in times of social disturbance or of invasion their services in police or home guards may be exacted, and that they may be required to take up arms to help in the defense of their place of residence against the invasion of savages, pirates, etc., as a means of warding off some great public calamity by which all would suffer indiscriminately. The test in each case as to whether a foreigner can properly be enrolled against his will is that of necessity. Unless social order and immunity from attack by uncivilized tribes can not be secured except through the enrollment of such a force, a nation has no right to call upon foreigners for assistance against their will.

Quite a number of these cases are cited in this report, and the final conclusion from them is given.

I simply desire to say, in closing, that there necessarily must arise conditions which will enter into any new treaty or arrangement we may make with foreign powers. Russia might be satisfied that we take all of her citizens; France might ask that we attach to such an arrangement a condition that she could draft American citizens resident in France; Great Britain might require one condition and some other country still another. We could not possibly anticipate all of those conditions in any law we might now enact.

So we gain time by initiating procedure immediately, and I hope we may pass this resolution before 2 o'clock, merely suggesting, as it does, the propriety of the President proceeding to obtain these agreements. That can not conflict, it can not interfere, with any other legislation that we may thereafter enact.

I ask for immediate action for another reason, and that is this: There is a great deal of dissatisfaction throughout the United States due to the fact that our own citizens are being forced into this war while the citizens of other countries joining with us in the war are being exempted. There is just cause for complaint along this line, and especially as the aliens so exempted take the profitable places that our own citizens must yield. I believe it would create a sense of assurance and contentment upon the part of our own people if the Senate of the United States would indicate immediately its purpose of bringing into our Army the citizens of countries engaged with us in war against the central powers.

Mr. President, I again say to the Senator from Oregon that I can see no conflict between my resolution and Senate joint resolution 84. I am fearful, however, that after we have passed a general law so many conditions will arise in reference to any new arrangements that our law will not be applicable and we would be losing rather than gaining time; but we lose nothing, we forfeit nothing, by asking the President to proceed at once

to secure the very agreements which Senate joint resolution 84 admits will have to be secured before the law can become effective.

Mr. LODGE. Mr. President, I shall not waste any of the short time that remains before the morning hour ends by going over international law. There is, to my mind, no question that at present under international law aliens are immune from military service. The growth has been steadily in that direction, as the authorities and citations show. That, however, is not important, because this whole matter must be settled by treaty. We have a treaty with Japan, we have a treaty with Italy, and I think with one or two other countries, in which it is expressly provided—and it is reciprocal, of course—that the citizens of those countries shall not be liable to compulsory military service in the United States. The favored-nation clause imports that clause embodied in the Italian and Japanese treaties into every other treaty in which the favored-nation clause is found.

Mr. President, I recognize this evil as strongly as anybody can possibly do. I think I was one of the first to call attention to it in the Senate. I am heartily in sympathy with the resolution proposed by the Committee on Military Affairs, and there is nothing in it that is offensive to any nation; but other nations have got to go through the same door that we are trying to open by this resolution. The only communications that can be held with foreign Governments must be held through the Executive. The resolution proposed by the Senator from Oregon, to which I absolutely agree, is worthless, unless the Executive initiates negotiations, so that the law can be carried out without the abrogation of treaties.

Mr. President, my point is this: The advisability of curing the great evil and injustice that exists because of the fact that aliens, subjects or citizens of the allied nations, living in the United States, can not be drafted needs no explanation from me or anybody else. There is only one way to meet that evil and that is to arrange with the powers engaged with us in the war against Germany to set aside for the time being the provisions of the treaties. They will all be glad to do it. There is not one of them that will not be glad to do it. They believe, and believe rightly, that these men ought to fight either for the country of their adoption or the country of their allegiance and that they can not live under the aegis of the country of their birth and escape service by dwelling in the United States. That is a wrong that must be remedied, but it can not be remedied unless the Executive acts.

I do not propose, for one, to give the impression to the country that Congress can remedy this evil. It can not. It is entirely helpless unless the Executive acts; and I think the proper course to pursue is to ask him to act. If he does not move, the legislation we pass here does not amount to a snap of the finger. I do not want to take a responsibility that is not ours. Our powers are being taken from us, but that is no reason why we should assume responsibility that it may be found agreeable to shift upon our shoulders. This is an Executive responsibility. The State Department and the President can settle this matter in a week, in my judgment, because I know that the powers allied with us are anxious to have their subjects and citizens fight under some flag when all the countries are at war. But we can not do it; we have no diplomatic connection. Under the joint resolution of the Senator from Oregon nothing could be done until the Executive had made the necessary diplomatic arrangements.

I am ready to vote for the joint resolution as well as for the resolution of the Senator from North Dakota, but I think the better and more recognized way is to request the President, on behalf of the Senate, to take the necessary steps; and, if he shall take the necessary steps, no laws will be needed. Under the treaty or agreement or convention, which would then be the supreme law of the land, he could draft them all. That is the way to proceed—go straight to the Executive and let him perform this important duty, as I have no question he will.

Mr. CHAMBERLAIN. Mr. President, I realize, with the Senator from Massachusetts and the other members of the Foreign Relations Committee, that there are delicate questions connected with this legislation. I have no objection to the Executive entering into diplomatic negotiations with other countries in order to bring about some sort of an arrangement under the terms of which the nationals of our allies, at least, and possibly the nationals of some other countries, could be utilized in the emergency which now confronts the American people; but we all know from past experience that when this diplomatic negotiation is entered upon the subject involved in it sleeps the sleep that knows no waking. It may be concluded in six months, it may be concluded in six years, and it may never be

concluded, as those familiar with these diplomatic representations can well testify.

In the meantime, Mr. President, a situation confronts us. The situation has been very well shown here in some of the cities, particularly in New England, where in some instances one-half of the population, and in other instances more than half the population, are aliens—not alien enemies but aliens. As many as 65 per cent of the population in some places are aliens, and under the method of applying the selective draft the result is accomplished of sending the American youth to fight while these particular nationals of other countries, as well as the nationals of enemy countries, are permitted to remain at home.

Mr. President, I for one want to see that condition cured, and this joint resolution No. 84 that has been reported out of the Military Affairs Committee undertakes to protect the situation that Senators are afraid is liable to bring about trouble.

Take the case of Japan: We always seem to be afraid of Japan for some reason; I do not know why. The Japanese people are just as reasonable as the American people, and I sometimes think a good deal smarter than the American people in that they give first consideration to their own country. We have provided for Japan and China in this joint resolution, not because they ought to be treated under ordinary circumstances as different from any other nation, but simply because we treat them differently in some respects than we do any of the other foreign powers, and the resolution that has been reported out by the committee provides, with reference to the subjects of Japan and China, not mentioning them by name, in subsection 4:

Aliens not alien enemies who, because of treaty stipulations or act of Congress, are not permitted to become citizens of the United States shall be exempt from compulsory or other military service except as volunteers.

Now, that is perfectly proper. Either by treaty stipulation, as with China, or by gentlemen's agreement, as with Japan, we do not permit the citizens of those countries to become citizens of the United States.

Mr. LODGE. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Massachusetts?

Mr. CHAMBERLAIN. Yes; certainly.

Mr. LODGE. This resolution of the Foreign Relations Committee excludes China and Japan.

Mr. CHAMBERLAIN. Oh, well, I am not making any question about that.

Mr. LODGE. And if they can be excluded by confining it to all European nations, why is it necessary to rub in the fact that they are not eligible for citizenship?

Mr. CHAMBERLAIN. The Senator is voicing the timidity about which I speak. We have had that question up here before. We have had it in the discussion of treaties. We had it particularly in the discussion of the immigration bill. I have no disposition to irritate any of these people, and I only mention China and Japan because they were mentioned by the Senators who advocated this Senate resolution which the Foreign Relations Committee have reported to the Senate. I say we have excepted China and Japan from the provisions of Senate joint resolution 84, not because it is those particular countries but simply because we have applied a different rule of citizenship with reference to those nationalities. In other words, we have practically, by treaty, stipulated that Chinese subjects should not become American citizens, and by treaty stipulation and a gentlemen's agreement we have practically said the same thing with respect to Japan.

Now, no alien who is not permitted to become a citizen of the United States ought to be drafted into the service to perform military service for the country; but that does not apply with reference to any other alien. Nearly all immigrants who come here from every corner of the globe can be admitted to full citizenship. We all know that. There are thousands of men who have been in this country for 25 years, and some of them for 50 years, who have accumulated fortunes on the western prairies in the cattle business and in every other form of business, who have nevertheless not taken out their final citizenship papers, and are still aliens, but to all intents and purposes they are American citizens, because they live under the protection of the flag, and they have built up their homes and amassed their wealth under the American system. Now, I can not see any reason, nor is there any, why such men should not be compelled to serve America in her dire distress. It is true that the Senate resolution does not prevent those men from being brought within the provisions of Senate joint resolution 84; but if the pending resolution passes, when the time comes to consider Senate joint resolution 84 Senators will say: "Well, the execu-

tive department now has that under consideration, and there is no use in undertaking to provide for it by legislation."

Now, Mr. President, let us look at Senate joint resolution 84. Subsection 1 provides that—

All aliens resident in the United States for more than one year who are not subjects of the enemy country, and have not declared their intention to become citizens, shall be subject to selective draft for military service pursuant to all the remaining provisions of the above act in the same manner as citizens of the United States, except so far as otherwise provided in the ensuing paragraph.

That provision takes them all in, but there are certain exceptions to it. Subdivision 2 provides that—

Subjects of such countries other than those allied with the enemy country shall be exempt from the draft if any treaty now in force with such countries exempts its subjects in this country from compulsory or other military service, unless the diplomatic representative of such treaty country shall have waived the provision of such treaty for the purpose of the present war; and aliens who claim the benefit of exemption under such treaties and the present paragraph shall be allowed to depart from the United States within 90 days from the date of the allowance of their claim of exemption.

That protects the treaty country absolutely and entirely; it not only does that but it does what Great Britain insisted ought to be done in certain cases during the Civil War. It gives an opportunity to the alien subject to get out of the country if he does not want to serve the country of his adoption as an alien, if not as a citizen. Now, that section takes absolute care of that.

The Senator from Massachusetts [Mr. LODGE] says: "But who is going to make the claim?" I say the diplomatic representative is here to listen to the appeals of the subjects of the country, and the diplomatic representative can make the demand if he wants to, either on the behest of the individual subject of that country or else upon his own initiative and upon his own motion for all such subjects.

Now, Mr. President, I want to call attention to a case that arose during the Civil War—and I want it understood that I am not going to insist here that the question is one that is free from doubt. But why can not America sometimes resolve a doubt in her own favor? It has sometimes seemed to me that we have been too generous in resolving all doubts that exist in the minds of Members of Congress in favor of some country other than our own. I note that when the test comes the doubt entertained by any other country is always resolved in favor of its own people.

During the Civil War in this country all persons who had voted as State citizens were claimed by the United States Government as liable to conscription, and the act of Congress of March 3, 1863, expressly declared that the levy should include all persons of foreign birth who had declared on oath their intention to become citizens. This, of course, included many alien residents, but no protest was entered, Lord Lyons merely being instructed, as the British representative, to abide by the decisions of the American law courts, even in instances where aliens had not declared their intention to become American citizens but had exercised the elective franchise under the laws of some States which permitted it. However, the British Government suggested that in the case of those who had merely declared their intention to become American citizens, but had not exercised any political franchise in consequence of such declaration, they ought to be allowed a reasonable period to leave the United States as an option of continuing therein with annexed conditions. Thereupon the United States allowed 65 days to such persons to exercise their option, and the British Government refused to interfere any further in behalf of any who had not availed themselves of the opportunity.

As was very well suggested by the Senator from Iowa [Mr. CUMMINS], there is no difference between an alien and a man who has declared his intention of becoming a citizen. Our own laws may confer some right upon the man who has declared his intention to become a citizen which they have not conferred upon one who has not; but in international law there is absolutely no distinction between a man who is an alien temporarily residing or domiciled in this country and a man who has declared his intention to become a citizen.

This course, which was taken by Great Britain during the Civil War with reference to her subjects, seemed to be an acknowledgment by the British Government that aliens who had exercised political rights had subjected themselves to practical obligations to military service. In other words, Great Britain practically said that if a man had taken out his first papers—which does not make him a citizen by any means—he had then subjected himself by that single act to the laws of this country requiring of him military service. Now, if that be the construction—and I think it is a fair construction—of the attitude of Great Britain with reference to the subject, if it can be construed further as a recognition of the justice of the claim of foreign countries to require a limited military service of domi-

ciled aliens, it is also a recognition of the right and duty of aliens to leave the country freely as an alternative to such service. This right has always been vigorously insisted upon beyond question.

Now, Mr. President, with reference to the impressment of our own citizens in other countries where they have gone, just as aliens of other countries have come here, have become domiciled there, have become residents there, and have remained in the country for a great many years, protected by the flag and the laws of that particular country, I, for one, do not see any reason why such men should not serve the country that has protected their property and their lives. I would feel if I went to Mexico and temporarily expatriated myself, had accumulated a fortune there, and received protection at the hands of the laws of that Republic, that if Mexico demanded my services she ought to have them, or I ought to ask only to be permitted to return to the United States. That is the most that any alien could claim. If they do not want to serve, let them come back to the country of their birth and render service there. I, for one, am opposed to permitting men to come to this country, as they have done, to remain here for a lifetime, and to accumulate vast properties here, and then, when the country is passing through stress and storm, for those same men to say, "We will remain at our posts and let the young men who were born on this soil go off and fight the battles of the country, whether at home or in the battle lines of Great Britain and France." They ought to be subjected to the same rule as our own citizens, and yet not quite the same harsh rule, for they ought to be permitted to return to their country if they do not want to fight.

I have in mind an individual illustration of that very proposition now, and I venture to say that up in New England, where they have so many foreigners, numerous illustrations can be cited. I know in my State of a family of American boys. Every one of those boys is subjected to the selective draft. All of them may go. Some of them may escape under the system that has been created under the law, but if all those young men happen to be drawn, all of them will have to go. Yet within a short distance of that same family is another family of a nationality with whom we are fighting, with the same number of boys in it, and not one of them will go.

Mr. President, there is absolutely no justice in any such condition of things as that. I have no opposition to the alien. I am glad to have them come here; but if a man comes here and remains long enough to make this country his home to all intents and purposes, and does not know any other home except by the ties of kinship and blood, he ought to be compelled to serve the country when needed, unless he is protected by treaty rights; and Senate joint resolution 84 protects him absolutely under the treaty obligation, and further protects him by giving him the permission which Great Britain insisted upon during the Civil War, of leaving the country within a reasonable time if he does not want to assist in the protection of the country. Now, there are countries—and I think the committee's report calls attention to the fact—there are a number of countries with which we have treaty stipulations.

Mr. SMITH of Michigan. Mr. President, will the Senator permit me to ask him if we are not both aiming at the same object?

Mr. CHAMBERLAIN. I think so.

Mr. SMITH of Michigan. Then why should there be any vexation over accomplishing a purpose upon which we are absolutely in accord?

Mr. CHAMBERLAIN. But the Senator was not here when I stated the only objection I had to the Senate resolution. It is that when we once start in upon diplomatic negotiations with these countries, we never get anywhere.

Mr. SMITH of Michigan. Ordinarily that might be so, but I do not believe it is so now.

Mr. LODGE. If the Senator's joint resolution or a dozen others should be passed, you would have diplomatic negotiations just the same.

Mr. CHAMBERLAIN. I am not so sure about that.

Mr. SMITH of Michigan. I think now, in the present situation, we can get prompt action, and when this second call is made that we will get those people, and we ought to get them.

Mr. CHAMBERLAIN. How many years did it take us to settle the fisheries dispute between the United States and Canada, and how long did it take us to settle the northwestern boundary dispute? This last was only settled within the past few years, and yet it was under discussion for a hundred years. I have no objection to this proposition of the Senator's, except I say that just as soon as that resolution is placed upon the statute books objection will be made to taking up a resolution which really means something. If once we enter upon these

proposed diplomatic negotiations, we are not going to get anywhere within six months, nor during the continuance of this war; but if Senate joint resolution 84 is adopted by the Senate you can rest assured that the diplomatic representatives of these Governments will get busy.

Mr. SMITH of Michigan. Mr. President, if the Senator will allow me, we sent resolutions of the same general purport, so far as their legislative status is concerned, to Mr. Cleveland over and over again regarding the Cuban situation. He treated them merely as an expression of legislative judgment. He was not moved by one of them; but the President now will be inclined to do this. This is proper, and he appreciates it. I do not want to say what some of my associates believe, but I really believe that it will find cooperation there immediately.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Massachusetts?

Mr. CHAMBERLAIN. I yield; yes.

Mr. LODGE. I only wanted to say this: You can pass any laws you please, but they will have no effect. The President will not carry them out, and ought not to carry them out, in violation of treaties. You come back to the same thing, and no President would think of doing it.

Coming back to our negotiations, I think they can be completed in a fortnight, and they will come just as much in your bill as on the other. I am ready to vote for both, but I am sorry to see, owing to a little controversy between two committees, the legislation go to the ground. The President can do it without any resolution or legislation.

Mr. CHAMBERLAIN. This is not any dispute between two committees. It is a question of vital importance, and if we do not adjust it and consider it fearlessly we are going to have trouble between the American youth and those who stay behind and are excused from duty.

Mr. LODGE. I say to the Senator you will never do it except through the President of the United States.

Mr. CHAMBERLAIN. The American people can do anything they want.

Mr. LODGE. Not except through the executive function.

Mr. STONE. The morning hour has expired, or practically so, and we can not conclude this matter. At the very first opportunity I shall move, if necessary, to take up the resolution.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate Senate joint resolution No. 17.

The SECRETARY. A joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States.

Mr. POINDEXTER. I should like to inquire of the Senator from Oregon his theory—

Mr. LODGE. Mr. President—

Mr. POINDEXTER. Does the Senator desire to interrupt me?

Mr. LODGE. I wanted to address the Senate on the unfinished business.

Mr. POINDEXTER. I will be through in just a moment, if the Senator will pardon me.

Mr. LODGE. I thought this matter had gone over. I did not mean to interrupt the Senator.

Mr. POINDEXTER. I should like to know the theory upon which the Senator from Oregon in his resolution regards citizens of Austria, Bulgaria, and Turkey as alien friends. Mr. President, we have recently been appropriating large sums of money, to be derived from the sale of bonds of the United States, or from taxes levied upon the property of the people, which we have turned over to Russia and Serbia and to France and to Italy for the purpose of equipping soldiers and procuring munitions of war to withstand the onslaught of the nations which the Senator from Oregon deals with in this resolution as friends of the United States.

Mr. LODGE. Mr. President—

Mr. POINDEXTER. Does the Senator desire to interrupt me?

Mr. LODGE. No; Mr. President, I thought the unfinished business had been laid before the Senate.

The PRESIDENT pro tempore. The unfinished business has been laid before the Senate.

Mr. LODGE. The Senator from Georgia [Mr. HARDWICK] desires to address the Senate on that subject and so did I, and I thought, under the unanimous-consent agreement, those who desired to speak on the constitutional amendment would have an opportunity to do so. I would not interfere for a minute with the Senator from Washington, but I am obliged to leave the Senate to attend a committee meeting.

Mr. POINDEXTER. I am very sorry, indeed; I had no advice that the Senator from Massachusetts desired to occupy

the floor. If he had advised me to that effect, I would have hesitated to address the Chair.

Now that I am discussing this question, I desire to conclude it, which I will do in a very few moments, and yield to the Senator from Massachusetts.

I simply want to say that whatever the legal status of aliens of the countries which I have named, because of the absence of a formal declaration of war by the United States, their actual status is that of alien enemies. We are organizing an expeditionary army about to be transported to France. Does the Senator from Oregon suppose when its ranks are thinned by the fire of Austrian regiments on the battle line in France our men will welcome them with the cry, "Here we have in front of us friends and not enemies"? If the President is sending missions to Russia, loaning money by the hundreds of millions to enable her to maintain an army to resist the Austrians, why should the Senator here, acting as an official of another branch of the Government, be at the same identical moment treating as neutral friends these same people who are opposed to Russia, attempting to destroy her army, and invading her country?

It illustrates the anomalous condition in which the United States finds itself in many of the negotiations which have taken place recently between the so-called entente allies. The cause of the allies for the purpose of this war is the cause of the United States. They are at war with these various countries, and so long as we are consolidating our resources and our armies with their resources and their armies we ought to put ourselves in the position by a proper declaration—and that is one of the advantages which the resolution of the Senator from North Dakota has over the resolution of the Senator from Oregon—to avail ourselves of all the international legal rights of the state of war which actually exists between the United States and the allies of Germany.

Mr. HOLLIS. Mr. President—

Mr. POINDEXTER. I yield to the Senator from New Hampshire.

Mr. HOLLIS. The Senator of course notes the distinction. The resolution offered by the Senator from North Dakota is merely a Senate resolution, and the Senate can not declare war. It must be done by a joint resolution.

Mr. POINDEXTER. But in so far as the expression of the Senate is concerned it declares and recognizes that a state of war exists. It does not, as does the resolution reported from the Committee on Military Affairs, take the opposite course, and, in so far as the power of Congress is concerned, establish by an express provision of the statute, as this resolution will be in effect if it is adopted by both branches of Congress, a state of peace between the United States and countries with which we are engaged now in deadly conflict, in an issue that involves, if it is reasoned out to a last analysis, the national existence and institutions of the United States.

It is illogical; it is perfectly anomalous. The resolution ought to be defeated unless that part of it is eliminated, and at the very earliest moment the United States ought by a proper, unequivocal resolution of Congress declare as a matter of law what is now a fact as a matter of military operation, a hostile state between the United States and these various Governments.

We can not go on with a proper and efficient conduct of the war in Europe with our hands tied, our international rights limited by the false assumption that there is no war existing between Bulgaria, Austria, and Turkey and the United States, and we can not properly guard our armies in the field by the proper regulations behind the lines if we have several hundred thousand alien enemies in the United States whom we persist in regarding as friends.

I want to call the attention of the Senator from Oregon to that clause of his resolution in order to make it perfectly clear, if he insists upon retaining it, that it is his theory, and I presume as chairman of this great committee he speaks for the administration, that the United States is now not in a state of war with the allies of Germany, although they have committed the same wrongs against the citizens of the United States and their property that Germany has committed. Austrian submarines have sunk our ships. Austrian subjects in the United States have carried on hostile operations against our munition plants to such an extent that we were compelled to sever diplomatic relations with the Austrian Government. As a matter of substantial consideration there is no material difference between the status of those countries who are allied with Germany, and whose soldiers are fighting side by side with hers on our battle fronts in Europe, and Germany herself.

NATION-WIDE PROHIBITION.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 17) proposing an amendment to the Constitution of the United States.

Mr. HARDWICK. Mr. President, the pending proposal is that the Congress shall submit to the States for ratification or rejection an amendment to the Constitution prohibiting the manufacture, importation, and sale of intoxicating liquor for beverage purposes throughout the United States, and that final action shall be taken by the States on this proposal within six years from the date of its submission.

I am unable to support this proposition on principle, and I think it my duty to state briefly the reasons why I can not do so.

In the first place, three years ago when I submitted my candidacy for the Senate to the people of Georgia I stated emphatically and positively that I could not and would not support such an amendment. I was elected to the Senate with that declaration on my lips, probably not because of it, possibly in spite of it. I consider that I am bound, in honor, to vote in the Senate as I stated to the people I would vote if elected to the Senate. I can not subscribe to the monstrous doctrine that pledges in politics are not just as binding on honorable men as pledges in business or in any of the personal relations of life. I do not so regard it. Having taken a position in opposition to this amendment while seeking election, I am bound to stand by it after election, unless I had honestly changed my mind on the merits of the question and could frankly avow it, giving the reasons for my change of opinion.

I have not done so. I am opposed to this amendment now for the same reasons precisely that I was opposed to it when I was a candidate for the Senate. If all the whisky in the world could be poured into the ocean and the process of making it forgotten, I believe mankind would be happier and the world better off. At the same time, because I believe that, I can not ignore other considerations or stultify the principles and convictions of a lifetime to accomplish it or in the vain attempt to do so.

This amendment conforms, of course, to the constitutional requirements as to the manner and method in which the Constitution may be amended, and can not, therefore, be assailed as violative of the letter of the Constitution. It does, however, violate its spirit. It is in sharp conflict with one of the basic principles upon which the Constitution itself rests, with one of the fundamental and distinctive principles of our American system of government. It was the compact between the several States, formally and solemnly declared in the Constitution itself and by the convention that framed it, that each State retained its complete and exclusive control of all its domestic affairs and internal concerns, conferring upon the General Government powers over foreign relations and interstate commerce and other matters closely related to those two great subjects. But local self-government, the right of each State to regulate and control, in its own way and according to its own will, its own domestic affairs and internal concerns, was preserved to the State, and every attempt was made to safeguard it. That right, local self-government, is a part of the priceless heritage of liberty that came to us from our English forbears. To assert it and preserve it the War of the Revolution was fought; to defend it my fathers and my people shed their blood like water in the unfortunate Civil War, and though the grim verdict of that war may have determined the indestructibility of the Union and denied the right of secession to the States, it did not set aside or seek to set aside, it did not destroy or seek to destroy, the right of the States to local self-government. I can not for any sentimental reason, or because of any extreme case, prove faithless to the great doctrine for which my people have fought and bled through two great wars. It is a part, and it should be an indestructible part, of that priceless heritage of liberty that it is my duty to preserve and transmit.

Georgia has a right to regulate in any way she pleases, or to prohibit absolutely, the sale of liquor among her own people and within her own borders. She has that right, without regard to the views or opinions of all the other 47 States. It is purely a local question—entirely a domestic concern. This is especially true since the Congress has within less than a year made it possible for her and for every State to enforce her laws and carry out her policy without having them nullified in whole or in part by the interstate-commerce laws of the Nation.

The regulation or prohibition of the sale of whisky within a State is entirely and exclusively a local matter, a part of the wiser, far safer, far better that it should do so.

Let us for just a moment reverse conditions and see what the situation would be if we are to substitute national control for local police regulation of this question. Suppose Georgia were the only prohibition State in the Union, all the other 47 States being wet. Suppose that an amendment were proposed in Congress here, in the terms of this amendment, but providing that upon its ratification by the requisite number of States it should

no longer be lawful to prohibit the sale of liquor in any State, but that the sale of liquor should be legalized in every State, under conditions and regulations to be prescribed by Congress. It might well happen that the Senators and Representatives in Congress from the wet States could and would force such a proposal through over the ineffective protest of one or a few dry States, but it would be everlastingly wrong for them to do so, and I for one would never support it. Indeed, the most vigorous opposition to it would come, I dare say, from the very influences and from the very gentlemen who favor the pending resolution. If so, is not the demonstration complete? Shall this question remain the football of politicians, theorists, and sentimentalists? Shall we do on one side of this question, with smug and complacent self-righteousness, what we would unquestionably denounce as a tyrannical interference with our rights and liberties if it were done on the other side? I submit that we ought not to do it. The principle of local self-government is basic and fundamental. I must stick to it. Exceptions to it are both insidious and dangerous. Once we embark on that course, who can predict where it will end or how it will stop? Will it embrace our election laws, and our elections themselves, substituting Federal regulation and control for State regulation and control? Who can predict? For one, I am not willing to risk it. For one, I can not desert my principles, however much I might like to put a ban on the liquor traffic.

For these reasons, Mr. President, I must cast my vote against the pending resolution.

Mr. LODGE. Mr. President, I shall vote against the proposed constitutional amendment, and before doing so I wish briefly to state my reasons for my vote.

I am reminded by something which fell from the Senator from Georgia [Mr. HARDWICK] to say that I was reelected to the Senate last November by popular vote. My attitude on this constitutional amendment was extremely well known, because I had written a great many letters in regard to it, and some of them had been published and republished. Nobody voted for me under any misapprehension. The people of the State knew that if this amendment came up I should vote against it. Whether, as the Senator from Georgia said, it was on account of that or in spite of it that they voted, I shall not undertake to say, but there is no doubt of the fact.

Personally, I firmly believe that every human being would be far better morally, mentally, and physically if he never touched alcohol. For the benefit of mankind I wish to see that result brought about, and I hope that it can be done. But because I hold these beliefs I am not blind to the facts which surround the problem, and I can not vote for legislation which, in my opinion, would create a situation worse than that which now exists and probably long delay the coming of complete abstinence from alcohol among men.

From the earliest times of recorded history, so far as we know, mankind has devised for itself and consumed some sort of beverage containing alcohol. There is not, so far as I am aware, a tribe of savages, even of savages in the lowest stage, which has not in some manner invented liquor containing alcohol and which has not greedily accepted alcoholic liquors when it had the opportunity. We are, therefore, dealing with what is perhaps the most deeply planted habit of human nature. Except the natural instincts, there is nothing which has such roots in the life of man on earth as this habit of taking alcoholic stimulants. These facts should warn every reflecting man, no matter how much he desires to put an end absolutely to the consumption of alcohol in beverages, of the necessity of proceeding with some caution in dealing with an indulgence to which the human race has been so long habituated. My own belief is that practically complete abstinence may be brought about when a large majority of the people are convinced that it is wise and that it is for their benefit mentally, morally, and physically. I am aware that this will take time, but the steady growth of public sentiment in favor of complete temperance and of the abolition of the use of alcohol in any form proves, I think, that it is a well founded and entirely reasonable expectation. On the other hand, where people are not prepared and a major portion of them are not convinced of the harmful results of the use of alcohol, sudden and violent legislation to compel total abstinence before the people are ready to accept it can only serve to retard the advance of temperance principles and bring about a situation worse than that which now confronts us. I do not think the people of this or any other country are as yet prepared in opinion or by education to accept in good faith and with hearty sympathy the extreme legislation carried by this constitutional amendment. Without a prepared public sentiment among at least a majority of the people, such legislation as this is certain to fail. You will entirely destroy the control of the

liquor traffic now exercised by regulations and licenses. You will attempt the impossible task of compelling large numbers of unwilling people to abandon a habit which, as practiced by them, they, however mistakenly, believe to be harmless and innocent. Multitudes of people will resent it as a gross and tyrannical interference with personal liberty. The result of sumptuary laws which are far in advance of public opinion is familiar to all who know anything of history. The excellent cause which it is sought to promote by such laws is not advanced. Resistance and even hatred against them are encouraged. The old habits are maintained, but to the undesirable character of the habits themselves there is now added that still more undesirable habit of lawbreaking. You will have a law incapable of complete enforcement, the disregard of which is considered by a large part of the population as wholly venial. This combination of circumstances always tends to weaken the respect for law and to create a distrust of the powers of government in the minds of those who are called upon to obey and support it.

This proposed amendment in its local application seems to me even more objectionable than in its general features. The States will, of course, cease to enforce prohibitory laws if they have them; they will be only too glad to get rid of the burden of the expense; and license laws will be impossible. The whole burden of enforcement will fall upon the General Government, assuming that the necessary legislation will be passed in order to execute the purpose of the constitutional amendment. To enforce throughout this country the prohibition of the sale or manufacture or importation of any form of distilled or fermented liquors will require at a moderate estimate 500,000 men. Distilled liquors are easily made. You will have to search hundreds of houses to make sure that liquors are not distilled in the kitchen, or fruit brandies made by some domestic appliance. Men who now drink quite harmlessly some beer or light wine will in a certain proportion turn to the consumption of distilled liquor, in most cases of the vilest and most poisonous kind. You can not hope to prevent the smuggling of liquor across our long frontiers and along our immense coasts. In the eighteenth century, when England had high duties on foreign liquor and manufactures, running cargoes of French brandy and laces was a large and profitable industry, and yet England had a very small coast to protect. I might add that down to the time of our Civil War, with all the nations of the earth combined against them, the slaveholders, nevertheless, managed to run cargoes of slaves onto our coast. Where large masses of the people would consider it even meritorious—at least quite venial—to evade and break the law the law would inevitably be broken constantly and in a large and effective way. I doubt if you could have an army large enough absolutely to enforce it.

It seems to me, therefore, that such sudden and violent action for the promotion of a purpose in which we are all agreed is a mistake in method, which will injure gravely the very cause we desire to advance. I think it will have a very bad effect on the public morals by creating a widespread indifference to law. As a measure of prohibition, the practical difficulties, in my opinion, will cause it to fail, and my own belief is that in a very short time we shall settle down to a condition like that presented by the amendments which attempted to confer full political rights upon the negroes of the United States, where the constitutional provision is entirely disregarded. They remain a dead letter in the Constitution, and this practical but most undesirable compromise is accepted by the great mass of the people of the United States as the only possible solution; and that, in my opinion, will be the ultimate result of this prohibitory amendment.

Where the majority of the people are thoroughly convinced of the need of prohibition there it will succeed and be practically enforced. But there are wide differences among the communities which make up the population of this great country, and for that reason I believe that the sound foundation for the prohibition of alcohol should be set up in the local community and thence be extended to the counties, if necessary, and thence to the State. This question is better dealt with by the States than by the National Government. The responsibility is more concentrated and there is greater harmony among the population of the smaller area inclosed within the State boundaries. The States as they gradually come to a majority belief in prohibition can and will enforce it well, although even State-wide prohibition should not be embarked upon too soon. The prohibition of liquor is essentially a police power, and wholly apart from the practical question of enforcement is the still greater question of general merit. I think we are taking a long step on a dangerous path when we take this police power from the States. The tendency now is to strip the States of one power after another that are conferred upon the National

Government, forgetful of the fact that the strength and stability of our Government have depended upon the principle of local self-government embodied in the States. This attempt to hand over to the National Government the police power which properly belongs to the States will in its operation in other directions lead many people in the future to rue the day when they gave their support to a proposition so injurious to State independence and to State power.

I hold very strong and conscientious convictions on this subject. I believe the legislation attempted by this constitutional amendment will be in the highest degree damaging to the cause of real temperance; not to that temperance which contents itself with clamor for statutes and is satisfied with an unenforced law, but to the real cause of temperance, which seeks to put an end finally and conclusively when that end is reached to the consumption of alcohol by human beings.

For these reasons, believing as I do that this is the worst thing that could be done to advance temperance and total abstinence among the people, I can not vote for the amendment.

Mr. JONES of Washington. Mr. President, of course, if I looked at this matter as do the Senator from Massachusetts [Mr. LODGE] and the Senator from Georgia [Mr. HARDWICK], I should take the same position which they take with reference to it. This is no sudden move, however. It is not the impulse of a moment. This is a question that has been agitated for many, many years. The matter of the passage of a joint resolution of this character has been pressed on Congress for many years, and it is only because of the continued and great growth of the sentiment in favor of action of this kind that this joint resolution now bids fair to be passed.

"Shall the people rule?" That was the political slogan of a great party a few years ago. Although I did not belong to that party, I believed in the truth interrogatively declared by that slogan. There could be no difference of opinion about it, and yet there are many who made that their shibboleth who do not now seem to believe in it. It is often so, that what serves a good purpose on the stump is disregarded in the legislature and those most vehement before the people are most backward in acting.

I may be wrong, but, as I see it, the real issue before the Senate now is whether we as representatives of the people will give them a chance to express themselves upon a great question in which they are vitally interested and upon which they alone can act. In other words, Mr. President, the real question presented to the Senate upon this joint resolution is, "Shall the people rule?"

It is conceded that Congress can not prohibit the manufacture or sale of intoxicating liquors within the States of the Union. The majority of the States and the majority of the people want the National Government to have that power. We as their representatives can not do their will, but we do have it in our power to give or refuse them the opportunity to say whether they want that power made a part of the fundamental law of the land.

I can vote to give them that right, no matter what my views upon the merits of the prohibition question may be; nor do I think that I am shirking any responsibilities in doing so. I will do my duty as I see it upon every legislative matter within my power to act. I do not believe a Senator should shirk his legislative responsibilities. He should not try to place them upon some one else or upon any other branch of the Government. I will vote according to my judgment and my convictions of duty regardless of public sentiment or of its effect upon my political future, relying upon the justice of the American people to vindicate my course.

The Constitution provides the way for its amendment. Congress can not do it, but it can propose amendments to the people, who alone can adopt them through their State legislatures. I believe it to be my duty as a Senator to vote to submit an amendment to the State legislatures when there is a strong, matured, widespread sentiment and demand from the people for such an amendment. To refuse to do so is to act as the master rather than as the representative of the people.

There is such a sentiment for the submission of this amendment. Great organizations of the best people of the Nation have been urging it for years and millions of our best and wisest citizens have petitioned us to submit it. Twenty-six of the States of this Union—Maine, Kansas, North Dakota, Georgia, Oklahoma, Mississippi, North Carolina, Tennessee, West Virginia, Virginia, Colorado, Oregon, Washington, Arizona, Arkansas, Iowa, Idaho, South Carolina, Michigan, Montana, Nebraska, South Dakota, Indiana, New Hampshire, and Utah—have enacted prohibition within their borders. More than 60 per cent, almost two-thirds, of our people now live under prohibition. Eighty per cent of the territory of the United States

is under prohibition, and a large majority of the Senate of the United States is for prohibition and a large majority of the House of Representatives is for prohibition. If this does not warrant the submission of the amendment, the whim of Congress and not the will of the people will control in the submission of amendments.

"But," they say, "it is not right for some States to force upon other States a policy they do not want." Such a principle would lead to anarchy and chaos and would defeat the whole purpose of a democratic government. Our fathers acted wisely in providing for changes in the Constitution and they acted wisely in safeguarding that instrument against sudden and ill-considered changes and, under the limitations which they have imposed, we may be sure that no policy will be forced upon States that is not well considered and wise from the Nation's standpoint. The people of the entire State force upon particular communities laws which they do not approve. This is done for the general good. For instance, Seattle said she would not have prohibition. The people of the State of Washington said she would, and she did. It was well, and Seattle likes it now. Why should this principle stop at State lines? The Constitution recognizes it, and the people of the Nation for the Nation's good are demanding that the liquor traffic be prohibited by the fundamental law of the land in the way and in the manner provided by that law. They are demanding that the people of the Nation shall rule rather than the slums of our great cities. Mark my words, they are going to do it—if not in one way, then in another. If they are not given an opportunity now, they will force Congress to act in the near future.

This question has not heretofore been made a party question, but the time is ripe to make it such if Congress does not give the people an opportunity to act upon it. I am glad that it has been kept out of politics thus far. I think this has been wise. The sentiment of the country is so strong now, however, and so well matured that unless Congress submits it there is no power on earth that can keep it out of politics. It will become a party question, but not a party issue.

I am a Republican upon party principles. I believe in the intelligence and capacity of the membership of the Republican Party. I want it to succeed because I believe in its success is the greatest good to the Nation. It will succeed if it keeps abreast of the matured, progressive thought and sentiment of the country and makes the welfare and happiness of the people its highest aim and purpose. I do not claim to be a leader in the party, but I think I know the sentiment of the great mass of the people of this country, and I believe that the best politics is to promote the people's welfare. I want to say to the leaders of both political parties with all earnestness, you would better submit this question now. If you do not, you will meet it in the next national conventions.

The Republican Party will have to declare for prohibition. Why? Because it will be necessary to party success. Northern States now having prohibition laws cast 121 electoral votes. Of these, 100—if not more—are from States normally and reliably Republican. Republican success without them is extremely doubtful. The party will not dare to declare against prohibition in the face of these votes. There is something else the party will have to consider. Another western idea is sweeping the country. It will become a power in politics. Why these great progressive ideas come out from the West I do not know, but I think it is because many of the best sons and daughters of the East have gone to that great open country. Their vision has expanded, their ideas have enlarged, their sympathies are broadened, and they are giving these new aspirations expression in seeking to uplift humanity. They are trying to make Government a vital, living, helpful thing, and so it is that from the great throbbing West come these great movements. In Northern States casting 163 votes women vote for such electors, and of these 142 are normally and reliably Republican. The party can not long hope to retain the women's votes if it refuses to stand for prohibition, and if it does not retain these votes it can not hope to succeed.

I said that this question would become a party question but not a party issue. Why? Because, when the Republican Party declares for prohibition the Democratic Party will do likewise. Senators and Representatives will then have to act under the party lash. This amendment should be submitted now. The people demand it, public sentiment justifies it, expediency requires it, and above all it is our duty to do it.

Our mothers, wives, sisters, and sweethearts want this amendment submitted. They are for prohibition. They have the power to enforce their will, and they will do it. Business, industry, and genuine American labor will have prohibition. Humanity, decency, good government, and civilization demand prohibition. A world in arms needs prohibition to save democracy and human liberty. The forward-looking, high-minded,

aspiring young men and women upon whom will rest the safety of the Nation want prohibition. All that is best in man and woman and government long for prohibition. The liquor interests should take warning. They should prepare to transform their plants and interests into some other line of work and endeavor. The conflict is on; the saloon must go; victory is inevitable; decency, sobriety, law, and justice must triumph. Abraham Lincoln said in 1842, referring to the War of the Revolution:

Turn now to the temperance revolution. In it we shall find a stronger bondage broken, a viler slavery unumitted, a greater tyrant deposed. In it more of want supplied, more disease healed, more sorrow assuaged. By it no orphans starving, no widows weeping. By it none wounded in feeling, none injured in interest. Even the dram worker and the dram seller will have glided into other occupations so gradually as never to have felt the shock of change, and will stand ready to join all others in the universal song of gladness.

These were almost prophetic words. What Lincoln saw as in a vision we hope to see in reality.

Mr. President, the great reliance of the opposition to prohibition now seems to be the laboring man. He is made the shield from behind which the liquor traffic wages its fight. Long petitions alleged to be signed by laboring men and alleged to represent the views of members of labor organizations are presented to the Senate protesting against prohibition. A few days ago a two-page advertisement appeared in the Washington Times, alleged to represent over 2,000,000 workingmen, protesting to the President and Congress against the proposed prohibition of beer. This advertisement was published without any signature to vouch for its truth, and, while purporting to speak for the workingmen, it certainly was not paid for by the workingmen. Who paid for its printing? Who had it inserted in the paper as an advertisement? Not labor but the liquor interests. It is interesting also to note that the number of labor unions alleged to be represented on this petition is only 445, out of a total of 22,000 in the United States, and yet it is claimed to represent almost as large, if not a larger, membership than can be found on the official roster of the American Federation of Labor. Forty of the labor unions listed are bartenders' unions, and no doubt many of the other unions acted solely out of sympathy with their fellow workingmen.

Mr. Charles Stelzle, a labor expert, shows in another advertisement, appearing in the Washington Star on Friday, June 15, that in this petition the members of many labor organizations are counted two, three, and four times. First, in their local union; second, in the central labor union; third, in the State union; fourth, in some national or international organization; and, fifth, in some cases in such organizations as "personal liberty leagues" and "mutual benefit societies."

Mr. Stelzle has shown that only 15,000 persons in the whole country are engaged in occupations peculiar to the liquor industry, such as brewers, malsters, distillers, and rectifiers, the remaining three-fourths of the whole are carpenters, electricians, machinists, teamsters, and others for whose labor there would be immediate demand to take the place of those who are going into the Army and to make up for the shortage in immigration. The total number employed in the manufacture of liquor, even in the related trades last named, is 62,920. No doubt many workingmen have been alarmed by the industrious agents of the liquor traffic as to losing their jobs, and very likely many have been willing to sign petitions out of sympathy for labor unions connected with the liquor business because of the brotherhood very naturally felt among labor unions, but we may sympathize with this solicitude without accepting its wisdom or the validity of the grounds upon which it is based.

A most significant fact about this labor petition is that all of the alleged petitioners except two come from 21 States without prohibition. The omission of protests from prohibition States is the most eloquent part of the whole document, for it suggests at once to those who come from States where the workingmen have seen the effect of prohibition and have no disposition to petition against prohibition even as an act of sympathy with their fellow workmen, that they know they will be doing them a great kindness to give them the prohibition that has worked so well for labor as well as capital in the prohibition States.

Of all men who should be against the liquor traffic the laboring man, individually and collectively, should be its strongest foe. It takes his wages and gives nothing in return except a weakened body and an inflamed mind. His wife and children suffer and his home is filled with poverty, distress, disease, and death. His employer distrusts him, he loses his work, his liberty, and his all. Many of the best and strongest labor leaders recognize this and have taken a firm stand against the liquor traffic, and I hope to see the day when the man at the head of the greatest labor organization in the world to-day, who has done so much for labor, who has so well deserved its trust and confidence, who has lead it along right lines in many ways, and

who can do more than he has ever done before to bring to himself the love and admiration of millions of men, women, and children, may lend the might of his influence upon the side of this great movement which means so much to those who he has so ably represented. When Samuel Gompers takes a stand individually and as the head of the American Federation of Labor for prohibition, then indeed will he rise to the full stature of his great ability and great leadership.

Mr. Thomas L. Lewis, president of the United Mine Workers, speaking for that great organization of men who toil in the bowels of the earth in order that our people may have warmth and our industries motive power, says:

If you want to know where the miners of America stand upon the temperance question, I will tell you. In our constitution we have a clause which forbids any member to sell intoxicants even at picnics. Some people say that the saloon is a necessary evil. I do not believe in that kind of doctrine, because the liquor traffic tends to enslave the people, to make them satisfied with improper conditions, and keeps them ignorant. The leaders of the trades-unions are called on to fight the saloon.

One of the esteemed labor leaders is Mr. John Mitchell. He was formerly president of the United Mine Workers of America and represented them ably in the arbitration which was ordered by President Roosevelt, and was subsequently made vice president of the American Federation of Labor. He says, and experience in prohibition States verify his statement:

If a brewery is closed down, in its place springs up a factory. If a saloon is closed, in its place comes a store. It is simply a process well known to union men, the same process as follows the introduction of machinery. It is a readjustment, a changed condition of society. Almost every disturbance in the ranks of organized labor can be traced back to some connection with the saloon.

In a letter dated January 19, 1917, he says:

I believe that liquor has contributed more to the moral, intellectual, and material deterioration of the people and has brought more misery to defenseless women and children than any other agency in the history of mankind.

Mr. John B. Lennon, treasurer of the American Federation of Labor says:

The saloon stands for ignorance and degradation.

In the same strain Mr. H. F. Travellock, president of the National Eight-Hour League, says:

The use of liquor and its influences have done more to darken labor's homes, dwarf its energies, and chain it hand and foot to the wheels of corporate aggression than all other influences combined.

The Right Honorable John Burns, one of the most eminent of living labor leaders, confirms this statement as also true of British workmen when he says that:

My experience of the workshop, the street, the asylum, the jail have given me exceptional opportunities of seeing the ravages of alcohol. My participation in many of the greatest labor movements of the present generation has enabled me to witness how drinking dissipates the social force, industrial energy, and social strength of the people.

These quotations, which might be very much extended, may be properly concluded with the words of Chief B. M. Arthur, of the Brotherhood of Locomotive Engineers:

If I could I would inaugurate a strike that would drive the liquor traffic from the face of the earth.

After prohibition had been in effect in the State of Washington for more than a year I wrote to the labor leaders in the larger cities of the State for a frank expression of their views of prohibition from the labor standpoint. I never received a single adverse reply. Many of the letters were not written until after my letter had been submitted and considered by the local organization, so that the expression of opinion given by the writers of these letters represented not alone the opinion of the writer but the opinion of the organization itself. It will be noted that the opinion expressed by the great labor leaders, some I have quoted, are more or less confirmed by statements contained in these various letters. The suggestion that sobriety and temperance increases the power and enlarges the ability of labor and its organizations to cope with the wealth, power, and organization of industry should have the careful attention of every laborer.

Mr. President, I have here a letter from E. P. Marsh, president of the Washington State Federation of Labor, dated Everett, Wash., April 27, 1917, and addressed to me, in which he says:

WASHINGTON STATE FEDERATION OF LABOR,
Everett, Wash., April 27, 1917.

Hon. WESLEY L. JONES,
Washington, D. C.

MY DEAR SENATOR: I have yours of recent date, asking what in my opinion has been the effect of our State-wide prohibition law. I am glad to answer. I opposed the passage of that law for several reasons, which led me to believe it would be an economic disaster and entail a hardship upon many thousands of workmen belonging to trades and industries directly and indirectly connected with the liquor traffic, workmen belonging to organizations affiliated with the organized-labor movement.

And that, Mr. President, is the basis for much of the opposition to the submission of this proposed constitutional amend-

ment. It is made by organizations out of sympathy for those who are directly employed in the industry. That was one reason why this gentleman opposed prohibition in the State of Washington. He continues:

Undoubtedly the law did work some great hardships, particularly upon men with families past the prime of life, who had no other trade to follow. The greater good to the Commonwealth following so quickly upon the passage of this law greatly outweighed the individual hardships, in my opinion. We have experienced none of the dire disasters so freely prophesied and which some of us feared. From a labor standpoint—an organized-labor standpoint—let me say that the change has been noticeable in that we have had a different class of men to deal with right away—sober, a little money in their pockets, amenable to discipline and sound reasoning. It may be significant—I think it is—that the past 12 months has seen the task of organizing the work people of this State become vastly easier than in the old saloon days. You can talk sense to sober men, men with a dollar in their pockets to pay their initiation fee.

No; I would never go back to the wet regime; I believe and trust that it is gone forever in the State of Washington.

With kind regards, I remain,
Sincerely, yours,

E. P. MARSH, President.

Mr. President, I have here copy of a letter from James A. Duncan, secretary of the Central Labor Council of Seattle, representing 25,000 or more laboring people, together with an interview which he gave to the papers; also a letter from Mr. H. L. Jones, acting secretary of the North Yakima Trades and Labor Council; also a letter from Robert L. Proctor, president of the central labor council, belonging to the United Brotherhood of Carpenters and Joiners of America. I ask that they be printed in the RECORD as a part of my remarks, without reading.

The PRESIDING OFFICER (Mr. McNARY in the chair), Without objection, permission is granted.

The letters and interview referred to are as follows:

CENTRAL LABOR COUNCIL OF SEATTLE AND VICINITY,
AFFILIATED WITH AMERICAN FEDERATION OF LABOR,
Seattle, Wash., April 30, 1917.

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

DEAR SIR: In reply to your letter of April 21 requesting information regarding the effects of prohibition, I am very pleased to inform you that I was a strong advocate of the abolition of the liquor traffic in the interests of the workers particularly, before the measure took effect in this State, and when the fight for a dry State was on was the target of many bitter attacks because of my position.

At that time I predicted that a dry State would redound to the best interests of labor and fought against our Central Labor Council going on record against initiative measure No. 3. It was a bitter fight, and I hesitated a long time before consenting to run for the secretaryship for fear of opening up the old wet-and-dry question but was extremely gratified upon making the race to be elected while the wets were still in force.

My predictions have been more than justified by the results. As is indicated by the clipping which I am inclosing, labor has prospered as never before and is forging ahead by leaps and bounds until we have reached the point where there is a very noticeable silence upon the part of those who fought to retain the name of Washington in the list of wet States.

In order that you may feel assured that I am not injecting too much of my personal viewpoint, I might say that as long ago as last October I was sent to a law enforcement meeting at the Arena to officially represent organized labor upon this question and expressed the sentiment then and there that I am expressing to you at this time.

Of course, it was hard for some people to see the consistency of some of us in refusing to stand by the brewery workers in their struggle for existence, but there have been a great many converts won since the State went dry, and who now see things from a much broader viewpoint; in fact it is a rare thing now to find an advocate of a return to the old condition of affairs.

Trusting that this information will be helpful to you in forming conclusions and assuring you of my hearty cooperation, I am,
Yours, very respectfully,

JAMES A. DUNCAN, Secretary.

[From Seattle Star, Sept. 9, 1916.]

LABORERS ARE CLAD AS WELL AS BANKERS SINCE LIQUOR IS NO MORE WELCOME IN SEATTLE.

(By James A. Duncan, secretary Central Labor Council.)

A year ago our enemies hoped and some of our friends professed to believe that when the State went dry the labor movement would go to the dogs.

These hopes and fears have all proved groundless. True, this law had the effect of putting not to exceed 450 Seattle trade unionists who had been directly or indirectly connected with the liquor business out of employment, but, on the other hand, the membership of the garment workers' union has increased in the past year over 40 per cent, which equals more than one-fifth the number thrown out of employment, while the number of waiters losing their positions is to some extent offset by the additional number of waitresses put to work in places that have ceased to dispense liquor.

In addition to this, at least 3,000 more members have joined other unions not directly affected by the operation of the dry law, except, perhaps, in so far as some may now find themselves in a better position to pay dues. Some of the organizations report great improvement in this regard.

It is indeed encouraging to see men of such crafts as the longshoremen, who were content but a short time ago to walk around during their leisure in overalls, now dressed in such manner as would do credit to bankers.

It has been said by some officers of the longshoremen's organization that the splendid solid front and unwavering determination which insures victory in the present strike could never have been maintained if the saloons had been open, and much more serious violence and disturbances would surely have occurred.

A city of sober, organized workers means a city of workers earning fair wages within reasonable hours, with sufficient funds and leisure

to take recreation, visit the stores to make purchases, and with the mean, to live under wholesome, sanitary conditions.

The prosperity of the present is being most largely enjoyed by the skilled workers, not because of indifference on the part of the skilled worker to the interests of the unskilled worker but because the skilled workers are the most generally organized, while it is a much more difficult matter to organize unskilled workers.

However, great strides are being made in the organization of the unskilled workers, and while it is not wise to advertise the details in connection with new organization work, it is safe to say that several organizations of unskilled workers have recently been organized, with excellent prospects for the future.

Prosperity for the workers, like prosperity for the business man, consists in grasping and improving every opportunity that comes along, whether it be in the industrial field or the political, and the sooner the workers recognize this fact the greater and the more rapid will be their progress.

NORTH YAKIMA TRADES AND LABOR COUNCIL,
North Yakima, Wash., May 3, 1917.

HON. W. L. JONES,
Washington, D. C.

DEAR SIR: Your communication of April 21, relating to the prohibition law in this State as affecting the workingman, was read at the meeting of the trades council last evening, and I am instructed to inform you that the laboring men of North Yakima and vicinity are more than satisfied with same, believing no one is more benefited through its application than the wage earner, and we will heartily indorse any action you might take furthering the prohibition movement.

Respectfully,

NORTH YAKIMA TRADES AND LABOR COUNCIL,
H. L. JONES, Acting Secretary.

LOCAL UNION No. 131,
UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS OF AMERICA,
Seattle, Wash., April 27, 1917.

Senator WESLEY L. JONES,
Washington, D. C.

DEAR SENATOR: Regardless of what my personal opinion might have been on the question of prohibition prior to its enactment into law in this State, I have this to say of its operation and consequent effect on the standards of the workingman.

This point can be aptly illustrated by the following: I am an officer of the carpenters' union, and consequently more intimately in touch with the financial condition and the home life of the members, and can say that the operation of the prohibition law is a decided advantage to the workingman.

Being a salaried officer, I am naturally the first to be appealed to when a member is in financial difficulties, and will say that since the dry law has been effective my loan business has fallen off fully 75 per cent, and those loans which have been made have been, for the most part, promptly liquidated.

I also note that the members are keeping up their union dues and our loss of membership from the nonpayment of dues has been very little.

The families of the membership have been, until recently, when the prices are prohibitive, able to maintain better living conditions, and consequently make better citizens.

On the whole I believe the prohibition law is a decided advantage to the workingman, and I am looking forward with sincerest interest to the time when liquor will be an unknown quantity in this country.

Sincerely,

ROBT. L. PROCTOR,
President Central Labor Council.

Mr. JONES of Washington. Mr. President, this testimony could be duplicated from other States where prohibition has been adopted.

It is a significant fact, and one which the American workingman should carefully ponder, that the Socialist Party in Porto Rico put a prohibition plank in its platform and aggressively led a campaign at the recent election in Porto Rico, with the result that the industrial centers and large towns have a dry majority, and Porto Rico set an example to the people of this country by giving 30,000 or 40,000 majority for prohibition.

The socialists of Europe are moving toward prohibition on the ground that even a few glasses of beer being used daily drowns the aspirations of workingmen to better their own conditions and that of their fellows.

Mr. President, for the consideration of the laboring men, and in connection with the claims of the brewery people that their industry is in the interest of the laboring man, and asking his support in order that this industry may be continued, I desire to read two extracts from the 1915 Year Book of the United States Brewers' Association. There are quite a number of articles in this book, and some very interesting things in it. I think we have a right to conclude that what they say that may be against their interest is the truth. At page 287 I find this language:

And just as a system of credit tends to make people extravagant, to outrun their income, squander their capital and become bankrupt, so resort to alcohol tends to make a man expend more than the rightful amount of physical or mental energy, to draw upon his reserve, and become finally bankrupt in body, mind, and estate. It is the fatal facility which alcohol gives to a man for drawing upon his reserve, making him feel stronger, wiser, and happier for the time, that constitutes its chief danger.

That is, as I have stated, found in the Brewers' Yearbook for 1915. At page 291 I find this:

It would be of very great advantage if it were possible to prevent the sale of intoxicating liquor entirely to youths under 21, and thus prevent them from making drafts on their physiological capital, just as

the law already recognizes that minors should be prevented from making undue drafts on their monetary reserves by obtaining loans from money lenders.

I hope that the laboring men, when the campaign comes on, will consider these statements and the source from which they come.

Labor and labor organizations should consider well the character and effects of the liquor traffic before they protest against prohibition. I do not blame them for looking at the matter from their own standpoint. They ought to do so, and I want them to do so. When they see that it is using them solely for its own advantage and to their detriment I have so much confidence in their intelligence and good character to believe they will not lend it their aid further.

There are some wage earners directly employed in the liquor industry. These, of course, will be directly affected. The records show, however, that from five to six times as many men are employed with the same amount of capital in other industries as are employed to an equal amount of capital in the liquor industry. Such and new industries would soon absorb these workers if the liquor industry were stopped. This has been the actual experience in prohibition States. The wages paid in other industries are as a rule higher than in the liquor industry. While it is commendable for labor and labor organizations to strive to protect the interests of their fellow workmen in the liquor industry, they should not sacrifice the welfare of the many for the good of the few, and especially when those few can be and will be well cared for in other lines of industry. This is especially true now when so many of our best young men are taken from every line of work. Many times the number of those employed in the liquor traffic will be needed to take these vacant places.

Mr. President, in connection with the letters from labor leaders as to conditions in our State I want to ask at this time also permission to have printed an interview in Collier's Weekly of March 24, 1917, by Hon. C. B. Blethen, the editor of the Seattle Times. I want to say that this paper was one of the strongest opponents to prohibition when the campaign in our State was on; but in this interview he takes up all of the objections that were made at that time, and shows that the evils prophesied have not only not occurred but that they have actually been refuted by what has taken place in our State. I want to print that in connection with the letters from the labor leaders. The Seattle Times is now one of the strongest advocates of prohibition in our State.

The PRESIDING OFFICER. In the absence of objection, it is so ordered.

The matter referred to is as follows:

[C. B. Blethen in Collier's Weekly, Mar. 24, 1917.]

Now, I say to you, not as a man who has never tasted liquor, but as a business man whose principal occupation is to observe and then write of what he sees, that prohibition does not have to be discussed from the moral standpoint at all, though any halfwit knows there is no excuse for a saloon. It may be discussed from the standpoint of business, of commerce, of bank clearings. Let us then examine the following facts:

We insisted, for example, that Seattle would have miles of empty stores as the result of prohibition. Yet to-day the only vacant places formerly used as saloons, outside the old tenderloin, do not, as I have shown, exceed 20 in number, and each of these is in a district no longer of use in retail business. The rest of the vacancies are new stores not yet completed. Before me as I write is the bulky list of these old saloon locations, each one tabulated like this:

"J. O. Short, 915 Second Avenue. Two-story brick. Florsheim Shoe Co."

Of the 211 places vacated when the saloons were put out of business 191 have been occupied by new businesses.

We said that taxes would go up in the city of Seattle. They went down from 18.98 to 18.11 mills.

We insisted that bank clearings would go down. The total bank clearings of 1915 were \$612,928,879. Those of 1916 were \$790,217,950, an increase of more than \$177,000,000.

Of course, I know that Seattle has been doing a lot of shipbuilding and that her ocean-borne commerce has increased a lot. What of it? We said certain things would happen. They did not. We said that bank deposits would go down. Look:

At the end of 1915, \$87,815,076.

At the end of 1916, \$106,000,000.

Savings-bank deposits are not available, but the banks assure me that there has been a tremendous increase in deposits and numbers of new accounts.

We all agreed Seattle would lose in population. The Government says we have gained more than 15,000, having on December 21, 348,639. Post-office figures confirm this.

The liquor dealers said, the business men concurring, that crime would increase, particularly drunkenness.

Note this tabulation of crime taken from police records of two years:

	1915	1916
Arrests for all offenses	18,325	10,653
Drunkenness, disorderly conduct, etc.	6,301	3,651
Murder	21	23
Other crimes of violence	173	149
Suicide	95	54
Burglaries, theft, etc.	422	254

The liquor men insisted destitution would increase. Yet the newspapers which for years have conducted their own charity bureaus found only about 1 case in 20 this winter as compared with last. Police records show:

	1915	1916
Professional begging.....	708	128
Abandoning families.....	15	3

One of the pet wet arguments has always been that the population of jails and houses of correction increases in dry territory. The record shows:

	1915	1916
King County (Seattle) jail.....	2,464	1,182
Chehalis Reform School.....	184	160
Walla Walla Penitentiary.....	735	645

Collections are much better. The grocery stores and meat markets say that in addition to buying more, the average small-account man is paying quickly—two or three times more promptly than ever before. There were many vacant homes and flats in 1915, although that was a good year. You can't rent a place in which to live in Seattle now unless you search long and have great luck. We said general business would decline. While this is well covered in the statement of clearings, let me say right here that there is not a merchant in Seattle who was in business in 1915 who has not done a much better business in 1916.

CAN YOU BEAT IT?

Prohibition, even in the limited form adopted by the State of Washington, is an unqualified business success. The loss to certain property owners caused by the reduction of rentals and real estate values, which were based on the continued existence of the saloon, has injured neither the city of Seattle nor the State of Washington. In fact, there is another side to the shield.

Crime has been reduced almost one-half. The money formerly passing over bars is almost entirely spent for better living, benefiting every person it reaches, beginning with man, wife, and children, and running through all lines of trade, and particularly through the middle-size and smaller shops, and all of it staying at home, and much of it going into savings deposits. With the raising of the living standard comes a series of other benefits. Efficiency in all lines of business has been greatly increased. This begins in the lumber and construction camps, where from 30 to 50 per cent more work is accomplished with the same crews. It appears on the docks, where a full day's labor is had every Monday instead of practically none, and a full day's labor is had Tuesday instead of the former half. It is visible in the records of industrial accidents, now cut down to less than half the average of wet years. It shows up in every business house in the large cities in the efficiency and contentment of clerks and workmen.

The sum total of human happiness has been increased immeasurably. When women and children have more and better food and clothes and thousands of men, formerly sent to jail as the result of booze every year no longer get into the scrapes and crimes that cause mental and physical anguish to themselves and all depending upon them, no one can dispute the fact that this is becoming a better world for many.

Out here in the State of Washington we are pretty dry now, but we are going to be drier. And the drier we get the better business will be—that has been proved in this first great year! More and better clothes and more and better food for the wife and kiddies! More and better business for everybody! Fewer and fewer people in the jails or behind on their bills! Can you beat it?

Mr. JONES of Washington. Let labor study over and answer these questions:

What good can come to labor from a traffic that produces only evil?

What good can come to labor from a traffic that takes his money, and with it his time, his mind, his body, his position, and his all?

What good can come to labor from a traffic that discredits him and his organization and brings crime and riot to his door?

What good can come from a traffic that plants in his children the seeds of crime and disease?

What good can come to labor from a traffic that brings to his wife and his home only sorrow, poverty, disease, and death?

What recompense is offered to labor for all these things?

Liberty! Liberty to drink away his wages. Liberty to drink away his health. Liberty to drink away his happiness. Liberty to drink himself to death; and they impudently ask why should the State or the Nation interfere?

But this is not all. Having gotten some labor organizations to go on record against prohibition, the liquor interests now slander labor by suggesting that it is unpatriotic, that if the laborer is denied his drink even in war times, he will rebel. They, in effect, say that the laboring man measures his patriotism by a glass of beer. Who says this? Not labor, but the liquor interests. Who threaten us with rebellion? Not the laborer, but the liquor interests. In a statement given out by the brewers a short time ago under the heading of "Nine reasons for liquor," they say:

It (prohibition) would produce anger, resentment, and disaffection among millions of American workers.

In whose interest was this uttered? Not labor, but in the interests of the brewers. It is a base libel upon American workers. They are as loyal and patriotic a class as we have. They

will make the greatest sacrifices for their country, and surely they will resent this base slander. Was this spoken for their good? What can they hope from a traffic that will use them so?

Labor protests against its unjust burdens. It complains of the smallness of its share of the proceeds of its toil. I think there is much justice in these complaints, but does it realize how it is being used to its own detriment by the liquor traffic?

The liquor man, whether he runs a saloon or owns a distillery or a brewery, is not a philanthropist. He is in the business to make money, and generally he does not care how he does it. He is frequently a teetotaler himself. He generally lives in a good house, if not a fine mansion. The influences that surround him and his business do not tend to sympathy or philanthropy. They are evil, degrading, and base. The brothels and the gambling dens go hand in hand with his place of business. Thugs, thieves, murderers, corruptionists, and traitors all congregate in and about his place of business along with those who may be regarded as respectable. What can labor hope from a traffic of this kind? Does it know what the traffic is seeking to do next?

Do they realize that it is seeking to place upon them a tremendous tax burden for the years to come? The liquor traffic would have us believe that labor is its main support. It pays to the Government two or three hundred millions in taxes. From whom does this come? Not from the pockets of the saloon man, the brewer, or distiller, but largely from the pockets of the laborer. What does the liquor interests propose to do now? It magnanimously welcomes an increase in its taxes. It says it will cheerfully pay four or five hundred millions in taxes to the Government. Where will it get this amount? From the laborer. Of course it is glad to pay if some one will put up. How does labor like this cheerful imposition of two or three hundred millions additional in taxes upon his earnings?

No one points out to labor any benefits that come to him from the use of liquor. The most that has been claimed is that a glass of beer does no harm. The brewers have even abandoned this in the face of the almost universal testimony of experts, scientists, and physicians that alcohol in any form is a noxious poison and that beer is a most harmful drink. It has been left to the honorable and learned Senator from Massachusetts to refute in a most positive manner the testimony of these men who were supposed to know. The matured opinions of experience and investigation will have to give way before the profound knowledge of this great Senator.

A few days ago, when we were considering legislation to conserve the food supply of the country, the senior Senator from Massachusetts in his anxiety that the production of beer might not be stopped said:

It is an innocent drink.

He does not tell us of the long nights of study and investigation to reach a conclusion so contrary to the mature thoughts of the day. He does not tell us whether this dogmatic assertion has been evolved from the subtle alchemy of his inner consciousness or from historical research. A jubilant thrill must have gone through the liquor lobby when that statement was made. What matter to them the opinion of experts and physicians that beer is a harmful drink! They now have high and honorable, though inexperienced, authority to the contrary. In the campaign after this amendment is submitted the brewers will adorn every billboard throughout the country with a beautiful picture of the learned Senator from Massachusetts. In their next annual Yearbook they will doubtless place upon the front page a splendid engraving of his classic features over the legend, "The Hon. HENRY CABOT LODGE, author, historian, diplomat, and United States Senator, who declares beer is an innocent drink." The brewers did not overlook this sentence. It had hardly been uttered when telegrams were pouring into Senators like this:

"Beer is a harmless drink. Do not take it from the laboring man." What is the truth about it? Dr. Eugene L. Fisk, medical director of the Life Extension Institute of New York, said a short time ago that the moderate drinker, who takes two or three drinks a day is on dangerous ground, and that "he is putting a narcotic poison into his system, and ultimately it will break him. It will shorten his life, impair his mind, shatter his nerves, and wreck his stomach. These conclusions are not based on theory. They are scientific facts." He then referred to figures based on statistics furnished by 43 life insurance companies and said:

Individuals who took two glasses of beer or a glass of whisky or their alcoholic equivalent each day showed that the mortality in this class was 18 per cent in excess of the average.

And the Senator from Massachusetts says it is an innocent drink. One of the Senator's colleagues, who is not only a distinguished Senator but also a learned physician, the Senator

from New Hampshire, said in the CONGRESSIONAL RECORD of January 8, 1901:

Beer is an intoxicating drink, as every physician in the entire world knows, a drink that does harm to every man who habitually uses it.

The Senator from New Hampshire on that occasion, at page 676 of volume 34, part 1, of the CONGRESSIONAL RECORD, for the second session of the Fifty-sixth Congress, placed the opinions of a multitude of able physicians of Toledo, Ohio, in the RECORD under the heading:

Beer and the body—terrible testimony of the physicians against this monstrous evil of the day.

I would suggest that the learned Senator from Massachusetts read these statements from these physicians, and then give us the authority for his astounding assertions.

Mr. President, I heard the health officer of the city of New York a short time ago declare without qualification that alcohol in any form and any amount was a poison and injurious to those who might take it.

In the speech by the Senator from New Hampshire, to which I have already referred, he said:

Mr. President, every physician in the land knows that beer is intoxicating, and the medical profession is quite united in the opinion that the continued use of it is more detrimental to health than almost any other form of intoxicating drink.

But the Senator from Massachusetts says "it is an innocent drink."

Most significant is the attitude which business of various kinds is taking regarding intemperance. It is beginning to realize the effects of liquor upon those who labor and of the results that are likely to follow its use. It is putting the bars up against the use of liquor by its employees, and this action is giving a great impetus to the temperance movement. It is looking at intemperance from the business standpoint, just as labor should do. In the Literary Digest for March 4, 1916, is an article under the heading "No 'booze' for big business." I ask permission to insert that without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

A workman for the Illinois Steel Co. in Chicago recently secured a better job in Pittsburgh, and before he left his fellow workmen gave him a banquet at a hotel, with 25 foremen and clerical workers as guests. There was a cocktail at every plate. When the men left the table not a cocktail had been touched. This story is told by a writer in the Sunday-School Times to show how the anti-liquor campaign in industry is working out. An investigation, says Mr. C. W. Baines in the Philadelphia Weekly, was recently made among the great steel and iron concerns of Ohio, West Virginia, Pennsylvania, Indiana, and Illinois to ascertain their attitude toward alcohol, and 140 corporations, some operating more than one plant, and with an aggregate capital of over a billion dollars, were included. The report, says Mr. Baines, is not meant for a Sunday-school document. It is, rather, "a cold-blooded business and economical deliverance intended to determine industry's hostility toward alcoholic drink and drinkers, which has been very definitely discussed in the public press; to throw an illuminating ray of light on its attitude toward the movement for abstinence and prohibition in commercial life." It does not concern itself with the moral aspects of the drink question, but, it is insisted, "we must not have our Sunday-school boys ignorant of the attitude of our business princes toward the imbibers of bad booze." Of the 140 corporations, 113 replied to the inquiry. Mr. Baines thus classifies the returns:

"1. Of the 113 answers, only 6 permit the use of alcoholic drink in their shops or plants.

"2. One hundred and seven firms, the world's greatest steel and iron producers, absolutely prohibit the use of strong drink in their works. Almost without exception they testify that the abstainer is more efficient, more reliable, and that teetotalers alone are considered when promotions are made.

"3. One hundred companies prohibiting drinking during working hours report that they are also doing 'everything possible to prevent drinking by employees out of working hours.' One corporation discharges any man who enters a saloon going to or from work; another suspends such an employee one week for the first offense, and for the second he is usually discharged.

"4. Eighty-three of the 113 concerns when employing or promoting men discriminate against those who use alcoholic liquors, even though they use liquor outside of working hours only, absolutely refuse to promote men who drink; there the 'most moderate use of rum is fatal to a man's chance of promotion.'

"5. Sixty-three corporations have undertaken constructive abstinence work to determine the deleterious influences of the moderate use of alcohol upon a workman's efficiency, producing power, and reliability.

"6. Ten concerns not only prohibit drinking during work hours but absolutely prohibit employees drinking at all times."

Of some 60 statements in these replies the following are said to be typical:

"When it becomes necessary to reduce the force, regular drinkers are the first ones let go." (Lockhart Iron & Steel Co., Pennsylvania.)

"We do not allow any liquor on the premises, discharge immediately any man under the influence, preach abstinence through foremen and bulletin-board literature, and we are succeeding famously. Most important is the fact that our men also see the good of it." (Interstate Steel & Iron Co., East Chicago.)

"The efficiency of a man is reduced in exact proportion to the amount of alcohol he drinks. The total abstainer ranks above the moderate drinker in reliability and efficiency in all classes of work nearly as much as the moderate drinker does above the heavy, regular drinker." (The Follansbee Furnace Co., Follansbee, W. Va.)

"The moderate use of liquor tends to impair efficiency and reliability, and we do not knowingly employ men who drink, nor advance them to positions of authority if they are employed." (The Crane Co., Chicago.)

In this industrial antialcohol campaign we read further, electric signs and posters play no small part—

"Over the main entrance to several steel plants can be seen such large electric temperance-teaching transparencies as:

"Did booze ever do you any good?—Did booze ever get you a better job?—Did booze ever contribute anything to the happiness of your family?"

"Throughout another plant this bulletin, signed by the general superintendent and approved by the president, is posted in conspicuous places:

"For the promotion of safety and welfare, it is hoped that all employees will avoid the use of intoxicating liquors.

"Under the rules of the Joliet Works any employee who uses intoxicating liquors while on duty will be discharged.

"In making promotions in all departments of the plant superintendents of departments and foremen will select for promotion only those who do not use intoxicating liquor."

This movement, according to Mr. Baines, has attracted the attention of the liquor trade papers, one of which has called "the steady and increasing tendency of big corporations to encroach upon the personal liberties of the workers" one of "the most pregnant signs of the times." And the Brewers' Journal is quoted as saying:

"There are even companies and individual employers who threaten to discharge employees for drinking alcohol at any time. They do not care if that is social and economic slavery. Their main object is to protect their pocketbooks."

Mr. JONES of Washington. Also, in connection with that article and touching upon the same matter, I have here an article prepared by Alexander Fleisher, supervisor of the Welfare Division of the Metropolitan Life Insurance Co., of New York, read at the National Conference of Charities and Corrections in Indianapolis, which I ask permission to put in the RECORD.

The PRESIDING OFFICER. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

ATTITUDE OF LARGE EMPLOYERS TO USE OF ALCOHOL BY THEIR EMPLOYEES.

[By Alexander Fleisher, Ph. D., supervisor of welfare division, Metropolitan Life Insurance Co., New York, read at National Conference of Charities and Correction, Indianapolis.]

Has industry taken a stand in regard to the use of alcohol by its employees? If so, what is it? If it is opposed to its use, why has it taken this attitude? The interest of the national conference in the welfare of the workers of the country has broadened. There is developing an increasing interest in preventive and constructive work as opposed to remedial. The working life is receiving more and more consideration at these meetings. These facts make proper a discussion of one phase of the problem of employment and tenure of position: What are the drinker's chances of getting a job, of holding it, of securing promotion, in comparison with those of the man who does not drink?

In order to secure answers to these questions, we made an analysis of other studies of this subject, we sent a letter and questionnaire to 100 of the largest employers of labor in the United States; we studied the benefit funds of some 30 corporations; and we reviewed all publications that might throw light upon the subject.

OTHER STUDIES.

Only two studies have previously been made in this identical field. The first to be considered is the twelfth annual report of the Commissioner of Labor (1897-98) on the "Economic Aspects of the Liquor Problem." One chapter of this study deals with the experience and practice of employers relative to the use of intoxicants. It was based upon the answers to a schedule sent to 30,000 employers. About 25 per cent replied. These 7,025 establishments employed 1,750,000 persons. Of 6,976 employers answering the inquiry, 5,363 reported that, in employing new men, they took into consideration the use of intoxicating liquor. The largest percentage of employers considering this question was among the transportation companies. There were four methods used in ascertaining the employee's drinking habits—personal knowledge, appearance, the questioning of the applicant, and outside inquiry. In some establishments the rule existed that no one using intoxicating liquors was employed. In other cases this applied only to certain limited occupations. One thousand seven hundred and ninety-four plants reported on this point; the reason given by two-thirds of them can be grouped under two headings, because of responsibility of position, and in guarding against accidents.

Of these 7,025 firms, 3,527 had some regulation as to the use of alcohol by employees; 855 demanded that no employee use intoxicants while on duty; 696 that no employee use intoxicants either on or off duty; 692 that in certain occupations no employee use intoxicants while on duty; and 1,284, in certain occupations, placed a complete restriction on the use of alcohol either on or off duty. It is interesting to note that at this time 138 of the 708 transportation organizations reporting had no requirements in regard to the use of intoxicating liquors.

The second study, though smaller, is more recent. It was made during the past year by the research department of the Temperance Society of the Methodist Episcopal Church. This study covers the iron and steel companies of Pennsylvania, Ohio, Illinois, and West Virginia. Information was secured from 140 companies, many of which have more than one plant. Of the 120 concerns replying to the question as to whether it was a custom among their workmen to send boys out for beer during working hours, only 6 stated that at the time this was still permitted. Ten concerns not only prohibited drinking during working hours, but prohibited it absolutely at any time. Eighty-three of the 120 concerns replying discriminated in employing and advancing men against those who use alcoholic liquor.

One of these studies was made two decades ago; the other was limited to one industry. In making our own study we sought to cover as wide a field as possible. Obviously the material that we have to present is impressionistic. With the time and equipment at our disposal, it was impossible to make a study in which the results could be presented statistically. We received 50 responses to our 100 letters; these embrace a considerable variety of occupations and cover three-quarters of a million employees. Although the number of employers is 50 to 7,025, the employees considered are 43 per cent of the number of the Government study.

Practically all the returns received were from the presidents or other high executive officers of the organizations with which we communicated. The returns were carefully worked out and were in almost all cases accompanied by a letter expressing interest in our attempt, in the problem as a whole, and in the attitude and approach of other employees.

RAILROADS AND USE OF ALCOHOL.

We received answers from 10 railroads, having over 400,000 employees. All of these have rules in regard to the use of alcohol by employees, of which the following quotation is typical:

"The use of intoxicants by employees subject to call is prohibited. Their use by any employees or the frequenting of places where they are sold is sufficient cause for dismissal."

The wording of this prohibition varies with the railroad company.

Two of the railroads mention only the habitual use of alcoholic drinks as being cause for dismissal. In each case these rules are printed in the general rule book of the organization. According to the statements made by the railroad officials, they are strictly enforced.

These companies make an effort to determine a man's habit before he is employed. Should any facts in regard to his use of alcohol be disclosed, he would be debarred. This information is obtained by inquiry, observation, references, and, in the case of two of the roads, by a medical examination of those seeking positions.

The efficiency of this ruling is not questioned by the railway executives. One official reports to us that—

"The policy of the company as expressed by its chief officers in their personal lives and influence is to eliminate entirely the use of intoxicants whether on or off duty. With that idea in view, the sale of intoxicants has been taken off dining cars and out of all eating houses where the company is in absolute control. This has been done so as to show the employees an actual example of the desire of the company to remove intoxicants from its premises and to let those who wish to use them obtain them off the lines of the road rather than on railroad property."

This is, however, more definite than the position taken by most railroads. One company, for example, states that—

"This rule (similar to the one just quoted) is strictly enforced, but we, of course, can not control the individual actions and habits of our employees so long as they do not interfere with efficient service to the company."

But it is fair to conclude that the railroads are opposed to the use of intoxicants by their employees, whether on or off duty, and that they will continue their present method of "careful observation and investigation and discipline; discharge in case practice is continued."

Foreign railroads are also beginning to take a definite stand against the use of alcoholic beverages by their employees. The Saxon State Railways have issued instructions that officials are to employ non-drinkers exclusively. The Dutch railways provide for a medical examination at the time of employment and urge all employees to join abstinence societies. The German Trade Association of Private Railways advocates the employment of sober men only. The Swiss railways insist on sobriety.

An interesting development among common carriers is reported in the monthly bulletin of the American Iron and Steel Institute for June, 1915. At the suggestion of the captain and engineers of the lake carriers' association a rule was adopted providing that temperance be made a consideration of promotion between men of equal merit and that no person be allowed to carry liquor aboard a vessel.

Judging from these returns, representing a large percentage of the railway mileage of the United States, there has been a marked change in attitude among these corporations since the Government study of 20 years ago. At that time there was a large number of railroad organizations that had no rule in regard to the use of alcohol and made no attempt to reduce its consumption among their employees. Now, apparently, it is difficult for a man to secure a position in the operating branches of the railroads unless he is a teetotaler, and any employee is liable to lose his position if he indulges in intoxicants or frequents places where alcoholic beverages are sold.

PUBLIC-SERVICE CORPORATIONS.

We received replies from six public-service corporations, employing about 200,000 persons. The results from this group are for the most part unsatisfactory. In few cases was the questionnaire filled out; the responses came principally in the form of a letter. One exception was a metropolitan traction company employing over 8,000 men. This corporation has a strict rule against the use of intoxicating liquor and forbids the visiting of saloons. Among the questions to be answered under oath by an applicant for position is, Do you, or have you ever, used intoxicating liquors? The information obtained is checked up by references and by inquiry of persons not referred to by the applicant. If he uses intoxicants he is not employed. From other statements in the letter from this corporation it would seem that, in the case of those already employed, only a resulting accident or an instance of an employee's being "notoriously intoxicated in public" would ordinarily be considered ground for discharge. Persistent use of alcoholics by any employee would be a matter of serious discipline.

The general conclusion that can be drawn from the replies of telephone, gas, and electric companies is that, although they have never had the problem seriously presented to them, intoxication on duty will result in discharge; that the use of alcohol is not permitted during working hours, and that if its outside use interferes with an employee's work he will be discharged. The vice president of one of the largest of these corporations wrote to us that "the general character of our employees is such that such rules (rules in regard to the use of intoxicants) seem hardly necessary."

Dr. Alvah H. Doty, medical director of the employers' benefit committee of the Bell Companies, in a publication dated June, 1914, has summarized the attitude of these corporations:

"It is generally accepted, however, that it is their abuse (the abuse of alcoholic drinks) rather than their use which is injurious, not only to the individual but in a way to the public also; therefore it is logical and fair to assume that much may be gained, so far as the betterment of this condition is concerned, if temperance as well as prohibition is preached, for drinking is very much a matter of habit and is increased largely because the danger of overindulgence is not considered."

These organizations seem to emphasize temperance rather than prohibition.

RETAIL STORES AND MAIL-ORDER HOUSES.

We received returns from three large mail-order corporations having about 25,000 employees, three department stores in three different cities having 15,000 employees, and a chain of retail stores having 3,600 employees.

The mail-order corporations in two cases have no definite rules on the subject of the use of alcohol. One, however, has the following regulation:

"Absence from work because of the use of liquors is cause for immediate dismissal. For the protection of minors and women working for us, we feel it necessary to prohibit employees from patronizing saloons within eight blocks of our store. Violation of this rule will place the offender in a position where his services are no longer desirable."

This rule is given to new employees and is strictly enforced. The use of intoxicants during nonworking hours, if it does not affect the individual's work, is not considered. In all three corporations a person who is shown to be, or admits that he is, a user of alcohol to any extent, is not employed. This is determined by questioning the applicant, by general observation, and in one case by physical examination of applicants for employment.

Two of the department stores have rules against the use of intoxicants during business hours. In the case of one store if it is known that alcohol is used by an employee outside of working hours such knowledge will not directly affect his standing in the company but will work against his advancement. The general statement on the part of these concerns is that drinkers will not be allowed to continue in their employment.

One of the regulations of the chain of retail stores questioned is that intoxicating liquor may not be carried into nor used in its place of business.

These organizations, with one exception, have considered the question of the use of alcoholic beverages by their employees only in so far as it relates to their contact with customers. The retail stores which deal directly with the customer do not tolerate its use during business hours.

SALES ORGANIZATIONS.

We communicated with two life insurance companies in order to determine the attitude of employers whose fundamental problem was in the handling of a large number of salesmen. In such companies supervision is necessarily less close than in factories or stores. One of these companies, employing almost exclusively commission men, many of whom do not devote their full time to the business, has no rules at all in regard to the use of alcohol by employees.

In the other case the employees receive salaries and commissions and are consequently under more rigid discipline. This organization has an unwritten rule that employees shall not drink during business hours. Men whose references show that they drink to some extent are not employed. This corporation holds numerous meetings of salesmen at which, according to its printed book of rules, the serving of intoxicating liquor is forbidden.

MINING COMPANIES.

We received answers from three mining companies, one of which is located in a State in which a prohibition law became effective January 1 of this year. Before the passage of the law this company had made numerous efforts to lessen the amount of alcoholic beverages used by its employees. On December 22, 1915, it issued a general statement to its employees that every effort would be made to assist in the enforcement of the prohibition law, and urged employees to observe it in letter and in spirit. A second company forbids drinking on its premises, but places no restrictions upon an employee's habits outside of working hours. A third follows a similar practice, but is seeking to lessen the use of alcohol by educating its employees, most of whom are foreign born, to an American standard of living. This, it states, would of itself reduce the desire for intoxicants and the amount of money available for them.

These three companies take precautions against allowing employees under the influence of liquor to enter their shafts, and enforce the prohibition that liquor should not be carried underground.

In employing men none of these concerns raise any question in regard to the use of alcohol. In connection with the growing practice among those companies to seek to affect the habits of their men outside of working hours, it is interesting to note that the United Mine Workers have a rule which forbids members to sell alcoholic beverages even at picnics.

STEEL COMPANIES.

Replies were received from two steel companies. We have, in addition, information in regard to the regulations of two others. One of these companies prohibits the use of alcohol by employees at any time. Three of the four companies do not forbid the use of alcohol, but have issued notices to their employees that they hope that they will refrain from the use of intoxicating liquor, that any person using intoxicating liquor while on duty will be discharged, and that the nondrinking men will at all times be given preference in promotion and in continuous employment. All four corporations have been very active in the organized safety movement. Two of these companies have urged total abstinence repeatedly through their employees' magazines. Another company provides for the medical examination as a test in addition to the inquiries usually made of applicants.

In connection with this group it is perhaps appropriate to repeat the opinion of C. L. Close, manager of the bureau of safety of the United States Steel Corporation, recently quoted in the Technical World Magazine, that in 10 years through the combined efforts of American industry, the manufacture and sale of liquors will be at an end in the United States.

MANUFACTURERS OF STEEL AND WOODEN PRODUCTS.

Seven organizations that manufacture steel and wooden products sent us replies. Three of these have a general requirement concerning the sobriety of employees. In another company, while there is no written rule, it is understood that drinking is considered a disgrace. In a large measure this requirement is enforced by the employees themselves.

In one of these concerns the matter is carefully considered in employing men. No mention of this precaution was made to us in the other replies from this group.

One company has introduced regular physical examinations and requires all employees to report to the medical dispensary after absence. If absence can be attributed to the use of intoxicants, the physician in charge seeks to show the employee the advantage of total abstinence. This plan is said to have decreased the use of alcohol among the company's employees.

In addition, mention might be made of the recent discharge of 30 employees of a large steel manufacturing plant for signing a liquor petition.

We have information about three automobile manufacturing companies. Two of these have unwritten rules forbidding the use of alcohol. They will not employ men who drink. In these instances a

careful effort is made to check up references, and there is the attempt to eliminate the man who previous to employment has been accustomed to drinking. One company has begun an educational campaign on the value of total abstinence by the distribution of literature and by talks to employees.

In the third concern we find the usual practice reversed. The fact that a man drinks does not necessarily stand in the way of his appointment. Continuation of this habit, however, affects his becoming a profit sharer in the organization and his promotion. According to the procedure of this company an employee is placed on six months' probation. During that time efforts are made to educate him in the proper use of his wages. One of the things that is insisted upon is sobriety. Here the pressure comes after he is employed, rather than before.

MISCELLANEOUS.

In a miscellaneous group, hard to classify, representing 11 different industries, such as printing, oil, and tobacco etc., all the corporations responding to our inquiry stated that drinking was forbidden in their plants. Three of these have printed rules to this effect; in one case this rule is signed by the applicant. Those who reported upon restrictions on employment stated that although they would much prefer the man who does not drink at all, they rely, however, entirely upon questioning the applicant and upon the references that he gives. It is generally understood in all these plants that the employee must be "in good working condition" during working hours.

One concern with practically no regulations on this subject has nevertheless through its employment manager made a determined effort to eliminate drinking among its employees at any time. He is the first person with whom a new employee comes in contact and from whom he receives his earliest impression of the concern. This manager impresses upon the new man the importance of the elimination of drinking, not only during working hours, but at all times. This plan is said to be raising the grade of men employed.

Another corporation has adopted the following rule in regard to this subject: "All employees of the company must refrain from using intoxicating liquors, and all officers shall refuse employment to men known to frequent saloons." But this is exceptional severity.

USE OF ALCOHOL IN PLANTS.

To the questionnaire of the research department of the Temperance Society of the Methodist Episcopal Church, previously cited, 6 of the 120 firms replied that employees were permitted to have alcoholic beverages brought into the plant. These are the exceptions; they have probably always been the exception in American industry. The usual practice has been to forbid the use of intoxicants in workrooms or on corporation property. In Europe, however, the custom is in general use in industrial establishments. But the recent study made by Dr. William H. Tolman, of the American Museum of Safety, indicates that many foreign employers are trying to eliminate brandy from their plants and to substitute coffee and milk for the beer and wine in common use. The efforts made since 1908 by the Allgemeine Electricische Gesellschaft among its 10,000 employees have resulted in a marked reduction in the sale of alcoholic drinks per individual and an even more marked increase in the sale of nonalcoholic beverages.

EMPLOYEES' BENEFIT ASSOCIATIONS.

In the endeavor to secure further light upon the attitude of employers we examined the regulations of a number of employees' benefit associations. In these the final control is usually vested in the employers, although the management is by employees and employers jointly. Ordinarily the corporation makes a lump-sum contribution, pays overhead expenses, or shares the premium of the insured. The rules of these organizations may be said to indicate the attitude of the employers represented. Among 20 examined, 10 have a statement in regard to intemperance or to sickness or accident induced by intoxicants, somewhat like the following:

"No member shall under any circumstances be entitled to benefit when sickness, injury, or death was, in the opinion of the board of trustees, caused or occasioned, directly or indirectly, by the use of intoxicating liquors."

Several of the clauses only refuse to pay benefits for accidents directly resulting from intoxication.

One of the largest of these funds, however, goes further and states that "if sickness or injury to any person insured hereunder is due to violation of the law by or to malicious and unlawful acts or culpable or intentional negligence or intemperance or immorality of such persons," benefits will not be paid. The by-laws of another fund make the following provision: "Superintendents shall have authority to cancel membership upon receiving reliable information of habitual or frequent drunkenness."

ADVERTISING.

Although it does not lead to any positive conclusion, it is nevertheless interesting to learn that the two leading general business men's magazines in the country do not carry liquor advertisements. Whether this boycott exists in the various trade journals we had no opportunity to ascertain.

REASONS FOR OPPOSITION TO USE OF ALCOHOLIC BEVERAGES.

In our investigation we were interested not only in rules but the reasons for their existence. Our questionnaire sought to obtain statistics of the relation of alcohol to efficiency, accidents, and sickness. We received no replies to these questions. Evidently the answers must come from the laboratory rather than from the shop or the factory.

A number of organizations did make the statement, however, that rules against the use of intoxicants had resulted in a noticeable reduction in the number of accidents. But none of these furnished us with figures to substantiate such statements. The basis for establishing a connection between alcohol and accidents is usually the statistics reported by the German sickness societies. These show that the accident rate is highest on Monday; that it decreases toward the middle of the week, with a marked increase on Friday and Saturday. It is usually claimed that the greater frequency of accidents at the end of the week is due to increased fatigue, but that the Monday accidents can only be explained by the heavy drinking of the working classes on Sunday. Other explanations of these facts, however, are possible. There are few American figures. The Lucens Iron Co. has declared that there was a decrease of 54 per cent in the number of their accidents in the first six months after the closing of the saloons in Coatesville, where their plant is located.

At a meeting of the National Safety Council the statement was made that "it is recognized that most industrial accidents are brought about with the use of alcoholic stimulants." As an answer to this statement an analysis of accidents appears in the Yearbook of the United States Brewers' Association for 1914 and again for 1915. To quote the conclusion of this organization, "The loose statements in regard to the

part played by drink as a factor in industrial accidents are without foundation." But the effect of alcohol upon the reaction time of workers has not been given adequate consideration in this controversy.

The National Safety Council is composed of 1,800 members found in over 150 industries, and represents the employers of upward of 2,500,000 people.

Moreover, in practically all the workmen's compensation laws it is stated that the employer shall not be responsible for accidents due to intoxication. These clauses indicate a general conviction that there is an important group of accidents for which employers are in no way responsible, and for which they should not be charged.

In our questionnaire we asked if alcohol had a place in the problem of irregularity of attendance. Here again the answers, though unaccompanied by statistics to bear them out, were without exception in the affirmative. Foreign experience frequently cited—for instance, that of the Leipzig Sick Benefits showing that drinkers lose two and one-half times as many days as nondrinkers, must be seriously discounted, because, in this case, the definition of drinkers is those who show signs of chronic alcoholism. It falls to consider that much larger group of the occasional drinkers.

COMBATING THE USE OF INTOXICANTS.

In addition to the rules previously summarized efforts have been made by some employers to discourage the use of alcoholic beverages among workers. This is particularly true of the industries in which the employer is still in close touch with the individual employee.

Efforts to educate employees are in force in a number of organizations. Publications of the Colorado Fuel & Iron Co., the Commonwealth Steel Co., the Avery Co., the Illinois Steel Co., have contained messages to employees against the use of intoxicants. A number of concerns have issued special leaflets bearing upon this, and in two instances that have come to our attention addresses are made to the employees on this subject.

In addition, the weekly bulletin of the National Safety Council has in a number of instances mentioned the use of alcoholic beverages. These paragraphs were posted on shop bulletin boards by many employers.

In isolated instances, employers are endeavoring to develop substitutes for the saloon. We find, for example, a statement of the Brooklyn Rapid Transit Co. that clubrooms have been erected at its depots and terminals in order to combat the saloon. This is also being done by other traction companies and by a number of railroads. Housing conditions are being improved in several corporation communities and many factories are providing lunchrooms with this.

To come now to a summary of our study. We have returns from the employers of 750,000 individuals; this is 4 per cent of those engaged in trade, transportation, and the mechanical and manufacturing industries of the United States. These employers forbid alcohol in their plants; in many instances its use is considered in the promotion and retention of employees; its use at any time is prohibited in such industries as transportation, and this practice is being followed by some industrial establishments.

This analysis indicates that a number of employers are making up their minds on the use of alcohol by their employees. By whatever reasoning they are arriving at their conclusion, whether they feel it is in the interest of the public, of the employee, or of good business, they seem to be taking a stand against the man who uses alcohol. They are not considering the detailed and intricate question of the effects of alcohol on the mind and body—these preliminaries have been ignored; they find the nondrinker the more satisfactory employee.

Mr. JONES of Washington. I also want to insert an article from the Literary Digest headed "Two years' sobriety in Russia."

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

[From the Literary Digest, Mar. 24, 1917.]

TWO YEARS' SOBRIETY IN RUSSIA.

Drawing sober breaths of rejoicing, Russia does not forget the time when "there were entire drunken villages, drunken cities, a drunken army, a drunken Russia." So the Petrograd correspondent of the Neue Züricher Zeitung presents a survey of the results of the prohibition ukase of July 29, 1914. "What would have become of Russia without the revolutionary proclamation?" is a question put by many. A representative of the Duma has said that "the very thought of the fateful consequences on the battle field and in the country itself of a continuation of the inveterate alcohol régime makes every patriot shudder." The writer continues:

"We are, therefore, more than overjoyed to know that it has been statistically proved that the daily producing capacity of the working-man since the promulgation of that message of salvation has been increased by 15 per cent, and that Monday, the day when millions of muzhik (farmers) were found in the gutters, has become a normal workday in Russia. But not only the mir (village community) felt the consequences; the life also in the city was as if of a sudden transformed. The population rushed to the schools and savings banks, cooperative societies opened their counters by the hundred. The whole aspect of the family life, the very looks of the people on the street, were changed. How quickly the population grasped the prospective benefits of the great reform is best shown by the fact that when it became known that the imperial ukase, in order to become legally valid, will need the express consent of the majority of the mirs, only an exceedingly low percentage refused the indorsement. To-day there is hardly a village in the vast Empire where the blessings of heaven are not called down on the Little Father in Petrograd.

"January last (1916) the zemstvo (county assembly) of Moscow circularized the peasants in order to ascertain in the most direct possible way the impression of the population. A few of the replies made by the village elders, most of them as illiterate as their charges, have a great economic and psychological value:

"The men feel stronger. Their treatment of their women folk and attitude toward their neighbors is not the same as before.

"The children are now nicely dressed and have even shoes on their feet. One hears no more quarreling in the zbas (farmhouses).

"I was amazed to find among our farmers some who subscribe to newspapers."

"The people have become more honest."

"There are, however, some who do not give up all hope to see again the vodka bottle in its ancient glory: 'The war will end with our victory; our heroes will return, and then, of course, moderately, one will have to drink again.'"

Our authority states that the malcontents are mostly found among the lazy farm hands and the city loafers, who try to replace the old

wine and alcohol by all possible substitutes. The substitutes offered by the Government and the municipalities are theaters, moving pictures, reading rooms, clubs, tea houses, and similar institutions.

"Nobody has so quickly and completely grasped the import of the social revolution as woman, the greatest sufferer from the old alcohol curse. We are, therefore, not astonished to learn that as soon as the saloons were definitely closed the peasant women marched to the churches in Indian file to burn a candle each, thanking the Lord for the great delivery."

"When last spring the question of repermitting the sale of beer and red wine came up in the Duma, Tarasov, a farmer deputy, exclaimed: 'If the women would hear you, they would pull you down from this platform.'"

Mr. JONES of Washington. People have come to realize that there is no good in alcohol as a beverage; that it is a noxious poison; that it stimulates only to weaken; that it undermines the brain and weakens the body; that it incites the mob and fires it with hate and savagery; that it fills the homes with sorrow, suffering, poverty, and death; that it kills love and begets hate; that it destroys reason and enthrones brutality; that it wastes the earnings of the laborer; squanders the profits of business; closes the door of opportunity; hinders advancement and turns success into failure; that it knows no politics save its own selfishness; no law save its own will and no patriotism save its own ends; that it destroys health, wastes wealth, weakens the will, paralyzes the brain, corrupts morals, excites lust, enmity, and hate, breeds riots and anarchy; that it fills our jails with criminals, our poorhouses with paupers, and our asylums with imbeciles and lunatics; that it blasts the hopes and aspirations of the individual, undermines and destroys the home, and weakens the State.

No one defends the saloon or the liquor traffic. No one points out any good that comes from it to the individual, the home, or the Nation; to industry, enterprise, or labor. I trust this resolution may be passed, and I hope this amendment will be adopted. It will mean more of comfort to the man, more of joy to the home, and more of strength to the Nation than anything Congress can do. I would rather have an humble part in doing this great thing than to lead in any other legislation that is likely to come before the Senate of the United States.

Mr. THOMPSON. Mr. President, I wish first to congratulate the able, courageous, and industrious Senator from Texas [Mr. SHEPPARD] on finally succeeding in getting the time fixed for a vote on the national prohibition amendment resolution. This is the first time in the history of the country that the Senate will have been given an opportunity to vote on this important question.

I have always been favorable to national prohibition. I have regarded it as one of the most important questions before the American people, and as most vital to the welfare of our Nation. Entertaining these views, I have introduced a national prohibition resolution, similar to the one we are now considering, at the commencement of every Congress since I have been in the Senate. I am therefore greatly pleased that we will soon be able to vote on this resolution, and I sincerely hope that the necessary two-thirds vote required by the Constitution will respond to the roll call.

Mr. President, owing to the fact that Kansas has always taken the lead in prohibition legislation and has been the beneficiary of so many blessings resulting therefrom, and our people are practically unanimous for national prohibition, whenever this question comes up Kansas seems to bear the brunt of the fight. The enemy appears to center its guns upon the strongest opposition with the hope of destroying it first. We would not complain of this if our opponents were fair and correctly represented our attitude toward this law and the results obtained therefrom. What we do object to is the false representations usually made, and the tirade of abuse, slander, and calumny heaped upon us by the opposition. If our exact situation and conditions were truthfully represented we would have no fault to find, because we are proud of our standing and record in this respect and have nothing to conceal but everything to reveal, and want the world to know all about it.

As evidence of the unfair and unwarranted methods of the opposition, I desire to call special attention to the action of Representative JACOB E. MEEKER, sometimes referred to as the "Prencher Congressman," who on March 3, 1917, just before Congress adjourned, obtained permission from the House to extend his remarks in the RECORD.

While he denied in the House the other day that he had ever been a Methodist minister, yet the denial was specific in those terms; but it would seem from the ecclesiastical obituary as composed by the official body of the St. Louis Association of Congregational Ministers and Churches that they simply placed him in the wrong pew, and that he was at one time a Congregational minister, and resigned under censure. As evidence of this, Mr. President, I desire to send to the desk and have read a letter which was written to Supt. W. S. Shupp, of the

Missouri Anti-Saloon League, of St. Louis, Mo., by Dwight S. Bayley, registrar, in connection with this subject, showing the resignation of the Member.

Mr. OVERMAN. Mr. President, is the Senator referring to a gentleman who is now a Member of the House of Representatives?

The PRESIDING OFFICER (Mr. KING in the chair). The Chair so understands.

Mr. OVERMAN. Is not that against the rules of the Senate—referring to a Member of another body in a way that reflects upon him?

Mr. THOMPSON. I know of no rule of this body which makes it improper to show a public record.

Mr. OVERMAN. I think it is against the rules of this body.

Mr. THOMPSON. It is simply a letter and a published record showing a particular fact. I desire either to read or to have read the letter and the record of this ecclesiastical body. It simply shows the resignation of this man from membership in the Congregational Ministerial Association.

The PRESIDING OFFICER. Will the Senator from Kansas pardon the Chair? Is it a reflection upon a Member of the House of Representatives?

Mr. THOMPSON. It is simply proof, Mr. President, as I understand it, that he was a minister of the Congregational Church and resigned under censure. I know of no rule of the Senate that deprives me of the right to show that fact, for I would not, of course, want to violate any rule of the Senate.

The PRESIDING OFFICER. Does the Senator from North Carolina raise the point of order that the discussion, or proposed discussion, with reference to a Member of the House is not in order?

Mr. OVERMAN. I do not know anything about this matter, Mr. President. I simply want to preserve the rules of the Senate. It is against the rules of the Senate for any Senator to refer to a Member of Congress in any opprobrious terms.

Mr. THOMPSON. I should not think it would be regarded as opprobrious to show that a Member of the House had been a Congregational minister and had resigned, and that his resignation was accepted by the ministerial association.

The PRESIDING OFFICER. The Chair thinks there is such a rule that would make it improper and out of order to refer to a Member of the House of Representatives in opprobrious terms and to impute to him unworthy motives. If there is not, there ought to be.

Mr. THOMPSON. I know of no such rule, Mr. President. I do not want to violate any rule, even impliedly, but I think it is a fact that ought to be known in connection with what I have to say following the letter and the record I desire to have read.

Mr. OVERMAN. I will state to the Senator from Kansas that the reason of the rule is this: The gentleman to whom he refers is not here to be heard, and they have a rule similar to ours in the House of Representatives. If that man is a Member of the House of Representatives, he can rise on the floor of the House of Representatives and refer to the Senator from Kansas in opprobrious terms. There is a comity between the two bodies by which, if the Senator refers to him in this body, of course he can say what he pleases on the floor of the House about the Senator from Kansas.

I do not care what the Senator does about it; I am simply calling his attention to the rules.

Mr. THOMPSON. I want to proceed, of course, according to the rules; but I know of no rule of the Senate that deprives me of showing this fact, which I think is important in connection with what I have to say, for I will show before I am through that this gentleman violated the rules of the House in his conduct there.

The PRESIDING OFFICER. The Chair is not clear whether the Senator from North Carolina raises a point of order or not. However, the Chair hopes he will be pardoned for stating that, as he understands the rule, no Senator ought to make any statement that would be a reflection upon any Member of the House or impute to him improper conduct or an unworthy motive. He is not here to defend himself. It would seem to the present occupant of the chair unfair for any Senator to make any comment upon the life or character or political conduct of a Member of the House of Representatives that would reflect upon his honor or his integrity or his good faith.

Mr. THOMPSON. In view of what the Chair has said, I will withdraw the statement and not insist upon the reading of the letter and church record. I will say, however, that this gentleman represents the tenth Missouri district, in which is located 15 large breweries. Shortly after Congress adjourned, on March 8, 1917, instead of extending his own remarks in ac-

cordance with the special privilege accorded him he took occasion to grossly abuse that privilege—

Mr. OVERMAN. Mr. President, I am bound to make a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. OVERMAN. It is for the Senator's own protection that I make this point of order, because to-morrow probably the gentleman from Missouri will rise and make a severe attack on him. The rules of the Senate ought to be preserved, and I do make the point of order.

The PRESIDING OFFICER. The point of order is sustained.

Mr. THOMPSON. Mr. President, I am stating the acts of this Congressman in obtaining permission of the House to extend his remarks, and that instead of extending his own remarks he extended the remarks of a paid attorney for the breweries to the extent of 68 pages of solid printed matter which appears in nonparell type, at pages 622 to 690, inclusive, of the Appendix to the CONGRESSIONAL RECORD, Sixty-fourth Congress, wherein the State of Kansas and her people are wantonly and maliciously slandered and abused. I think that that is squarely within the rule, as long as the Congressman himself has resorted to this method and has violated the rule of the House as I contend.

The PRESIDING OFFICER. If the Senator from Kansas is addressing his remarks to the Chair, the Chair will say that an infraction of the rules of the House by a Member of the House would not, in the opinion of the Chair, warrant an infraction of the rules of the Senate by an attack upon a Member of the House.

Mr. THOMPSON. I am not attacking a Member of the House. I am attacking the conduct of an entirely outside party, an attorney for the breweries, who wrote the article printed in the RECORD.

Mr. OVERMAN. Mr. President, I will simply read the rule:

It is a breach of order in debate to notice what has been said on the same subject in the other House or the particular votes or majorities on it there, because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

The PRESIDING OFFICER. The Chair could not hear all of the matter read by the Senator. The Chair will ask the Senator please to send it to the desk.

Mr. THOMPSON. I am simply calling attention to what was inserted in the CONGRESSIONAL RECORD. If this is out of order, it is a strange proceeding to me. Things of this character are said every day in the Senate without any objection being raised to them, and I have the RECORD here before me, in which the Congressman himself states that an attorney of Kansas City, Mo., prepared the data.

Mr. OVERMAN. I have no interest in this particular matter, Mr. President. I always make this point of order whenever a Senator says anything that might be considered a reflection upon a Member of the House.

Mr. THOMPSON. I have simply stated that under the rule of the House permitting this Member to extend his remarks in the RECORD he extended the remarks of a paid attorney, and I will prove it by his own statement.

Mr. SMOOT. Mr. President, I remember the case to which the Senator refers. It came about by what I was going to say is the unjustifiable practice that the House continues in of allowing remarks of Members to be extended in the RECORD.

Mr. ROBINSON. Mr. President, if the Senator from Utah will pardon me, I think he is out of order when he refers to a practice of another body in this Capitol as unjustifiable.

Mr. SMOOT. No; if the Senator had just waited, I was about to explain in this way: Of course, I have no right whatever to say what the rules of the House should be, and in referring to it as I did, I simply referred to it, not as something for which any one House Member is responsible, yet it is a practice, as a practice, that nobody can defend.

The Senator refers to a large number of pages printed; I do not know how many. I know that it has not only occurred once, but it has occurred many, many times; and I know one case where I called the Member's attention to it and stated that the extension of his remarks criticized a Member of the Senate, and he himself admitted that he had not read the statement and did not know that there was any such thing in the statement which he had put in the RECORD by way of an extension of his remarks.

Now, I do not believe that the House would have allowed a Member to have delivered the speech referred to by the Senator upon the floor of the House. No one in the House knew what was in the extended remarks. They were put in the RECORD, but if it had been undertaken to announce them upon the floor, which ought to be done in all cases, then they never would have

appeared in the RECORD. Of course it is clearly a violation of the rule for a Senator to follow the same practice in a speech that he may deliver.

Mr. THOMPSON. Mr. President, I am simply calling attention to the abuse of this rule, for the benefit not only of the public but of Congress itself. This is a special privilege of the House, and this matter was inserted after Congress had adjourned, and it seems to me that it certainly deserves the mild criticism I have attempted to give it here.

The PRESIDING OFFICER. The Chair will announce, if the Senator from Kansas will pardon him, that in the opinion of the Chair nothing should be stated by a Senator that would be a reflection upon the integrity or moral character of a Member of the other House or impute to him improper or unworthy motives. The Chair may be in error, but the Senator from Kansas has the view of the present occupant of the chair, and the Chair hopes the Senator will conform to that view.

Mr. THOMPSON. I shall certainly endeavor to conform to the ruling of the Chair, for whose opinion I have the greatest respect. I wish, in closing the controversy, to simply call attention to this practice, which ought to challenge the serious thought of the membership of that honorable body to bring about a modification of its rule so as to protect itself as well as the country against willful abuse. I want the Congress and the country to know that this statement, or "data" as he calls it himself, which does not rise to the importance or dignity of a speech, was bought and paid for in so many dollars and cents.

The statement shows on its face that it was prepared by one Paul S. Conwell, of Kansas City, Mo., a young lawyer with whom I have been personally acquainted practically all of his life, having lived in the same town with him in Kansas during our boyhood. This young man was educated to be a lawyer, and I wish to say for him that he is really worthy of a better calling than the representative of the whisky and brewery interests of the country in writing and talking against prohibition. He has been employed in that capacity for the last few years simply because of the money he gets out of it, for he told me himself that the only reason he was doing it was because he could make more money out of it than in the legitimate practice of the law. Any man with no higher conception of the ethics of the legal profession can never hope to attain distinction in the profession. However, Mr. Conwell is already receiving some punishment. For this article which Representative MEEKER introduced in the RECORD Mr. Conwell claims he was to be paid \$1,600 for preparing, but the brewing companies, with their usual display of honor and honesty, paid him only \$250. After reading the article one can hardly blame the breweries for objecting to the payment of this exorbitant sum for an article which is not actually worth 16 cents. Yet if they agreed to pay it they should follow the old adage which exacts honor among thieves. I have here an article taken from a recent issue of the Kansas City Star giving an account of the bringing of suit by Mr. Conwell for the collection of the balance due for preparing this statement, which I send to the desk and ask that it may be read as a part of my remarks.

Mr. SMOOT. I thought the Chair had ruled on this question once.

Mr. THOMPSON. I hope that the time the Senator from Utah occupies will not be taken out of my time.

The PRESIDING OFFICER. The Senator from Utah rises to a point of order and is entitled to the floor.

Mr. SMOOT. This is a direct personal attack upon a Member of the other House.

The PRESIDING OFFICER. The Chair thinks so.

Mr. SMOOT. I thought the Chair had already ruled upon it.

The PRESIDING OFFICER. The Chair ruled two or three times on the question and thinks the point of order is sustained.

Mr. THOMPSON. This is simply an account of a suit brought by Mr. Conwell in corroboration of my statement that the speech was prepared by this very man. I can not see how the Chair can hold it to be out of order. It is simply in corroboration of the statement I made of the fact that a suit was brought by Mr. Conwell to collect a balance due for preparing this speech.

Mr. SMOOT. The rule provides that when a question of order is raised the Senator violating the rule of order must either proceed in order or take his seat. I do not ask that the Senator from Kansas shall take his seat, but I ask the Senator from Kansas to proceed in order. It is not that I care anything about what the newspaper article contains if not a criticism of a Senator or Member of the House. All that I care about is that the Senator should obey the rule of the Senate.

Mr. THOMPSON. I expect to proceed in order and to obey the rule of the Senate as well as it is obeyed by any of the other Senators. I simply desire the right to present the paper to cor-

roborate a mere statement of fact. Every Senator does that every day on this floor.

The PRESIDING OFFICER. The Chair is of opinion that an attack may be made upon the honor or the integrity of a Member of the other House by having read an article to the same extent as if the attack were made orally by a Senator. The point of order is sustained.

Mr. THOMPSON. In view of the ruling of the Chair I will withdraw the article clipped from the Kansas City Star, and ask that it be expunged from the RECORD, and refer simply to an article taken from the Kansas City Post of June 19, 1917, already contained in the CONGRESSIONAL RECORD, on page 4534, introduced by Representative RANDALL, of California, on June 29, 1917, and call attention simply to that part of the article concerning the bringing of suit by Mr. Paul S. Conwell, in the following language:

In a suit filed to-day in the circuit court here by Paul S. Conwell, who declares he was hired to write the speech by Conrad Mann, general manager of the Breweries Co., but never paid for his work. * * * The CONGRESSIONAL RECORD printed the speech in full. Conwell declares in his petition that he was hired early this year by Mr. Mann, who agreed to pay him \$1,600 for writing the * * * speech and some other incidental publicity work. Conwell says that after the speech was delivered and given nation-wide prominence Mann paid him \$200, and told him to look to other brewers for the balance of the \$1,600 promised him.

I will proceed now with a discussion of the article itself.

Mr. President, very little of this article is devoted to the question of prohibition, but is confined largely to scurrilous criticism of our political policies, prominent citizens, and various institutions in the State of Kansas, together with a recital of the most disreputable, fiendish, and heinous crimes that could be imagined, alleged to have been committed in the State, and attempting to leave the inference that they were caused by prohibition, when, as a matter of fact, if the crimes were actually committed, liquor was no doubt at the bottom of nine-tenths of them. In many of the alleged cases those committing the crimes enumerated, the article itself shows, were not Kansans at all, but were people from outside the State, and in other cases those responsible for the crimes are shown to have been residents of other States. As a whole, it is the grossest misrepresentation, and the meanest, lowest, foulest, and most contemptible publication ever issued against the State, and under ordinary circumstances would have been deprived of circulation through the mails. It was only protected by its official character as a part of the CONGRESSIONAL RECORD. No one with the best interests of the public at heart would think of publishing such rot. It only shows how far an ordinarily decent sort of a fellow will sometimes go for a little money to the extent of even slandering the State of his birth and maliciously abusing or reflecting against his relatives, neighbors, and friends, many of whom still live in Kansas, merely for the purpose of promoting the liquor interests.

Now, Mr. President, when this question was up at the last session of Congress the junior Senator from Missouri [Mr. REED] made the statement in substance that there were more drunkards in Kansas to the square acre than in any place he had ever been. Now this is a pretty harsh and reckless statement coming from a Senator representing a great State which contains, according to the papers of Missouri, a town named by some one in a spirit of humor "Drydale," pronounced by Missourians to be "the wettest town in the world."

I have here a picture of the place taken from the Kansas City Star of June 24, 1917, which is labeled in large type, reaching across the entire page, "Drydale, the wettest town in the world." The town consists of 4 saloons and 12 wholesale liquor houses. There are no homes, no stores, and nothing but places to sell or drink intoxicating liquor. So much drunkenness and lawlessness prevailed there that the President exercised his war power and recently established a dry zone around Fort Leavenworth so as to include this place, in order to protect the soldiers at the fort.

If I chose to make comparisons, which are always odious, without in any way intending to reflect on the good people of Missouri, whom I respect most highly, I could point out to the Senator a single wet city of about 40,000 inhabitants in Missouri where there were more arrests in a year for drunkenness than in all the State of Kansas for the same period of time.

If the statement of the junior Senator from Missouri as to drunkenness in Kansas is correct, his travels must have been extremely limited, or else he becomes blind in the presence of drunkards everywhere he goes except when in Kansas. While this statement, as well as the Meeker data, could be disproved by statistics, yet, as statistics are always more or less unconvincing, in order to get at the exact facts from living witnesses on the ground, which is the best evidence after all, I addressed

a letter to practically all of the law-enforcing officers in all of the counties of Kansas, including the district judges, the sheriffs, and county attorneys, and also to the mayors, chiefs of police, and police judges in all first and second class cities. This letter was as follows:

WASHINGTON, D. C., December 30, 1916.

MY DEAR SIR: As you have perhaps observed, the old question as to whether prohibition in Kansas is a failure or actually prohibits—thereby lessening drunkenness and crime and resulting morally and economically advantageous to our people—has again been raised in our prohibition fight in the Nation.

As one of the law enforcing officers of the State, I would be glad to have your experience, observation, and views on these propositions by early mail, with authority to use the same in the Senate should it become important to answer the misrepresentations usually made by the opposition.

Thanking you in advance for your trouble, I remain, with best wishes, Sincerely and cordially,

WM. H. THOMPSON.

I received something over 100 replies to my letter from nearly every county in the State, which I have arranged alphabetically by counties. I desire to call particular attention to a few of the terse statements in some of the letters, and I shall then ask to have the letters made a part of my remarks without reading. I shall take up the letters by counties alphabetically, commencing with Allen County.

Mr. SMOOT. Did I understand the Senator to say that he desires all those letters made a part of his remarks?

Mr. THOMPSON. I desire to have most of the letters I have received made a part of my remarks. I shall refer particularly to only a small number of them.

Mr. SMOOT. The only way I can give consent to that at this time is to have the Senator from Kansas give me assurance that in none of those letters is there any reflection upon Members of this body or of the other House.

Mr. THOMPSON. Of course I would cut out any reflection upon any Senator or upon any Member of the House. I have already done that in several instances.

Mr. SMOOT. I want it distinctly understood now that it will be cut out; and if it is not cut out, I wish to notify the Senator that if it is put in the RECORD I shall ask that it be cut out from the permanent RECORD.

Mr. THOMPSON. I have no objection to that. There will be no attempted violation of the rule in that respect.

Commencing with Allen County, in the southeast section of the State, I have a letter from the police judge of Iola, Kans., Mr. W. L. Bartels, who signs himself as a lifelong Democrat and a veteran of the Civil War. As this is of more than usual importance on account of the fact that Mr. Bartels was at one time very strongly opposed to prohibition, I desire to read the entire letter.

IOLA, KANS., January 6, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: You asked me for the result of my observation and experience of the effect of the prohibitory law in Kansas, and in compliance with your request will say that I moved to Kansas in 1860 from Illinois and have lived in Kansas ever since. I was in the United States Army three and a half years during the Civil War; was deputy collector of internal revenue from 1885 to 1890; have been mayor of Iola two terms and served on its city council five years; and was engaged in active business in Iola for 25 years, and for the last three years have been police judge of said city, which has a population of 10,000.

When the prohibitory law was first brought before the voters of Kansas I voted against its adoption. But in the years since its adoption I have carefully observed its workings and effects, and have become convinced that it has been so beneficial to the State, its citizenship, and business that I have become and now am a staunch supporter of prohibition, State and National.

I believe the prohibitory law has decreased crime and pauperism in Kansas fully 95 per cent. During the last year an average of four cases of drunkenness per month has been brought in my court.

You have my permission to use this statement in any way you see fit. Yours, very truly,

W. L. BARTELS,
Lifelong Democrat and Veteran of the Civil War,
Police Judge of Iola.

The chief of police, Mr. Thomas I. Christy, of Iola, says:

I firmly believe that the prohibition law in Kansas has been the main cause in reducing crime, poverty, sickness, and distress from 75 per cent to 90 per cent as compared to former conditions.

Mr. J. J. Varner, mayor of Iola, says:

Prohibition in Kansas has eliminated at least 90 per cent of drunkenness, crime, and poverty since its adoption. When you learn that 50 per cent of our jails and poorhouses have no inmates and compare this record with the States that permits the sale of intoxicants, you can very easily conclude that the reason is the cause of John Barleycorn in one State and the freedom from it in the other.

From Anderson County, I desire to call attention to the statement of the police judge, Judge J. E. Calvert, at Garnett, Kans., a town of 2,500 people, and the county seat, located in the east central section of the State:

I beg to say that there have been but two cases of drunkenness in the police court of this city in the past two years and but few cases of bootlegging in justice court during the same period.

The mayor of Garnett, Hon. B. F. Acuff, says:

Prohibition is certainly one of the things that is pushing Kansas to the front. We have less crimes, less insanity, and I am in favor of national prohibition.

From Atchison County, the statement of the county attorney, Mr. Charles J. Conlon, is as follows:

It is my unqualified opinion that prohibition has been and is resulting in less drunkenness, less crime, and in a higher standard of morality among our people, and my opinion in the matter is being reflected by thousands of others in Atchison County, some of whom have heretofore been strongly opposed to the prohibitory law.

The mayor of Atchison, Hon. Louis Weinman, states:

This city and suburbs have a population of about 20,000 people. Last month there were 40 arrests by the police department and \$128 fines collected in the police court. Probably one-half of these arrests were drunken persons who came from East Atchison, Mo.; the other arrests were for petty stealing, violating traffic rules, etc. Were it not for the conditions in East Atchison, our police force would have very little to do.

From Barber County, located in the southwest section, the county attorney, Mr. Samuel Griffin, writes:

There is no question but what prohibition in Kansas prohibits. Ninety per cent of those who are arrested for being drunk are of the old stock, men who have drunk all of their lives, and were brought up in States where there were open saloons or in Kansas before the law was enforced. The man who gets it now has to send off and get it, and that fact becomes of public record, and this deters him in the use, as it affects his standing and business credit, etc. The bootlegger usually sells it to these old toppers, but hardly ever to the young man, because he runs greater chances of being caught. The bootlegger is usually soon caught, and spends most of his time either in jail or the penitentiary.

The person who contends that prohibition in Kansas does not prohibit does not know either the conditions in Kansas now or what they were in the past. There are fewer paupers and more families who own their homes. Men and women go better dressed. They give better service to their employer; hence every line of business meets with better success under prohibition.

P. S.—There should be national prohibition without doubt.

The police judge, W. H. McCayne, of the county seat, Medicine Lodge, writes:

I have been police judge since April, 1911, and since that time there has been on the docket 183 cases filed, of which 79 have been for drunkenness, of which 10 cases have been against the same man, 6 against another, and 5 against a third, making a total of 21 cases against three. These men have all ordered their liquor directly from Kansas City, Mo., not only by their own statements, but corroborated by the records of the county clerk's office.

From Barton County, in the central west, I have a letter from the district judge, Hon. D. A. Banta, who, after reviewing the situation in Kansas and the gradual betterment in the enforcement of the law and conditions there, says:

As a result of all this there is no consideration that could induce the people of this State to return to the old system.

The mayor of Great Bend, Hon. O. W. Dawson, says:

I have had a number of years' experience as an enforcing officer, and have no hesitation in saying as a result of that experience and from my observation generally throughout Kansas as compared to the handling of the liquor question in other States, that prohibition is by all means the best method of handling this evil.

From Bourbon County, in the southeast section, the county attorney, Mr. James G. Sheppard, writes:

Prohibition in Kansas is a success in every possible way, and any person who says that it is not a great benefit to the State is either misinformed or willfully falsifying, and the same is true of any person who says that prohibition has injured the State in any possible way.

The sheriff of the county, Mr. J. W. Hartman, states:

You never see a young man drunk in Bourbon County; it is some old fellow who got the habit during saloon days that is drunk. As soon as these old fellows die there is going to be a marked change in the number of drunkards. Since the saloons have closed in Nevada and Rich Hill, Mo. (our sister State), we have but little trouble with bootlegging. Crime grows less every year in Bourbon County, Kans., on account of whisky being harder to get.

BROWN COUNTY.

This is the county in which Hiawatha, one of the most law-abiding cities of the State, is located, and where the junior Senator from Missouri [Mr. REED] tried a lawsuit some 25 years ago, and to which he referred when he stated in his speech on December 19 last, speaking of the members of the bar of that city, that "it seemed to him there was not a lawyer at the bar who was not a common drunkard." I have here a letter from a man who was living there at that time, and who is now a member of the bar and editor of one of the leading newspapers of northeast Kansas, Mr. F. M. Pearl, who answers that statement most thoroughly and completely. Mr. Pearl is one of the ablest and most reliable men in the State, and you can rely absolutely on what he says.

In justice to the members of the Brown County bar, with whom I am personally and intimately acquainted, I shall read this letter in full. He says:

HIAWATHA, KANS., January 12, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: I observed in the RECORD the attack made on the Brown County bar of 25 years ago by the junior Senator from Missouri, in which he stated that the bar of that period were noted as common drunkards. I remember the case in which Senator REED appeared. It was that of Craig Bros. failure at Horton. At that time our bar was composed of such lawyers as R. F. Buckles, James Falloon, W. F. Means, Sample F. Newlon, William I. Stuart (now judge), S. L. Ryan, D. E. Reber, W. F. Shale, James A. Clark, Flintoff Smith, A. B. Crockett, Elliott A. Davis, A. G. Hobbs, Grant W. Harrington, Col. E. Bierer, Ire J. Lacock, R. I. Rea, W. P. Todd, and George Newlon. Your father, J. F. Thompson, was on the bench at that time, and you were court reporter, and you can of your personal knowledge bear testimony to the high character, sobriety, and intelligence of our bar at that time. Of all these lawyers, there were but four who were known even as moderate drinkers. Unfortunately for all moderate drinkers they sometimes take on a little more than moderation requires, but aside from these four, the other members of our bar were then, as now, total abstainers and rarely if ever were known to take a drink of intoxicating liquor. The lawyers of Brown County have always sustained a high character for intelligence, sobriety, professional ethics, and respect for the law, and it is to be regretted that a lawyer in the exalted position of a Senator should find it necessary in defense of the brewers and distillers to hold up his brethren to public scorn and contempt, especially when it is entirely undeserved as in this case.

Speaking of the effects of the prohibitory law, I can cheerfully bear testimony to its efficacy in this county. The law is universally observed and is not violated by the rank and file of the people to any greater extent than any other law. It is true that we have an occasional drunk on our streets, but when it is investigated it is found that the victim is a fresh arrival from our neighboring State of Nebraska or Missouri, and he is usually picked up within a few minutes after the departure of the train upon which he arrived and is always found to have his pockets well filled, as well as his anatomy.

We have a generation of young people in this State, and more especially in this county, that have grown up without having ever looked in a place where intoxicating liquors are sold. Public sentiment is strongly in favor of the law and its enforcement, and the drinking man is ostracized in this State and no longer admitted in good society.

As a member of the bar since 1894, I have known but two Hiawatha attorneys to drink to excess, and one of them is now in his grave and the other has long since retired from practice. The aspersions cast upon our bar is wholly unwarranted and far-fetched, and the brewers and distillers are in sore straits when it is necessary that the good name and reputation of the bar has to be execrated in this manner for the sole purpose of bolstering up a waning cause.

With all good wishes, I remain,
Very truly yours,

F. M. PEARL.

Mr. REED. Who says that?

Mr. THOMPSON. Mr. F. M. Pearl.

I will leave it to the Senate and the people of the country to judge for themselves as to who has correctly represented the character of the bar at Hiawatha as to sobriety at that time.

I have a letter from the mayor of this same city, Hon. George C. McKnight, in which he states:

The law prohibits absolutely here in Hiawatha, Kans. During the past year there have been 27 arrests for drunkenness; 26 of these were persons returning from across the line in Missouri or Nebraska. The only liquor they brought home with them was in their stomachs. These parties were promptly arrested and placed in jail. One arrest was for drunkenness or sickness from taking too much Hostetter's bitters. "Bootlegging" is unknown here in Hiawatha and has been for several years. In September a circus visited our city, and on that day over 20,000 people were in town. Not a single case of drunkenness was reported to the police, and we have not heard that a single drunken person was seen. The prosperity of our city is beyond anything ever known here. Thirty thousand dollars' worth of city 4 per cent bonds sold last month for a premium and that to local purchasers.

I have a letter from the sheriff of the county, Mr. C. W. Biddle, in which he states:

The prohibition law of the State of Kansas actually prohibits, and we absolutely have less drunkenness and crime than our sister States Nebraska and Missouri. I know whereof I speak, as I am in a position to see and learn. Kansas has been troubled some by having two wet boundaries—Nebraska and Missouri—but, thank the good people of Nebraska, they blowed up the wet element last election, which will make us three dry boundaries, with Missouri going dry slowly but surely. I am for nation-wide prohibition, and I am thankful that Kansas has as grand and good a Senator that has the backbone to fight the everlasting curse, liquor.

The county attorney, Mr. W. E. Archer, has this to say:

The prohibition laws of Kansas are not a failure, but do prohibit. * * * Kansas would no more think of giving up its prohibitory liquor law than it would its public-school system or the right of the people to worship God according to the dictates of their own conscience.

Hon. J. F. Bailey, mayor of the city of Horton, a railroad town of 4,500 people, says:

I have been a resident of the city for about 30 years and I want to say prohibition is not a failure in Kansas but a grand success. As you know, Horton has a population of about 4,500 and is a railroad-shop town, and I can truthfully say it is seldom one sees a drunken man on the streets, and that is usually some one that comes in on the train from some point in Missouri. There is but very little crime committed in our city, and I don't think we average three arrests per month, and our city jail is empty most of the time.

From Butler County I have a good letter from the mayor, Hon. G. W. Stinson, of El Dorado City, in the heart of the new oil field, which is destined to be the most productive oil field in the world. I will simply call attention to his letter in full, as it appears under the head of Butler County.

The mayor of Sedan, in Chautauqua County, Hon. Norman L. Hay, in the southern part of the State, writes:

We have little drunkenness. If you will give us a law making it necessary for those that hold a Government license to sell intoxicating liquors to come out in the open, or better still, have the Government refuse to license them to sell it, we will make a State law making the point of delivery the point or place of sale, and then we will be able to enforce the law with little or no effort. This administration and the people of Sedan stand for the enforcement of the prohibitory law.

From Columbus, Cherokee County, in the southeast section of the State, I have a letter from the judge of the district, Hon. J. N. Dunbar, who states the difficulties in enforcing the law by reason of its close proximity to wet territory, and then makes this statement:

We are also situated immediately adjacent to the city of Joplin, Mo., a large mining center, with large brewing and distilling interests, but in spite of all these disadvantages, it has been demonstrated abundantly that the law can be enforced.

I am heartily in sympathy with any effort you can make for national prohibition, and you have my sincere wishes that you may succeed, as we are in a community whose peculiar situation will be most benefited by that law.

Hon. A. L. Remaley, mayor of the city of Columbus, writes, in answer to the question as to whether prohibition prohibits:

Yes; the fault lies not with the law, but with its enforcement. Nine-tenths of all arrests made here in Columbus are drunks caused by our close proximity to the Missouri line. Were we 100 or 150 miles from Missouri, instead of 25 miles, our city prison would be of no use.

From Clay County, going more to the north central section of the State, I have a letter from the mayor, Hon. M. M. Smith, in which he makes this statement:

The writer is 35 years old and is a native Kansan and does not ever remember of seeing an open saloon in this State. What I would like to see is nation-wide prohibition.

From Coffey County, in the southeast section of the State, Hon. S. D. Weaver, mayor of the city of Burlington, the county seat, states:

I beg to say unqualifiedly that prohibition is a mighty good thing for Kansas.

It is a success in our city and in our State, a success not only that it prohibits the sale of intoxicating liquor, but that it makes our city and State better in every way and a much more desirable place in which to live. And it is a success financially.

Nothing could induce or influence our people to return to the saloon or the sale of intoxicating liquor in any manner. We are more than satisfied, and would not think of changing.

From Cowley County I have a letter from the police judge, Hon. F. Harbue, of Arkansas City, one of the leading cities of that county, located on the border, which states:

I believe the arrests for intoxication have been reduced about 90 per cent; other crimes accordingly. Better to pass a law prohibiting the manufacture of all intoxicants.

I also have a letter from the district judge of that district, Hon. O. P. Fuller, who states:

No one will contend that Kansas prohibition prevents all drunkenness or crime as a result of drunkenness. But that drunkenness and crimes resulting therefrom are greatly reduced by reason of prohibition is so patent a fact that I know of no fair-minded and sane Kansan who would declare otherwise. The beneficial effect of Kansas prohibition will be inestimably furthered when we are assisted by national prohibition.

Coming now to the eastern border, to one of the largest cities, is Pittsburg, where we have had great trouble in the enforcement of the law. The chief of police of Pittsburg, Hon. Roll Rakestraw, writes this letter. After dealing with the difficulties on account of being able to buy liquor just across the line, he says:

But notwithstanding all this, our city is in a much better condition than it was 12 years ago. Then we had in the neighborhood of 28 saloons running open in our town, which then had a population of about 12,000. When the order was given to close the saloons in Pittsburg it was rumored that Pittsburg would go dead and that business houses that were vacated by the saloons would remain empty; but, on the contrary, as fast as the buildings were vacated by the saloons they were immediately occupied by some legal business. And to-day our city has a population of 20,000, with no saloons and not an empty business building in town, and we have never had a lull or panic in business.

Judge Leo J. McKenna, police judge of the city, has this to say:

We are too near the Missouri State line to feel the full benefit of prohibition, being only 4 miles away, but in my two years experience as police judge of this city of 20,000 I have not had a single drunk tell me that he became intoxicated upon liquor bought in Kansas. They invariably get their liquor across the State line, and on account of this condition we are deprived of the real benefit of prohibition.

Hon. A. J. Curran, district judge of this district, states:

The law against the sale of intoxicating liquor is being fairly and reasonably well enforced in Kansas. Unquestionably the prohibitory law greatly restricts and reduces the sale of intoxicating liquor.

From Decatur County, in the northwest, a letter from Judge J. S. Leake, police judge at Oberlin, the county seat, says:

Drunkenness is getting less and less, and, in fact, it is almost a thing of the past; but the Government is at fault for licensing the sale of the stuff, and I am hoping that national prohibition is not far off.

The judge of that northwest district, comprising six counties, Hon. W. S. Langmade, says:

We can truly say we have a dry State. A drunken man is seldom seen and crime is lessened and the standard of morality much higher, especially among our young men, than it was a few years ago. In fact drinking is unpopular and growing more so under the influence of prohibition.

From Dickinson County I have a letter from Hon. W. D. Nichols, mayor of the city of Abilene, a city of about 5,000 people, which contains this statement:

In the last 10 years there has not been a man killed in any fight which could be charged up to liquor, and there are no homes being foreclosed on account of liquor. Every year the few bootleggers are getting less. Last year in this town of 5,000 there were only two arrests for drunkenness.

I will put that record up against the record of any city of its size anywhere in the world.

The police judge of the city of Abilene, Judge J. C. Porter, states:

Prohibition certainly does prohibit with us. During the year 1916 there were five warrants issued and two arrests made for drunkenness and one bootlegger and no joints running.

From Doniphan County, the northeast county of the State, Judge J. M. Knight, police judge of the city of Troy, states:

I have had five cases before me for drunkenness during the year 1916. Our city has a population of some 1,500 and we are in favor of prohibition, and the people of this community would never vote to do away with the prohibitory law. When we had open saloons we had terms of court lasting from four to six weeks. Now we have terms lasting from two to three days each term. People are more prosperous and are building and owning their own homes and are well satisfied and are helping enforce the laws.

From Douglas County, in the eastern section of the State, the county attorney, Mr. Thomas Harley, writing from Lawrence, Kans., states:

The prohibitory law is not a failure in Kansas. It is a marked success, and I am speaking from experience that I have had as an officer—four years as city attorney of this city and six years as county attorney of this county.

From Ellis County, located in the northwest section of the State, I have a letter from the mayor of Hays, Hon. H. W. Chittenden, in which he states:

I know of no law on our statutes which has a greater sanction by the people of this State than this law, and I do not suppose that anyone will contend that Kansas is a lawless place.

The population of the city of Hays is about 3,000. Out of this number of people there is not one drunkard; in fact, we have no drunkards, paupers, or idlers, but our people are contented, happy, and prosperous. Nearly seven-eighths of them own their own homes and have money in the bank.

From Finney County, my old home county, located in the western section of the State, I have a letter from the sheriff, Mr. Oil Brown, who makes this statement:

I have lived in Kansas all my life and for the last two years have been sheriff of Finney County, and have been in a good position to observe the workings of the prohibition law. I would say that it has worked in Kansas and has done the State more good than any one law that I know of. It most certainly reduces crime, lessens drunkenness, and raises the morality of the State to a very high degree. Take it as a whole, prohibition has been enforced at least 90 per cent in Kansas, and has made Kansas 90 per cent more efficient.

From Ford County, in the western end of the State, the mayor of the county seat, Dodge City, Hon. W. T. Hale, writes:

As you know, our city before prohibition was enforced had a very bad reputation for drunkenness and all other kinds of vices that go hand in hand with the liquor traffic, but to-day we have a city of 5,000 people with only a day and night marshal, and it is very little they have to do on account of liquor.

The sheriff of this same county, Mr. C. W. Woolwine, states:

The people here are so well satisfied with it we will vote almost to a man and woman for national prohibition.

From Franklin County, the sheriff, Hon. Nick Johnson, at Ottawa, the county seat, states:

To my mind, open saloons in Kansas would be a crime equal to taking the lives of our younger generation.

The district judge of this district, Hon. C. A. Smart, states:

You can put it down as a settled fact, prohibition is here to stay. It is as firmly fixed in the minds of our people as the abolition of human slavery, and is no longer a disputed question. It is a fixture in this State because our people have become thoroughly convinced that it is a paying investment; that is, that sober men are to be trusted in all stations in life rather than drunken men, and the situation resolves itself down to that proposition.

From Junction City, Geary County, where one of the present officers' training camps is located, Judge J. I. Kern, police judge; Mr. M. D. Peeso, city marshal; and Mr. I. M. Platt, city attorney, state over their signatures:

It has been the earnest endeavor of the officers at all times during the past 10 years to enforce all laws, and especially the prohibitory liquor law. Naturally drunkenness has materially decreased, as have all other crimes. We have made an examination of the records and

find that our police and district court records show a decrease in crime and prosecution for offenses of at least 500 per cent. This may seem large, but an examination of the records will bear us out.

The county attorney of Geary County, Hon. William W. Pease, of Junction City, states:

As to the question whether prohibition in Kansas is a failure, I have to say that no statement can be more absurd or false. The influence of the saloon and its accompanying vices are gone and our young men no longer influenced by the glittering attractions to entice them into the web of damnation.

From the city of Gove, Gove County, located in the northwest section of the State, the county attorney, Hon. E. F. Beckner, states:

The prohibitory law in this State and county is a decided success. * * * Even the fellows, or a majority of them, that use the liquor would be opposed to the open saloon.

From the city of New Ulysses, Grant County, in the southwest section, the county attorney, Hon. H. W. Stubbs, writes:

My observation of the operation of the prohibitory law in Kansas leads me to believe that even though it has been in some instances indifferently enforced it has done more to lessen drunkenness and crime than any other one thing.

From the city of Eureka, Greenwood County, in the southeast section, in the oil and gas district, Hon. M. A. Miller, mayor, states:

I think I can answer your question about as intelligently by repeating to you a conversation I had with a young lady, who is bookkeeper and cashier in our store. I asked her the question if she often saw a drunken man in Eureka. She said she never had seen one, and she has been raised right there.

From the city of Syracuse, Hamilton County, one of the counties of my old judicial district, my successor in office, Hon. George J. Downer, judge of the district composed of the nine southwest counties of the State, says:

I spent over 20 years of my life in a State that has local option, and have been in Kansas 18 years, the last 12 of which time the prohibitory law has been enforced. I think the conditions in Kansas are much preferable under the prohibitory law than in States which have local option. I am confident that our people would never consent to a change. The drunkenness that exists in Kansas should not be charged to the prohibitory law, but should be charged to the liquor interests which ship liquor from wet territory into Kansas. When we are protected against the liquor traffic from the outside, we will then be able to control the situation, and a case of drunkenness in Kansas will be very, very rare, indeed.

From the city of Newton, Harvey County, in the central section of the State, Hon. A. J. Duff, mayor, states:

There is absolutely no question in the minds of our city commissioners or our citizens as to the success of prohibition in Kansas and in our city. Our officers are greatly handicapped by private shipments of liquor into the State, this being the most serious obstacle to full enforcement of the law.

The county attorney of Harvey County, Hon. L. C. Kelley, of Newton, states:

The prohibitory liquor law in Kansas is not a failure. The prohibitory liquor law in Kansas actually prohibits. As a result of our prohibitory liquor law, there is less drunkenness, less crime, and less immorality than in many States and places other than the State of Kansas with which I am familiar and which are not blessed with a similar law.

In Harvey County during the past month of December, 1916, and with a strict enforcement of the liquor law, I have caused the arrest of only two people for drunkenness, and in the city of Newton, with a population of approximately 10,000, there has been only three arrested for drunkenness.

From Hodgeman County, in the western section of the State, the county attorney, Hon. Albert H. Wilson, of Jetmore, states:

I am fully satisfied with the law and the manner in which it is enforced. All that is required is action by our National Congress in order that our State law may be made more effective.

From Jackson County, Mr. Charles E. Johnson, sheriff, of Holton, writes:

If there is any one issue that I think should become a national law, it surely should be the question of prohibition. * * * I have kept a record of the men that have come under my control as sheriff in the years of 1915 and 1916, and find that 96 per cent of them drink intoxicating liquors and 90 per cent are cigarette users. I know these figures to be correct, and I am sure that it is an easy matter to decide what liquor will do for a man.

From Jefferson County, in the northeast section of the State, the sheriff, Mr. E. W. O'Brien, of Oskaloosa, states:

The consumption of intoxicating liquors in this county is not more than 10 to 15 per cent of what it was before prohibition. * * * It is nearly impossible for a respectable looking person to buy a drink of liquor within the county. During the past two years the jail has been vacant 204 days, over one-fourth of the time.

From Jewell County, in the northwest section of the State, the county attorney, Hon. C. Clyde Myers, states:

I would rather cut off my head than to go back on the things given us by the people in the eighties, which have been a great help and blessing to us. I am for national prohibition first, last, and for all time.

From Kearney County, Mr. B. L. Hart, of Lakin, county attorney, states:

Prohibition in Kansas has been a great success.

From Kingman County, the mayor of Kingman, Hon. Clyde Murphy, states:

Whatever failure might be charged to the law in this State is chargeable to the attitude of the National Government. * * * At this time we have the most in our city jail that there has been at any one time in three years. We have three there. Two for New Year's drunks and one for bootlegging. I presume that this will compare favorably even now with cities of this size in other States having the saloons. We have a population of about 3,000.

From Labette County, in the southeast section, Mr. T. A. Murry, chief of police of Parsons, states:

Prohibition in Kansas is a great success. * * * Prohibition has lessened drunkenness and crime and has resulted economically as well as morally advantageously to our people.

The mayor of the city of Chetopa, in the same county, Hon. Sigmond Lehman, states:

I came to Chetopa shortly after Kansas became a prohibition State, and I am convinced that prohibition is the proper method of reducing crimes, and also aids very materially in providing better homes and better families. And I am not classed among the strict prohibition people, either, although I am now serving my tenth year as mayor of this prohibition city, and I believe absolutely in the enforcement of the law.

From Leavenworth County, the city attorney of the city of Leavenworth, Hon. C. P. Rutherford, states:

I desire to say emphatically that prohibition in Kansas has not been a failure. * * * Notwithstanding all of the difficulties of enforcement, I am confident that there is not on the statute books of the State another law or dozen laws which have and will continue to have such beneficial results to our people both economically and morally as the prohibitory liquor laws. The sentiment in favor of prohibition is growing stronger all the time. The drunkard is a disgrace and the rum seller is an outlaw in Kansas.

The mayor of the city of Tonganoxie, in the same county, Hon. J. H. Dreisbach, states:

I think I can say that we have none or very little drunkenness in our town now. We are too near Kansas City, Mo., to do away with all drinking, but I know that there is far less drinking than if we had saloons. We certainly would not go back to the wide-open saloon.

From Lincoln County, Judge C. H. Berry, police judge of the city of Lincoln, states:

Prohibition has prohibited in this city for the last 15 years.

From Linn County, the county attorney, Harry W. Fisher, of Mound City, states:

During the holidays just passed, in an entire county of over 15,000 inhabitants, only two cases of drunkenness were reported. * * * A drunk is so scarce as to be a curiosity; half the youth of Linn County never having seen a drunken man and few, indeed, who ever saw a drunken woman.

The mayor, Hon. Samuel Tucker, of the city of Pleasanton, a town of 1,500 people, in the same county, states:

We have not had occasion to cause the arrest of a single individual in nine months. We have had three convictions in nearly two years, and two of these were for packing whisky in from Missouri and one was drunkenness.

From Lyon County, Judge John H. J. Rice, police judge of the city of Emporia, states:

In looking over the police-court docket for the month of December, 1916, and including both holidays, I find that there were only four cases of drunkenness coming into the police court. * * * My experience of 11 years flatly contradicts the claim made by the enemies of prohibition that it is a failure.

From Marion County, the mayor of Hillsboro, Hon. H. Brung, states:

Kansas is greatly benefited by prohibition; its failure exists only in the written pamphlets of its opponents. Resubmission in Kansas would only increase its dry vote.

From Marshall County, the mayor of Blue Rapids, Hon. A. R. Dean, states:

We feel thankful we have no saloons in Kansas.

From Meade County, in the western section of the State, the county attorney, Hon. Frank S. Sullivan, states:

Prohibition does prohibit, and anyone making statements to the contrary shows either woeful ignorance or willful desire to mislead.

From Miami County, the sheriff, Mr. M. E. Stevenson, at Paola, writes:

I have seen more drunkards in Kansas City, Mo., in one day than in Kansas in my entire term of office of a little over two years. * * * The prohibition law is enforced in this county as well as in other counties of this State that have come under my observation. The people as well as the officers of the law and the courts insist upon enforcing this law.

From Mitchell County, city attorney of Beloit, a city of about 4,000, Hon. A. E. Jordan states:

During the past 25 years we have had but one murder case in this county.

For several terms of our district court we have had no criminal cases whatever. The present bar docket shows not a single criminal case.

We scarcely average two cases a month in our police court, and some years have not averaged more than one a month.

We have held public meetings, such as barbecues and the like, here in this town in which there were over 10,000 in attendance without having a single police court or a county criminal court case arising therefrom or in connection therewith.

Our paper list is almost nothing.

The sheriff of Mitchell County, Mr. John W. Hayes, of Beloit, states:

Prohibitory law is a good law, but needs the cooperation of the Federal Government. I really believe a nation-wide prohibitory law would be the best remedy.

From Montgomery County Hon. Milton Cook, mayor of the city of Cherryvale, writes:

Prohibition in Kansas is not a failure; it certainly has lessened crime, uplifted morals, our people have lived better, dressed better, which fact I attribute to prohibition law. Kansas has demonstrated the fact that liquor is a menace to everything that is good, upright, and honest, and that people can get along without liquor. I know that in our city our people would vote 9 to 1 in favor of national prohibition.

Judge Revilo Newton, police judge of the city of Cherryvale, states:

Individually I have not seen a drunken person on our streets for two years.

Hon. T. C. Hansen, mayor of the city of Caney, Montgomery County, states:

National prohibition is the next forward step we of Kansas expect to see along this line. And may its coming be hastened by the action of Congress.

From Morton County, the extreme southwest county, Mr. James C. Fullenwider, of Richfield, sheriff, states:

I am heartily in favor of national prohibition. Let's get national prohibition in four years from now—in 1920.

From McPherson County Judge Allen Wilber, police judge of the city of Lindsborg, states:

I have taken the trouble to look at my docket for the past seven years, from January 1, 1910, to January 1, 1917, and I find that I have heard 86 cases, of which 47 were for drunkenness. Our population has ranged from 2,000 to 2,200 during this time. I will venture to say that I believe that one saloon in Lindsborg in three months' time would have brought more business to the police court than I have had in seven years.

From Nemaha County, the county in which I first settled in Kansas, the county attorney, Hon. Horace M. Baldwin, at Seneca, states:

The best argument for the success of the prohibitory law in Kansas is that the sentiment of the State is overwhelmingly in its favor. * * * I suggest that it would be a very pertinent inquiry for you to make of the opponents of prohibition, whether or not they could cite you to any other law which they claimed to have been a failure and yet which grew in popular favor as the years went by.

Judge J. L. Musgrove, police judge of the city of Sabetha, Nemaha County, states:

I will give you my experience as police judge, which office I have filled since May, 1914. During this time I have tried 21 liquor cases in my court. However, of this number one man was tried 4 times, and two others 3 times apiece, reducing the number of persons before me to 14 for violation of the liquor laws.

Hon. A. S. Ross, mayor of the city of Sabetha, Nemaha County, states:

I will say that in our city we are strictly enforcing the prohibitory law and we have very little drunkenness, and as a consequence our police court has very little or nothing to do.

From Neosho County, the county attorney, Mr. R. B. Smith, of Erie, states:

I know that the prohibitory liquor law in Kansas lessens the sale and use of intoxicating liquor and lessens many other classes of crimes, such as immoral conduct, assaults, murders, burglary, larceny, and highway robbery, for these are several of the classes of cases that intoxicated men or men craving intoxicating liquor are most likely to commit.

From Ness County, Hon. Albert S. Foulks, judge of the thirty-third judicial district, of Ness City, containing nine counties, states:

So far as my experience of prohibition goes, whisky selling has been driven out of this State, except in case of transient bootleggers. I do not believe there is a single place in my district where liquor is kept for sale, and it is a rare thing to see an intoxicated person in any of the nine counties to which my duties call me.

Mr. A. W. Wilson, the county attorney of Ness County, of Ness City, states:

In the 10 years that I have been prosecuting in Ness County, Kans., there has not been a saloon or a joint operating. There has been occasional bootlegging, which has been easily suppressed as soon as known.

Hon. L. H. Wilder, of Norton, county attorney of Norton County, states:

Prohibition seems to have taken up its permanent abode in the country, and all would do well to recognize this fact and to govern themselves accordingly.

From Osage County, Hon. Ben Heilbrun, mayor of Osage City, states:

I would say conditions compared to open saloons is 99 per cent in favor of Kansas. I am no prohibitionist and not hysterical on the question, yet must say prohibition in Kansas looks good to me.

Hon. B. F. Chilcott, mayor of Osborne, Osborne County, states:

It seems almost foolish for men to talk any more that prohibition does not prohibit. It does prohibit in Kansas and always will.

From Hon. George W. Finney, of Larned, county attorney, Pawnee County, states:

You know and I know and every man who has the sense of a last year's bird's nest knows now and have known for years past that prohibition in Kansas is a success.

Mr. C. M. Mills, of Phillipsburg, county attorney of Phillips County, states:

I feel positive that the prohibition law is a success, and we have many young folks who do not know what a saloon is as they never saw one. We have a few drunks, but I tell you they take to the woods quite rapidly, or their friends take them there.

Hon. Floyd Funnell, mayor of Wamego, Pottawatomie County, states:

You will find that prohibition in this locality is a real success. We do not have 1 drunk now where we had 30 then. Our police court is nearly out of business. We have not had an arrest for over three months.

From Reno County, Hon. F. F. Prigg, judge district court at Hutchinson, states:

I have not seen a drunken man in Kansas for so many years that I have not any recollection of when I did see one. All of this talk about prohibition not being effective in Kansas is simply nonsense and not worthy of very much consideration.

From Republic County, the sheriff, Mr. A. T. Huntington, of Belleville, states:

We have a city of about 2,300. I do not believe that there has been a drunk in the city jail for six months. * * * Prohibition in Kansas is a success.

From Rice County, Judge J. C. Antrobus, police judge of the city of Sterling, states:

I have been police judge in this town two years and only six men have been brought into court for being drunk. This is a town of 2,500.

The county attorney of Rice County, at Lyons, Hon. H. C. Crandall, states:

It is folly to argue against the question of national prohibition. All farseeing men can see the necessity of such a law, and it is only a question of time until national prohibition will actually be here. Kansas has found prohibition a success, as have other States which have tried it.

From Riley County, the sheriff, Mr. C. E. Schermerhorn, of Manhattan, states:

Prohibition in Kansas is a decided success.

Judge Alfred S. Porter, police judge of the city of Manhattan, states:

I am more than proud of the fact that I reside in a dry State and only hope that soon it may be Nation wide.

From Rush County, the county attorney, Hon. Frank U. Russell, at La Crosse, writes:

Let's dissolve the partnership between Uncle Sam and booze. It is a disgraceful alliance.

From Russell County, Hon. J. C. Ruppenthal, of Russell, judge of the twenty-third judicial district, comprising six western counties, states:

This judicial district is an average district of the rural parts of Kansas. Ten years ago there were considerable prosecutions for the violation of the liquor law, and these have grown steadily fewer and fewer until a liquor prosecution is rather rare in any county of the district, and at the same time joints are unknown and bootleggers are scarce. Hardly anyone any longer defends or excuses the violators of this law or upholds the regular use of liquor for beverage purposes. * * * in no department of business—financial, social, educational, or other activity—is there any disposition on part of anyone to curry favor with the liquor interests, but instead all are united against it.

From Sedgwick County, in which is located Wichita, the second largest city in the State, Hon. Thornton W. Sargent, district judge, states:

Take the State as a whole, my observation is that there is not one-tenth of the drunkenness in Kansas that there is in the wide-open States. Over 90 per cent of the children of Kansas has never seen a saloon; a large majority of the children do not know what a saloon means except from hearsay.

Hon. Thomas C. Wilson, district judge at Wichita, in the same county, states:

Prohibition in Kansas is a great success. In the thickly populated centers the law is violated more or less, and until we have national prohibition it will be impossible to absolutely prevent the sale of intoxicating liquor. * * * It is a rare exception to see a drunken man on the streets, and the benefits of prohibition to the rising generation are inestimable.

The mayor of Wichita, Hon. O. H. Bentley, states:

In my judgment the solution of the problem is national prohibition.

From Saline County, the county attorney, Hon. L. W. Hammer, of Salina, states:

There is no question, nor can there be any successful controversy over the fact that prohibition does prohibit. In our own community here we have practically no drunkenness. Crime of every nature has decreased since the enforcement of the prohibitory law, conservatively, 50 per cent.

From Shawnee County, in which is located the city of Topeka, the county attorney, Hon. W. E. Atchison, states:

We have no saloons in Topeka and no joints. A few bootleggers remain, but they are being so constantly hounded and prosecuted by the officers that their business is exceedingly small. There is less drunkenness in the cities of Kansas than in any other cities of which I have any knowledge.

Hon. George H. Whitcomb, judge of the district court at Topeka, states:

There are, in my judgment, no evil effects resulting from the prohibitory law, but, on the contrary, the results have been entirely in the way of the promotion of sobriety and law observance and the saving of money for increased expenditures for the betterment of schools and homes and generally for what goes to make life more worth while.

From Scott County, the county attorney, Mr. H. A. Russell, of Scott City, states:

Prohibition prohibits in Scott County. There is no liquor used in this county except what is privately shipped in from Kansas City, Mo. There are no sales and there are no drunks. * * * Prohibition prohibits in western Kansas, the wet advocates to the contrary notwithstanding.

From Sherman County, Hon. George Kelly, mayor of the city of Goodland, states:

I think we are at least 90 per cent better off than we were before, as we practically have no poor people any more; the people in general all pay their debts better, hold their jobs better, and it is a very rare thing to see a person under the influence of liquor. While I am not a strict prohibitionist myself, I am sure against the saloons, for I know we are much better off without them.

The county attorney of Sherman County, Mr. Elmer E. Euwer, of Goodland, states:

I am only a young man, but I believe I can say with authority that prohibition is not a failure in our State. I was born and raised in Topeka, Kans., having lived there 25 years, and I was 20 years of age before I ever saw the outside door of a saloon, and then I had to go to Kansas City, Mo., to see that. I can further say that I have never seen the inside of a saloon, nor have I ever touched a drop of liquor in any shape or form, and I owe the fact that I can make that statement to prohibition in our State.

From Sumner County, the mayor of the city of Caldwell, one of the principal border cities, Hon. I. M. Horton, states:

My conclusions regarding prohibition formed from a long observation of its workings are that prohibition does prohibit in spite of the fact of the liquor interests arguments to the contrary. * * * Previous to the enforcement of prohibition the police court fines ran into hundreds of dollars per month, while for the whole of last year (1916) the total fines collected for all misdemeanors was \$94.

From Washington County, the sheriff, Mr. D. W. McLeod, of Washington, states:

I can say that prohibition in this county is a success as far as I know in regard to the duties of this office, and I am safe to say that when Nebraska's dry law takes effect that the duties of my brother officers along the State line will be somewhat lessened.

From Wilson County, the mayor of the city of Fredonia, Hon. J. W. Moss, states:

I am a native of Missouri but have lived in Kansas for over 36 years, and anyone who says that prohibition in Kansas is a failure misrepresents the facts. There is not as much misery and crime caused by drunkenness in the entire State of Kansas as there is in one of the larger cities of Missouri. We have a few cases of chronic drunkenness and a small amount of bootlegging, but taken altogether it is not a drop in the bucket as compared with States where the open saloon is allowed.

The police judge of the city of Fredonia, Mr. P. H. Mattheus, states:

The effects of prohibition is plainly apparent on every hand, to every unbiased observer making more happy homes, a better and cleaner citizenship.

From Woodson County the mayor of Yates Center, the county seat, Hon. L. R. Wallace, after reviewing the situation, states:

This leads me to the firm belief that our Nation ought to be a dry Nation, and I believe the greatest piece of legislation our Congress could pass would be the submission of an amendment for prohibition.

From Wyandotte County, my home county, in the city of Kansas City, which is practically a part of the great city there, nearly one-third of the population being on the Kansas side, the judge of the district court, Hon. W. H. McCamish, writes:

If Missouri, or Jackson County even, were dry, it would leave us with no problem to contend with along these lines.

The sheriff of the same county, Mr. R. L. Hinch, of Kansas City, Kans., states:

There was a time in Kansas when prohibition did not prohibit, but the day is gone, never to return. Whisky has been the downfall of millions of good people. The saloons were closed in Kansas City, Kans., about 10 years ago. Kansas City, Kans., has prospered ever since; business rents commenced to increase when the saloons were closed here. There are no vacant business houses in Kansas City, Kans., and has not been since the saloons were closed, excepting some building that was erected in the resident district by brewery companies for the purpose of selling liquor in. At this time most of them are occupied.

So I could go on all through these letters, but I have already shown from every section of the State the same unanimity of opinion.

The letters arranged alphabetically by counties, which have not been read in full, are as follows:

ALLEN COUNTY.

IOLA, KANS., January 4, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

HONORABLE AND DEAR SIR: In reply to your favor of December 30, 1916, regarding the prohibition regulating the sale and manufacture of intoxicating liquor in Kansas, will say that I have been a citizen of Kansas all my life (having been born here), and have been all over the State and have had a good opportunity to note the effect of the liquor traffic in and under both conditions. For the past seven years I have been patrolman of the city police department, the last three years chief of the department, and in this locality we, as elsewhere in our State, can not prevent the importation of liquor. We do prohibit its sale, and if those whose duty it is to enforce the laws will do so it can be eliminated from any community. I firmly believe that the prohibition law in Kansas has been the main cause in reducing crime, poverty, sickness, and distress from 75 to 90 per cent as compared to former conditions.

Yours, very truly,

THOMAS I. CHRISTY,
Chief of Police.

IOLA, KANS., January 4, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to yours of December 30, 1916, regarding prohibition in Kansas, will state that the writer has resided in Kansas 27 years, and has, of course, seen a few persons under the influence of liquor. My belief is that prohibition does not, nor will it ever, prohibit the importation of intoxicants so long as our Government permits its manufacture and States permit the traffic. While the above statements are true, the fact remains that prohibition in Kansas has eliminated at least 90 per cent of drunkenness, crime, and poverty since its adoption. When you learn that 50 per cent of our jails and poorhouses have no inmates, and compare this record with the States that permit the sale of intoxicants, it will be very easy to conclude that the reason is the cause of John Barleycorn in one State and the freedom from it in the other.

Trusting that this may be of some use to you in your efforts toward forwarding the cause of national prohibition, which I am certain will meet the approval of all good Kansans, I remain,

Yours, for national prohibition,

J. J. VARNER, Mayor.

ANDERSON COUNTY.

GARNETT, KANS., January 6, 1917.

HON. WM. H. THOMPSON,
Washington, D. C.

DEAR SIR: Replying to your favor of the 2d instant in regard to prohibition in this part of Kansas, I beg to say that there have been but two cases of drunkenness in the police court of this city in the past two years and but few cases of bootlegging in justice court during the same period; and in my opinion, the prohibitory law is not violated any more than other State laws, and there is no doubt in my mind that prohibition does lessen drunkenness in Kansas.

You have my consent to use this in the Senate for what it is worth, if you wish.

Sincerely, yours,

J. E. CALVERT,
Police Judge and Justice of the Peace.

GARNETT, KANS., January 5, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: In regard to prohibition in Kansas, will say that it certainly is one of the things that is pushing Kansas to the front. We have less crime, less insanity; and I am in favor of national prohibition and hope to live long enough to help put the United States on the dry list. Kansas has less crime than any wet State in the United States. Hoping you will be successful in your work; and can say that 75 per cent of Kansas people are with you.

Respectfully,

B. F. ACUFF, Mayor.

ATCHISON COUNTY.

ATCHISON, KANS., January 6, 1917.

MR. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: In reply to your esteemed favor of December 30, would say the present city administration is fairly successful in enforcing prohibition, there being only one retail liquor license in the city and that being held by a wholesale drug firm.

Of course, it is rather hard to prevent the delivery of liquor and bootlegging by the East Atchison saloon keepers and liquor dealers, East Atchison, as you have probably heard, is known as the wettest spot in Missouri and is a disgrace to that great State.

This city and suburbs have a population of about 20,000 people. Last month there were 40 arrests by the police department and \$128 fines collected in the police court. Probably one-half of these arrests were drunken persons who came from East Atchison. The other arrests were for petty stealing, violating traffic rules, etc. Were it not for the conditions in East Atchison our police force would have very little to do.

The present city administration of Atchison is very much in favor of national prohibition, and you are authorized to use this letter in the Senate if, in your judgment, it would help to accomplish something along this line. Thanking you for your interest in this matter and hoping this Nation will soon follow the example of Kansas, I am,

Yours, truly,

LOUIS WEINMAN, Mayor.

ATCHISON, KANS., January 3, 1917.

HON. W. H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: Yours of December 30, asking me, as prosecuting attorney of Atchison County, Kans., to give you the result of my observations as to the effect of the prohibitory law in lessening drunkenness and crime and the effect morally and economically to our people, received.

I have acted as county attorney of Atchison County for four years, during which time my opportunity to observe the effect of prohibition in Atchison County (which is a border county of the State) has placed me in a position to judge of its workings among our people, and it is my unqualified opinion that prohibition has been and is resulting in less drunkenness, less crime, and in a higher standard of morality among our people, and my opinion in the matter is being reflected by thousands of others in Atchison County, some of whom have heretofore been strongly opposed to the prohibitory law.

I venture to say that should Atchison County be asked to vote upon the question of prohibition, or resubmission of the question, that three-fourths of the votes of the people of Atchison County would be cast in favor of the law.

So well satisfied are the people with the results of prohibition thus far that the question ceases to be any longer an open question for discussion.

I hope that you will use your great influence in the Senate to bring about national prohibition.

Yours, truly,

CHAS. J. CONLON,
County Attorney of Atchison County, Kans.

BARBER COUNTY.

MEDICINE LODGE, KANS., January 6, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SIR: Your inquiry of the 3d instant at hand. In answer to same, will say that there is no question but what prohibition in Kansas prohibits. Ninety per cent of those who are arrested for being drunk are of the old stock, men who have drunk all of their lives, and were brought up in States where there were open saloons or in Kansas before the law was enforced. The man who gets it now has to send off and get it, and that fact becomes of public record, and this deters him in the use, as it affects his standing and business, credit, etc. The bootlegger usually sells it to those old toppers, but hardly ever to the young man, because he runs greater chances of being caught. The bootlegger is usually soon caught, and spends most of his time either in jail or in the penitentiary.

The person who contends that prohibition in Kansas does not prohibit does not know either the conditions in Kansas now or what they were in the past. There are fewer paupers and more families who own their homes. Men and women go better dressed. They give better service to their employer; hence every line of business meets with better success under prohibition.

This is my judgment, based upon observation and actual experience as a lawyer and mayor of this city, where I have lived for 31 years.

Very truly, yours,

SAMUEL GRIFFIN,
County Attorney.

MEDICINE LODGE, KANS., January 6, 1917.

HON. W. H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Yours of the 2d instant, addressed to the police judge of this city, came to hand this morning, and your humble servant has held that extra responsible position since April, 1911, and since that time there has been on the docket 183 cases filed, of which 79 have been for drunkenness, of which 10 have been against the same men, 6 against another, and 5 against the third, making a total of 21 cases against three men. These men all have ordered their liquor directly from Kansas City, Mo., not only by their own statements, but corroborated by the records in the county clerk's office. This is done under the protection of the Federal Government by virtue of the interstate-commerce act. During the same time there were 47 cases for disturbing the peace, and a few of these were the direct result of liquor.

I will here state that the Hon. Samuel Griffin, mayor of this city, and acting as city attorney, investigated each case as it came up, and we found in most of the cases the liquor had been shipped in by the defendants themselves—or at least they so claimed—which makes it hard to catch the professional bootlegger. That we have them there is no doubt, as was revealed in a case of a man who got on train at Lake City to come to Medicine Lodge. He was sober when he left Lake City, and ere he arrived at Medicine Lodge he was too drunk to walk. And we found out from him a gang worked out from Kiowa, who bought their liquor and had it shipped to a town in Harper County—go there in an auto and get it, then work out on trains from Kiowa. One made the trip through here to Beldvidere and returned to Kiowa on same train, reaching Kiowa at 1 o'clock p. m., and another was ready to go out the next morning. The reason they ship to Harper County station was to avoid the filing with the county clerk a statement by the freight or express agent in this county as required by statute law.

Taking into consideration that at all times in the past six years Barber County has had a population ranging from 8,500 to 10,100 people, and this city from 1,400 to 1,500, it shows that there is not a bad case here, as some would make out. An incident occurred here a few years ago. My father-in-law came from Alva, Okla., to visit us. He was here two weeks. One day he said to me: "I have seen more drunkenness in Medicine Lodge in two weeks than I ever saw in Alva, with open saloons." I asked him how many he had seen drunk in town. He told me he had seen six. I said, "All right." And about two months after I went to Alva. Riding around the square, I pointed out to him 17 drunks. He looked up at me and said: "Mac, I never saw as many drunks in Alva before." I asked him, "Is it not because you have open saloons? You are so used to seeing drunken men that you do not notice or pay attention to it." He replied, "Mac, that is just it. When we go to Kansas we look for and note every one, but we are so used to it down here we do not pay any attention to them." And he added, "I guess a fellow can generally find what he is looking for, but you beat me in the find."

I do not want you nor Congress to think I claim that the prohibition laws of the State of Kansas prohibit the sale of liquor in Kansas any more than the laws of other States prohibit murder, adultery, perjury, or grand or petty larceny. And while the Federal Government defends and upholds the shipment of liquor into prohibition territory the lawmakers themselves are as morally responsible for the crimes committed as the distiller and the saloon keeper or the wholesale liquor dealer is my candid opinion, and, at your request you can use this in any way you may see fit, and if I can do anything more to aid you in this fight, command me and I'll be there.

I worked with J. K. Cuddigan trying to make this country dry; and what little I can do I will do, yet not for the grown men of 35 or over, but for the young men and women and the boys and girls—the coming bulwark of the Nation.

Yours, truly,

W. H. MCCAYNE,
Police Judge at the city of Medicine Lodge, Kans.

BARTON COUNTY.

GREAT BEND, KANS., January 6, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SIR: I have your letter of the 30th ultimo, and carefully noted, and am pleased to know that you are standing up for Kansas and for prohibition.

What appears to be a question in some quarters as to whether or not prohibition is a failure or actually prohibits and thereby lessens drunkenness and crime and results to the moral and economical advantage of the people is no longer a question in Kansas. I have had a number of years' experience as an enforcing officer and have no hesitation in saying as a result of that experience and from my observation generally throughout Kansas as compared with the handling of the liquor question in other States that prohibition is by all means the best method of handling this evil.

With the adoption of friendly legislation on the part of the Federal Government, cooperating with the State rather than handicapping the State, as has heretofore been the apparent policy of the Federal Government, it can be made still more effective. One step along this line would be to deny the use of the mails to liquor advertisements; another would be to cease issuing bootleggers' licenses in prohibition States.

With best wishes to you in your efforts along this line of work, I am,
Very truly, yours,

O. W. DAWSON, Mayor.

STATE OF KANSAS,
TWENTIETH JUDICIAL DISTRICT,
Great Bend, January 4, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: I am in receipt of your esteemed favor of the 30th ultimo and hasten to give you the benefit of my conclusions relative to the practical operation of the prohibitory liquor law of Kansas. I have lived in this State since 1884, coming here soon after the adoption of the prohibitory amendment, and have had ample opportunity to observe its operations.

When I came to Great Bend there were in full operation several places where intoxicating liquors were being sold openly, and a prosecution for a violation of the law was rare, and a conviction under such prosecution still more so. The impression seemed to obtain in Great Bend that if these places were closed the town would lose materially in its trade and business operations. This was a conviction that was honestly entertained by myself and a majority of the citizens of the city and county, else the condition could not have existed. As time passed sentiment in favor of the law grew and crystallized until about 15 years ago the saloon and joint were compelled to go. Up to that time drunkenness on our public streets was a common sight, and the court calendar was full of prosecutions for all manner of criminal offenses; so much so that the time of the court was largely consumed by the trial of the criminal calendar. When the open joint or saloon was doomed, we were happily surprised with the result. Not only did our business interests advance and improve, but our city began to grow as never before, and since that time drunkenness upon our streets is a rare thing indeed. Crime has diminished until at this time, if we have a criminal calendar at all at the beginning of our term of court, six to eight cases are the most we have, and not 1 per cent of them are liquor cases, neither do they grow out of the use of intoxicating liquors. As a result of all this there is no consideration that could induce the people of this State to return to the old system.

If a law could be devised which would inhibit the shipping of liquors into dry territory and the solicitation of wholesale liquor dealers were barred from the mails entering dry territory the liquor question would be practically solved in this State.

You can accomplish no greater good for your constituency than to secure the passage of your bill prohibiting the shipment of intoxicating liquors into dry territory; and if you could carry the measure a little further and bar all liquor advertisements from the mails entering dry territory you will have accomplished something for which the people of Kansas will never be able to repay you. I sincerely wish every success to your entire efforts along this line.

Cordially, yours,

D. A. BANTA,
Judge, Twentieth Judicial District of Kansas.

BOURBON COUNTY.

FORT SCOTT, KANS., January 3, 1917.

MR. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: Answering your favor of December 30, have to say that prohibition in Kansas is a success in every possible way, and any person who says that it is not a great benefit to the State is either misinformed or willfully falsifying, and the same is true of any person who says that prohibition has injured the State in any possible way.

Yours, respectfully,

JAMES G. SHEPPARD,
County Attorney.

OFFICE OF SHERIFF OF BOURBON COUNTY,
Fort Scott, Kans., January 4, 1917.

Senator W. H. THOMPSON,
Washington, D. C.

Your letter in regard to whether prohibition in Kansas is a failure, will say that I have been in the sheriff's office at Fort Scott six years and will say that every year liquor is fast going in Bourbon County, Kans. You never see a young man drunk in Bourbon County. It is some old fellow that got the habit during saloon days that is drunk. As soon as these old fellows die there is going to be a marked change in the number of drunkards. Since the saloons have closed in Nevada and Rich Hill, Mo., our sister State, we have but little trouble with bootlegging. Crime grows less every year in Bourbon County, Kans., on account of whisky being harder to get.

Yours, respectfully,

J. W. HARTMAN, Sheriff.

BROWN COUNTY.

HIAWATHA, KANS., January 9, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: In reply to your letter of recent date in regard to the prohibitory law, will say. The law prohibits absolutely here in Hiawatha, Kans. During the past year there have been 27 arrests for drunkenness; 26 of these were persons returning from across the line in Missouri or Nebraska. The only liquor they brought home with them was in their stomachs. These parties were promptly arrested and placed in jail. One arrest was for drunkenness or sickness from taking too much Hostetter's bitters. "Bootlegging" is unknown here in Hiawatha and has been for several years. In September a circus visited our city, and on that day over 20,000 people were in town. Not a single case of drunkenness was reported to the police, and we have not heard that a single drunken person was seen. The prosperity of our city is beyond anything ever known here. Thirty thousand dollars worth of city 4 per cent bonds sold last month for a premium and that to local purchasers.

The prohibitory law is enforced here and it prohibits.

Yours, truly,

GEO. C. MCKNIGHT, Mayor.

HIAWATHA, KANS., January 4, 1917.

SENATOR WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: I want to say that prohibition in Kansas is a grand success, the prohibition law of the State of Kansas actually prohibits, and we absolutely have less drunkenness and crime than our sister States Nebraska and Missouri. I know whereof I speak, as I am in a position to see and learn. Kansas has been troubled some by having two wet boundaries—Nebraska and Missouri—but, thank the good people of Nebraska, they blowed up the wet element last election, which will make us three dry boundaries, with Missouri going dry slowly but surely. I am for nation-wide prohibition, and I am thankful that Kansas has as grand and good a Senator that has the backbone to fight the everlasting curse, liquor.

Yours, respectfully,

C. W. BIDDLE,
Sheriff of Brown County.

HIAWATHA, KANS., January 13, 1917.

HON. W. H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: With reference to the prohibitory liquor law in Kansas, you can say for me as county attorney and having seven years of experience as a prosecuting officer, that the prohibition laws of Kansas are not a failure, but do prohibit. That the moral and economic advantages that come to us from the wholesome effect of this law can not be overestimated. Kansas would no more think of giving up its prohibitory liquor law than it would its public school system or the right of the people to worship God according to the dictates of their own conscience.

Brown County, you know, is a border county, 40 miles from Missouri, and 19 miles from Nebraska, both wet States and the chief source of whatever trouble we have in enforcing the law. Nebraska is already dry and Missouri will come next, and when the liquor dealers and bootleggers are driven out of these States, there will be little or no trouble in enforcing the liquor law in Brown County.

I will be pleased to give you any information that you desire, and I can cite you to many specific instances of my own experience and observation which evidence the wholesome effect of the prohibitory liquor laws of Kansas. The United States Supreme Court has just recently given the prohibitory liquor laws a great boost, and for which Kansas is extremely thankful.

Yours, very truly,

W. E. ARCHER,
County Attorney.

HORTON, KANS., January 6, 1917.

HON. WM. H. THOMPSON,
Washington, D. C.

DEAR FRIEND: Your letter of date, December 30, 1916, at hand and contents noted. In reply will say I am now serving my third term as mayor of the city of Horton and have been a resident of the city for about thirty years. And I want to say prohibition is not a failure in Kansas, but a grand success. As you know Horton has a population of about 4,500, and is a railroad shop town, and I can truthfully say it is seldom one sees a drunken man on the streets, and that is usually some one that comes in on a train from some point in Missouri. There is but very little crime committed in our city, and I don't think we average three arrests per month, and our city jail is empty most of the time. Horton is made up of happy homes, and instead of the laborer's money being spent for booze it is spent for the benefit of his family.

We, the people of Kansas, surely approve of your stand on this question. Wishing you success in your fight, and best wishes for yourself and family, I remain,

Yours truly,

J. F. BAILEY, Mayor.

BUTLER COUNTY.

CITY CLERK'S OFFICE,
El Dorado, Kans., January 4, 1917.SENATOR WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Your letter of recent date relating to the efficacy of the prohibition law in suppressing lawlessness and crime in Kansas at hand and noted.

I feel that El Dorado and Butler County is in a position at the present time to most thoroughly test the efficiency both of the law and of the law-enforcement officers, in that by reason of the recent discovery of large oil deposits we have gathered within our county boundaries within the last year somewhere between 10,000 and 15,000 transient population, including oil-field workers, from all parts of the United States.

I feel that I am able to say with authority that were it not for the fact that we have in effect a thoroughly dependable liquor law, prohibiting the manufacture and sale of intoxicating liquors in this State,

it would be difficult, indeed, to maintain order. As it is, however, even under these apparently adverse conditions, the authorities are enabled to maintain the usual good order with comparative ease.

Hoping this brief statement of fact may be of use to you, I am

Very sincerely, yours,

G. W. STINSON,
Mayor El Dorado City, Butler County, Kans.

CHAUTAQUA COUNTY.

SEDAN, KANS., January 5, 1916.

SENATOR WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: The city of Sedan, Kans., has a bonded indebtedness of but \$21,000. It is a third-class city that pays cash for its running expenses. It has no outstanding warrants. We have little drunkenness. If you will give us a law making it necessary for those that hold a Government license to sell intoxicating liquors to come out in the open, or better still, have the Government refuse to license them to sell it, we will make a State law making the point of delivery the point or place of sale, and then we will be able to enforce the law with little or no effort. This administration and the people of Sedan stand for the enforcement of the prohibitory law. The law prohibits and it is as thoroughly prohibitory of this offense as of other offenses. There is absolutely no sentiment in this community for the repeal of the law. We are here on the ground and we know, and the sentiment here stands squarely for the prohibitory law.

Respectfully, yours,

NORMAN L. HAY, Mayor.

CHEROKEE COUNTY.

JUDICIAL DEPARTMENT, STATE OF KANSAS,
Columbus, Kans., January 13, 1917.SENATOR WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: I received your letter with reference to the prohibitory liquor law some time since and perhaps ought to have answered sooner, but, owing to the hurry of business in court and some other matters, I have overlooked the same until now.

In writing to me you possibly overlooked the fact that I reside in the center of the one section of the State that has gained the undesirable distinction of being known as the "Bad Lands," when spoken of in connection with this law, and the truth is we have had some trouble in the enforcement of that law in this part of the State. We have a population a very large per cent of which is miners and also a very large per cent of whom are of foreign birth. We are also situated immediately adjacent to the city of Joplin, Mo., a large mining center, with large brewing and distilling interests, but in spite of all these disadvantages it has been demonstrated abundantly that the law can be enforced in this district. And even situated in this locality, my oldest son was almost of age before he ever saw a saloon, and that was in Joplin, Mo., and while, as I said above, there are some violations of law in this district, the comparison of this district with those just across the line, where they have open saloons, will convince any fair-minded person beyond any question that the moral effect of the law upon a community is greatly to its advantage. And this is further evidenced by the fact that when petty criminals in this community, and especially those who persist in the violation of this law, are crowded a little too hard by the officers, they invariably go across the line, where they can find open saloons, and no community, however low, can be benefited by the addition of that class of people.

I have been directly connected in one way or another with the enforcement of this law at different times for a period of six years, and I know whereof I speak. I am heartily in sympathy with any effort you can make for national prohibition, and you have my sincere wishes that you may succeed, as we are in a community whose peculiar situation will be most benefited by that law.

With very best wishes for your success, I remain,

Very respectfully,

J. N. DUNBAR,
Judge Eleventh Judicial District.OFFICE OF THE CLERK,
Columbus, Kans., January 12, 1917.HON. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Your letter of the 30th ultimo, relative to "Does prohibition prohibit?" in Kansas. As an executive officer of the State I will say: Yes; the fault lies not with the law, but with its enforcement. Nine-tenths of all arrests made here in Columbus are drunks caused by our close proximity to the Missouri line: were we 100 or 150 miles from Missouri instead of 25 miles our city prison would be of no use.

The law is meritorious and only needs officers who will enforce it without fear or favor, and when this is done the law will accomplish what its framers intended it should do.

We are pleased to note that you are taking the correct stand on this great question, and you may be assured that your action meets with our hearty approval. You may feel free to use this letter in the spirit in which it is written.

With best wishes, I beg to be remembered as

Yours, very truly,

A. L. REMALEY, Mayor.

SCAMMON, KANS., January 9, 1917.

MR. W. H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your inquiry about whether prohibition in Kansas is a failure or actually prohibits, I should say it prohibits. But being so close to the State of Missouri here in our town it has made it difficult to handle, but for the last four years we have got pretty good control over the booze. As you know, Scammon is a mining town and has a great many foreigners, and they most all like their booze. Now, then, I will give you facts and figures. Scammon has a population of 2,364, and the actual cases in police court that came from drunks for the last four years would be about one a month, and all other crime is gradually growing less. Every year I have a chance to know, for I have been police judge the most part

of the last 25 years, and also justice of the peace, and the booze and all other crime is getting less every year. I say let the good work go on, and I say the prohibition law in Kansas is not a failure.

Yours, truly,

J. J. WOOTEN,
Police Judge of the City of Scammon.

CLAY COUNTY,
CLAY CENTER, KANS., January 4, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your letter of December 30, 1916, relative to prohibition in Kansas, beg to advise that the writer is 35 years old and is a native Kansan and does not ever remember of seeing an open saloon in this State. While it is true that so long as intoxicating liquors are manufactured and allowed to be shipped into this State, there will be more or less of same consumed, however, I am sure there is less temptation for younger men to acquire the habit and also less drunkenness and crime on this account, as nearly all of these crimes and habits are formed before a man acquires maturity. What I would like to see is nation-wide prohibition, but until that can be accomplished I would like to see laws enacted so that intoxicating liquor can not be shipped into a State which has prohibition laws of its own.

You may use this letter as you see fit, and you have my hearty wishes for your success in your fight on the liquor proposition.

Yours, very truly,

M. M. SMITH, Mayor.

COFFEY COUNTY,
BERLINGTON, KANS., January 5, 1917.

Senator Wm. H. THOMPSON,
Washington, D. C.

DEAR SENATOR: Replying to your letter in regard to the prohibition question, beg to say unqualifiedly that prohibition is a mighty good thing for Kansas.

It is a success in our city and in our State, a success not only that it prohibits the sale of intoxicating liquor, but that it makes our city and State better in every way and a much more desirable place in which to live. And it is a success financially.

Our city, with a population of 2,300 people, has an assessed valuation of \$2,000,000. We have two splendid national banks in which there is on deposit about \$825,000. We have a magnificent Carnegie Library building; one of the finest purification and filtration water-works plants to be found anywhere; a \$40,000 sewer system; a beautiful white way; our city is splendidly lighted; we have three elegant parks; splendid churches, well attended; a \$40,000 courthouse; a \$35,000 high-school building; two good grade school buildings; we have no city prison and our county jail is an old stone building that dates way back to the early days. We have so little use for jails that our people have not deemed it necessary to build a modern jail of any kind.

Of course the prohibition law, like other laws, is violated at times; but it is enforced to such an extent that it ranks among the best-enforced laws in the State. There are no saloons, joints, or dives of any kind where liquor is sold; and a drunken man is seldom seen, even drinking is rare, and this occurs on liquor shipped in from other States.

The rate of taxation in our city, including county, school, and State tax, is \$2 per \$100, but this rate, which may seem rather high, is from improvements, for we have one of the nicest improved cities going.

Nothing could induce or influence our people to return to the saloon or the sale of intoxicating liquor in any manner. We are more than satisfied, and would not think of changing.

Yours, very truly,

S. D. WEAVER, Mayor.

COWLEY COUNTY,
ARKANSAS CITY, KANS.,
January 6, 1917.

HON. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: Your letter of January 2 at hand, and will say by looking over the police records now and during the time joints were run here—that was several years ago—I believe the arrests for intoxication have been reduced about 90 per cent; other crimes accordingly. I have noticed also that when a man gets to drinking he first gets to fighting, and then if he does not fight he will steal. There is not a case for some time that I have tried for being intoxicated but what the whisky was procured from a traveling bootlegger, or in some instances shipped by express to a fictitious name here. It is a burning shame that we can't have a law passed prohibiting the express companies from bringing the whisky into the State. Better to pass a law prohibiting the manufacture of all intoxicants. There are families living here that get along very well on the wages the father or husband earn, but let the father or husband get liquor, he gets drunk, put in jail, loses his job, then applies to the city for necessities of life. These same families are good citizens, or would be if they could not get the liquor. Liquor, thieving, fighting, and prostitution goes hand in hand, and my observation is get rid of the liquor and the others are more easily controlled.

Yours, respectfully,

F. HARBUE, Police Judge,
525 N. C. Street.

My term expires January 11, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.
WINFIELD, KANS., January 4, 1917.

DEAR SENATOR: To answer your request for my personal experience as to the effect of prohibition in Kansas would require a more lengthy report than a busy Senator would care to consider.

No one will contend that Kansas prohibition prevents all drunkenness or crime as a result of drunkenness. But that drunkenness and crimes resulting therefrom are greatly reduced by reason of prohibition is so patent a fact that I know of no fair-minded and sane Kansan who

would declare otherwise. The beneficial effect of Kansas prohibition will be inestimably furthered when we are assisted by national prohibition.

Yours, very truly,

O. P. FULLER,
District Judge, Ninth District.

CRAWFORD COUNTY,
THE NATIONAL BANK OF PITTSBURG,
Pittsburg, Kans., January 4, 1917.

MR. WILLIAM H. THOMPSON,
Chairman, Washington, D. C.

DEAR SIR: Your letter of the 30th ultimo received. In regard to the prohibition question in Kansas would say that it is a success in every way, if it was not for the State of Missouri, and one of the best laws ever passed by the people. Unfortunately we are situated close to the Missouri line, which is about 4½ miles, and situated on the Kansas and Missouri line on the Missouri side there are three wholesale houses, which retail more than they wholesale, and all the drunks seen in our city are from Missouri. Our car line also connects with Joplin, Mo., which is another outlet for drunkenness, and you can see them get off from the cars in a drunken condition, also with packages.

All of our liquor traffic is done by foreigners, and all of our raids show that the liquor is handled by foreigners and in their private houses. Hardly ever do we get an American for selling liquor, and the wholesale houses being so close gives us a good deal of trouble with bootleggers; so on the whole it does not prohibit on account of the State of Missouri. All of our arrests that are made the defendant will tell the court that he got the liquor in Missouri; and our city would be in much better condition on the liquor question if it had not been for the State of Missouri. Our police records will bear all of this out. The arrests we make all liquor is destroyed, and in an hour they are over in Missouri and back with a new stock. They go in automobiles.

Yours, truly,

WM. LANYON, Jr., Mayor.

OFFICE OF CITY CLERK,
Pittsburg, Kans., January 5, 1917.

MR. WILLIAM H. THOMPSON,
Chairman, Washington, D. C.

DEAR SIR: Replying to your letter of the 30th ultimo, in regard to prohibition in Kansas, will say I do not consider it a failure and am satisfied that the people of Pittsburg would not go back to local option under any consideration.

Of course, we have violations, but most any law is violated. And situated as we are, 4½ miles from the Missouri line and an hour's ride from Joplin, Mo., it makes it doubly difficult for us. The wholesale houses being so close, it gives us a great deal of trouble with bootleggers. In most all of our arrests the defendants say they got the liquor from Missouri.

But notwithstanding all this, our city is in a much better condition than it was 12 years ago. Then we had in the neighborhood of 28 saloons running open in our town, which then had a population of about 12,000. When the order was given to close the saloons in Pittsburg it was rumored that Pittsburg would go dead and that business houses that were vacated by the saloons would remain empty, but, on the contrary, as fast as the buildings were vacated by the saloons they were immediately occupied by some legal business. And to-day our city has a population of 20,000, with no saloons and not an empty business building in town and we have never had a lull or panic in business.

On July 4, 1916, we had the largest crowd that ever attended a celebration in Pittsburg. Several extra peace officers were employed. During the day two arrests were made for drunkenness and peace disturbing. On July 4, 1900, there was an ordinary-sized celebration crowd in Pittsburg, with 24 saloons running open. There were nine arrests made that day for drunkenness and peace disturbing, our population at that time being about 11,000.

Therefore I feel that I am voicing the sentiment of the people of Pittsburg and the State of Kansas when I say that prohibition is morally and economically advantageous to our people.

Assuring you that your fight on this question meets with our approval, and hoping this information may be of some benefit to you, I remain,

Yours, truly,

ROLL RAKESTRAW,
Chief of Police.

PITTSBURG, KANS., January 19, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: I have been out of the city a great deal lately, and for this reason, as well as the fact that the mayor, Mr. Lanyon, probably gave you more information than I can, I have not answered your letter concerning the effect of prohibition in Kansas.

We are too near the Missouri State line to feel the full benefit of prohibition, being only 4 miles away; but in my two years' experience as police judge of this city of 20,000 I have not had a single drunk tell me that he became intoxicated upon liquor bought in Kansas. They invariably get their liquor across the State line, and on account of this condition we are deprived of the real benefit of prohibition.

According to the police court records, I find that some few months under prohibition we have had more arrests for intoxication than were made under licensed-saloon months, but this is due to the fact that arrests are made now upon very small evidence of intoxication, for the reason that with us a man slightly under the influence of liquor is very noticeable, while in the day of the saloon the men now arrested and fined as drunks would have been and were considered as sober and not violators of the ordinance prohibiting excessive users of intoxicants to be upon the streets.

If I can be of further service to you, please command me. With kind personal regards, I am,

Sincerely yours,

LEO. J. MCKENNA, Police Judge.

OFFICE OF CLERK OF THE DISTRICT COURT,
Girard, Kans., January 15, 1917.

HON. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: Yours of some days ago inquiring as to the prohibitory liquor laws of Kansas was received, and in reply I desire to say that I shall endeavor to briefly answer your inquiry.

Is there any intoxicating liquor sold in Kansas? Any honest man is compelled to answer that question in the affirmative. The statute

making it a criminal offense to barter and sell intoxicating liquors in Kansas is violated.

If the prohibitory liquor law is violated, does it follow that the law is a failure? The law against murder, rape, robbery, and arson and other criminal statutes are violated, but it would hardly be contended that such laws were failures and should be repealed by reason of the fact that they are violated. Probably the most that can be accomplished by any statute is to reduce crime to a minimum. It can not be entirely prevented by law.

The law against the sale of intoxicating liquor is being fairly and reasonably well enforced in Kansas. The prohibitory law in Kansas, I am inclined to think, is quite as well enforced as other criminal statutes in the State. The jurors do not hesitate to convict in liquor cases if the evidence warrants. The jurors give liquor cases the same serious consideration they do any other offense. If the evidence satisfies them beyond a reasonable doubt that the defendant is guilty, they convict; if it does not so satisfy them, they acquit, exactly the same as they would in a case of murder, robbery, rape, or arson.

Unquestionably the prohibitory law greatly restricts and reduces the sale of intoxicating liquor.

Very sincerely, yours,
A. J. CURRAN, District Judge.

DECATUR COUNTY.

OBERLIN, KANS., January 8, 1917.

Hon. W. H. THOMPSON,
Chairman.

DEAR SIR: Yours of January 3 to hand. Drunkenness is getting less and less, and, in fact, it is almost a thing of the past; but the Government is at fault for licensing the sale of the stuff, and I am hoping that national prohibition is not far off. I am persuaded that for every dollar the Government gets in revenue for license it pays out \$10 in money, saying nothing about the souls sent to hell every year. It does look like our lawmakers could see this awful drain on our country and remedy the evil. Prohibition does prohibit drinking as much as law prohibits murder or theft.

From
J. S. LEAKE,
Police Judge of Oberlin, Kans.

DISTRICT COURT CHAMBERS,
Oberlin, Kans., January 3, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: I have been watching your fight in the Senate for prohibition and am much pleased with the stand you are taking. We who have lived in Kansas the greater part of our lives know that prohibition has helped the State. Those who say that there is more intoxicating liquor consumed in Kansas in proportion to the population than in license States either do not know what they are talking about or do not care what they say. I have lived in Kansas near the Nebraska border since the adoption of the prohibitory amendment in 1881, and there was a time when I thought that prohibition did not prohibit, but since Kansas officials have been trying to enforce the law it has prohibited and does prohibit. From the time Senator Harris made his campaign for the governorship on the issue of law enforcement the law has been fairly enforced in the State and a marked change took place dating from that time. We can truly say we have a dry State. A drunken man is seldom seen and crime is lessened and the standard of morality much higher, especially among our young men, than it was a few years ago. In fact drinking is unpopular and growing more so under the influence of prohibition.

I have not looked over the records, but it is evident that there is much less crime than formerly, and if there are many convictions it is because crime is not respectable in Kansas and the strict enforcement of law is demanded by our citizenship.

Hoping that you may win and assuring you that the people of your home country are with you, I remain,
Sincerely, your friend,

W. S. LANGMADE,
Judge Seventeenth Judicial District.

DICKINSON COUNTY.

ABILENE, KANS., January 11, 1917.

Hon. WILLIAM H. THOMPSON, Senator.

DEAR SIR: In reply to yours of recent date, will say that prohibition certainly does prohibit with us. During the year 1916 there were five warrants issued and two arrests made for drunkenness and one bootlegger, and no joints running. The morals of our city are good and have been for some time.

J. C. PORTER,
Police Judge, Abilene, Kans.

ABILENE, KANS., January 6, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: In regard to my knowledge of prohibition in Kansas, it practically does prohibit the sale of liquor in Kansas. We have, of course, a little trouble with an occasional bootlegger and a little drunkenness. That, of course, is owing to the ease with which they can get liquor from Missouri.

In this town before prohibition law was enacted there was from one to three men killed every year on account of saloon fights or drunkenness, and a number of farmers were foreclosed every year who lost their homes on account of excessive drinking.

In the last 10 years there has not been a man killed in any fight which could be charged up to liquor. And there are no homes being foreclosed on account of liquor. Every year the few bootleggers are getting less. Last year in this town of 5,000 there were only two arrests for drunkenness.

We think we have the liquor business just about as near the prohibitory point as you could have it in a State where they can ship it in from other States.

Yours, truly,
W. D. NICHOLS, Mayor.

DONIPHAN COUNTY.

TROY, KANS., February 5, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Answering the inclosed letter, will say in the first place, please excuse me for not answering before this date as I

have been confined in the house on account of a severe spell of pneumonia.

Will state that I have had five cases before me for drunkenness during the year 1916, all of which plead guilty and were given a small fine and assessed the costs.

In regard to the enforcement of the prohibitory law, will state that in this county it is enforced as well if not better than in many of the counties of the State.

And will further say that if it was not for the St. Joseph liquor houses and saloons we would see but very little drunkenness in this city.

Our city has a population of some 1,500, and we are in favor of prohibition, and the people of this community would never vote to do away with the prohibitory law.

When we had open saloons we had terms of court lasting from four to six weeks, now we have terms lasting from two to three days each term. People are more prosperous and are building and owning their own homes and are well satisfied and are helping enforce the laws.

Yours, very truly,

J. M. KNIGHT, Police Judge.

DOUGLAS COUNTY.

LAWRENCE, KANS., January 12, 1917.

WILLIAM H. THOMPSON,

United States Senate, Washington, D. C.

DEAR SIR: Your letter of the 3d in regard to the effect of the prohibitory law in Kansas received.

Lawrence is a city of 14,000 people. In addition thereto, they have over 3,000 students in the State university and 1,000 students in Haskell Institute. Our district court meets three times a year; the criminal business is generally cleaned up in two or three days. Our police court in the city of Lawrence meets every morning, and morning after morning there is no business before the court.

We are on an interurban line, 40 miles from Kansas City, with car service every hour, and 99 per cent of the cases that we have in police court wherein the defendant is charged with being drunk he obtained his liquor in Kansas City. This interurban line has been in operation not quite a year, and we have had a little more drunkenness to contend with in police court during this time than we had before, by virtue of the fact that it has placed us in closer touch with Kansas City, Mo.

The prohibitory law is not a failure in Kansas. It is a marked success, and I am speaking from experience that I have had as an officer—four years as city attorney of this city and six years as county attorney of this county.

Yours, very truly,

THOS. HARLEY,
By. E. H.,
County Attorney.

BALDWIN CITY COUNCIL,
Baldwin City, Kans., January 11, 1917.

Hon. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: Yours of the 2d instant asking for my experience and opinion as to whether or not prohibition prohibits is to hand and contents noted.

As to my opinion, I am free to state that it is that prohibition does prohibit and that we are in a much better condition than we would be without it.

I interviewed some of our citizens in regard to this matter and they unanimously expressed the opinion that the prohibitory law is as well enforced and is as seldom violated as any other law on the statute books of the State, and I surely think they are correct in that opinion.

Since I have been police judge, now nearly six years, there have been no arrests for violations of the prohibitory law, and while there have been suspicions that it has been violated, the officers have failed to find any proof of the same.

Some liquor has been shipped in from Kansas City, but we have no proof that any has been sold.

In the police court there has been 30 arrests for intoxication, 29 of which plead guilty to the offense.

Of this number nine were nonresidents, one was arrested nine times, two three times each, and six others one time each.

If any of this is of any use to you, use it.

Hoping you will win your fight, I am,

Respectfully, yours,

N. A. SKINNER, Police Judge.

ELK COUNTY.

LONG BEACH, CAL., January 31, 1917.

DEAR SENATOR: Your efforts in behalf of prohibition anywhere at any time will be duly appreciated by nine-tenths of all Kansans. A great thing for Kansas, and will be a great thing for the Nation, when it comes, and which will not be long. Three-fourths of the criminal cases I have tried had origin in the use of liquor.

California will soon be dry also, notwithstanding it is a great grape State. Another of the beach towns, Redonda Beach, voted dry a few days ago.

I wish you well.

A. T. AYRES, District Judge,
Howard, Kans.

ELLIS COUNTY.

CITY OF HAYS GOVERNMENT,
Hays, Kans., January 10, 1917.

Hon. WM. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: In reply to your letter of the 30th ultimo, relative to the prohibitory liquor law of Kansas, will say that I know of no law in our statutes which has a greater sanction by the people of this State than this law, and I do not suppose that anyone will contend that Kansas is a lawless place.

As you know, all law depends upon the sanction of the people in so far as its enforcement is concerned. There was a time in the early history of the prohibitory liquor law when it was not sanctioned by a good many people of this State, but those times are past.

I have lived in Hays and its vicinity for 32 years and have been and am now mayor for the last 4 years. During the last 4 years since I have been a law-enforcing officer of this State we have had no bootleggers here who remained in that business very long; in fact we usually convicted them on their first or second sale. In fact it is not

the local man so much as the transient bootleggers from Missouri who sometimes drop in between trains with a suit case full of whisky and manage to make a few sales before they are apprehended by the officers; but they are quitting that practice.

Although not a total abstainer from the use of intoxicating liquor, I believe that the good government strives for the greatest good to the greatest number. I think that the prohibitory liquor law of Kansas has met this requirement for Kansans, and I for one would welcome legislation along those lines nationally.

The claim has often been made that people from foreign countries are adverse to prohibition. We have several citizens in Hays of this class and they aid us in enforcing this law at this place.

The population of the city of Hays is about 3,000. Out of this number of people there is not one drunkard; in fact we have no drunkards, paupers, or idlers, but our people are contented, happy, and prosperous. Nearly seven-eighths of them own their own homes and have money in the banks.

When this letter reaches you it becomes your property, and I have no objections to the use which you may make of it.

Any information which I may be able to furnish you in regard to law enforcement will be cheerfully furnished upon request.

Yours, very truly,

H. W. CHITTENDEN, Mayor.

FINNEY COUNTY.

SHERIFF'S OFFICE,
Garden City, Kans., January 26, 1917.

Hon. WM. H. THOMPSON,
Washington, D. C.

MY DEAR SIR: Having lived in Kansas all my life, and for the last two years having been the sheriff of Finney County, Kans., and thus having been in a good position to observe the workings of the prohibition law, I will say that it has worked in Kansas and has done the State more good than any one law that I know of. It most certainly reduces crime, lessens drunkenness, and raises the morality of the State to a very high degree. The people, instead of spending money for liquor in its many forms, spend their money on their families and righteous living, and what they do not thus spend they put away in the savings bank, so that the direct result is that there is a very great number of small depositors who have money put away in the banks of this State as a direct outcome of the prohibition law. It no doubt reduces crime. This I can state from my experience as an officer of the law. The small per cent of crime that is committed in this State is the result in a large measure to the violation of the prohibition law. Of course the law is violated some. It would be impossible to pass a law that was not violated some. The law of murder, larceny, etc., is also violated yet no one would dare say that the law forbidding the crime of murder, larceny, etc., was not a good law. As long as human nature remains as it is, laws will always be violated, and if we are going to condemn a law for that reason alone we had just as well stop passing laws right now, for there never will be a criminal law passed that will not be violated, more or less. Take it as a whole, prohibition has been enforced at least 90 per cent in Kansas and has made Kansas 90 per cent more efficient.

I am in favor of national prohibition, and especially in favor of prohibiting the shipping of liquor from a wet State into a dry State. I can not understand why the Federal Government will license a bootlegger in a prohibition State and thus help him violate the law, but not only that but shield his name from the State authorities.

Sincerely, yours,

OLL BROWN, Sheriff.

FORD COUNTY.

OFFICE OF CITY CLERK,
Dodge City, Kans., January 6, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Yours of December 30 at hand, asking me what had been my observation relative to prohibition in Kansas, whether a failure or actually prohibits.

In answer to this will say it prohibits to the minimum in our city, and will in any city or community in the State of Kansas, providing the officers will enforce the law according to their obligations. As you well know, our city before prohibition was enforced had a very bad reputation for drunkenness and all other kinds of vices that go hand in hand with the liquor traffic. But to-day we have a city of 5,000 people, with a day and night marshal, and it is very little they have to do on account of liquor.

The writer had occasion in the early part of December to visit several States that do not have prohibition, and he saw more drunks, more depravity, and more beggars than he has seen in the State of Kansas in the two years past.

Hoping that this will be of benefit to you and will be of some help in furthering the prohibition fight in the Nation, I am,

Yours, truly,

W. T. HALE, Mayor.

SHERIFF'S OFFICE,
Dodge City, Kans., January 2, 1916.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: In answer to your letter of the 30th, will say that I have been a peace officer for the past six years, and as I have made frequent trips into the wet territories, I find that on these occasions that there are more men arrested in the wet territory in one night than is in the dry territory in a week. I am of the opinion, and from my observation think, that this condition is wholly caused from the fact that liquor is so readily procured. I realize the fact that the ones that are saying that the prohibitory law does not prohibit, but I will say for my own belief and observation that it does prohibit to a great extent, and when in the intoxicated condition, I find that most of our crimes are committed; for one instance, the killing of my friend and brother officer at Rolla, Kans., last July; the party was under the influence of liquor; in fact, he was drunk; and in my time I could point to lots more of cases in the same way, but would only take up time, for we people here are so well satisfied with it we will vote almost to a man and woman for the national prohibition clause as soon as it comes up; but we do not want it to come so soon that it will be defeated, or before there are enough States that have ratified it, so we will not be able to carry it in all by the necessary majority; but I say I am ready,

and I firmly believe that we will meet with a wave of prosperity that has never been known before in the history of our Nation, for old debts will be paid that will never be until that time. Do all you can. I am for you.

Yours,

C. W. WOOLWINE, Sheriff.

FRANKLIN COUNTY.

OFFICE OF SHERIFF OF FRANKLIN COUNTY, KANS.,
Ottawa, Kans., January 6, 1916.

Senator W. H. THOMPSON,
Washington, D. C.

MY DEAR SIR: In response to yours of December 30, will say that my experience of four years as sheriff of Franklin County, Kans., is that prohibition not only lessens crime but has upbuilding influence. To be sure, we have among the lower class of both white and colored races a few of what are known in this State as "bootleggers," but they, as a rule, only come in contact with a few compared with the many who would perhaps use liquor if we had open saloons. To my mind open saloons in Kansas would be a crime equal to taking the lives of our younger generation.

Yours, very respectfully,

NICK JOHNSON, Sheriff.

DISTRICT COURT, FRANKLIN COUNTY, KANS.,
Ottawa, Kans., January 2, 1917.

Senator W. H. THOMPSON,
Washington, D. C.

DEAR SENATOR: Answering your recent favor touching the intoxicating-liquor problems of Kansas, I have to say that I have read with considerable interest the debates upon that subject in the Senate. * * * You can put this down as a settled fact: Prohibition is here to stay. It is as firmly fixed in the minds of our people as the abolition of human slavery, and is no longer a disputed question. It is a fixture in this State, because our people have become thoroughly convinced that it is a paying investment; that is, that sober men are to be trusted in all stations of life rather than drunken men, and the situation resolves itself down to that proposition.

We have drunkenness in Kansas—there is no question about that—but it is confined exclusively to the lowest degree of citizenship. There is no question that liquor is sold in Kansas, but it is sold by a few Mexicans, a low grade of colored people, and a still lower grade of whites. If anyone desires to buy a drink of whisky in Kansas he can do so, and, from my experience in the trial of lawsuits for nearly a third of a century, I feel that I am qualified to advise him how he can get the stuff. First, he will have to go into a dark alley, find a Mexican or a low grade of colored or white citizenship, and there intrust such an individual with his money and wait until this most responsible individual returns with the goods. Or he may be conducted by a citizen of like character * * * past the freight stations, through the railroad yards to the farthest corner of the railroad property, and if he will stand in the darkest corner his conductor will go into a box car or behind a pile of ties and secure for him a half pint of stuff that has been shipped in from Missouri, and by the payment of a dollar he may become the proud possessor of this half pint of Missouri enthusiasm. Or, if he does not desire to go so far out of his way, if he will secure the proper signs, signals, grips, and passwords, he may enter a livery barn from the rear door, pass in the rear of the horses and mules, go up a flight of stairs into the second story, and there wait until the bartender removes several bales of hay, he may then purchase the stuff. The place of business may be changed when he returns for the second installment, but he will be able to find it, no doubt. This is not overdrawn; this is the manner in which liquor is purchased in Kansas, as revealed by the testimony of many witnesses whom I have heard testify in the past 30 years.

I have seen crowds of from ten to twenty thousand people gather on the fair grounds in different localities in Kansas, remain there three or four days, and not an arrest for drunkenness occur. In the past 15 years I do not recall now of hearing a single reputable citizen testify in a whisky case outside of the officers. Both seller and buyer are confined to the lowest class of citizens. * * *

I trust that you and the other Senators who are making the fight for common decency will keep it up until you succeed.

Respectfully, yours,

C. A. SMART,
District Judge.

OFFICE OF CITY CLERK,
Ottawa, Kans., January 6, 1917.

Hon. W. H. THOMPSON,
Washington, D. C.

MY DEAR SIR: In answer to your letter as to whether prohibition in Kansas is a failure or actually prohibits, thereby lessening drunkenness and crime, as I have observed as one of the law-enforcing citizens of the State, would say I do not know of any law in the State that prohibits any better than the prohibitory law; and as for lessening drunkenness, there are very few persons ever seen on the streets of Ottawa intoxicated—a city of 10,000—and most of them are persons that bought their liquor in Kansas City or of some bootlegger that got it in Kansas City. And quite a number of cases that are brought before me for intoxication are persons taken off the trains coming out of Kansas City; and for several years after the prohibitory law I was contracting, building railroads, grading, and had contracts in Kansas, Oklahoma, Colorado, and Missouri, and I never had one-fourth the trouble on pay day of men drinking in Kansas as I had in the States that had no prohibitory law, and the law is being better enforced every year. * * * I have lived in Kansas 47 years and know the difference before prohibition and after.

Yours, very truly,

R. S. PARKER, City Clerk.

GEARY COUNTY.

JUNCTION CITY, KANS., January 17, 1917.

Hon. W. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Your letter of the 3d instant, one of which was addressed to each of the undersigned, has been duly received. It is, indeed, a pleasure for us to answer your letter in the spirit in which it was written.

For a number of years after the passage of the prohibitory law in Kansas this city was conducted under the old fine system, which was in effect a high-license system. About 10 years ago the citizens elected a law-and-order ticket. At that time it was almost the universal opinion among business men that the city could not exist under law

enforcement, because it depended upon Fort Riley, to a large extent, and the soldiers there for its business; it being contended that the soldiers would spend all of their money in Kansas City and very little of it in our city, and thus many of the business houses would be forced to close.

Time has shown that this opinion was erroneous. There have been a number of businesses closed out, but they were of the class that were undesirable and that go with an open town, consequently have not been missed by our citizens.

Our population is not quite as large now as it was then because of the exodus of a number of undesirable citizens. This exodus, however, has been a great help in improving the moral conditions.

It has been the earnest endeavor of the officers at all times during the past 10 years to enforce all laws and especially the prohibitory liquor law. Naturally drunkenness has materially decreased, as has all other crimes.

We have made an examination of the records and find that our police and district court records show a decrease in crime and prosecution for offenses of at least 500 per cent. This may seem large, but an examination of the records will bear us out.

We might also add that arrests are made much more readily now for the same offenses than they were when the prohibitory law was not enforced.

We believe that conditions have improved economically as well as morally. Our rate of taxation is at least as low as it was in the old days, with many improvements and advantages. This, of course, has been brought about to some extent by changing from a government by mayor and council to the commission form of government.

Hoping that you will have success in this fight in the Senate, we remain,

Very respectfully, yours,

J. I. KERN, *Police Judge*
M. D. PEESO, *City Marshal*
I. M. PLATT, *City Attorney*.

JUNCTION CITY, KANS., January 8, 1917.

Hon. WM. H. THOMPSON,
United States Senate, Washington, D. C.:

As to the question whether prohibition in Kansas is a failure, I have to say that no statement can be more absurd or false. The influence of the saloon and its accompanying vices are gone and our young men no longer influenced by the glittering attractions to entice them into the web of damnation.

As you know, we have the large military reservation, Fort Riley, here, and only a few years ago this city had 15 wide-open saloons, and on pay day at the fort our city was filled with drunken people; as many as 50 could be seen staggering along our principal street at one time, but this condition has ceased to exist, I am glad to say. We closed up these saloons and now it is very seldom—yes, a rare occasion—that one sees a drunken man on our streets. Our business men state that their collections are much improved, and conditions are so much improved that our citizens who at the first feared that by closing the saloons we would hurt business now say that they would not want the old conditions with the saloon.

I was elected county attorney of this Geary County, Kans., in 1910, and have served as such officer up to this date. When I first took up the work of said office we had two and three weeks each term of court to complete our court docket in our district court. Our court expenses to our taxpayers was \$2,000 and more each term. Our criminal docket was large and our city had the name of a very wicked and immoral town, but to-day our court docket has been so reduced by the elimination of the saloon that we have three or four days for a term of court instead of weeks, and the costs per term has been reduced more than three-fourths. All say what a wonderful change.

Very respectfully,

WM. W. PRAISE, *County Attorney*.

GOVE COUNTY.

GOVE, KANS., January 3, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

HONORED SIR: Replying to your letter of the 30th ultimo, making inquiries for my observations as to whether the prohibitory law has been a success or failure in Kansas.

During my term of office as county attorney of Gove County, Kans., my experience has been and my opinion formed from that observation are that the prohibitory law in this State and county is a decided success. Even the fellows, or a majority of them, that use the liquor would be opposed to an opinion from any of the better class of people of this State that would indicate the contrary.

And while I realize there have been more or less violations of the prohibitory law which have not been punished, just the same as there have been of other laws on the statute books, yet taken as a whole I think the law is pretty well enforced.

Trusting the above may be of some use to you, and with kindest personal regards, I am,

Yours, very truly,

E. F. BECKNER,
County Attorney.

GRANT COUNTY.

NEW ULYSSES, KANS., January 5, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: Replying to your favor of the 30th ultimo, beg to advise that my observation of the operation of the prohibitory law in Kansas leads me to believe that even though it has been in some instances differently enforced, it has done more to lessen drunkenness and crime than any other one thing. I might further add that I believe the prohibitory law, as written, is for practical purposes actually enforced, and that a Federal law which would reach interstate commerce, prohibiting the shipment of liquor from a wet State into a dry State or through a dry State, would enable the peace officers of a dry State to enforce to the letter their prohibitory laws, and would result in such a lessening of drunkenness and crime and the consumption of intoxicating liquors as to seriously affect the manufacturers thereof.

Yours, very truly,

H. W. STUBBS,
County Attorney Grant County.

GREENWOOD COUNTY.

CITY CLERK'S OFFICE,
Eureka, Kans., January 9, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: Your favor of the 30th concerning the effect of prohibition in Kansas received. I think I can answer your question about as intelligently by repeating to you a conversation I had with a young lady who is a bookkeeper and cashier in our store. I asked her the question if she often saw a drunken man in Eureka. She said she never had seen one, and she has been raised right here.

I was here before we had prohibition in Kansas, and anyone that has had the experience I have had wouldn't argue for a minute that prohibition didn't prohibit.

Yours, truly,

M. A. MILLER, *Mayor*.

HAMILTON COUNTY.

SYRACUSE, KANS., January 15, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Your communication of the 30th ultimo, addressed to the county attorney at Johnson, received. I wish to congratulate you for the interest manifested in prohibition. It is very gratifying to me to know that the United States Supreme Court has made it possible to prohibit common carriers to place wet goods in dry territories. Upon reading the decision the morning after it was announced, I immediately wrote a letter to Mr. R. E. Bray, our county representative, to use his influence in securing an amendment to our present prohibition law, making the same conform to the Webb-Kenyon law of West Virginia. This makes it possible, as I see it, for Kansas to go dry since Colorado, Oklahoma, and Nebraska are also prohibition States and necessarily will follow our example in amending our present law. The fact that we have been unable to exclude shipments into Kansas has made it difficult along the border, as well as in the large cities of the interior of our State, to exclude intoxicants. I trust our representatives in Congress will all join with you in bringing about national prohibition by 1920, and that the Kansas Legislature will enact a proper bill to exclude liquor shipments from our beloved State. With best wishes for you and yours, I remain,

Most respectfully,

CHAS. W. BURTON,
County Attorney.

SYRACUSE, KANS., January 4, 1916.

Hon. WM. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: I have yours of the 30th ultimo relative to the liquor situation in Kansas.

I noticed that Senator Reed, of Missouri, was quoted as saying that there was more drunkenness in Kansas than in Missouri. Possibly I am not very familiar with the situation in Missouri, but so far as Kansas is concerned, there is not a great amount of drunkenness, and the drunkenness that exists is not the fault of the prohibitory law. If the Federal Government would enact a law preventing the shipping of liquor into prohibition territory, it is my judgment that drunkenness in Kansas would be very rare.

Another thing, prohibition is largely a matter of education. The boys and girls now growing up in Kansas are being raised under the influence of the prohibitory law. Most of them have never seen a saloon, and were it not for the fact that some of the elder residents of this State were addicted to the liquor habit, they probably would never have seen a case of drunkenness. It is true that there is some bootlegging in Kansas and in my judicial district, but there is not nearly the liquor sold nor consumed in this district that there would be if we had open saloons.

I spent over 20 years of my life in a State that has local option, and have been in Kansas 18 years, the last 12 years of which time the prohibitory law has been enforced. I think conditions in Kansas are much preferable under the prohibitory law than in States which have local option. I am confident that our people would never consent to a change. The drunkenness that exists in Kansas should not be charged to the prohibitory law, but should be charged to the liquor interests, which ship liquor from wet territory into Kansas. When we are protected against the liquor traffic from the outside, we will then be able to control the situation, and a case of drunkenness in Kansas will be very, very rare, indeed. With kind regards and best wishes, I am,

Very truly, yours,

GEORGE J. DOWNER,
Judge Thirty-second District.

HARVEY COUNTY.

NEWTON, KANS., January 8, 1917.

Hon. W. H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your favor of December 30 would say there is absolutely no question in the minds of our city commissioners or our citizens as to the success of prohibition in Kansas and in our city. Our officers are greatly handicapped by private shipments of liquor into the State, this being the most serious obstacle to full enforcement of the law. Circulation of advertisements of mail-order liquor concerns is also very detrimental to the cause.

In our opinion prohibition of liquor shipments into dry territory and exclusion of liquor advertisements from the mails are two of the most important factors in making possible a strict enforcement of the prohibitory law.

Yours, very truly,

A. J. DUFF, *Mayor*.

NEWTON, KANS., January 3, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: Your favor of December 30, 1916, received relative to the question of prohibition in Kansas, and you ask for my experience, observation, and views, as one of the law-enforcing officers of the State. It has been my duty to enforce the prohibitory liquor law in Harvey County for the last two years, and I feel qualified to speak from that experience. The city of Newton is in Harvey County, and it must be remembered that that city is peculiarly located in this, that it is on the main line of the Santa Fe, east and west, and is one of

its large division points on the main line, as well as on the line extending south through Oklahoma and Texas. There are more than 40 passenger trains in and out of Newton every day, and all stop here. In addition to that, we have interurban service from the city of Hutchinson and the city of Wichita every hour and twenty minutes. This makes it more difficult to enforce the prohibitory liquor law here than in many other counties of the State.

The prohibitory liquor law in Kansas is not a failure; the prohibitory liquor law in Kansas actually prohibits; as a result of our prohibitory liquor law there is less drunkenness, less crime, and less immorality than in many States and places other than the State of Kansas with which I am familiar and which are not blessed with a similar law. There is no question but that this is the result of our prohibitory law.

One thing which makes our liquor law harder to enforce than it otherwise would be is due to the fact that the common carriers, the shippers of liquor, or the officers of the United States Government do not obey and enforce the Federal law, which requires that the contents and amount of liquor shall be written plainly on the outside of the package. I wish to call your attention to a single incident, to make myself plain. Last summer there were two consignments of liquor came to the express office here, and on the outside of each it was stated that the package contained 3 gallons of liquor, and I ascertained that the liquor was bottled in 2-ounce bottles. Frequently it is stated on the outside of the package that it contains 1 gallon or 2 gallons, when it is bottled in pints or half pints. Your experience as a lawyer and on the bench and your knowledge of our liquor law will tell you that in Kansas there is a vast difference between 2 gallons and 32 half pints of liquor. As I have said before, if this law was strictly adhered to our troubles would be lessened.

In Harvey County during the past month of December, 1916, and with a strict enforcement of the liquor law, I have caused the arrest of only two people for drunkenness; and in the city of Newton, with a population of approximately 10,000, there has been only three arrested for drunkenness.

I believe that 9 out of every 10 crimes which I have had to deal with were due, either directly or indirectly, to liquor, and most of the "rot gut" came from Missouri. I can think of only one case of immorality at this time which was not the result of liquor.

If I can give you any more data or can aid you in any other manner in your fight for national prohibition, advise me, and I assure you that I will do all that I can.

With kindest personal regards and best wishes of the season, I beg to remain,

Very respectfully,

L. C. KELLEY,
County Attorney.

HALSTEAD, KANS., January 4, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Your fight to uphold prohibition in Kansas has my hearty approval. I am serving my fourth term as mayor of Halstead. We have no paupers in our city. One mother receives a mother's pension, whose husband sends all the money he can get to Missouri for booze. We have a clean town, a happy people. Our "jail" is used for a sleeping room for tramps who come from a whisky State.

I remain, very truly,

ELI M. HOOVER,
Mayor of Halstead, Kans.

NEWTON, KANS., January 10, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: It has been a source of great annoyance to me to observe that some of the men in our country holding high positions in the governmental agency of our country should be so biased and unfriendly to any cause that they would permit themselves to appear before the great legislative bodies of the Nation and there make statements which, would they only take pains to verify before speaking, would find most false.

Anyone who states privately or publicly that prohibition in Kansas is not a success makes such statement either through ignorance, desire to mislead, or on account of bias and prejudice to the cause of temperance.

During the past 30 years I have been in position to observe the condition of the growth of temperance under prohibition in this State; I have conducted cases as prosecutor and as defender for many years, and I will be frank with you and state that for a number of years I have not defended a single liquor case in this (Harvey) county, for two very good reasons: First, we never here have a man charged with the offense of selling liquor, except he be a "low-down bum," a vagabond, an alley rat, or some fiend who has not arisen to the dignity of mature manhood, who is without means and only resorts to the alleys and byways to vend his goods; and, in the second place, I believe that no self-respecting attorney can afford to lower himself on the plane with these men and defend his acts.

To say that there is no whisky sold in Kansas would state an untruth; there is not a criminal statute that is not sometimes violated, but if we could remove whisky-ridden Missouri from our border the prohibitory law would be less frequently violated than many other criminal statutes in our code. If Missouri will adopt prohibition, she will make one of the greatest advancements she has ever made and at the same time relieve Kansas of one of the greatest menaces she has in the enforcement of her prohibitory law.

There are a few places in Kansas where it is a little hard to enforce the law, but this for the principal reason that they are close to Missouri and are touched with the contaminating influences of that State, and in a few other localities, far apart, where the sentiment of the major portion of the people is in accord with the sentiment expressed by some of our so-called Representatives, makes it difficult to procure peace officers who will faithfully perform their trust.

You can call the lie on any person who seeks to defame the name of this State with reference to prohibition, and an investigation of the facts will serve to place you among the true representatives of the people where you rightfully belong.

I could cite instances, furnish proof of my statements, and supply you with much data which would refute all adverse comment, but same would not subserve your purpose.

Hoping that you may be able to crucify all Judases and annihilate all blasphemers against prohibition, I beg to be and remain,

Respectfully,

B. H. TURNER, City Attorney.

HODGEMAN COUNTY.

JETMORE, KANS., January 6, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: Yours of recent date asking about the working of our so-called prohibition law was received.

In response thereto will say that I am fully satisfied with the law and the manner in which it is enforced. All that is required is action by our National Congress in order that our State law may be made more effective.

I came to Hodgeman County 39 years ago. At that time the county was unorganized. I have witnessed, taken part in, and lived through the great struggle to eliminate the saloon and the liquor traffic from the State.

That the law works and is enforced must be admitted by the most rabid saloonist. When it is remembered that the principal features of the law says "no make" and "no sale" of liquor within the State it becomes apparent that it does prohibit. There are no breweries, distilleries, or saloons within the State, although there is an occasional bootlegger. But there also are an occasional horse thief, a cattle thief, an embezzler, a murderer, etc.

The reason why there are no breweries, distilleries, nor saloons within the State is because such institutions are prohibited by law. And the law does prohibit.

Those who declare that our prohibition law does not prohibit will point to the fact that some liquor is drunk within the State and that there are some cases of drunkenness, even more cases of drunkenness than there ought to be. These apologists for the liquor traffic try to make it appear that when one takes a drink of liquor within the State or gets drunk the prohibition law has been violated. But such is not the case. There is no law in Kansas which forbids one to take a drink of liquor; and as long as one may lawfully ship it into the State as interstate commerce more or less liquor will be drunk and there will be more or less cases of drunkenness. In all this there is no violation of the prohibition law, as the law against drunkenness is not properly a part of the prohibition law, for such law existed before the passage of our prohibition law, and such law against drunkenness is a part of the law of every State where the saloon exists.

So it is quite beside the question to point to the fact that intoxicating liquor is lawfully shipped into the State and drunk and that there are some cases of drunkenness as a result as constituting a violation of the prohibition law. But all this does show the imperative need for action by our Federal Congress so as to forbid the shipment of liquor into dry States. Instead of such facts showing a violation of the prohibition law, it shows a culpable inaction on the part of Congress. One may look at the Wilson Act, the Webb-Kenyon Act, etc., and see where mere sops have been thrown to States that have been trying for years to eliminate a great evil. And just what may lawfully be done under those acts is pointed out as a violation of our State prohibition law. Hypocrisy can go no further.

You will readily perceive that Federal action is necessary in order that our prohibition law may be made to work more effectively. Why this action should not come from Congress without awaiting a constitutional amendment is a matter I do not comprehend. Of course, to await the adoption of a constitutional amendment delays the matter and gives the saloon forces time to attempt to change public sentiment. When I hear a man talking about taking steps to suppress the liquor traffic and his scheme postpones the time of effective action to some distant future day I feel some doubts as to his real attitude toward the question. Perhaps I should say that I feel no doubt as to where he stands. What is desired is action now. If Congress has exclusive power to regulate interstate commerce, why not commence now and regulate and prevent the shipment of intoxicating liquor into dry States?

We forbid the shipment into the State of Texas cattle for fear they might give our stock Texas or Spanish fever, and the act is valid, but rot-gut whisky is an article of interstate commerce and must come in.

Senator, give us an act of Congress at once that will prevent the shipment of liquor into dry territory, or permit the dry States to do so. Then the matter of a constitutional amendment can be submitted and we can await the time for action thereon.

With best wishes for you now and in the future, I am,

Very truly, yours,

ALBERT H. WILSON,
County Attorney.

P. S.—I go out of the office of county attorney Monday, but am still a Democrat and ready to do all necessary work.

A. H. W.

JACKSON COUNTY,
OFFICE OF SHERIFF OF JACKSON COUNTY,
Holton, Kans., January 11, 1917.

Senator THOMPSON,
Washington, D. C.

DEAR SIR: Yours of December 30, 1916, received some time ago. Pardon me for not answering sooner. I am sure pleased to hear that you are taking the position you are on the question of prohibition, for if there is any one issue that I think should become a national law it surely should be the question of prohibition.

From my observation the intoxicating liquor that is shipped into the State of Kansas from Missouri and other States not having the prohibitory law causes at least 90 per cent of the criminal cases that are brought before the courts.

I have kept a record of the men that have come under my control as sheriff in the years of 1915 and 1916, and find that 96 per cent of them drink intoxicating liquors and 90 per cent are cigarette users. I know these figures to be correct and I am sure that it is an easy matter to decide what liquor will do for a man.

I am giving you these facts just as I have experienced and observed them and give you my consent to use them in any way that will help to bring about any good national prohibitory law.

Any time that I can be of any service to you let me know.

I am, yours, respectfully,

CHAS. E. JOHNSON, Sheriff.

JEFFERSON COUNTY,
OFFICE OF SHERIFF OF JEFFERSON COUNTY,
Oskaloosa, Kans., January 5, 1917.

HON. W. H. THOMPSON,
United States Senate, Washington, D. C.

My DEAR SENATOR: Your letter of 30th ultimo, making inquiry regarding prohibition in Kansas duly received.

The consumption of intoxicating liquors in this county is not more than 10 to 15 per cent of what it was before prohibition, but the quality is bad and is obtained from Missouri, this county being only one county from the Missouri River.

The prohibitory law is well enforced in this county and violations called "bootlegging" exists in only a few places, and are very carefully and cautiously conducted.

The close proximity to the Missouri line is taken advantage of to procure liquor, and the illicit nature of this creates a desire to use it immediately and this, with the vile character of the liquor itself, is the cause of 99 per cent of the drunkenness in this county.

This use and abuse is confined to the low element of whites and negroes. It is nearly impossible for a respectable looking person to buy a drink of liquor within the county. During the past two years the jail has been vacant 204 days, over one-fourth of the time.

The total confinement in the county jail during the past two years has been 1,515 days, of which 1,320 days was for violations of the prohibitory law, and serving sentences thereunder. Nearly every arrest has resulted in conviction for several years.

Respectfully, yours,

E. W. O'BRIEN, *Sheriff Jefferson County.*

JEWELL COUNTY.

MANKATO, KANS., *January 27, 1917.*

HON. WILLIAM H. THOMPSON,

United States Senate, Washington, D. C.

DEAR SIR: In reply to yours of the 30th ultimo, I will say that I am absolutely of the opinion that prohibition in Kansas is not a failure notwithstanding statements and representations made by our neighbors from Missouri, and in my opinion the law is a good one, and the more strict it is made the better it will be. I don't believe that Kansas has the drunkenness or crimes and other resulting immorality that the people of Missouri have, and I would rather cut off my head than to go back on the things given us by the people in the eighties, which have been a great help and blessing to us. I am for national prohibition first, last, and for all time.

Yours, very truly,

C. CLYDE MYERS,
County Attorney, Jewell County, Kans.

KEARNY COUNTY.

LAKIN, KANS., *January 9, 1917.*

HON. WILLIAM H. THOMPSON,

Washington, D. C.

DEAR SIR: In reply to yours of December 30 in regard to the success or failure of prohibition in Kansas, will say that in my opinion it has been a great success.

Although our prohibition laws might be made more strict, yet I believe that the reduced number of crimes committed, the morality, prosperity, and the great progress of Kansas can be attributed to prohibition.

Yours, very truly,

B. L. HART, *County Attorney.*

KINGMAN COUNTY.

KINGMAN, KANS., *January 4, 1917.*

HON. WILLIAM H. THOMPSON,

Washington, D. C.

DEAR SIR: Yours relative to prohibition in Kansas at hand, and will say that whatever failure that might be charged to the law in this State is chargeable to the attitude of the National Government.

They reserve the right to allow anyone at any time to ship booze into this State, and go farther, and give them licenses to operate. Kansas has good laws, and they do lots of good, but they are handicapped in that they are nullified in so many ways by the national attitude.

You, of course, know that the worst boozers that we have in this State have acquired the appetite in other States and have come here, thinking that they could get away from it and straighten up. When they got here, they found it so easy to get it from another State under the interstate-commerce act that the result was that they have gone on in their drinking, and any unlawful act they might have committed was credited to the State of Kansas and the failure of the prohibition laws here.

We have some drunkenness here, but I find in nearly every case it is the result of a club shipment of liquor, and then they meet at some party's home or barn and get drunk. If the shipments were under the control of the State or prohibited, there would be some chance to control the situation here.

At this time we have the most in our city jail that there has been at any one time in three years. We have three there. Two for New Year's drunks and one for bootlegging. I presume that this will compare favorably even now with cities of this size in other States having saloons. We have a population of about 3,000.

The time is coming that a man who wishes any favors from Kansas will have to stand right on this liquor proposition. It will be well for you to look over the record in the last campaign of that man Kirschner, who went into the campaign with no money behind him and to what was most certainly a losing fight as far as election was concerned.

Hope you succeed in getting something through.

Yours, truly,

CLYDE MURPHY,
Mayor of the City of Kingman.

LABETTE COUNTY.

POLICE COURT,
Parsons, Kans., *January 6, 1917.*

HON. WILLIAM H. THOMPSON,

Washington, D. C.

DEAR SIR: In answer to your letter of the 30th instant in regard to prohibition in Kansas, I will say that it is a great success.

Up to the time when prohibition came into effect, about June 1, 1909, there were 23 drug stores in Parsons that sold intoxicating liquors. This astounding number of drug stores was diminished to five after the law went into effect. After my years of experience, I believe I can say that 90 per cent of all crimes committed are caused by intoxicating liquors. Prohibition has lessened drunkenness and crime and has resulted economically as well as morally advantageous to our people.

You have my permission to use this as you wish in the Senate to gain national prohibition for our people and make our country a better place in which to live.

Trusting that these statistics will help you in your fight, I remain,

Sincerely, yours,

T. A. MURRY, *Chief of Police.*
Per S. M.

CHETOPA, KANS., *January 10, 1917.*

HON. WILLIAM H. THOMPSON,

Washington, D. C.

MY DEAR SENATOR: In response to your letter of the 1st of this month regarding prohibition.

This letter would have been answered before, but owing to my absence from the city this delay was caused.

I came to Chetopa shortly after Kansas became a prohibition State, and I am convinced that prohibition is the proper method of reducing crimes, and also aids very materially in providing better homes and better families; and I am not classed among the strict prohibition people, either, although I am now serving my tenth year as mayor of this prohibition city, and I believe absolutely in the enforcement of the law.

In connection with this I would like to suggest to you to introduce a law restricting the Government from issuing Government licenses to sell liquor of any kind in any of the prohibition States. Whenever that is accomplished we will not be bothered any longer with bootleggers. Would be glad to hear from you on this proposition.

With kindest regards to you, I remain,

Truly, yours,

SIG. LEHMAN, *Mayor.*

LEAVENWORTH COUNTY.

TONGANOXIE, KANS.

W. H. THOMPSON, Esq.,

Washington, D. C.

DEAR SIR: In answer to your letter of the 30th December in regard to prohibition, I think I can say that we have none or very little drunkenness in our town now. We are too near Kansas City, Mo., to do away with all drinking, but I know that there is far less drinking than if we had saloons. We certainly would not go back to the wide-open saloon.

Yours, truly,

J. H. DREISBACH, *Mayor.*

OFFICE OF CITY ATTORNEY,
Leavenworth, Kans., *January 6, 1917.*

HON. W. H. THOMPSON,

Washington, D. C.

MY DEAR SENATOR: I am just in receipt of your letter of the 3d instant asking for a statement giving my experience and observation as to whether prohibition in Kansas is a failure, or actually prohibits, thereby lessening drunkenness and crime and resulting morally and economically advantageous to the people of Kansas.

I desire to say emphatically that prohibition in Kansas has not been a failure. Because of the fact that Kansas borders on the wet State of Missouri the enforcement of the prohibitory law in the border counties is very difficult and quite expensive, and yet there are hundreds of young men in those counties who have never been in a saloon, and many others who have never been in a saloon except when they went across the river into Missouri.

The saloons and liquor houses in the cities adjoining Kansas and which cluster along the border on the Missouri side are a great curse to the people of Kansas, and except for them the enforcement of the prohibitory law in this State would be comparatively easy.

Every honest self-respecting citizen of the great State of Missouri ought to blush and hide his face in shame at the obstacles placed in the way of the enforcement of the prohibitory law in Kansas by the law-defying rum sellers of Missouri, who persist in sending liquor into Kansas to be sold in violation of law.

Of course, there are violations of the prohibitory law in Kansas and will continue to be until Missouri wipes out her disgrace by barring intoxicating liquor from the State.

Notwithstanding all of the difficulties of enforcement, I am confident that there is not on the statute books of the State another law or dozen laws which have, and will continue to have, such beneficial results to our people, both economically and morally, as the prohibitory liquor laws. The sentiment in favor of prohibition is growing stronger all the time. The drunkard is a disgrace and the rum seller is an outlaw in Kansas.

If there is anything in this letter which will be of any help to you, you are at liberty to use it as you see fit.

Yours, very respectfully,

C. P. RUTHERFORD,
City Attorney.

LINCOLN COUNTY.

COUNCIL CHAMBERS, CITY OF LINCOLN CENTER,
Lincoln, Kans., *January 6, 1917.*

HON. WILLIAM H. THOMPSON,

United States Senate, Washington, D. C.

DEAR SENATOR: In reply to yours of the 2d instant, will say that prohibition has prohibited in this city for the last 15 years. That is as long as I have resided here. Also in the county.

Yours, truly,

C. H. BERRY, *Police Judge.*

LINN COUNTY.

OFFICE OF COUNTY ATTORNEY,
Mound City, Kans., *January 2, 1917.*

HON. WILLIAM H. THOMPSON,

Washington, D. C.

DEAR SENATOR: Gladly do I give my experience, observation, and views upon the prohibition question in Kansas, and you are at liberty to use the same in any way advantageous to the cause.

All laws to be effective must be backed by public sentiment. Under prohibition in Kansas we have raised up a generation of men and women who are radically opposed to the use of intoxicating liquors and intoxication. I was elected in 1914 on a law-enforcement platform, carrying every precinct in the county, and in 1916 was reelected without opposition on either ticket, and this after two years of rigid

enforcement of the prohibitory liquor law. This I believe is proof conclusive that the sentiment in Linn County is against bootlegging, drinking, and drunkenness. Furthermore, I find the prohibitory law the easiest law on the statute book to enforce.

Does prohibition prohibit?
During the holidays just passed, in an entire county of over 15,000 inhabitants only two cases of drunkenness were reported. There is not enough liquor delivered in Linn County to make a good business for one saloon; in wet States the small towns have nearly as many saloons as groceries. If that were the case here we would have 37 saloons.

A drunk is so scarce as to be a curiosity; half the youth of Linn County never have seen a drunken man and few, indeed, who ever saw a drunk woman.

If the Members of Congress, especially those from wet States, could step into the hundreds of happy, prosperous homes of Linn County, Kans., and ascertain the small quantity of liquors consumed there, and then go to the few unhappy, wretched, poverty-stricken homes where much of the earnings of the family are spent with some liquor dealer in Kansas City, Mo., it would be proof sufficient that Kansas prohibition was a success; but in order to make it complete we need to make Missouri dry and stop Uncle Sam from bootlegging liquor into our dry State.

Here is hoping that you and your fellow workers will keep up your worthy fight until you smoke out the opposition and hold them up to the ridicule of the world; after that they will not hold out long, but will give us national prohibition, which will be the greatest achievement in the United States since the emancipation of the slaves.

Yours, truly,

HARRY W. FISHER, *County Attorney.*

PLEASANTON, KANS., *January 7, 1917.*

WM. H. THOMPSON,
United States Senate.

HONORABLE SIR: Your letter received inquiring in regard to the effectiveness of the Kansas prohibitory law.

The young people of Kansas do not know what it is to have whisky and beer flaunted in their faces from a saloon, and the only whisky that enters the State is via the express companies, which the United States Government forces us to allow, or that which is packed in by individuals who are addicted to the habits or wishes to bootleg for the profit they receive.

Pleasanton, the town which I have the honor to serve, with a population of over fifteen hundred, has not had occasion to cause the arrest of a single individual in nine months. We have had three convictions in nearly two years, and two of these were for packing whisky in from Missouri and one was drunkenness.

The whisky and beer that comes into Pleasanton via the express companies is consumed in private, but being an officer I have the privilege of knowing who get it, and I find that the only people, as a rule, who are hard to collect rentals from (I am manager of a telephone company) are those who receive the shipments, and practically the only criminals who have been convicted in this vicinity are those who are addicted to its use.

Respectfully,

SAMUEL TUCKER, *Mayor.*

LYON COUNTY.

EMPORIA, KANS., *January 8, 1917.*

Senator WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Your communication regarding the efficiency of prohibition in Kansas came duly to hand. I have been police judge of Emporia for nearly three years and so have had some experience with the prohibitory law in this State. Coming from an Illinois town to Emporia, I have had some opportunity for comparison of the two general policies represented in these two States, and I have no hesitancy in saying that the liquor business in Kansas is a mighty poor business to engage in, as compared with that same business in Illinois. If I were going to engage in the liquor business, with my experience I certainly would not choose Kansas as a promising location. For instance, in looking over the police-court docket for the month of December, 1916, and including both holidays, I find that there were only four cases of drunkenness coming into the police court. If Illinois can produce a town having about 12,000 inhabitants with a record like that, they would be compelled to choose some other town than the one I lived in for 14 years. The greatest value of the prohibitory law in Kansas, in my judgment, is the removing from the towns the open saloon, which keeps our boys from becoming familiar with this evil. There are plenty of grown young men in Kansas who have never seen an open saloon. This I account a great gain. My experience of 11 years flatly contradicts the claim made by the enemies of prohibition that it is a failure. Wishing you every success in your fight for nation-wide prohibition, I am,

Most sincerely,

JOHN H. J. RICE,
Police Judge, Emporia, Kans.

MARION COUNTY.

HILLSBORO, KANS., *January 4, 1917.*

Hon. WM. H. THOMPSON,
Washington, D. C.

DEAR SENATOR: In answer to your communication of December 30 as to failure of prohibition in Kansas, will say that Kansas is greatly benefited by prohibition. Its failure exists only in the written pamphlets of its opponents. Resubmission in Kansas would only increase its dry vote. I am not opposed to the use of liquor by those who are able to use it. I do not know what else I can add.

Respectfully, yours,

H. BRUNIG,
Mayor, Hillsboro, Kans.

MARSHALL COUNTY.

BLUE RAPIDS, KANS., *January 8, 1917.*

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SIR: Your favor of the 30th read with interest. We have punished about 14 cases of drunkenness and disorderly cases the last year, our docket shows; possibly as many more escaped. In most of these cases the cause we attribute to being brought from a Nebraska saloon 30 miles to the north of us. While these cases have caused some trouble, we feel thankful we have no saloons in Kansas. If

whisky-house literature should be prohibited from using the mail system, it would cut our trouble in half. We think also when the Nebraska saloons are closed our trouble will be over entirely.

You are to be congratulated upon the work you are about to undertake. With the assistance of good officers you will succeed, no doubt; we are ready to assist you in every way possible. Do not fail to write me if anything can be done to aid you.

With kindest regards, I am,

Very truly,

A. R. DEAN, *Mayor.*

MEADE COUNTY.

MEADE, KANS., *January 8, 1917.*

Hon. WM. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: I am in receipt of yours of recent date, inquiring concerning the operation of the prohibitory liquor law in Kansas. In reply will say it has been my observation during an experience of 10 years as county attorney that the prohibitory liquor law does not prohibit the use of intoxicating liquor any more than the laws defining and punishing larceny prevent stealing. The prohibitory law is violated, and so are all of our criminal statutes, and, so far as I can see, one is respected about as much as another.

If it were not for that fact that it is so easy to obtain intoxicating liquors by express from points outside the State, there would be no more difficulty in enforcing this law than in enforcing the laws against homicide. And if the shipment of liquor into dry territory were absolutely prohibited, the sale of liquor in Kansas would be as rare as homicide.

Prohibition does prohibit, and anyone making statements to the contrary shows either woeful ignorance or willful desire to mislead.

Very truly, yours,

FRANK S. SULLIVAN,
County Attorney.

MIAMI COUNTY.

OFFICE OF SHERIFF OF MIAMI COUNTY,
Paola, Kans., January 4, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: I received your letter of December 30, 1916, relative to the prohibition question in Kansas. At the outset I desire to say that it is no longer a question in Kansas. Prohibition is a fixed institution that not only prohibits the sale of intoxicating liquors but has dispensed with drunkenness and made crime a minimum.

I have seen more drunkards in Kansas City, Mo., in one day than in Kansas in my entire term of office of a little over two years. The majority of the crime committed in this county as well as in the county north of us, which is in close proximity to Kansas City, Mo., is caused by the criminals and drunkards that come out of Kansas City, Mo. I live in the border county, and considering its close proximity to whisky-infested Missouri, will say that the percentage of crime committed in this county is unusually small. The prohibition law is enforced in this county as well as in other counties of this State that have come under my observation. The people, as well as the officers of the law and the courts, insist upon enforcing this law.

Although you and I are not of the same political faith, I heartily agree with the fight that you are making in behalf of prohibition, and should you desire to use this letter to answer the charges that are made against the proposition of the enforcement of the prohibitory law of this State you are at liberty to do so.

Yours, very respectfully,

M. E. STEVENSON, *Sheriff.*

MITCHELL COUNTY.

BELOIT, KANS., *January 6, 1917.*

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: Beg to acknowledge receipt of your favor of the 3d. Replying thereto will say that the writer has been city attorney of Beloit, Kans., for about eight years; also county attorney of Mitchell County, Kans., for four years. Prior to this the writer was deputy county attorney in this county for some time, and prior to that deputy sheriff for some time.

Beloit is a town of about 4,000 population, but its trade district extends over quite a bit of territory, for it is the largest town in the sixth congressional district in this State. My experience and observation as enforcing officer of this State is decidedly in favor of prohibition. The following are some of the things that caused me to express this view:

First. During the past 25 years we have had but one murder case in this county.

Second. For several terms of our district court we have had no criminal cases whatever. The present bar docket shows not a single criminal case.

Third. We scarcely average two cases a month in our police court, and some years have not averaged more than one a month.

Fourth. We have held public meetings, such as barbecues and the like, in this town in which there were over 10,000 in attendance without having a single police court or a county criminal court case arising therefrom or in connection therewith.

Fifth. The three banks in this city have deposits aggregating one and a half millions.

Sixth. Our pauper list is almost nothing. Our mayor informs me this morning that those receiving aid from the city are only three in number.

Seventh. The county poor are also very few. The county clerk informs me that there are only five persons on the county at this time.

Eighth. The population of this county is about 15,000, and the number of automobiles registered is 1,756.

Ninth. The writer believes from observation that this county will be better as soon as the dry law goes into effect in Nebraska, and this for the reason that we are close enough to the line that liquor has been in some instances brought across from the saloons in Superior, Nebr., and several of our drunk cases and other cases have been directly traceable and caused by parties coming from these saloons in Superior, Nebr.

I might add that the writer has had occasion to visit in a number of other States, and has had legal practice there, and by way of comparison I will give you just a few outside experiences:

First. In Butte, Mont., before the militia took charge, following the miners' union dynamiting deal, the average was 50 cases a day in the

police court. When the saloons were closed, the court went as long as 36 hours without a single case.

Second. Butte, as is well known, has one of the largest pay rolls per capita, and boasts of being one of the richest towns of its size, and has as many saloons as the most ardent saloon advocates would recommend, and yet at the above-mentioned time the city's income was approximately \$30,000 a month, and its expenses were approximately \$35,000 per month, and it was difficult to cash a city warrant unless it was about two years old. In many cases city warrants were being heavily discounted for cash. Some of the above came under the writer's personal observation and others were given by parties apparently in a position to know the facts.

You are perfectly at liberty to use this letter in your fight, and I shall be glad to give you any further information that is possible for me to give.

Most respectfully, yours,

A. E. JORDAN,
City Attorney.

BELOIT, KANS., January 3, 1917.

HON. W. H. THOMPSON,
Washington, D. C.

DEAR SENATOR: In reply to yours of December 30, 1916, would say the prohibitory law is a good law but needs the cooperation of the Federal Government so the violators will not get off so easy. I believe we should have no Government stamps in a dry State, but as it is it keeps our boys in check from what it would be if our State was a wet State. I really believe a Nation-wide prohibitory law would be the best remedy.

Yours, truly,

JOHN W. HAYES, Sheriff.

MONTGOMERY COUNTY.

CHERRYVALE, KANS., January 5, 1917.

HON. WM. H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SIR: Your letter asking me as to my opinion regarding prohibition received. I will say that there is absolutely no comparison as to conditions in our State compared with other States having no prohibitory laws. I have read with pleasure the stand that you have taken and your efforts in the Senate to bring about national prohibition, and I heartily recommend you for it.

The writer, who traveled before being elected to the office of mayor of Cherryvale, Kans., made Missouri as part of his territory; and I want to say that there were 50 drunkards in Missouri to 1 in Kansas, and that there were more prostitutes and other bad characters in like comparison.

Prohibition in Kansas is not a failure; it certainly has lessened crime, uplifted morals; our people have lived better, dressed better, which fact I attribute to prohibition law. Kansas has demonstrated the fact that liquor is a menace to everything that is good, upright, and honest, and that people can get along without liquor. I know that in our city our people would vote 9 to 1 in favor of national prohibition. Commending you for your efforts to secure national prohibition, I remain,

Yours, very truly,

MILTON COOK,
Mayor of City of Cherryvale, Kans.

CANEY, KANS., January 8, 1917.

HON. WM. H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Replying to your very kind inquiry of December 30, permit me to say that I heartily approve of the fight you are making in the Senate against the misrepresentations that are constantly being made harmful to the good name of our fair State and her prohibitory liquor law.

The prohibitory liquor law of Kansas is not a failure any more than the laws against murder and horse stealing are failures. The law in each case is a good one, and laws that tend to make our State a better State in which to live and rear our families. This law, like all others, is broken and does not always prohibit the sale of intoxicants, but it does prohibit a numberless amount of sales; it does prohibit much drunkenness and distress among our people; and it does give them many moral and economical advantages which they would not have to enjoy were the law repealed or had it never been enacted.

Those of us who live, move, and have our being within the borders of the great Sunflower State, rejoice in but few other things as we do in the knowledge that our boys and girls are free from the contaminations that always go hand in hand with the free and unrestricted sale of booze. We rejoice to know that the good people of our State are making an honest effort to maintain and strengthen this condition, and that in these efforts we are receiving much encouragement and assistance from the sister States of our Union and the men who represent them in our National Congress.

Locally the conditions are not just as I would have them, but a marked improvement over a few years ago is evident, and the enforcement of our liquor law is being aided greatly by the other nearby States getting into the dry column. National prohibition is the next forward step we of Kansas expect to see along this line. And may its coming be hastened by the action of Congress.

Very truly, yours,

T. C. HANSEN, Mayor.

CHERRYVALE, KANS., January 8, 1917.

HON. W. H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SIR: In reply to your favor of January 2, 1917, asking about the effect of the prohibition laws of Kansas, as they have been brought to my attention in this city. I have to say there is no comparison to be made between the condition of the people and their condition when the prohibition law took effect 35 years ago.

We have no poor, shivering, barefoot children here now in winter, and many families who were destitute then because of liquor, are, and have been for years, well to do, owning their own homes, and their children educated and respected citizens.

I have been carefully over my docket for the years 1915 and 1916, and give these actual facts:

Number of arrests made for drunkenness in two years, 53. Number of inhabitants in Cherryvale, 4,500.

This is about 1 arrest to each 170 inhabitants in one year. Eleven of these were put off trains here, intoxicated, and were not our citizens.

Several are repetitions, three or four as many as five times. Deduct repetitions and transients put off trains because they were intoxicated, leaves about 30 of our own individual citizens who have been drunk here in two years, 15 average for each year.

This is not because arrests have been avoided when they should have been made, and any officer allowing "drunks" to go free here would be discharged immediately.

There is no "boozer" among our city officials from the mayor down.

There are no "joints," and the bootlegging is confined to the lowest type of whites and blacks.

Individually, I have not seen a drunken person on our streets for two years.

With highest personal regards,
I remain yours, as ever,

REVILO NEWTON, Police Judge.

CHERRYVALE, KANS., January 5, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR THOMPSON: I am in receipt of your letter of January 5, asking for my experience, observation, and views as law-enforcement officer of the prohibitory law of the State of Kansas.

I have been city attorney for about 10 years and am firmly of the opinion that the present law which is in force in this State is successful and has accomplished great good.

As you know, the State has enacted several prohibitory laws, and the present law forbidding the sale of intoxicating liquors for any purpose has accomplished wonderful results in lessening crime and drunkenness. It has resulted in families having more happiness and pleasure in life than they had before.

When the drug stores had permits to sell intoxicating liquors the police court of this city tried a large number of cases, the greater per cent of which were drunkenness. Since the enacting of the law herein referred to our police courts have been idle, with the falling off of 95 per cent of cases that were before it under the permit system. Our court records will bear me out in the statement above.

Wishing you much success, I am,

Yours, truly,

J. A. BRADY, City Attorney.

MORTON COUNTY.

RICHFIELD, KANS., January 7, 1917.

HON. W. H. THOMPSON,
Washington, D. C.

SIR: Yours of December 30 at hand. Will say in reply that I am heartily in favor of national prohibition. But as Kansas is now she is in a hard row, as the shipments are heavy in the little towns and no way of stopping the shipping. It is a poor grade of whisky, most of which is poison. If we could get national prohibition it would stop the making of all kinds of liquors. We have a good many drunks on hand-made whisky. Fight it hard. Let's get national prohibition in four years from now—in 1920.

Yours, truly,

J. C. FULLENWIDER.

My time expires January 8.

M'PHERSON COUNTY.

LINDSBORG, KANS., January 6, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Having held the office of police judge in the city of Lindsborg, Kans., for over 20 years, I have had the opportunity to observe the working of the prohibitory liquor law as applied to Kansas. As you know, individuals can order whisky and have it shipped to them for their own use, and our prohibition law acts more specially to prohibit the saloon than the use of liquors.

There is no question in my mind but that the law was a wise measure and that it has saved thousands of dollars for Kansas people to be applied to the buying of the necessities of the home circle instead of going into the coffers of the whisky dealers.

I have taken the trouble to look at my docket for the past seven years, from January 1, 1910, to January 1, 1917, and I find that I have heard 86 cases, of which 47 were for drunkenness.

Our population has ranged from 2,000 to 2,200 during this time. I will venture to say that I believe that one saloon in Lindsborg in three months' time would have brought more business to the police court than I have had in seven years.

You can not fight the demon rum any too hard, Senator, and at least hit the saloon hard and keep on hitting it my very earnest desire.

Very truly, yours,

ALLEN WILBER,
Police Judge, Lindsborg, Kans.

NEMHA COUNTY.

SABETHA, KANS., January 5, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Replying to your inquiry concerning the enforcement of the prohibitory law in Kansas I will give you my experience as police judge, which office I have filled since May, 1914.

During this time I have tried 21 liquor cases in my court. However, of this number one man was tried four times and two others three times apiece, reducing the number of persons before me to 14 for violation of the liquor laws.

We are not troubled by bootlegging, the source of supply being found in the border towns of Nebraska, which are easily accessible by automobiles from Sabetha.

This being a town of about 2,600 people and a fine farming country, well settled, I believe that Sabetha enforces the liquor law as well as any town in Kansas.

Am glad to know that you are taking the right step for the betterment of our State, and the good people of this part are with you in your fight for the good cause.

Yours, very truly,

J. L. MUSGROVE,
Police Judge.

SABETHA, KANS., January 4, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your letter of December 30, 1916, relative to your inquiry as to whether prohibition in Kansas is a failure or actually prohibits, I will say that in our city we are strictly enforcing the prohibitory law, and we have very little drunkenness, and as a consequence our police court has very little or nothing to do. Fights, crime, and immorality, the usual results of drunkenness, are absolutely unknown in our community. I can therefore emphatically declare that prohibition does prohibit, and you may use this in any manner you see fit. You may rest assured you have the strong support of your State and hearty approval of your stand on this important question. With the best wishes for your success, I am,

Yours, most respectfully,

A. S. ROSS, Mayor.

SENECA, KANS., January 4, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SIR: Replying to your inquiry of date December 30, 1916, would say it appears to me useless to multiply figures and quote statistics to prove that the prohibition law in Kansas lessens drunkenness and crime and that its result is morally and economically to the advantage of the people of the State. Very few really believe that it does not have this effect, except those who are directly interested in the liquor traffic or profit indirectly thereby. There is no one so hard to convince as the person who does not desire to be convinced.

The best argument for the success of the prohibitory law in Kansas is that the sentiment of the State is overwhelmingly in its favor. All political parties unite in indorsing it, and the last attempt of a candidate, even in a commercial center, seeking indorsement from the voters upon a platform of resubmission met with inglorious failure. I suggest that it would be a very pertinent inquiry for you to make of the opponents of prohibition whether or not they could cite you to any other law which they claimed to have been a failure and yet which grew in popular favor as the years went by.

To say that the law absolutely prevents the sale or consumption of intoxicating liquors within the State would be folly. As long as human nature is fallible and avarice is characteristic of some individuals, the prohibitory law, as well as other criminal laws, will occasionally be broken.

In all the northern and eastern tier of counties in Kansas much embarrassment in the due enforcement of the law has resulted from the fact that the States of Nebraska and Missouri were both "wet territory." In the northern tier of counties this embarrassment will soon be relieved as the result of the recent election in the State of Nebraska. It still exists, however, in the eastern tier of counties.

As I suggested above, it seems to me that the necessity for figures and argument has passed. Prohibition is an on-coming tide, and it is now time for action rather than talk. The greatest menace to a proper enforcement of the prohibitory law is the tacit partnership of the United States in the liquor traffic and the thwarting to some extent of State prohibitory laws by interstate traffic. Congress should enact legislation that will permit the prohibition of shipments of "wet goods" into "dry territory." Local laws and sentiment should not be permitted to be set at naught by this bogie of interstate commerce.

Kansas approves your fight upon this question and looks to you, as one of its Representatives in the United States Senate, to do all in your power to further the interests of prohibition, which is firmly established in our State constitution, upon our statute books, and in the minds and hearts of the people of the State you have the honor to represent.

I am,

Sincerely yours,

HORACE M. BALDWIN,
County Attorney.

NEOSHO COUNTY.

ERIE, KANS., January 5, 1917.

HON. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR MR. THOMPSON: Replying to your letter of recent date concerning the question as to whether prohibition in Kansas is a failure or whether it lessens drunkenness and crimes, will say that I have had some experience in prosecuting the offenders in the State of Kansas during six years of the eight. The first two years of my experience was as city attorney of Chanute, Kans., a city of about 10,000 population, during which time we prosecuted a number of parties in the police court for selling intoxicating liquor. Following these two years I was county attorney of Neosho County, in which county the city of Chanute is situated, and I prosecuted a large number of offenders against prohibitory liquor law during those two years. I am now closing my second term of office as county attorney, and will say that during the past two years I have prosecuted a number of offenders against this law, and it has been my personal observation that in every city in this county where the officers do their duty in enforcing the laws intoxication is greatly decreased and all of the crimes attending intoxication and strong drink have been wonderfully lessened; and I know that the prohibitory liquor law in Kansas lessens the sale and use of intoxicating liquor and lessens many other classes of crimes, such as immoral conduct, assaults, murders, burglary, larceny, and highway robbery, for these are several of the classes of cases that intoxicated men or men craving intoxicating liquor are most likely to commit. I have talked with a number of lawyers who have practiced in this State at a time when intoxicating liquor was quite freely used and have also practiced ever since. Some of these men had quite extensive criminal lawbreaking when whisky was freely used in this State, and everyone that I have talked with has told me that when intoxicating liquor left the State, or when the prohibition liquor law came to the State, crime was so lessened that the law business for the criminal lawyer almost entirely ceased. I believe in prohibition and temperance, and I will be glad to see the day come when we will have made prohibition and when the Government will be entirely out of the booze business and will in no manner connive and give its assistance to intemperance and in no way tolerate or help to make the rum traffic easy.

You will have my permission to read this letter, all or in part, quote from it verbatim, or use any expression or suggestion from it in your fight upon the floor of Congress or in any other place. The people of Kansas are with you and behind you in your fight for national prohibition, and everybody in Kansas ought to be proud, and most of

them are proud, to have a United States Senator from Kansas who stands for square and national prohibition and for morality.

If there is anything that I can do to help you I shall only be too glad to do so. Next Monday I begin serving my third term as county attorney in this county, and during the next two years, if there is anything that the county attorney of Neosho County can do to help, I want you to know that I stand ready to do so.

With kindest personal regards, I am,

Very truly yours,

R. B. SMITH,
County Attorney.

NESS COUNTY.

NESS CITY, KANS., January 6, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: I received your letter of recent date in regard to prohibition in Kansas, and in reply will say that I have been on the bench in this district for more than five years. In that time every bootlegger or other person charged with the sale of intoxicating liquors that have been brought to trial in this district have been convicted, with the exception of two.

So far as my experience of prohibition goes, whisky selling has been driven out of this State, except in case of transient bootleggers. I do not believe there is a single place in my district where liquor is kept for sale, and it is a rare thing to see an intoxicating person in any of the nine counties to which my duties call me.

I am with you in your fight to uphold the honor of Kansas in the question of enforcement of prohibition law, and out here we are hoping that in the near future we may have national prohibition. Practically all the trouble that we have now is from transient men who come here from Missouri and sell cheap Missouri whisky from suit cases.

Yours, very truly,

ALBERT S. FOULKS,
Judge, Thirty-third Judicial District.

NESS CITY, KANS., January 4, 1917.

SENATOR WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: Your letter to county attorneys of December 30 was duly received, asking for my opinion on the prohibition situation. I have been engaged in prosecuting the laws of the State for the past 10 years, and of course have found violation of various laws of the State. Owing to the peculiar conditions surrounding the liquor traffic there is perhaps more inducement to violate the prohibitory law than any other law in the State.

In the first place there is a weakness of mankind cultivated by years of habit and social custom for intoxicating beverages to be overcome. Then there is the economic influence of the great liquor interests, which is brought to bear on every community in a great many ways. The moral pervert, the selfish criminal, desires to profit from bootlegging. The foreign distillers and brewers force their wares into the State with the assistance of the United States Government. All of these things have to be fought back by the Representatives of the State and the public sentiment of the citizens. Other statutes prohibiting certain evils have not these things to contend with, but in spite of all this the prohibitory law has been and is being enforced in Kansas.

In the 10 years that I have been prosecuting in Ness County, Kans., there has not been a saloon or a joint operating. There has been occasional bootlegging, which has been easily suppressed as soon as known. At present our greatest and only hindrance to the prevention strictly of the drink habit in this county is the right under the interstate-commerce laws for the brewers and distillers to unload their wares here on express mail orders. We need two national laws to make prohibition an actual fact in Kansas. We have the State law and all the sentiment back of the law that we need, but we need a law prohibiting the soliciting of orders in the State of Kansas by mail, and we need a law making liquor shipments into the State subject to the State laws on their arrival at the State line. Surely if our national legislators knew what a valiant fight the citizens of Kansas have made to make prohibition a reality and to protect its citizens against this nefarious liquor traffic they would give them such national laws as would enable them to regulate their local affairs in this particular and make prohibition an absolute fact.

Sincerely and cordially yours,

A. W. WILSON,
County Attorney.

You may use this for any purpose.

NORTON COUNTY.

NORTON, KANS., January 5, 1917.

HON. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: I am in receipt of yours of the 30th ultimo, concerning the operation of the prohibitory law in Kansas.

Now, I have never been able to see where the saloon is any benefit to society. It is not in any sense a social nor is it an economic asset. The fact that it is licensed in all cases where it exists shows that it must be an evil, and that it is simply tolerated. I can not see that the absence of the saloon is any detriment to any State or to any community. On the contrary, it seems to me that such an absence should be, and that it is a benefit.

I have visited other States where saloons exist, and I do not find as much drunkenness as was evident years ago, but I attribute this to the fact that the use of liquor is not as general as it has been in the past, and to the further fact that many employers forbid the use of intoxicating liquors by their employees, and such employees are compelled to refrain from the use of such liquors in order to command employment.

The very fact that there is no saloon in Kansas evidently prevents drinking that would otherwise take place, and the fact that there are men and women that have grown to maturity in Kansas without having seen a saloon is a circumstance that can not be ignored in the discussion of the question of prohibition. I hope that Congress will pass a law prohibiting brewers, distillers, and liquor dealers in other States from sending intoxicating liquors into States that have enacted prohibitory laws. I think that all such States have a right to be protected from shipments of intoxicating liquors from such other States by Congress, as Congress has the sole power so to do under the interstate

commerce clause of the Constitution. Especially should this be done, since so much of the territory of the United States is now subject to prohibition, which proves that the move is not a mere temporary wave and not liable to subside at any time. Prohibition seems to have taken up its permanent abode in this country, and all would do well to recognize this fact and to govern themselves accordingly.

Respectfully,

L. H. WILDER,
County Attorney.

OSAGE COUNTY.

OSAGE CITY, KANS., January 4, 1917.

Hon. W. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Your inquiry regarding the question as to the success of the prohibition law in Kansas beg to reply: My observation, dating back almost 35 years, would suggest that since the drug-store saloon has been legislated out of existence the people have learned to respect and enforce the prohibitory law. The very minimum of drunkenness is apparent, and while prohibition is not a positive success, yet as it exists in this locality I would say conditions compared to open saloons is 99 per cent in favor of Kansas. I am no prohibitionist and not hysterical on the question, yet must say prohibition in Kansas looks good to me.

Yours,

BEN HEILBRUN,
Mayor Osage City.

LYNDON, KANS., January 12, 1916.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: Your inquiry relative to prohibition in Kansas, addressed to me at Osage City received, and in reply to same will state that in my opinion while our prohibitory law, of course, does not entirely prohibit, it unquestionably lessens drunkenness and crime. This is a mining county, and we are troubled a great deal with "bootleggers," but a drunken man is a rare sight. I usually am in Kansas City two or three days a month on an average and will see much more evidence of drunkenness in Kansas City in two or three days than in this county in three or four weeks. I spent three years in an eastern city where prohibition was not at all popular and the conditions there as to drunkenness were the same as they are in Kansas City, Mo.

Our legislature is at this time considering measures that will mean much for absolute prohibition, namely, making the place of delivery the place of sale, but of course we will never have absolute prohibition until Congress gets actively into the game.

Any figures or statistics I could gather for you I will be only too glad to send you. Wishing you all success possible in your fight on this important question and assuring you that as far as I am able to judge the people of this State are solidly behind you, I beg to remain,

Sincerely, yours,

RALPH T. O'NEIL,
County Attorney.

OSBORNE COUNTY.

It seems almost foolish for men to talk any more that prohibition does not prohibit. It does prohibit in Kansas and always will. I trust we will see it national soon.

B. F. CHILCOTT,
Mayor Osborne, Kans.

PAWNEE COUNTY.

LARNED, KANS., January 6, 1917.

Hon. W. H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: You ask me what my opinion is as to whether the prohibition law in Kansas is a success.

You know and I know and every man who has the sense of a last year's bird's nest knows now and has known for years past that prohibition in Kansas is a success, nothing more, nothing less.

The writer is not a teetotaler and never has been, I believe I am not a crank, but as a public official for the greater part of my business life, having been a resident of and a voter in this town for 33 years past, I am free to say that there never has been a law more abused by the lawless element nor a law that has been as beneficial as the very same prohibition law.

It is true there have been violations of such law, so likewise have there been violations of other laws, larceny, homicide, arson, etc., but the cold fact remains that the people are better, morally, financially, physically, and otherwise by reason of the existence of the prohibition law, and the further fact that it prohibits sale and consumption of strong drink. I do not say that "booze" is not shipped into Kansas and that considerable is used, but I do maintain that it has been reduced to a minimum. Whenever the laws can be so made as to prevent the shipment into the State none will be consumed therein.

It may sound seemingly as being a biased assertion, but as a public prosecutor and official of more than ordinary experience I make the public statement that, in my opinion, strong drink is directly and indirectly responsible for more than three-fourths of all the crime committed in the United States; that it is responsible for at least 25 per cent of the poverty and a large portion of the sickness, immorality, and degradation.

Is it possible that in this day and age any intelligent man wherever he may live will assert that "booze" is a good thing; is it possible that any man will assert that prohibition is not? One thing certain, anyone who has ever lived in a prohibition State and visited another State that did not have prohibition can quickly and readily see the benefits of prohibition.

Yours, respectfully,

GEORGE W. FINNEY,
County Attorney.

PHILLIPSBURG COUNTY.

PHILLIPSBURG, KANS., January 10, 1917.

Hon. W. H. THOMPSON,
Senate Chamber, Washington, D. C.

DEAR SIR: Your letter directed to the county attorney came to my hands while in office and failed to answer same, as was too busy. I was county attorney until Monday this week and have had some experience with lawbreaking in this county. We are located on the

Nebraska line and much of our violations of the liquor law is caused by the importation of liquor from Nebraska by auto road. We are certainly thankful that Nebraska is dry, or will be soon.

I feel positive that the prohibition law is a success and we have many young folks who do not know what a saloon is, as they never saw one. We have a few drunks but I tell you they take to the woods quit rapidly, or their friends take them there. Kansas is overwhelmingly for prohibition and I feel sure that we could not possibly think of going back into the dark ages of high license. We are looking forward to great results from the recent decision of the Webb-Kenyon law. We certainly expect the Nation to go dry right away, and those who do not see the light enough to know that it is coming will surely be the losers. Keep up the fight, Senator, or we do not want you for the job.

Yours, truly,

C. M. MILLS, County Attorney.

PHILLIPSBURG, KANS., January 4, 1917.

Hon. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: Yours of December 30 arrived to-day. In reply will say I think the prohibition law a good one and has helped Kansas a great deal. I know it has helped Phillipsburg County to be more thorough and progressive in a business way than before we had prohibition.

Yours, to count on,

C. E. McILVAIN, Mayor.

POTTAWATOMIE COUNTY.

THE CITY OF WAMEGO,
Pottawatomie County, Kans., January 3, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: I have your letter December 30, 1916. We find that prohibition in this locality is a real success. At one time, about 16 or 17 years ago, we had open saloons. We do not have 1 drunk now where we had 30 then. Our police court is nearly out of business. We have not had an arrest for over three months. This time includes Christmas week and New Year's Day.

You may use this letter in any way you see fit.

Yours, truly,

FLOYD FUNNELL, Mayor.

RENO COUNTY.

COURT CHAMBERS OF JUDGE OF THE DISTRICT COURT,
Hutchinson, Kans., January 8, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: Answering yours of December 30 concerning the effect of the prohibitory law in Kansas, I have to advise you that very few of the liquor cases in this district get into the district court for trial. There are frequently a number of appeals from the police court in liquor cases, but very few of them ever come to trial.

To me the prohibitory law is the same as any other law on the statute book, and I have not given it any more attention than any other criminal law. Prohibition is settled in Kansas and is as well enforced as it could be under the existing conditions, and I see no occasion for any agitation concerning the prohibitory law of Kansas. There is, of course, a great deal of liquor shipped into Kansas, and there is and probably always will be some bootlegging. So far as I know, violations of the prohibitory law are almost entirely by bootleggers, and most of the liquor cases are disposed of in police court.

I have not seen a drunken man in Kansas for so many years that I have not any recollection of when I did see one.

My time is taken up with the work of the three counties in this district, and I have spent no time in drawing any fine distinctions as to the results of the prohibitory law any more than I have the results of the laws against larceny or any other crime, and all of this talk about prohibition not being effective in Kansas is simply nonsense and not worthy of very much consideration.

With kind personal regards, I remain,

Yours, very truly,

F. F. PRIGG,
Judge Ninth Judicial District.

REPUBLIC COUNTY.

SHERIFF'S OFFICE,
Belleville, Kans., January 10, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: In answer to your letter of December 30, 1916, regarding the old question of prohibition in Kansas, I have held the office of sheriff in this county for over three years and have been closely connected with it for over six years, so believe that I am in a position to know something of what prohibition means to us as law-enforcing officers. We, being near the Nebraska line, are troubled from there more than any other place, and have looked forward to the time when it goes dry, knowing that this means a relief to us in our work. Certainly we have some drunks. But I believe that a majority of these men, who get on a drunk perhaps once a month, had we saloons would be what I would call bar flies, and continually have their system soaked, neglect their families all the time or at least a big portion of the time. True, they send and get it, mostly from Missouri, where they take men, get them drunk, and murder them, as in the Sims case, or at least supposed to have been murdered, with no question but that he was drunk. Would this have happened had Missouri been a dry State? Is there any such crime-breeding holes in the State of Kansas as you find in Kansas City, Mo.? Certainly not, and not because the people are in general worse in Missouri, but because this class of people follow where the booze is. Where you have the open saloon, your children are forced to pass by these places, see the things which they ought not to see. In Kansas if they are brought up to observe liquor, it is the fault of the parent.

We have a city of about 2,300. I do not believe that there has been a drunk in the city jail for six months. Have them once in a while, but, in my opinion, any man is better off to get on a drunk, get over it, go back to work, and attend to business and his family, and will cause less trouble and suffering than one who is continually soaked and soon becomes a confirmed drunkard. I simply say this in behalf of

those few who do get tanked. We all know that if prohibition in Kansas was a failure, that if it was a menace to the people that this great agitation for national prohibition would never have developed. We also know that our neighboring States—Colorado and Nebraska—would not have voted and carried for prohibition as they did. There is no argument to it. One who will argue this with you either has an ax to grind, and such fellows can never be convinced, or he is too shallow to understand one's arguments and can not be convinced. Prohibition in Kansas is a success, and had I some of the arguments used by the opposition I might be able to point to some facts which would enable you to refute their arguments.

Being a Kansan, no doubt all of these few views I have mentioned you are familiar with, and no doubt know them as I see them, but in response to your letter submit this, whether it is of any help to you or not.

Very truly, yours,

A. T. HUNTINGTON,
Sheriff Republic County, Kans.

RICE COUNTY.

STERLING, KANS., January 6, 1917.

HOB. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: I have been police judge in this town two years and only six men have been brought into court for being drunk. This is a town of 2,500. A drunken man on the streets you seldom see. In looking back over the docket 25 or 30 years every other page was a drunk.

Stick to prohibition and the State will stick to you.

Yours, truly,

J. C. ANTROBUS,
Police Judge.

OFFICE OF COUNTY ATTORNEY OF RICE COUNTY,
Lyons, Kans., January 6, 1917.

HOB. WM. H. THOMPSON,
Washington, D. C.

DEAR SIR: It has been my observation as a law-enforcing officer of this State, that prohibition does actually prohibit and thereby lessens crime, drunkenness, and the like, resulting morally and economically advantageous to the people of this State.

The records of any criminal court will show that since the promulgation of a prohibition law the number of prosecutions have fallen off from 50 to 60 per cent, and that can be traced directly to our stringent prohibitory laws.

It is folly to argue otherwise and against the question of national prohibition. All far-seeing men can see the necessity of such a law, and it is only a question of time until national prohibition will actually be here. Kansas has found prohibition a success as have other States who have tried it, and it only remains for a few wet States and Senators to see the light. I give you authority to use this in the Senate, should you care to do so.

Very truly, yours,

H. C. CRANDALL, County Attorney.

RILEY COUNTY.

SHERIFF'S OFFICE,
Manhattan, Kans., January 3, 1917.

Senator WM. H. THOMPSON,
Washington, D. C.

DEAR SIR: In reply to your letter of December 30, 1916, as to whether prohibition in Kansas is a success or a failure in preventing crime and drunkenness and also is it advantageous to the citizens of the State, morally and economically speaking.

I have been connected with the sheriff's office for the past four years, two years as a deputy and have been sheriff myself for two years, and my opinion is that prohibition in Kansas is a decided success in all the ways above mentioned.

Trusting this is the information your desire, I am,

Yours, very truly,

C. E. SCHERMERHORN,
Sheriff of Riley County, Kans.

MANHATTAN, KANS., January 5, 1917.

Senator WM. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Your much appreciated letter of January 2 received, and in reply would say that I am more than proud of the fact that I reside in a dry State and only hope that soon it may be National.

As to the question of "Does prohibition prohibit" my answer is, yes, notwithstanding that in Manhattan, a city of 10,000, including Kansas State Agricultural College students. We have an occasional drunk on the streets and in my court, but when the facts are uncovered some person posing as his friend has given it to him or a bootlegger sold it to him or he has been to Kansas City, Mo., recently and brought the liquor with him, an evil that we would be relieved of if Missouri or the Nation went dry.

You are at liberty to use this communication in the Senate if you so wish. Thanking you for the inquiry, I remain,

Yours, very truly,

ALFRED S. PORTER, Police Judge.

RUSH COUNTY.

LA CROSSE, KANS., January 12, 1917.

Senator W. H. THOMPSON,
Washington, D. C.

DEAR SENATOR: In reply to your letter of the 30th of December, I trust you will pardon the delay which was unavoidable.

Prohibition does prohibit in Kansas very thoroughly. The only place it fails is when wet old Missouri sends in her "booze" and defeats our law through the interstate-commerce traffic. The bootlegger and the joint are a thing of the past in our State, barring a few towns and during the harvest season when a few bootleggers appear. The officers are promptly after these, however, and they are soon lodged in jail.

If the Nation would adopt prohibition, statistics show that there would be a decrease of about 60,000 in the number of arrests per year, 20,000 in the number of insane, and 40,000 in the number of paupers; \$1,400,000,000 would be released from the purchase of booze to be invested in shoes, coats, and food. The good story is long, and it is a true story—that's the best of it.

Let's dissolve the partnership between Uncle Sam and booze. It is disgraceful alliance.

I congratulate you on your stand. Go after them with the truth. It is sure to win.

With best regards, I am,
Very truly, yours,

FRANK U. RUSSELL,
County Attorney.

RUSSELL COUNTY.

DISTRICT COURT CHAMBERS,
Russell, Kans., January 22, 1917.

HOB. W. H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: I received your letter of December 30 relative to the question of prohibition in Kansas, and your inquiry as to its effect in my observation as an officer of the law.

I have been very busy in court here, and with other matters, and unable to answer the question with the fullness that its merits deserve. I came to this region in the center of the State with my parents as a small boy 40 years ago, and saw prohibition go into effect. I have lived under it ever since, have been county attorney, and interested in enforcing the law, and judge for more than 10 years in a district that stretches from the Colorado line just half way to the east line of the State. Prohibition has grown steadily in favor with the people from the time of its adoption as an amendment to the constitution in 1880 up to the present time. The measure carried by less than a majority of all the voters at the election, although having a majority of those voting on the proposition. Sentiment has changed so that now any candidate on any measure based upon opposition to prohibition receives so few votes as to be almost classified as scattering. The divided sentiment at first resulted in much hostility to the enforcement of the law and indifferent prosecution in early days. In strongly prohibition communities the law was well enforced, but in general it was not so well enforced, and in communities that were strongly hostile it was practically not enforced at all. In a number of cities and a few other communities joints ran almost exactly like saloons in license States for a number of years; but all the time sentiment was growing stronger and stronger in favor of the enforcement of the law. Gradually prosecuting attorneys and sheriffs and other officials were elected upon promises to do their duty without hesitation in the enforcement of the law. At each session of the legislature the law was strengthened in some particular leading to this better enforcement.

The courts became more and more strict in their interpretation of the spirit rather than the letter only of the constitution and statutes. Cities, which were the greatest rebels, were gradually brought into line by stringent legislation which compelled the cities to obey the State law instead of licensing saloons under one guise or another; then the State administration began to make its contribution by going into wet communities and compelling the enforcement of the law by criminal prosecutions, by injunctions against the places where the unlawful liquor business was carried on, and by ousting from office officials of cities and counties who would not do their duty. This step was perhaps the most far reaching in its influence. Then the legislature utterly forbade the sale for any purpose and thereby abolished the drug-store joint, which had been the last refuge of the traffic as a system, and by which drug stores were permitted to sell liquors for mechanical, medical, and scientific purposes, and those seeking to evade the law, both buyer and seller, were not scrupulous about the representations made as to the purpose for which liquor was wanted. Meantime, the boys and girls born and reared in the State were growing up with temperance instruction in the public schools and with training in favor of law enforcement and prohibition in many ways. Thousands of them reached maturity without having even seen a saloon or place of illicit sale of liquor. Foreign-born peoples who had brought over the attitude toward intoxicants that then prevailed in their native lands were unfriendly to the prohibitory law, but as their children grew up, these youths look at the matter more and more from the American standpoint and not that of the ancestral race. All these years prosecutions in the courts were going steadily on, and so many of the defenses and subterfuges that were interposed by law violators were successfully met and overruled by the courts from the lowest to the supreme court that at last there seems no longer any defense to suggest or any point to quibble over that has not already been determined adversely to those who wish to violate the law.

Nearly 10 years ago the joint or place of illicit sale of liquor had practically disappeared from the State, except, perhaps, in a very few congested centers or localities of particularly adverse conditions. With the passing of the joint the inducement to violate the law was largely gone, too. The profits of the chance bootlegger, who carried his stock about with him on his person, were too small and too uncertain to encourage more than a very few persons, and then of the most depraved type, to attempt to dispense liquor, nor could their operations be carried on very long until the officials found them out and prosecuted them. The bootlegger was necessarily largely a transient character and could not establish any considerable clientele in his brief sojourn.

This judicial district is an average district of the rural parts of Kansas. Ten years ago there were considerable prosecutions for the violation of the liquor law, and these have grown steadily fewer and fewer until a liquor prosecution is rather rare in any county of the district, and at the same time joints are unknown and bootleggers are scarce. Hardly anyone any longer defends or excuses the violators of this law or upholds the regular use of liquor for beverage purposes. Some money is still sent out of the State to import liquors for those who drink, but this is only trivial compared with what would be spent in the open saloon, and this likely will soon stop, too. Many thousands of inhabitants of Kansas who are under 40 years of age have never in their lives seen a legalized or illicit place of sale of intoxicating liquor or seen liquor sold, unless they have been outside of Kansas. It is a rare thing to see any person drunk, although such sometimes occurs where liquor is brought into the State. The money thus wasted elsewhere on liquor is used for helpful purposes in Kansas. There is no liquor flavor to the sermons or teachings of the church in Kansas, nor palliation or excuse for the saloon or the use of liquor. For many years politics has been wholly free from the incubus of liquor influences. In no department of business, financial, social, educational, or other activity is there any disposition on part of anyone to curry favor with the liquor interests, but instead all are united against it.

With the enfranchisement of women in 1912 the vote was strengthened in favor of prohibition, and the vote for the outlawry of the liquor traffic has been much more than doubled and has made impossible any serious thought of return to old conditions.

Very truly,

J. C. RUPPENTHAL,
Judge Thirty-third Judicial District.

SEDGWICK COUNTY.

DISTRICT COURT, EIGHTEENTH JUDICIAL DISTRICT,
Wichita, Kans., January 11, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: Replying to your letter of December 30, I write you that prohibition in Kansas is by no means a failure; on the contrary, it is a great success. In nine-tenths of the State it completely prohibits, and in the other one-tenth the prohibitory law is enforced and observed almost as completely as other criminal laws.

It is sometimes said that there is more drunkenness in Kansas than in States where they do not have the prohibitory law. This statement is as false as false can be and is made only by the friends of the whisky interests.

Take the State as a whole, my observation is that there is not one-tenth of the drunkenness in Kansas that there is in the wide-open States. Over 90 per cent of the children of Kansas have never seen a saloon; a large majority of the children do not know what a saloon means except from hearsay.

What little traffic there is in intoxicating liquors is outlawed, so that it is compelled to hide in secret places. The sale of intoxicating liquors is so beset with difficulties that the ordinary person would not know where to get it, and it is only the experienced drinker who does know.

The small amount of drinking that is done in Kansas is almost exclusively confined to the older men, who acquired the habit before the law was strictly enforced in the larger cities.

While Robert C. Foulston was assistant city attorney he tried 63 cases in the district court involving violations of the prohibitory liquor law. He secured 56 convictions on a trial before a jury. There were 4 acquittals and 3 disagreements.

It goes without saying that as drunkenness decreases, as it has in Kansas, the crimes that are occasioned by drunkenness decrease. Some of our business men who thought that a strict enforcement of the prohibitory law would injure our city and business have changed their views and now unhesitatingly state that by reason of the strict enforcement of the law business has improved and that people have more money to spend for the necessities of life.

If Missouri were as dry as Kansas, most of the liquor traffic that we have now would be destroyed, because the greater part of it now comes through the State of Missouri.

This letter may sound like a political argument, but I assure you that it is not. The views herein expressed are drawn from my observation as a citizen of Kansas, as a public official engaged in administering the law, and from my observation of conditions in States where the prohibitory law is not in effect.

If you wish, you may, as requested, use this letter. I am busily engaged in the trial of cases, so that I can not give you as full information as I could do if I had more leisure.

Yours, truly,

THORNTON W. SARGENT,
District Judge.

DISTRICT COURT, EIGHTEENTH JUDICIAL DISTRICT,
Wichita, Kans., January 3, 1917.

Hon. W. H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SENATOR: In answering your inquiry of December 30 I will briefly reply as follows:

I am just completing my thirteenth year as district judge of the eighteenth judicial district, first division, and have probably tried in that length of time more cases than any other trial judge in the State.

Prohibition in Kansas is a great success. In the thickly populated centers the law is violated more or less, and until we have national prohibition it will be impossible to absolutely prevent the sale of intoxicating liquor.

Wichita is a city of about 65,000 people, and by far the most important commercial center of the State. Every term of court the criminal side of the docket carries a number of cases for violation of the prohibitory law. But if the question of license or prohibition should be submitted to the voters of Wichita, nine-tenths of them would be in favor of prohibition, and there is no licensed city of 65,000 in the United States that will compare with Wichita for orderliness and lack of drunkenness.

It is a rare exception to see a drunken man on the streets, and the benefits of prohibition to the rising generation are inestimable.

Respectfully, yours,

THOS. C. WILSON,
Judge Eighteenth Judicial District.

OFFICE OF MAYOR,
Wichita, Kans., January 4, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SIR AND FRIEND: Your favor of December 30, 1916, is before me and contents noted. The important question in your letter is, "Is prohibition in Kansas a failure?" And, speaking from an observation and experience of 37 years in Kansas, I want to say in reply to that question that prohibition in Kansas is not a failure. And its enforcement in this community has lessened drunkenness and crime, and, while it may judgment liquor will always be used as long as it is made, the cities of Kansas and the various counties of this State have reduced it to a minimum. And in my judgment the solution of the problem is national prohibition.

As you know, there are no distilleries or breweries in this State; but the great difficulty which we encounter is the liquor which is shipped into the State from our sister State, Missouri, protected by the interstate-commerce law, and under this law the railroads can not refuse a shipment of this kind.

Our liquor in Wichita and mostly in the State, as I learn, is shipped in here from Kansas City, St. Louis, St. Joseph, and Joplin. You can say for me that liquor has even been shipped into this city by automobile, coming all the way from Joplin; and if the liquor business and the manufacture and sale of the same could be curtailed in the State of Missouri it would not be at all difficult to enforce prohibition in Kansas.

In the evolution of time, if Missouri should ever become dry, Kansas would be absolutely dry.

Just at this time most of the liquor shipments which come to this portion of the State come from Kansas City, Mo.

Your position on this important question meets with my hearty approval, and you will find the people of Kansas fully in accord with you. Very fraternally, yours,

O. H. BENTLEY,
Mayor and Commissioner of Public Safety.

OFFICE OF MAYOR,
Wichita, Kans., January 6, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SIR: I wrote you yesterday at some length on the prohibition question, and in this letter I desire to supplement what I said yesterday.

I have undoubted information this morning from Capt. Dawson, night captain of my police force, that there are four automobiles operating from Joplin, Mo., to Wichita, hauling booze. I have further undoubted information that most of the troubles we have in Wichita now on the liquor question is brought about by operatives in the oil fields in Augusta and Eldorado, Kans., and this booze which they consume and procure in Eldorado and Augusta, Kans., is shipped into those towns from St. Joseph, Mo.

You might call the attention * * * to these facts, and he would confer a great favor on the people of this locality if he would head off the booze which is shipped from Missouri into Kansas.

Very sincerely, yours,

O. H. BENTLEY,
Mayor and Commissioner of Public Safety.

SHAWNEE COUNTY.

OFFICE OF COUNTY ATTORNEY, SHAWNEE COUNTY,
Topeka, Kans., January 5, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: In answer to your letter of recent date inquiring as to my experience with reference to whether or not prohibition in Kansas is a success, will say that I am now nearing the end of my second term as county attorney of Shawnee County and have had a splendid opportunity of determining whether or not prohibition prohibits. My judgment, based on an experience of four years as prosecuting attorney, is that the prohibitory liquor law is as well enforced as any other law on the statute books, and much more stringently enforced than many of the other criminal statutes.

I have been in many other cities of about the same population as Topeka in States where saloons still exist, and I believe there is more liquor sold and drunk as a beverage in one day in such saloon cities than in Topeka in an entire year.

We have no saloons in Topeka, and no joints. A few bootleggers remain, but they are being so constantly hounded and prosecuted by the officers that their business is exceedingly small. There is less drunkenness in the cities of Kansas than in any other cities of which I have any knowledge.

Morally and economically the State has enjoyed marvelous advantages as a result of this law. The crimes which are committed are usually the result of liquors which have been ordered from Missouri and shipped in by express. This can not be prevented under the present law. Real drunkenness, as known in saloon cities, is such an unusual sight on the streets of Topeka that if a man is slightly under the influence of intoxicating liquor he is taken to the police station and charged with being drunk. In saloon cities, as a rule, a man is not arrested as a drunk unless he becomes a public nuisance.

As a result of the prohibitory liquor laws our people generally spend their money on homes for their families and the necessities of life instead of squandering it in saloons.

My deliberate and unprejudiced opinion is that the prohibitory liquor law is the wisest and most beneficent law that has ever been adopted in the State of Kansas, and if the question was again submitted to a vote of the people prohibition would carry by practically a unanimous vote.

Yours, truly,

W. E. ATCHISON,
County Attorney.

DISTRICT COURT, THIRD JUDICIAL DISTRICT,
SECOND DIVISION,
Topeka, Kans., January 4, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR: In reply to your inquiry as to the effect of prohibition in Kansas I beg to say that there is no doubt in the minds of a large majority of the people of Kansas as to the success of prohibition. I am unable to give you the figures showing the effect of the law as to drunkenness and crime or moral and economical conditions, if such indeed could be obtained with any degree of accuracy, but I know that the results have been highly beneficial. The law is now well enforced in this State, and what liquor business there is is done almost altogether by small bootleggers and through mail orders, deliveries being made mostly by express. The law has not resulted in stopping drinking altogether, but it has, in my judgment, reduced the quantity of liquor drunk very largely.

Eight or ten years ago, before the brewing companies were ousted from doing business in this State there were open saloons in the larger cities, particularly along the Missouri line. These no longer exist, and practically the only violation of the law is through sales by bootleggers in small quantities. Of course it is well understood that the Kansas law does not attempt to prohibit the purchase of liquor outside of the State or the keeping of the same by individuals for their own private use. One of the greatest stumbling blocks in the way of the enforcement of the law is the facility with which liquor may be secured from a neighboring State.

There are, in my judgment, no evil effects resulting from the prohibitory law, but, on the contrary, the results have been entirely in the way of the promotion of sobriety and law observance and the saving of money for increased expenditures for the betterment of schools and homes and generally for what goes to make life more worth while. Intoxicating liquor, either in its traffic or consumption, never contributed anything toward any of these purposes and never can.

Very truly, yours,

GEORGE H. WHITCOMB, Judge District Court.

SALINE COUNTY.

SALINA, KANS., January 3, 1916.

Hon. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: I was very happy to see from all the newspapers that came under my sight that you were one of the leaders for the fight for prohibition. Of course, I am of the opinion that that is the way it ought to be, and I congratulate you that you did not fail to measure up to the standards of what the people of Kansas expect of their representative.

There is no question, nor can there be any successful controversy over the fact that prohibition does prohibit. In our own community here we have practically no drunkenness. Crime of every nature has decreased since the enforcement of the prohibitory law, conservatively, 50 per cent.

Bootlegging is practically a thing of the past, as it is now the practice to send these bootleggers to the penitentiary; and when that is done it practically puts an end to the bootlegger.

Economically, in our community the enforcement of the prohibitory liquor law has been the greatest boon to our growth that could possibly be conceived. Whereas a few years ago under the license system we used to have muddy streets, the poor and needy, and a crime-ridden community, we now have many miles of pavement, practically no poverty, and a decrease of crime.

One prosecutor in this State whom I had the pleasure of hearing prosecute a whisky case, to my mind, aptly expressed about the only argument that can be put forward for whisky. He said that he would concede that whisky was good for one purpose, and one only, and that was to make a person drunk.

I am very sorry that I do not have at hand the facts and figures to substantiate the above conclusions, but if at any time you deem it necessary to procure these facts or figures feel free to call upon me and I assure you beyond any question that when these facts and figures are in your possession you will see that I have been very conservative in my statements.

I sincerely trust you will be entirely successful in your fight for prohibition, and, of course, you realize you have the support of every loyal Kansan, for no loyal Kansan in this age of the world will even argue the question of prohibition as to its merits, for we are in a position to know that prohibition is the only thing. Wishing you success,

Yours, very truly,
L. W. HAMNER, County Attorney.

SCOTT COUNTY.

SCOTT CITY, KANS., January 3, 1917.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: I have your letter of December 30 to county attorneys of Kansas.

I am in sympathy with you in the matter of prohibition, and especially in the matter of upholding the honest condition of affairs in Kansas under prohibition. Prohibition prohibits in Scott County. There is no liquor used in this county except what is privately shipped in from Kansas City, Mo. There are no saloons and there are no drunks.

The writer has lived in communities where there were saloons; in recent years has traveled in wet States and knows and understands the situation in Kansas as compared with those States. There are boys and girls in Scott County, I dare say, growing to manhood and womanhood who never saw a drunken man and who never tasted intoxicating liquor and wouldn't know it if they saw it. The advantages of such a community over a wet one morally and economically are very great. The moral standard is higher. The people are better off financially and are able to educate their children and provide not only the necessities, but the luxuries of life, where with open saloons there would be want and misery. The people of Kansas buy automobiles instead of supporting saloons. The per capita of bank deposits in Scott County is greater than in any wet county on earth.

Prohibition prohibits in western Kansas, the wet advocates to the contrary notwithstanding.

Respectfully,
H. A. RUSSELL,
County Attorney.

SHERMAN COUNTY.

OFFICE OF THE CLERK,
GOODLAND, KANS., January 4, 1917.

Hon. W. H. THOMPSON,
Senate Chamber, Washington, D. C.

DEAR SENATOR: Yours of December 30 at hand. In reply will say that I have had a great deal of experience along those lines, being mayor of Goodland, Kans., for the past 10 years. I have seen this liquor question handled both ways, with open joints and saloons, and for the past five years practically wiped out, except by shipments by express to individuals, and I think we are at least 90 per cent better off than we were before, as we practically have no poor people any more. The people in general all pay their debts better, hold their jobs better, and it is a very rare thing to see a person under the influence of liquor. While I am not a strict prohibitionist myself, I am sure against the saloons, for I know we are much better off without them. Anything further that we can benefit please let us know. You can use my opinion in any way you desire.

I am, yours, very truly,
GEO. KELLY,
Mayor Goodland, Kans.

OFFICE OF SHERIFF OF SHERMAN COUNTY,
Goodland, Kans., January 3, 1917.

MR. THOMPSON,
Washington, D. C.

SIR: Received your letter asking about prohibition in our county. I have lived here 13 years; came from Nebraska here. I think prohibition does prohibit to certain extent, and does more so as it gets older and stronger. We don't have very much trouble with booze dealers any more.

Yours, respectfully,
H. J. PIPER, Sheriff.

GOODLAND, KANS., January 4, 1917.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am in receipt of your communication under date of December 30, 1916, in regard to prohibition in Kansas, and I am only too pleased to give you my views on this subject, as I am an ardent supporter of the prohibition cause.

I am only a young man, but I believe I can say with authority that prohibition is not a failure in our State. I was born and reared in Topeka, Kans., having lived there 25 years, and I was 20 years of age before I ever saw the outside door of a saloon, and then I had to go to Kansas City, Mo., to see that. I can further say that I have never seen the inside of a saloon, nor have I ever touched a drop of liquor in any shape or form, and I owe the fact that I can make that statement to prohibition in our State.

To the man that can have his liquor shipped to him prohibition does not mean much, but to the growing youth of our community prohibition is most assuredly a success. Of the 15 criminal cases brought by me in the justice court and district court of our county, 9 of them were the actions of men while in an intoxicated condition. Of course, in this western country we are confronted with this evil, and they do not seem to comprehend that they are breaking the law, but we have less insanity, higher morals, and a more progressive class of people than in towns of the same size which do not prohibit the sale of liquors.

Trusting I have been able to give some information, although perhaps not just what you desire, and assuring you that I am with you in your stand on the question and will be only too glad to aid further, I am,

Very sincerely yours,
ELMER E. EUWER, County Attorney.

SUMNER COUNTY.

OFFICE OF MAYOR,
Caldwell, Kans., January 5, 1917.

Hon. W. H. THOMPSON,
Washington, D. C.

DEAR SIR: Replying to yours of the 3d of December, I beg to say that I have been a resident of this city for the past 30 or more years. I am serving my third term as mayor and have served two terms as councilman. My occupation during that time has been that of a cattle buyer, and I have owned or had an interest in a meat market most of the time, and so have been in close touch with the public and in a good position to note the working of the prohibition law. I would also say that I am not a total abstainer myself, but have used liquor very moderately during my life.

My conclusions regarding prohibition formed from a long observation of its workings are that prohibition does prohibit in spite of the fact of the liquor interests' arguments to the contrary. There is no law, State or Federal, but what is broken with more or less frequency. I could point out laws in this city which are evaded oftener than the prohibition law.

Regarding the benefits of prohibition, I believe that a very large majority of the citizens of our State will tell you that it is the one law on our statute books that has done more than any other to help a large proportion of our citizens. I could point out numerous instances here of men when the saloons or joints were running whose children were poorly clothed and often hungry, and what few bills they were able to contract unpaid, who, since liquor has not been so easily attainable, are able to pay what they owe, clothe and feed their families properly, and make good citizens. Previous to the enforcement of prohibition the police court fines ran into hundreds of dollars per month, while for the whole of last year (1916) the total fines collected for all misdemeanors was \$94.

In conclusion I will say that you have my hearty indorsement of your work along this line and may make any use of this letter you wish, and I hope that we will not have long to wait for a properly enforced national prohibition law.

Yours, truly,
I. M. HORTON, Mayor.

WASHINGTON COUNTY.

OFFICE OF SHERIFF OF WASHINGTON COUNTY,
Washington, Kans., January 3, 1917.

Senator WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: In regard to your favor of the 30th ultimo, this is somewhat of a broad question to answer, as my county has been against a wet State; but my experience in regard to crimes caused by the influence of drunkenness I have had none.

I can say that prohibition in this county is a success as far as I know in regard to the duties of this office, and I am safe to say that when Nebraska's dry law takes effect that the duties of my brother officers along the State line will be somewhat lessened.

Yours, respectfully,
D. W. McLEOD, Sheriff.

WILSON COUNTY.

FREDONIA, KANS., January 6, 1917.

Hon. W. H. THOMPSON,
United States Senate, Washington, D. C.

DEAR SIR: Your favor of January 3 to hand and contents noted. You ask the old question, "Does prohibition prohibit?" I will answer by saying that the effects of prohibition is plainly apparent on every hand to every unbiased observer, making more happy homes, a better and cleaner citizenship.

Therefore, I don't consider prohibition in Kansas a failure by any means; while the accursed stuff slips in through the machinations of the whisky ring, yet there is but a very few that use it at all, and I consider prohibition is lessening drunkenness and crime, and is resulting morally and economically advantageous to our State and people, and I will say, in God's name, let the good work go on.

If you find any use for this letter in your fight, you have my permission to use it.

Sincerely yours,
P. H. MATTHEWS,
Police Judge, Fredonia, Kans.

THE CITY HALL,
Fredonia, Kans., January 6, 1917.

Hon. WM. H. THOMPSON,
Senate, Washington, D. C.

MY DEAR SENATOR: I am in receipt of your letter asking for my experience and observation regarding the prohibition question in Kansas. I am a native of Missouri, but have lived in Kansas for over 36 years, and anyone who says that prohibition in Kansas is a failure must be either dishonest, drunk, or a fool. There is not as much misery and crime caused by drunkenness in the entire State of Kansas as there is in one of the larger cities of Missouri. We have a few cases of chronic drunkenness and a small amount of bootlegging;

but, taken altogether, it is not a drop in the bucket as compared with a State where the open saloon is allowed.

You are at liberty to use this letter wherever necessary and can rest assured that the good people of Kansas are with you in the fight you are making to protect the good name of our State and to keep her in the prohibition and Democratic columns where she and all other good States rightfully belong.

Very truly, yours,

J. W. Moss, Mayor.

WOODSON COUNTY.

COUNCIL CHAMBER,

Yates Center, Kans., January 4, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SIR: Your letter 30th ultimo asking my opinion regarding the operation of the prohibition law in this State is received. I am very glad to give you my opinion formed from a careful observation of the workings of the law in this State, and, having been raised as a boy in the State of Missouri during the time the State had open saloons, I have had the opportunity of observing the workings of both systems. I am strong for prohibition, and I believe it is a success to such a degree there is no comparison between it and an open-saloon proposition, and it seems to me there should be no question in the mind of a fair-minded man as to prohibition being a benefit to any community. I feel it is to our community, and in that I feel that I voice the sentiment of a large majority of our citizens.

In making the above statement I wish to state further that the enforcement of the prohibitory law is not all that we should like to have it. But this arises from obstacles more without the State than within the State. The protection the United States Government gives a man for shipping liquor for private use into the State, coupled with the fact we are adjacent to a State like Missouri with considerable wet territory, makes it difficult to keep liquor entirely out of this State. If it were so no man could transport liquor into this State even for private use I see no reason why the law would not be a total success, and the State far better off. I am sure that crime, poverty, and drunkenness in this State are considerably less than if we had open saloons, and very few people I have ever talked to would consider for a moment going to open saloons. Many a child in Kansas never saw a saloon and don't know what they look like. Many never saw or tasted of liquor, and if the Nation was dry in a few years it would be impossible to find a single person that ever saw a saloon. This leads me to the firm belief that our Nation ought to be a dry Nation, and I believe the greatest piece of legislation our Congress could pass would be the submission of an amendment for prohibition, as I understand national prohibition has to come through a constitutional amendment. Being a Democrat I am anxious that this privilege be given the people through a Democratic Congress and President, for I believe it will be the greatest blessing this Nation ever had.

Assuring you of my best regards and bespeaking your support of any measure that will tend to give national prohibition or local, I remain,

Very truly, yours,

L. R. WALLACE, Mayor.

WYANDOTTE COUNTY.

DISTRICT COURT, WYANDOTTE COUNTY, DIVISION No. 3,
Kansas City, Kans., January 5, 1917.

HON. WILLIAM H. THOMPSON,
Washington, D. C.

DEAR SENATOR: Beg to acknowledge receipt of yours of 30th ultimo, making inquiries concerning my observations as to results of prohibition in Kansas.

Prior to about 1905 conditions were bad in all border counties and the larger counties of the State. Our city, as well as other large cities of the State, was practically licensing saloons. The fight began in about 1905 or a little earlier, which resulted in the annihilation of the protected liquor traffic.

When I first started to investigate the situation I found that most of the recent legal battles had taken place in local-option States. This went to show, to my mind, that the cry of the liquor interests to the effect that "high license" and local option were the proper methods in which to handle the situation was insincere. It showed that their position was not to respect any law.

At the time the final fight started here in 1905 in this county of Wyandotte there were approximately 100 recognized joints. At this writing no man can locate a place of any kind where liquor is being sold regularly. I mean by this that, while we have daily trouble with Missouri liquor, the only sales made locally are sales made by wagons from Missouri, bootleggers, and mushroom "blind tigers" that spring up here and there in residences, outbuildings, and the like, supplied generally with a single keg of beer or a few quarts of whisky; but the proprietors, when their business becomes too public, either quit and run away or are raided within a few hours after they commence business.

When the final battle began a committee of 15 representative business men, consisting of bankers, merchants, manufacturers, and others, waited upon me, as assistant attorney general, and requested that I immediately resign for the reason that business would be ruined by closing the joints. Every one of those men have frankly stated since that time in the public press that the elimination of the traffic in liquor was the best thing that ever happened to this locality. They testified to increased savings, increased efficiency of laborers, to prompt payment of rents, fewer suits for possession of houses. Merchants reported collections easier. No one knows better than our friend TAGGART, now in the House of Representatives, who was formerly our county attorney, that there was a marked diminution of crime, and it has continued to diminish since.

At the time mentioned, 1905, and prior thereto, it was a common occurrence to have 10 or 15 laborers in police court every Monday morning with the same story: Entered a joint Saturday evening to get a check cashed; got drunk; lost all money; kicked out and picked up by police; destitute family. That has all vanished now.

Another point I have not mentioned was the fact that the brewers made a great cry about vacant buildings in the town when they were driven out. It was but a short time until legitimate business filled all buildings vacated by the liquor traffic, and conditions never were better

in the rental of business properties than to-day. On this you might get the opinion of Mr. Willard Merriam, who has the largest real estate and rental business in the State.

We appreciate your efforts to maintain the standing of Kansas as a clean, law-abiding State. Stand pat. The records bear you out.

Respectfully, yours,

WM. H. MCCAMISH,
District Judge.

P. S.: Let me add another word: We have a generation of young men and young women in Kansas but few of whom have ever tasted liquor or have seen a drunken man. Were it not for our wet neighbors abutting us at the State lines none of this generation in Kansas would have any ocular proof of conditions in wet States. I have a daughter of 19 and a son of 13 neither of whom has seen a drunkard, except those whose irregular trail was leading directly from the State line, and these are very few in the daylight hours.

While running for office recently I was introduced to a Belgian. He said that he had heard I was a prohibition crank, but that he intended to vote for me because he had lived until recently in Missouri but believed in law enforcement. He is a young man, a good mechanic, and a successful contractor, but while living in Missouri got drunk so frequently that he squandered his income and humiliated his family. Since he has lived in Kansas he has accumulated about \$2,000, which he has in the bank; owns his home, and his children are in school; his family are surrounded by comforts before unknown and are happy. He says you could not induce him to reside in a wet State. Yet he still likes his liquor.

I could go on indefinitely reciting instances of men and women, too, who give like testimony. I have in mind an old German lady who says until law enforcement in Kansas her husband, a stone mason, never came home with his entire wages. Always got drunk unless she could go and get his wages.

There is no question about the fact that we are rid of the traffic and its attendant evils—slot machines, wine rooms, gambling, and fences for encouragement of crime, excepting as we get the overflow from Missouri. If Missouri, or Jackson County even, were dry, it would leave us with no problem to contend with along these lines. You can bet your money on that proposition.

The records will show that, while we have our liquor problem still with us, it is from without and not within our city.

You are at liberty to use this as you see fit.

Yours,

WM. H. MCC.

SHERIFF'S OFFICE, COUNTY OF WYANDOTTE,
Kansas City, Kans., January 6, 1917.

W. H. THOMPSON,

United States Senate, Washington, D. C.

DEAR SENATOR: I think it my duty to write you this letter and assist you in defending the name of Kansas in the noble fight she has made for prohibition—and Kansas has won the fight, too.

There was a time in Kansas when prohibition did not prohibit, but the day is gone never to return. Whisky has been the downfall of millions of good people. The saloons were closed in Kansas City, Kans., about 10 years ago. Kansas City, Kans., has prospered ever since: business rents commenced to increase when the saloons were closed here; there are no vacant business houses in Kansas City, Kans., and have not been since the saloons were closed, excepting some building that was erected in the resident district by brewery companies for the purpose of selling liquor in; at this time most of them are occupied.

I am satisfied if the records at the State prison were investigated they would show that more prisoners were sent there from Wyandotte County when liquor was sold here than since the sale of it was stopped, notwithstanding the population of our county has doubled in that time, and the number of prisoners in the county jail have decreased 100 per cent.

The employment given and goods consumed by the breweries in making intoxicants would fade into insignificance as compared to the employment and goods consumed if there was not any intoxicating liquors made or sold in the United States.

Is it better for a man to go home to his family with his stomach full of whisky and his brain on fire, with no money in his pockets, and his wife and children hiding from him, or for the same man to go home with a clear brain, with his arms full of groceries and shoes, with a smile on his face, and a happy family to meet him? These are the two ways, the former with whisky, the latter with groceries and shoes.

Yours, truly,

R. L. HINCH, Sheriff.

Now, if prohibition has been such a bad thing for Kansas, as claimed by the opposition, how could we get 100 honorable men charged with official responsibility, located in every section of the State, to write such letters as these? I will say that in all the responses there was not a single discordant note and not a word or a line tending in any way to justify the argument of the opposition. When it comes to actual practice, there is not a single argument against prohibition that can be substantiated by facts.

If prohibition has been such a bad thing, why is it that the sentiment for it has been growing so rapidly until now it extends everywhere? Things which are a detriment to society and humanity soon die out rather than extend to other communities. Although in the beginning Kansas stood as the one great oasis in the old American desert, why is it now that on three sides—in Oklahoma, Colorado, and Nebraska—the people have adopted the same identical law, and even in Missouri wherever the border counties touch Kansas, except those containing large cities, every county and city is dry under the local-option law of that State, and the whole State at the last election, except for the county of St. Louis alone, would have adopted complete prohibition?

These letters answer every argument that has ever been made against prohibition in Kansas. They show that the farther you get out into the State and away from wet territory, drinking and drunkenness and other crimes have grown less and less,

and our happiness and prosperity greater and greater. They show that the only difficulty we have ever had with the enforcement of the law has been in preventing shipments from outside wet territory. This has been the experience of all dry communities. It is the difficulty experienced by the dry counties of Missouri and other States under the local-option laws. The only thing, therefore, that has interfered with the complete operation of the law, and the best effects therefrom, has been the liquor in wet localities, which all points conclusively to the real remedy which is to prevent the manufacture and sale of intoxicating liquor everywhere.

Let us therefore adopt this amendment. Do this, Senators, and we will have taken the greatest step forward in the betterment of our citizenship that has been taken at any one time since the foundation of the Government. Do this and we will have wiped away from the women and little children more tears, blood, and suffering than any other step that it would be possible to take at this time. Do this and we will have contributed more to the final success and victory in the present cruel war than any other one action we can take, and will thereby greatly benefit not only the people of this country but the people of the entire world.

Mr. THOMPSON subsequently said:

I ask permission that certain letters to which I referred in my address this afternoon be made a part of my remarks.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kansas will be granted.

Mr. THOMPSON. Also, instead of the clipping from the Kansas City Star, which was objected to, I ask permission to refer to a clipping from the Kansas City Post of June 19, 1917, concerning the same matter. It has already been printed in the RECORD, at page 4534, proceedings of the House, RECORD of June 29, and I ask that the portions thereof concerning the bringing of suit by Mr. Conwell be made a part of my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. HARDING. Mr. President, I desire to offer an amendment to the pending joint resolution, which I desire may be read, printed, and lie on the table.

The PRESIDING OFFICER. The amendment submitted by the Senator from Ohio will be stated by the Secretary.

The SECRETARY. It is proposed to insert a new section, to be known as section 2, and to read as follows:

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, on or before the 1st day of July, A. D. 1923.

Mr. SMOOT. Mr. President, in order that there may be no mistake, I move that the portion of the remarks of the Senator from Kansas [Mr. THOMPSON] just made that reflected in any way upon a Member of this body or a Member of the other House of Congress be expunged from the RECORD.

Mr. NORRIS. Who is going to decide as to that?

Mr. SMOOT. The Senator from Nebraska asks me who is going to decide. I will leave it to the Senator from Kansas to decide, and if, when the matter has been printed in the RECORD, it appears that there are remarks that other Senators think are reflections upon Members of either body, then they can move to expunge those particular parts of the remarks at a later day.

The PRESIDING OFFICER. The Chair understands that the Senator from Utah does not press the motion now?

Mr. SMOOT. Yes; I do.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. The Senator from Missouri will pardon the Chair for a moment. The Chair understood that the Senator from Utah did not desire to press his motion.

Mr. SMOOT. I made the motion, and I want the question put upon it now.

The PRESIDING OFFICER. The Chair begs the Senator's pardon. The Chair understood the Senator to have withdrawn the motion.

Mr. CURTIS. Mr. President, I desire the Senator from Utah to wait until the senior Senator from Kansas returns to the Chamber.

Mr. THOMPSON entered the Chamber.

Mr. CURTIS. I notice the senior Senator from Kansas has now returned to the Chamber.

Mr. SMOOT. I will now repeat my motion, in order that there may be no question about the Senator from Kansas understanding what it is. I have moved, I will say to the senior Senator from Kansas, that all portions of the remarks just made by him reflecting upon any Member of this body or of the other House be expunged from the RECORD; and I will leave the question as to what should be expunged to the Senator from Kansas himself.

Mr. THOMPSON. Mr. President, I have no objection to that, but I do think the rules were more rigorously enforced against the Senator from Kansas than they have ever been enforced against any other Senator since I have been in the Senate, or was against the Senator from Utah, who has used even harsher language to-day than has the Senator from Kansas, relative to the other House. It is not, however, my intention to reflect upon any Representative or upon any Senator more than simply to show their particular official acts, which are matters of record, and I do not desire to say anything as a conclusion therefrom which would reflect upon such Member's honor or integrity.

Mr. SMOOT. Mr. President, I think the Senator from Kansas is mistaken in the statement that the rule has been applied to him more strictly than to other Senators in this body.

Mr. THOMPSON. I have been here about five years, and this is the first time I have ever seen the rule so applied.

Mr. SMOOT. I have seen the rule applied to Members of this body, and the Senator offending has been ordered by the Chair to take his seat. Certainly that was not enforced against the Senator from Kansas to-day.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah [Mr. SMOOT].

Mr. GRONNA. Mr. President, I was unable to be in the Senate and to hear all of the discussion by the Senator from Kansas, but I certainly do not care to vote for a motion as to which I know nothing. If it is not agreeable to the Senator from Kansas to let portions of his remarks be expunged, I shall certainly not vote for the motion of the Senator from Utah.

Mr. THOMPSON. Mr. President, I simply desire to say to the Senator—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Kansas?

Mr. GRONNA. Yes.

Mr. THOMPSON. I simply desire to say to the Senator from North Dakota that all in the world that the Senator from Kansas did was what has been done here every day. I called attention to the action of a Representative in the other House introducing into the RECORD, under the pretense of extending his remarks, a reflection against the people of Kansas and the operations of the prohibitory law in particular.

Mr. GRONNA. I do not think the Senator from Kansas understood me. What I meant to say was that, unless it is agreeable to the Senator from Kansas, I am unwilling to vote for the motion to expunge from the RECORD anything the Senator from Kansas has said.

Mr. THOMPSON. With the statement that it be left to the Senator from Kansas, I am perfectly satisfied.

Mr. STONE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Missouri will state his parliamentary inquiry.

Mr. STONE. The parliamentary inquiry is, what is pending now?

The PRESIDING OFFICER. The Senator from Utah [Mr. SMOOT] has moved to expunge from the RECORD any portion of the remarks made by the Senator from Kansas [Mr. THOMPSON] that reflected upon any Member of the Senate or upon any Member of the House, the matter to be left to the Senator from Kansas.

Mr. STONE. Does the motion leave it to the Senator from Kansas?

The PRESIDING OFFICER. The Chair understands it does.

Mr. STONE. Then what is the need of debating it?

Mr. THOMPSON. I expect to do that in any event, if the Senator from Missouri pleases.

Mr. OVERMAN. Mr. President, in justice to myself I desire to say that I came into the Chamber and heard the Senator, as I thought, attacking some Member of the House of Representatives. I do not know who he is and can not now recall his name. The Senator says this is the first time that this rule has been invoked. I have heard it frequently invoked, but I have not for a long time heard a Senator reflect on a Member of the House of Representatives. It is a dangerous thing to do, for the reason that if we do not preserve our dignity in that respect and keep the rules, what is there to keep Members of the House of Representatives from attacking Members of this body? The rule to which I have referred applies both to the House and to the Senate, and I simply called attention to it in order, as I thought, to protect the Senator from Kansas, and suggested that, although he might have just cause for so reflecting, this was not the place to reflect on a Member of the other House.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah.

Mr. SHAFROTH. Mr. President, before that motion is put, I should like to state that I do not see why there should be such a motion made when the Senator from Kansas has stated that he expects to expunge from the letters and from his remarks any reflections which may have been made. The motion which has been made is going to leave it to him in any event, and I do not see why, when he has stated that he would take such action, that it is necessary that any motion at all should be made under the rule which has been cited.

Mr. SMOOT. Mr. President, I withdraw the motion. The Senator from Kansas was out of the Chamber at the time I made the motion. I did not want the occasion to pass without action at the time; but now that the Senator from Kansas has stated that he will expunge the objectionable matter, I am perfectly willing to withdraw and do withdraw the motion, with the understanding that the Senator from Kansas will do just as he has said he will do.

The PRESIDING OFFICER. The motion of the Senator from Utah is withdrawn.

Mr. STONE obtained the floor.

Mr. STONE. Mr. President, my colleague [Mr. REED] desires to make some observations, and for that purpose I yield the floor to him.

The PRESIDING OFFICER. The junior Senator from Missouri [Mr. REED] is recognized.

Mr. REED. Mr. President, I would not take a moment of the time of the Senate to reply to anything said by the Senator from Kansas but for the fact that he has repeated with some deliberation a statement that was sent over his State at the time of a little colloquy which took place about the 19th of December. That colloquy originated in an innocent inquiry which I propounded to the Senator with reference to conditions in Kansas City, Kans. I did not expect it to provoke any discussion, because I thought I would elicit a frank statement from the Senator from Kansas in the way of an admission concerning the matters about which I inquired, for it seemed to me that there could be no reasonable dispute about them. However that may be, and passing it by as wholly immaterial at this time, I call the attention of the Senator from Kansas to the fact that he has to-day repeated the statement that was sent throughout the State of Kansas that I charged that at present, or on the 19th day of December, 1916, "there were more drunkards to the square acre in Kansas than in any place I ever was."

It is well understood that newspaper accounts when they are passed by the reporter who takes them in the Senate to the telegraph editor, and then may be edited and reedited a dozen times before they finally get into print, may display some inaccuracies, and such inaccuracies are therefore pardonable; but it is hardly pardonable that the Senator from Kansas should in the Senate repeat that statement which is absolutely inaccurate.

All that the Senator from Kansas had to do was to turn to the CONGRESSIONAL RECORD to see what I did say, and he must have turned to the CONGRESSIONAL RECORD in order to get my language, and if he did turn to the CONGRESSIONAL RECORD in order to get my language this is what he read. I read from page 540:

I do not know what effect the prohibitory law may have had in Kansas as a whole, but I want to say to the Senator that no man can candidly claim that there was any real enforcement of that prohibitory law for many, many years after it was passed. I remember a good many years ago trying a case in a court, which was presided over by the Senator's distinguished father, I think, in a small town in Kansas.

I had not named the town yet. The Senator from Kansas said—and I read from the RECORD:

Mr. THOMPSON. Hiawatha.

Mr. REED. At Hiawatha. It seemed to me that there was not a lawyer at the bar who was not a common drunkard, and they had prohibition there, but it did not prohibit.

Mr. THOMPSON. Mr. President—

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

Mr. REED. Yes.

Mr. THOMPSON. The Senator will acquit me of that. He knows I had not been admitted to the bar at that time. That was in 1891, when I first became acquainted with the Senator from Missouri, and we have been good friends ever since.

I pause here to interrupt the thread of what I was discussing to remark that it was somewhat remarkable that the Senator from Kansas at that time and place did not deny my statement with reference to the condition of the bar of the court of his own town where he lived; but, instead of declaring that my statement was a base slander, he asked me to please exclude him from the list of the bar, and pleaded his own immunity upon the ground that he was then so young that he had not been admitted to the practice—I mean the practice of the profession, not the practice of the bar.

Since this remark made in the heat of debate has been passed around, and because I would not do injustice to any set of men, let me say that I did not say that all of the bar were drunkards, but I said it seemed to me they were drunkards. I was sorry after that—

Mr. THOMPSON. If the Senator will allow me to interrupt him, that is the language I used to-day.

Mr. REED. Yes; but I am coming to the Senator's other language. I was sorry, after stating it, that I had made the statement, because, no matter what the habits were of the members of the bar there in that little town over 20—I think 25—years ago, I ought to have forgotten and let them pass into sweet oblivion covering them with the dust of forgetfulness, and I am willing to let the statement rest there so far as the conditions of the Hiawatha bar were concerned.

I pass on now to the matter that I rose to speak about. What I have read is preliminary; and notice I was referring to a condition that prevailed 26 or 27 years ago. Following what I have just read, I continued:

Mr. REED. The Senator was not at that time a lawyer, and I am stating this to cast no aspersions upon the Senator's State or town. I had a good deal of business for a good many years in Kansas, and I say now, without desiring to reflect upon the Senator's State, that there were more drunkards to the square acre in Kansas than in any place I ever was, and that, too, under a prohibitory law.

To what time was I referring, Senator THOMPSON—to the 19th day of December or to years before? But I read on:

Mr. THOMPSON. Would the Senator object to stating how many years ago that was?

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

Mr. REED. My travels back and forth there—

The PRESIDING OFFICER. The Senator declines to yield.

Mr. REED. Oh, no; I yield.

Mr. THOMPSON. The time to which the Senator refers was 25 years ago, was it not?

Mr. REED. Oh, no; not that far back. Formerly I frequently had legal business in the State of Kansas.

Then there was an interruption—

Mr. OWEN. May I suggest—

Mr. REED. I will ask the Senator to wait until I have concluded this sentence. That business dropped off very largely something like 12 or 15 years ago, and I have not been there very much since. I am going to state this case fairly before I get through, so that I do not think the Senator from Kansas an object to it; but the facts ought to be stated. Did the Senator from Oklahoma desire to ask me something?

Mr. OWEN. I merely desired to remove the doubt as to whether the period referred to by the Senator from Kansas, when the Senator from Missouri was practicing law in Kansas, was 45 years ago or 55 years ago?

Mr. REED. Well, hardly that long ago. It was about the period when the Senator from Oklahoma was rising to national fame; and I presume that is not more than 20 years back.

Mr. President, the whole of the context and the whole of the statement makes it plain, so plain that the fool, though a way-faring man, could not err therein, if he would pause to read it, that I was talking about a condition that existed in the State of Kansas many years back.

Furthermore, later on in my remarks I said that the law was being much better enforced in the State of Kansas. What I was saying with reference to the State of Kansas was largely in reply to attacks that were made upon my own State. So that when the Senator circulates the speech which he made this afternoon in his campaign, which I take it is the purpose for which his speech was made, I want him to put into that speech simply the fact that the statement I made with reference to the condition as to drunkenness in the State of Kansas related to a time many years ago. I want him to say that I further said, speaking of the condition of the joints—and the Senator will find the language at page 540 of the RECORD of December 19, in the left-hand column, near the bottom—now, I was speaking of Kansas City, Kans., and of the fact that the joints and the gambling houses had been driven there from the State of Missouri and had there taken refuge. I said this:

Mr. REED. Until about five or six years ago, or perhaps seven years ago, they had innumerable whisky and beer joints in Kansas City, Kans.

Will the Senator from Kansas on his honor deny it? I pause for a reply.

I continue:

They openly defied the law in the city of Leavenworth. The hotel bars and saloons were as open there as they were in the State of Missouri—

Will the Senator from Kansas deny that fact? I pause long enough for a reply—

and drunkenness was a very prevalent disease or habit, or whatever it is called. Five or six years back they elected a man attorney general of the State who undertook to enforce these laws. He had a desperate time in accomplishing his undertaking, but he prosecuted the "joints." The open saloon, I think, he absolutely eradicated. Finally the law was so enforced that open gambling was stopped, and I think they have a very fair condition of public and private morals in the

State of Kansas; but they have as much drunkenness, in my opinion, in that State to-day as they have in the State of Missouri, and I think a little more.

And upon that statement I unqualifiedly stand. So that instead of saying that on the 19th day of December this condition existed in Kansas, I gave to Kansas the credit of having in recent years enforced her prohibitory law with reasonable success.

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

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

Mr. REED. I do.

Mr. THOMPSON. It has been longer than five or six years. I think the Senator from Missouri will admit that.

Mr. REED. I do not think it has been longer with reference to Kansas City, Kans.—

Mr. THOMPSON. It has been something like 12 years.

Mr. REED. And I do not think it has been very much longer with reference to Leavenworth. It is possible, however, in the flight of time, that I may be a year or two short on the exact time. The fact is, I have not missed my drinks in Kansas, and have not been worried about the condition of dryness in that State; but I do know in a general way in regard to the conditions. Now, there is no use in keeping up a controversy forever, because if the Senator from Kansas were to stand here and talk forever he could not convince the people of his own State that in Topeka, Kans., and in Leavenworth, Kans., and in Kansas City, Kans., for many years there was not open violation of the prohibitory law.

Mr. CURTIS. Mr. President—

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

Mr. REED. In just a moment. Let me conclude my statement.

Mr. CURTIS. Certainly.

Mr. REED. Neither would any fair man state that at the present time, or for several years back, the effect of the prohibitory law had not been to curtail very greatly the open selling, at least, of liquor in the State of Kansas, and perhaps its consumption. I do not know what is sent in by private shipments.

Mr. CURTIS. I want to state to the Senator that in the city of Topeka the open saloons were closed in February, 1885, and have not been open there since. I was the county attorney who closed the saloons in that city and kept them closed for the four years I was county attorney, and I have lived in that city ever since.

Mr. REED. Well, Mr. President, I really do not want to get into these personal disputes, but I happen to know that I went to the city of Topeka on some business, and I know that it was after the time that the Senator states, although I could not state the year, and I know that the hotel bar was running at that time.

Now, I did not visit the towns looking for saloons. I know, and the Senator from Kansas who now has the floor will certainly not deny the fact, that for many years in Kansas City, Kans., you had the open saloon, many years after the prohibitory law took effect.

Mr. CURTIS. Mr. President, we might as well meet this question here as anywhere else, and fight it out to-day. I say to the Senator and I say to the country that in February, 1885—and my recollection is that it was on the 14th day of February—the last open saloon was closed in the city of Topeka. I was county attorney, and enforced the law myself. It was the first time that the law had been enforced in that city.

Mr. REED. I thank the Senator for the admission. That is all I want—just that admission.

Mr. CURTIS. It was the first time, in 1885. They were kept closed for the four years that I was county attorney. I lived there and practiced law until I was elected to Congress in 1892, and have lived there ever since; and I state that while I was county attorney and while my successors were in office there was not an open saloon in that city. I will say that there were a few joints and some bootleggers up to five or six years ago.

Mr. REED. Will the Senator enlighten us as to when the prohibitory law was enacted?

Mr. CURTIS. In 1881.

Mr. REED. And the Senator began to enforce it in 1885?

Mr. CURTIS. In the city of Topeka.

Mr. REED. And up to that time the law had never been enforced in the State, the Senator just said.

Mr. CURTIS. I did not say in the State; I said in that city.

Mr. REED. Very well, I thought the Senator said in the State of Kansas.

Mr. CURTIS. I know nothing about the enforcement of the law in different parts of the State.

Mr. REED. The Senator need not get at all excited about this matter.

Mr. CURTIS. I am not excited. I want the Senator to know the facts; that is all.

Mr. REED. I am giving his town a pretty clean bill of health. I had left Topeka and had gone to Kansas City, Kans., and the statement I was making was in regard to Kansas City, Kans.; but I notice now that the Senator from Kansas, and from Topeka, Kans., does not claim that there were not plenty of joints in Topeka for many years after 1885.

Mr. CURTIS. Oh, I did not say there were plenty. I said there were a few joints and bootleggers there until a few years ago.

Mr. REED. Yes. Now, that is all I ever said about your town of Topeka.

Mr. CURTIS. The Senator said there was an open bar in the hotel.

Mr. REED. I said there was an open bar in the hotel, to my certain knowledge, on the occasion that I was there attending the Federal court.

Mr. CURTIS. I do not think that can be correct, if the Senator was there since 1885.

Mr. REED. The Senator may not think so, but I know when I see a thing, and I saw many gentlemen patronizing it; but that is immaterial. Any man that would claim that Kansas was made absolutely dry by the prohibitory law would not be a frank man; and if there was a condition of failure to enforce for many years, and if you have finally come to a fair condition of enforcement, there ought to be no quarrel about this matter.

But I was talking about Kansas City, Kans., a moment ago, when I was interrupted. It seems that the only difference between the Senator from Kansas [Mr. THOMPSON] and myself is that he thinks that was probably eight or nine years ago. I will let him have the benefit of that.

Mr. THOMPSON. Mr. President, will the Senator yield?

Mr. REED. Yes.

Mr. THOMPSON. The sheriff of the county states in his letter that it was 12 years ago that they began the enforcement of the law.

Mr. REED. Oh, well, it was not 12 years ago. It is not that long ago. I live across the line. I know the conditions that existed. I read the newspapers. The Senator from Kansas himself produced here in the Senate a few months ago, at the time of or shortly after this colloquy, records from the courts showing where the attorney general had brought his injunction proceedings; and, of course, he did not bring the injunction proceedings unless there was something to enjoin. Now, there is not any use trying to fudge on this matter. The truth is, you had a very poor enforcement of the prohibitory law for many years, and the truth now is that in the last few years you have had a pretty fair enforcement. That is what I said before, and it is all here in this RECORD.

The only reason I rose, however, was to have the Senator, when he sends out his campaign speech, put into the speech the fact that I was speaking of a time about 10 or 12 or 20 years ago and not of recent times. If he will do that, I am content. I have no desire to say anything against the State of Kansas. It has many good people in it, and I said so in my speech. I think I said of and concerning Kansas as many pleasant things as the Senator has ever said.

Now, there is one thing, since the Senator is so supersensitive, that I ask him to correct on his own account. On the 19th day of December, 1916, the Senator from Kansas [Mr. THOMPSON] said:

I am glad to have the suggestion of the Senator from Oklahoma. When Missouri is included we shall all be satisfied.

That was in reply, and is merely thrown in for the context.

Mr. THOMPSON. What page is the Senator reading from?

Mr. REED. The Senator will find it on page 538, in the right-hand column. [Reading:]

If I were asked what law has been the greatest educational benefit to my State, I would have to answer the prohibitory liquor law. When that law went into effect the illiteracy of the State was 49 per cent. It has decreased since that time to less than 2 per cent—the lowest of any State in the Union, excepting one.

Mr. THOMPSON. Mr. President—

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

Mr. REED. In a moment.

Mr. THOMPSON. But I can save a good deal of time. That statement has been corrected in the RECORD. It was corrected the following day. It should have been 4.9 per cent. It was merely a typographical error.

Mr. REED. I followed that with this statement:

Mr. REED. Mr. President, I want to ask the Senator from Kansas if I heard him aright—

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

Mr. THOMPSON. I yield to the Senator.

Mr. REED. Did the Senator from Kansas state that before the prohibitory law was passed in Kansas the illiteracy was 49 per cent?

Mr. THOMPSON. My understanding is that prior to 1880 the illiteracy was 49 per cent.

Mr. REED. Oh, there never was a community in America which was so ignorant as that—not even in Kansas.

Mr. CURTIS. Mr. President, will the Senator permit me?

Mr. REED. I will permit the Senator in a moment, when I finish this sentence.

Now, Mr. President, if the Senator corrected it the next day, I am glad of it for the sake of Kansas; but I want him, when he sends out his campaign speech, to insert that at the same time I was making the statements with reference to Kansas he said that the degree of illiteracy was 49 per cent, and that I came to the defense of Kansas and repudiated the statement, and set the Senator right—a fact, however, which he was not willing to accept at that time, but which, upon looking up the records a day or two later, and finding that I was correct, he somewhat reluctantly conceded in the Record.

Mr. CURTIS. Mr. President, I stated in the Record the day after the Senator made his speech, I believe, that I was absent during his remarks, and I put the correct figures in the speech which I delivered—and I think the Senator was present—showing that the percentage of illiteracy in Kansas was only 5.6 per cent.

Mr. REED. I understand, of course, that it was a mistake; but I want the Senator from Kansas [Mr. THOMPSON], when he sends out his campaign speech, to tell the people of Kansas how I valiantly came to their defense on the memorable 19th day of December.

Mr. STONE. Mr. President, the Senator from Ohio [Mr. HARDING] has proposed an amendment to the pending joint resolution which provides in substance that the States shall act upon the joint resolution within a period of six years. I think that amendment ought to be agreed to, and I shall vote for it; but I do not rise at this time to discuss that, nor to discuss the joint resolution itself as reported from the Committee on the Judiciary. I have it in mind in due time on to-morrow, and after the amendment proposed by the Senator from Ohio has been acted upon, to propose another amendment to the pending joint resolution upon which I shall ask the judgment of the Senate, and it is upon that amendment that I desire to address the Senate this afternoon. I must do that this afternoon, or not at all, under the limitations of the unanimous-consent agreement.

The amendment I have in mind to propose will be in substance, though it may not be when offered in the exact phraseology I am going to read, namely:

The Congress shall have power to enforce this article by appropriate legislation; but this article shall not be enforced until the Congress shall have made provision for the ascertainment and payment of damages resulting from the enforcement of the same.

It is to that proposition that I wish to address myself.

AMERICAN GOVERNMENT AND PEOPLE ALWAYS FOR PROTECTION OF PROPERTY RIGHTS.

Mr. President, from the commencement of our Government our people in both Federal and State Constitutions have declared for the protection of property, and that private property should not be taken, or damaged by public act without just compensation.

This is a fundamental principle of our social organism and law, and everyone growing up as an American or living under our Government absorbs the idea as being a vital part of American life. To the layman and the lawyer alike it is common knowledge. All classes understand that, and accept it and indorse it as a fundamental principle of our institutions and our Government. This principle is founded on that rule of right so well stated by an eminent American, when he said "that the demands of absolute and eternal justice forbid that any private property legally acquired and legally held should be spoliated or destroyed in the interest of public health, morals, or welfare without compensation."

And it has been written of this principle by a great judge:

This power to take private property reaches back of all constitutional provisions, and it seems to be a settled principle of universal law that the right of compensation is an incident to the exercise of that power; that the one is so inseparably connected with the other that they may be said to exist not as separate and distinct principles but as parts of one and the same principle.

And, again, in speaking on this question the Supreme Court says: "And in this there is a natural equity which commends it to everyone. It in no wise detracts from the power of the public to take whatever may be necessary for its use, while, on the other hand, it prevents the public from loading upon an individual more than his just share of

the burden of government, and says that when he surrenders to the public something more and different from that which is exacted from other members of the public a full and just equivalent shall be returned to him." (Vol. 37, L. Ed. U. S. R., p. 467.)

This principle is enunciated in our National Constitution in the sentence that no person shall be deprived of liberty or property without due process of law, nor shall private property be taken for public use without just compensation.

THE PROPOSED CONSTITUTION AMENDMENT IS A DAMAGE TO AND DESTRUCTION OF PROPERTY NOW LEGALLY HELD AND LEGALLY USED CONTRARY TO THE SPIRIT OF OUR LAW AND GOVERNMENT.

It is important to keep clearly in mind the fact that the business and property affected by this proposed amendment is in all States where laws legalize the business and protect the property and capital invested and protect the right of the workman to labor in the industry.

The proposal is for the Federal Government by constitutional amendment to override the wishes of the people of the States wherein the business is conducted and put an end to it.

There is no doubt that the adoption of this amendment would destroy the business of those engaged in the malt, vinous, and distilled liquor industries; no doubt that it would render valueless for the present purpose for which it is used millions of dollars' worth of property; no doubt that it would take away the right to earn a living of thousands of men who have learned the business under the sanction if not by the invitation of the laws of the State and Federal Governments, and who now have the protection of their respective State laws and State governments of their right to labor in these industries and earn a living thereby. This business, this property, the occupation of these thousands of men, all now protected and legalized by State laws, it is proposed to destroy by an act of the Federal Government without compensation and over the objection and against the wishes of the people of the States where the business is carried on. But it will doubtless be said that this property and business and the right to labor therein are not taken physically by the proposed amendment; that there is no direct taking or destruction in the physical sense; that there is no actual physical conversion of the property or the business; but in Wallace, Thirteenth United States Reports, pages 166 and 167, a Supreme Court justice answered this suggestion as follows:

It would be a very curious and unsatisfactory result if, in construing a provision of constitutional law always understood to have been adopted for protection and security to the rights of the individual as against the Government and which has received the commendation of jurists and statesmen and commentators as placing the just principle of the common law on that subject beyond the power of ordinary legislation to change or control them, it shall be held that if the Government refrains from the absolute conversion of real property to the uses of the public it can destroy its value entirely, can inflict irreparable and permanent injury to any extent, can in effect subject it to total destruction without making any compensation, because in the narrowest sense of that word it is not taken for the public use. Such a construction would pervert the constitutional provision into a restriction upon the rights of the citizen as those rights stood at the common law, instead of the Government, and make it an authority for the invasion of private rights under the pretext of the public good which had no warrant or authority in the laws or practices of our ancestors.

The modern doctrine of the courts as to when the right to compensation exists has been defined in this wise:

Any substantial interference with private property which destroys or lessens its value or by which the owner's right to its use and enjoyment is in any substantial degree abridged or destroyed is in fact and in law a taking in the constitutional sense to the extent of the damages suffered, even though the title and the possession of the owner remains undisturbed. (Lewis on Eminent Domain, 3d ed., Vol. 1, sec. 55, pp. 56-57, 67; 28th Utah R., p. 211.)

I conclude, therefore, it is clear that, if this loss and damage which will be inflicted by passage by Congress and adoption by the States of this amendment were inflicted by a congressional act, the provisions of the Federal Constitution prohibiting destruction and damage of private property and business without compensation would apply, and if the congressional legislation did not itself provide compensation, under the decisions of our courts and the policy of our Government, the public faith would require those suffering loss by the congressional act should be recompensed according to the due process of the law of the land. The records of our Government and courts abound in cases of this sort where legislation or other governmental act has damaged or destroyed property or business, and always where property has been legally held and used and business legally conducted the Government has rendered just compensation to those injured. One comparatively recent case of damages paid by the Government for loss caused by enactment of a statute by Congress is what is known as the Sugar Case, reported in the forty-first volume, Law Edition of United States Reports, page 215. In this and all similar cases the Government in recognizing the obligation to compensate has acted on the theory that it was and is a cardinal principle of our institutions that private property, legally used and legally held, shall not be destroyed or damaged, either by public or private act,

without a right to compensation. The business of the malt, vinous, and distilled liquor industries is legalized now by the laws of the States where carried on, and the property and capital invested therein are protected by the laws of those States. The business is legally conducted, the property is legally held and legally used, and the workman has the protection of the law in his right to labor therein. If a private citizen in one of these States legalizing these industries by any act of his interferes with the business, destroys the property, or injures it or damages it or interferes with the right of the workmen to labor therein, the citizen so doing must answer in the courts of the land for his act, and unless legal defense can by him be established he must compensate for all losses he may have inflicted. Why is this law of compensation enforced against the citizen who might thus damage the property or the workmen employed in the industry? What is the principle on which the law of compensation, as embodied in our Constitution, is founded? The answer is that it is morally and legally wrong to take private property or to injure the same by public or private act without compensation, and, as said by the Supreme Court of the United States, Seventy-first United States, page 120:

The Constitution of the United States is a law for rulers and people equally in war and in peace and covers with the shield of its protection all classes of men at all times and under all circumstances.

Now, if a private citizen may not damage or destroy the property legally used and legally held in this business, and may not prevent the workmen from earning a living in these industries without responding in compensation for any loss incurred by his act, are the people of the United States in their collective capacity as a Federal Government to be justified morally or excused from doing what the Government itself compels by its constitutional mandate its citizens to do—that is, respond in damages and compensate for destruction of business carried on with the sanction of the law and damage to property legally held and legally used?

But the answer doubtless will be that this is a constitutional amendment and not a congressional enactment, and that while perhaps it is true that if the damage was inflicted by congressional act compensation should be paid, yet by an amendment to the Constitution it can be done without incurring responsibility for compensation. Waiving but not conceding, the question whether or not it can be legally done without compensation even by constitutional amendment, and admitting for the sake only of the present discussion the power exists, does it change the principle involved because we destroy the property and the business by an amendment to the Constitution instead of by congressional act? If the loss should be inflicted by congressional act, there is no doubt in my mind that the right to compensation therefor would exist. The damage to property in these industries now legally held and used in these States is the same whether the loss is inflicted by congressional act or by constitutional amendment. Only recently in this body the question of the right to destroy and damage this class of property without compensation was discussed, and, as I remember, it was practically conceded by all if damage ensued on congressional action compensation must be paid according to the terms of the Constitution. On what theory is the constitutional proposition founded which would exempt it from the just principle which prevents destruction of private property by public act without compensation? It is the demand of absolute and eternal justice that private property legally acquired and legally held shall not be spoliated or destroyed in the interest of public health, morals, welfare, or any other public interest without compensation. This is the sound proposition on which the American idea of legal protection to property is grounded. Does it change the principle or the morality of the act because you do the damage by a constitutional amendment instead of by a congressional enactment? Now, the Federal Constitution protects the citizen from the acts of the State or the acts of a fellow citizen which would destroy his private property legally held and used without compensation therefor. This is one of the great bulwarks of right in our organic law. Now, it is proposed by this amendment to put into this same Constitution alongside of this provision that protects the private citizen in his property and his business and his right to labor a provision whereby the people of the United States in their collective capacity as a Federal Government would destroy hundreds of millions of dollars of property now legally owned and legally used under the laws of the States where located without any compensation whatever for the damage done. If the principle in our Constitutions, National and State, declaring no person shall be deprived of liberty or property without due process of law, nor private property taken by public act without just compensation, is correct, and if it is right that private property legally held and used shall not be destroyed by governmental action without compensation, then

why is it not sound governmental policy to say that this private property belonging to these industries now legally held and used should not be destroyed by governmental policy or change of policy without compensation? When the tariff laws were changed so as to injuriously affect the sugar industry Congress promptly met the loss sustained by providing compensation, and the Supreme Court upheld the act.

It is true Congress can as a war-emergency act authorize the taking of private property for public use, but if no provision is made in the act for compensation the Government is in honor bound to pay the owner the value of his property as determined according to the due process of the law of the land. But certainly it will not be contended that this is a war measure. The men who have invested their money in the business and those who have spent their lives learning to labor and are laboring in these industries were permitted, if not invited, by the laws of the United States Government and the various States and cities of the country to go into the business, and approximately two-thirds of the voters of this Republic now live in States whose laws sanction and legalize this business.

Has the Government of the United States the moral right; in violation of the spirit of the Constitution and of its historic policy, to destroy millions of dollars of property invested in the business that for years it has recognized as legal and which now is a legitimate business in the States where it is carried on? Granted for the time being that the Government of the United States is supreme in this matter, can it afford to do this? It must be admitted it is practical confiscation to deprive citizens of property and values legally acquired without redress or compensation. In most of the larger States the business is legalized and the property and money invested protected and the workman protected in his right to labor and earn a living in this industry, and now it is proposed by an act of the Federal Government to destroy hundreds of millions of dollars of property of the citizens of these States and deprive hundreds of thousands of the citizens of their occupation against the will of the people of these sovereign States, and all without offering any compensation for the loss sustained. This amendment is advocated on the theory that it is conducive to public welfare, health, safety, and good order, and therefore confiscation without compensation is justified; but the whole theory of our Government, State and National, is founded on the proposition that confiscation of property without compensation is wrong in morals and in principle. This must be admitted. Now, if that is true, we have this condition: That it is proposed in order to promote the public welfare, health, safety, and good order, an immoral and wrongful public act—I use the word "immoral" in the sense that whenever the government of a State does a wrong thing against its citizens it is fundamentally wrong and, therefore, fundamentally immoral—must be committed by our Government of taking and destroying property without compensation and against the wishes of the people of the States wherein the confiscated property is located.

To emphasize, I repeat that if an individual citizen in any of the licensed States could by his act render useless property used in these industries he would have to respond in damages, and the owner would be compensated. Now, is it any less wrong, morally or legally, for the Federal Government to destroy or injure this property in a licensed State without compensation than it would be for a private citizen so to do? In its last analysis the contention in behalf of this amendment without compensation reduces itself to the proposition that it is justifiable to commit a moral wrong, if not a legal wrong, and to violate the spirit, if not the letter, of the Federal and every State Constitution, in order to promote public welfare. Of this contention I will say as the Supreme Court said of a suggestion that war emergencies might suspend constitutional protection:

No doctrine involving more pernicious consequences was ever invented by the wit of man * * *. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false.

In my judgment it would be better to make the record of our Government in the manner of dealing with the question of loss and damage ensuing in the adoption of this amendment square itself with all our prior governmental history and policy, and square itself with the inexorable law of right and justice, and prevent our Government from committing a great moral wrong of this character.

ECONOMIC SIDE OF QUESTION.

Capital now invested in brewing business is estimated at	
about	\$750,000,000
Distilling business, about	80,000,000
Wine making, about	30,000,000
Malting, about	60,000,000
The amount invested in the retail trade is estimated at	
about	421,601,380

There are employed in the retail and manufacturing branches, including owners and proprietors, probably 800,000 persons.

Indirectly engaged in the business and dependent on allied business industries there are additional persons employed of approximately 200,000 persons.

Based on my information, I think this is a conservative estimate of the capital invested and the number of men occupied in these industries.

Mr. President, at this time, with the disturbed conditions produced by war, to wipe out all this property without compensation, thereby inflicting \$1,000,000,000 loss on private citizens and at the same time deprive 1,000,000 of our citizens of their means of livelihood in the manner proposed, is, in my opinion, a fundamentally wrong governmental policy and can not be successfully defended.

COMPENSATION IN OTHER COUNTRIES.

In the following countries, by legislative enactment, the principle of compensation for loss incurred by governmental action in prohibiting or restricting business in like industries has received approval by government legislation: Great Britain, Switzerland, France, Norway, and Province of Quebec, Canada.

The official return of license statistics for Great Britain for 1913, published by the British Government in August, 1914, states that there was paid under the licensing act of 1904, providing for compensating the holders of extinguished beer and liquor licenses, amounts as follows:

During the nine years, 1905-1913, £8,873,137 was collected from the beer and liquor trade and paid over by the inland revenue to the compensation authorities, who paid out in compensation for 8,961 licenses a total of £8,073,127, and at the end of 1913 held balances aggregating £685,975, subject to claims in respect of 439 licenses refused, but not paid for down to the end of 1913. The difference of £114,035 odd (in addition to interest earned on sums lying in bankers' hands and any sums outstanding on loans less interest) presumably went in expenses.

In Switzerland the principle of compensation has been enforced for nearly five years. A law went into effect in 1910 forbidding the manufacture, sale, and importation of absinthe. This law was the outcome of a referendum submitted to a popular vote and adopted in 1908. The amendment carried a compensation clause, on the strength of which an indemnity law was passed by the Federal Council. The decree of the Federal Council of Switzerland provided that the money required to compensate all interested parties for losses sustained by them was to be obtained by raising the price of ardent spirits. The compensation to the owners of absinthe plants and to the manufacturers and holders of absinthe averaged four times the amounts of yearly profits in each case, labor excepted. Under this law labor has also been compensated in an equitable manner. An examination of the Swiss law's chief provisions will disclose that the Swiss Government compensated all interests materially concerned—farmer, manufacturer, landlord, and workingman.

I have no copies of the laws passed in France prohibiting the manufacture and the sale of absinthe, but according to telegraphic dispatches the French act provides that indemnities should be provided to manufacturers affected by the bill, and later dispatches disclose that the French policy will perhaps be to buy the stock of absinthe—which is the liquor prohibited—from the manufacturers and distill it into alcohol, and it was said the French Government would make a profit by this operation; and still later dispatches report that a measure was passed allowing approximately \$2,600,000 as reimbursements for taxes paid by liquor dealers on absinthe in their possession and for the purchase of their stock of absinthe. It is thus fairly clear that the French compensation scheme embraces protection of all interests suffering financial loss by reason of prohibition of absinthe.

The alcohol commission appointed by the Norwegian Government to consider and report on the liquor question in all aspects handed in its report on May 6, 1915, favoring compensation.

The principle of compensation received legislative indorsement in the Province of Quebec, Canada. In the cities of Quebec and Montreal liquor-license holders whose licenses were annulled by statute are indemnified. The indemnities paid to eliminative license holders in the Province of Quebec is provided for by the imposition of a special license duty during 10 years upon the remaining hotel and restaurant liquor licenses. This special license is so framed that it is not only to repay the principal in 10 years but also interest at the rate of 4½ per cent upon the indemnities advanced to eliminative license holders by the provincial government. In other words, the remaining license holders are taxed to pay the cost of the indemnities paid to those ordered out of business. This recognition of the principle of compensation in Canada represents an entirely voluntary legislative action, because, while liquor licenses are

recognized as vested interests in Canada, vested interests are not protected by organic constitutional provisions backed by court decisions, as they are in the United States, and no court in Canada has power to declare any parliamentary act unconstitutional.

When the Quebec Parliament decided ejected licensees were entitled to compensation it took this move wholly upon its judgment, voluntarily recognizing that the rights of license holders are as absolute as those of other property holders and should not be summarily destroyed without compensation.

The public sentiment for compensation for property or rights injured by governmental or private action has been asserting itself more vigorously in later years, as witness the legislation of 24 States that have passed workmen's compensation laws, as well as the Federal Congress. This field was long neglected, but now the principle of compensation has been put into effect. Economic writers all indorse the theory of compensation as being the only sound governmental policy. Our Federal courts have all held that the traffic in these industries was legitimate commerce and that the products of these industries are legitimate subjects of interstate commerce.

There is no question about the right of the Federal Government to provide in this amendment or otherwise a compensation for any loss occasioned by reason of the destruction of the business or the property involved in these industries.

The story of the wave of prohibition in Russia as a war measure has been given great publicity in this country, but I am informed—and I make the statement upon that information—that not in a single instance did the Russian Government deprive anybody of property. My information is that every vodka shop in Russia belonged to the Russian Government.

It was a Government institution; they simply ceased to manufacture or dispense vodka.

From the information I have been able to gather I am led to believe that every country that has attempted to restrict the sale, consumption, and distribution of intoxicating liquors has tendered compensation to those suffering loss therefrom.

EFFECTS OF PROHIBITION WITHOUT COMPENSATION.

Mr. President, any kind of prohibition legislation by this Congress, whether as a war measure, prohibiting grain in making distilled and fermented liquors, or by the submission of a constitutional amendment, will be acted on and accepted by the financial and business world and the public as the beginning of nation-wide prohibition, and all the financial and business disturbances that might follow the cessation of manufacture of alcoholic drinks as beverages under a war act by Congress would as swiftly and surely follow the passage of a resolution by Congress permitting a noncompensatory prohibition amendment. The financial and business and general public would make no distinction in either case. The public press and public sentiment have indorsed the compensation idea in connection with prohibition, as disclosed by the discussion and expressions of public opinion in the papers and otherwise concerning a recent action of the Senate of the United States with reference to distilled liquors. The compensation can be raised from a fund by an extra assessment or tax on the industry by congressional enactment.

I wish there were more Senators present to consider this suggestion.

I have no doubt it will be argued in support of this amendment without any compensation clause attached that its passage and submission to the State legislatures will leave the revenue intact from the industries for the Government for the remainder of the war, because it will take from two to five years to get the necessary 36 States to adopt the amendment, and that no shock to business or industry would occur during the war period.

An amendment submitted by Congress to the State legislatures without any time limit may be agitated and kept before the States forever, once Congress permits it. Once adopted by a State legislature no future legislature can set aside that adoption. If rejected by one legislature it can be continually brought up in succeeding ones. It took many years for the income-tax amendment to be ratified by three-fourths of the States. With this prohibition amendment without compensation hanging as a constant menace over the industry all know the stocks and securities and property would be utterly unsalable and of no commercial value in the financial world. On the passage of this amendment by Congress there would be an immediate rush to sell stocks, properties, and securities at any price. All loans secured by stocks, bonds, or warehouse certificates, or property would be called at once. The credit of all persons and corporations whose money was tied up in the industry would be at once ruined. The business world would act on the assumption that the industry was to be destroyed. The effect in financial and business circles would be substantially

the same as though Congress should enact a law as a war measure prohibiting the use of grain in alcoholic beverages during the war. If the amendment is passed without a compensation clause, loss of credit and pressure to collect loans will immediately force small manufacturers and dealers to throw their property and product on the market and sacrifice the same for whatever is offered. This will force big manufacturers and dealers to do the same thing temporarily at least. Millions of dollars in property will be sacrificed and thousands of men will be bankrupted. You can not destroy arbitrarily without compensation \$1,000,000,000 worth of property and throw 1,000,000 men out of employment at the same time without some form of serious financial disturbance.

Mr. President, this is not a matter of any particular interest to me. My attitude with respect to it is influenced solely by my conception of what is absolutely and fundamentally right.

If the two amendments to which I have referred—that offered by the Senator from Ohio [Mr. HARDING], which has just been read, and the one that I have in mind to propose—should be agreed to, I am personally inclined to vote to submit the amendment to the States.

Mr. SHERMAN. Mr. President—

Mr. STONE. Just a moment. I would vote for it if submitted in that form. At least, I would vote to submit an amendment in the form I have stated, if my vote should be necessary to pass the resolution by the requisite two-thirds majority, although in a broad way I am not in favor of national prohibition by a constitutional amendment. I have opposed that policy because I feel that it means an invasion of the rights of the States and a practical destruction of one of the few remaining constitutional ideas to which some of us still cling—the police power of the States; and yet in these latitudinarian times, I feel disposed, if a fair and just amendment can be agreed upon, to submit it to the States and let the States pass upon it.

Mr. SHERMAN. Mr. President, did I understand the senior Senator from Missouri to say that he favored the amendment offered by the Senator from Ohio?

Mr. STONE. Yes.

Mr. SHERMAN. Which provides for compensated prohibition?

Mr. STONE. No. As I understand the amendment submitted by the Senator from Ohio, it merely provides that the amendment submitted shall be acted upon by the States within a given period.

Mr. SHERMAN. I had the impression that the amendment of the Senator from Ohio was upon the question of compensation, and that some one else offered the six-year amendment; but probably—

Mr. STONE. I said, if the Senator will permit me, that I had in mind to offer an amendment to the joint resolution providing for compensation.

Mr. SHERMAN. Has the Senator one pending, or does he intend to offer one?

Mr. STONE. I said I had it in mind to offer one to-morrow.

Mr. SHERMAN. I shall be very glad to see it when it is offered, Mr. President, because it is possible that the Senator from Missouri and myself may agree upon some such feature before we conclude our votes on this subject.

Mr. STONE. Possibly—

Mr. SHERMAN. Mr. President, I am not opposed to some reasonable form of compensated prohibition. I am willing to vote for an amendment of that kind if it should be drawn in some reasonable form, but not to compensate for all property which may be rendered useless. A distillery that has the ability and the equipment for distilling alcohol can be transformed, and with the six-year limitation here it could be, possibly before the amendment should be adopted by three-fourths of the States, so adjusted that the property lost would be nothing, or comparatively small. Outside of the large distilleries which are used in the United States for distilling and preparing whisky as a beverage, there is a material part of that property which can be reequipped and readjusted in such a way as to prepare alcohol for industrial, chemical, and scientific purposes; and a large portion of that property will be saved.

I do not understand that this amendment will prevent the manufacture of alcohol. It only prevents the manufacture of intoxicating liquor used for beverage purposes. That is the language of the joint resolution of the Senator from Texas. That is its purpose. In some of the largest distilleries in the world, in Peoria, Ill., and Kentucky, used for manufacturing whisky as a beverage, outside of the property that is devoted exclusively and built exclusively for the manufacture of whisky there is a large part of that property which can be used for perfectly legitimate purposes. The part of a distillery, for instance, where whisky is made that is used for racking off the liquor will

be wholly lost. Outside of that the greater part of the valuable property devoted to that purpose can be used for distilling alcohol.

It is impossible for the manufacture or distilling of alcohol to be stopped at this time. Every time, say, a \$3,000 shell is made a barrel of alcohol is used, and a 500-pound bale of cotton is needed to prepare the explosive, that with the glycerine and the nitric acid that goes into it, with other compounds that chemically combine with the cotton, makes the high-power explosive.

High explosives require alcohol. No one believes that the manufacture of alcohol will cease. I have read some criticisms, and I have received some telegrams and letters that seem to contemplate that the senders and writers think that we will quit manufacturing alcohol, and so our preparedness program will wholly fail. That either comes from a design to mislead or from a lack of accurate information. Alcohol will continue to be made for many years—indeinitely—for industrial purposes. In that I include the manufacture of explosives. All the shells require explosives not only of the usual kind, but very high-power explosives under recent inventions developed in the European war. That will continue.

A very large part of the Peoria distilleries now making beverage whisky can be transformed for the manufacture of industrial alcohol. There is no occasion to have many millions of dollars' worth of property destroyed. There is no occasion either for millions of bushels of grain to go into whisky and other millions to go into malt liquors, or other foodstuffs, fruits, grapes, and the like, to go into forms of wine that are less injurious, it is true, than corn whisky or rye whisky. Nevertheless, they are food products, and there is no reason at this time to destroy the food value of these immense quantities of foodstuffs by turning them into intoxicating liquor.

Mr. President, I wish to be as brief as I can and keep within a reasonable adjourning time here. Some of what I wish to say I will say to-morrow under the 10-minute rule, but we are told that the brewing processes must continue, that beer is healthy. It may be healthy to some people, some kinds of beer, but not the kinds of beer we are making in this country. The beer that is brewed in this country is slop, Mr. President. It has destroyed more vital organs than human disease. It is largely brewed from corn and cheap rice. There are bubbles in it as large as a soap bubble. The bubbles that ornament the average schooner of domestic-brewed American beer look like the bubbles coming out of a pipe when a child blows bubbles for amusement. The small, fine bubble, not much larger than the head of a pin, that comes from the malt-brewed beer, is very scarce in this country. I repeat, Mr. President, that the brew of beer out of corn and rice and cheaper processes employed is literally a corrosive, rotting, burning slop. It has rotted more kidneys and perforated more stomachs, and destroyed more livers by cirrhosis and abscesses than all the natural diseases to which human flesh ever fell heir.

On billboards over the country we have seen the legend, "The beer that made Milwaukee famous." I saw away down in Yucatan at one time a parody on that. It said, "We brew the beer that made Milwaukee jealous." I went in and tried some of it. No white man can habitually drink it and live. It may be good for the men that dwell in the Tropics, because they are short lived, and some of them think it a blessing to die, anyhow—a relief from a sore vexation of the flesh.

But we use foodstuffs for beer, for stout, for ale, and for various other sorts of fermented or brewed liquor. Under this amendment we will discontinue that, and the brewery will lose some of its value. If it can not be used for a vinegar factory or for apple butter or for some legitimate purpose, I am willing to pay for it. There is a large part of the Anheuser-Busch Brewing Association's property which can be used for lawful purposes, and I do not believe a jury impaneled in a United States court would give any extraordinary damages. Their breeding barns and their stables and their fields, where they raised horses at one time, will not be lost. Their automobiles that have succeeded animal power for trucking purposes since then will not be lost. All those vehicles can be used, together with such animals as remain in their service, for legitimate purposes. Not one dollar would be a proper subject of award by way of damages in condemnation proceedings before a jury if you were condemning, under the right of eminent domain, this property to take it to use it for some other purpose. But when it is taken under the exercise of the police power of the State, when we take it because it has been devoted to a purpose that is declared to be no longer lawful, then all of the unlawful portion of the property that was used, if it can be converted into any other lawful pursuit, will not be lost, and will not properly be considered in an estimate of damages.

But the saloonkeeper comes in, and he is to be protected. Who offers that argument, and who writes the brief?

I wish to coincide with the senior Senator from Kansas [Mr. THOMPSON]. In presenting the brief on this question, Mr. President, I know who writes the brief for compensation for the saloon keeper. It is the brewery's lawyer. How are the breweries interested in the saloon keeper at the corner I pass on my way home, that seemed to have some kind of a vested right almost under the shadow of a schoolhouse in my town before they were voted out last April, all of them in a bunch? It is because, Mr. President, the brewery is the willful, guilty agent that breeds the saloon keeper all over the country. The brewery is the power that sets up convicts in the saloon business all over my State. No sooner are they freed from their sentences by lapse of time than the brewery picks them up and makes them fit subjects to be intrusted with a barroom and fixtures and a stock of beer and enough whisky to go along as a handmaid of the blessed beverage that gives health and strength—as they say in their advertisements. I never saw a man drink it in my life, steadily, that was not a good candidate for Bright's disease, or indigestion, or paralysis, if he kept it up long enough.

I began with many friends of liberal habits more than 30 years ago, Mr. President. Unfortunately some of them thought that brewers and distillers told the truth; their names have been cut on tombstones many a long year; some of them because they thought they could practice that belief. I have seen too many of them die in my time; I have seen some of them die with strange complaints, seeing strange things in the air and hearing strange voices; and in the delirium tremens that took them to their graves I have remembered that they were the victims of the saloon keeper, promoted by the brewery.

It is time now to tell the truth about these things. I have made up my mind the few remaining years of my life to tell the truth about it. I have voted "dry" ever since I have been a voter in local elections. I have passed far beyond the point where I believe that it is a question of local option.

Local option is well enough in its way, but to me you might just as well say that East St. Louis ought to have local option in murdering negroes and not be interfered with by anybody outside of the town. "It is a local matter. What business is it of yours or mine, living outside, if they do this?" It is just as much of a local matter, they might argue, as the saloon is a local matter.

There is not a State in the 48 States of the Union that has ever had a fair chance on the dry question, even when it voted dry. Maine is surrounded by land and water, with the possibilities of the habitual violation of her laws. Kansas, as stated by its senior Senator, has been territorially surrounded at all points of the compass until recently, and is yet bounded on the east by wet territory. Every dry State has had a similar experience. Every one of those States has lived with the ever-present possible inundation from the wet forces all around them, and nothing but the slender dikes of a State-created law to defend them against the lawless deeds of those whose principal purpose is to break the laws of the dry States.

I have heard all the time, Mr. President, that you could not enforce the liquor law, and what is the use of passing laws that you can not enforce? Who break them? The very men who offer the criticism; the very men who vote against all regulatory laws, State and National; the very men who object to any kind of regulation are the ones who come in afterwards and break the laws, and then offer their own offenses as the criticism for the laws that they despise and violate.

We have had a Sunday closing law since 1848 in Illinois, that no saloon in Illinois could open and sell on Sunday. Have saloons ever paid any attention to it? No. Immediately after the riot in Springfield, Ill., it was trailed to the contempt for and carelessness of the law in the town, as it was in East St. Louis born of lawlessness hatched in the saloons of a liberal administration. So we began to ask them to obey the Sunday closing law. They laughed at it. They continued to laugh at it. Juries were empaneled in Chicago and it was proved beyond question. They promptly acquitted them. The present mayor has enforced the law in the city of Chicago against saloons.

Outside of Chicago, in Cook County, the lid is off all the time. Sunday, daylight, midnight, and every other time saloons are open to everybody—men, women, children, drunkards, and everybody else who has the price.

I do not know what the result will be. The State attorney of Cook County announces that he intends to close the lid outside of the city limits of Chicago. I hope he will succeed.

I have been through that fight for more than 20 years. In 1909 I ran as a candidate for mayor for my home city, following the riot of 1908, a wide-open town. I was defeated by 137 votes, counted out in the very district or ward where the people

were whom I wished to regulate. I accomplished the purpose. I had a hearing before the people of my home city. I had no more ambition to be mayor than township constable, except as it served the purpose. I told them what I knew about it and told the liquor interests in Springfield they must either clean up or clean out. It took eight years from that spring of 1909 to the spring of 1917 until they were cleaned out, because the brewers and saloon keepers would not reform. There were 215 saloons in a town of 70,000 population in business last spring before the election.

They got what they earned. Still, it is said it is a local question. It is no longer local, no more than the principles of sound government are local, no more than the principles of human life are local, no more than the principles of common decency are local, no more than the universally accepted principles of morality are local. It is a national question now and will remain a national question, and as the Senator from Washington [Mr. JONES] said, a nonpolitical question, unless it is forced to be made a political question, and then it will become one. Old party lines may, if the emergency require, disappear, but the reign of the saloon can not endure in this country.

It is true, as the junior Senator from Georgia [Mr. HARDWICK] said, it began as a local question. It is regarded now by many of the Senators from Southern States as a local question. I do not quarrel with their belief on that subject. I only say that when it is a local question and a State goes dry, and it is surrounded by partly or all wet territory you do not give the State a chance to be dry. You do not or can not enforce the laws and then offer that as a reason why all regulatory or prohibition laws should never be passed, simply because they are continually violated.

I am going to put in enough here to indicate what I mean on this subject and will then let it go at that. I intend to vote for this amendment or the resolution in any form in which it finally comes to a roll call, if it contains the essential principles of the prohibition of the manufacture and sale of intoxicating beverages. I can do so without even arguing the question of the justice or injustice of it. I can vote for its submission on the ground that it is a subject of long continued agitation, one that has long been before States and people and has at last risen to the dignity of a proposed constitutional amendment; the 48 States of this Republic have a right now to pass upon that question.

Even if I were wet, if I were opposed to the amendment, there is no reason why any Senator should deny to the people of the States the right to pass upon a question and approve or reject this amendment. I put it upon that ground, if I could put it upon no other. Congress ought to vote to submit it to the people of the States.

In a sort of parenthetical way I asked here a few days ago or weeks ago is there anything more sacred than a human life? Still compensated emancipation for the slave was an open question at one time. Let me briefly recur to those things. In Lincoln's message read in this building on December 3, 1861, as it was laid that morning on the desk of Members, the present method of addressing Congress having been in disuse, and all the Members read the message on that day recommending that Congress provide for accepting such persons from such States according to some mode of valuation, "such persons" referring to such slaves as by their masters were made capable of being emancipated or freed.

In the privacy of his own room Mr. Lincoln wrote a compensated emancipation for the State of Delaware, a border State. George P. Fisher had been elected a Member of Congress on a sort of combination ticket, a free soiler in that State, as a Member of the House. Mr. Lincoln communicated through him with public sentiment in Delaware. They ascertained by a canvass of the members of the legislature it could not pass. The bill therefore was never introduced by the free soilers.

The proslavery men, however, in the Legislature of Delaware recited the whole bill in a preamble or joint resolution and condemned the bill at great length. A majority of the house members, of 21 members, passed the bill, repudiating compensated emancipation. In the senate there were nine members. One member was absent. Four members voted for it and four members voted against it, and it lost on the tie. Those records are found in the Senate journal of the State of Delaware at the special session of 1861 and 1862.

Again, President Lincoln, in a message of March 6, 1862, recommended the passage of a joint resolution for compensation. Roscoe Conkling introduced the resolution on the 10th of March, 1862, found in the Congressional Globe of that date. Conkling was then a Member of the House from the State of New York. It passed the House on the 11th day of March, 1862, by a vote of 89 to 31. It passed the Senate on the 2d day

of April, 1862, by a vote of 32 to 10. It was approved by President Lincoln April 10, 1862.

Again, came an act abolishing slavery in the District of Columbia. It passed the Senate the 3d day of April, 1862, by 29 to 14, and the House on the 11th day of April, 1862, 92 to 38. It was approved by President Lincoln. It provided \$100,000 as a preliminary to assist the voluntary immigration of slaves from the District of Columbia to Liberia and to compensate for such of them as were emancipated and remained in this country. President Lincoln wrote a letter to Henry J. Raymond, on the 9th day of March, 1862, and used the following remarkable language:

The cost of the war for half a day would pay for every slave in the State of Delaware. The cost for 87 days would pay for all the slaves in Maryland, Delaware, the District of Columbia, Kentucky, and Missouri.

Those were the whole network of border States, as the State of West Virginia had not yet been created by the war conditions that resulted in the birth of that State. It took all the border States and created what they call in Europe in politics a kind of a buffer State, a free-soil series of States created out of that slave territory by compensating slave owners for their property between the free States and the warring slave States.

In a message of the 14th of June, 1862, President Lincoln sent with it a copy of the bill recommending, according to the memorandum made in March, 1862, compensated emancipation. He wrote a letter to McDougall and another one to John J. Crittenden, of Kentucky, and in it he repeated what he had said to Raymond about the cost of the war. He showed in detail that there were 1,798 slaves held in the State of Delaware. Figuring them at \$400 per head, it amounted to \$719,200. He proposed to pay for those by issuing Government bonds to the owners, bearing 6 per cent interest. He showed, too, that the cost of one day of the war at that time was \$2,000,000. He showed that the slaves in Delaware were 1,798; in Maryland, 87,188; in the District of Columbia, 3,181; in Kentucky, 225,490; and in Missouri, 114,965—a total of 432,622 slaves. At \$400 a head, it amounted to \$173,048,800, and 87 days of the war—\$174,000,000—would more than pay for every one of the slaves in the border States. This was in the Crittenden letter worked out in detail. Every slave in the United States, estimating them at 4,000,000 at that time, at \$400 a head, would have cost \$1,600,000,000. John J. Crittenden used his influence all over Kentucky to beat the proposition and create sentiment against it. Lincoln sadly relinquished it and turned his attention to the sober duties of subjugating by military force the recalcitrant States.

How much did it cost when the expense bill was paid? It was not \$1,600,000,000. It was \$8,000,000,000 of indebtedness before the Civil War debt was canceled, and it is not paid yet. Some of the bonds are still out, drawing, it is true, a reduced rate of indebtedness under refunding acts, but nevertheless a part of the war debt.

For me, rather than to disturb the economical conditions of the United States in legitimate investment with any property that has any proper claim to the care of this Government any property in a distillery that can not be used for any purpose, I would pay for it. The amount of it is exaggerated under the cold, hard daylight of experience, and before a jury sifting evidence of the value of the property that will be destroyed it will lower rapidly when the acid test of truth is applied to it. But if it should reach the amount stated by the Senator from Missouri of a thousand million dollars, I am willing, if it would insure the end of the traffic in intoxicating liquors, to vote for it now. If it would redeem and save some of my associates or their children or children's children from a future fate, if it will end it so far as this Republic can end it, I will pay for the rest of my life my proportional part of the billion-dollar tax that it may not be repeated.

If it will save but a single one, if it is of your family, if it is your neighbor's family, the billion dollars is a cheap price to pay. It is a good deal like Billy Sunday's revival. Some one asked me on a street car, "Do you favor Billy Sunday?" I said, "Yes." The man said, "I do not believe in such sensational things as that." "How many converts did he get in your town?" He said he got 1,500. "How long ago?" He said, "About 30 days ago." I asked if there were any backsliders. He said, "Oh, yes." "How many of them have backslidden?" He did not know. I said, "Suppose all but 5 or 10; what did it cost? How much did it cost you?" "Forty thousand dollars." "If the 5 or 10 belonged to my family," I replied, "and I had \$40,000, Billy Sunday could have had it all. If he saved only one, and the one was a member of your family, you would think that Billy Sunday did not come to your town in vain."

I think the same way about the drunkard. If it only saved one, but it ends it and it ends it justly, I am not disposed to quarrel about the compensated prohibition, for if there is any sort of assurance that it can be put in a reasonable form, if a few who are now opposing this resolution will give their vote so that it will become an assured fact, I am willing to sit down and endeavor to frame something upon which we can agree. What I want is that the greatest Republic in the world shall take the forward step, and that this crime of the ages shall disappear through just amendment of its organic charter, even with compensation, if necessary. We have led the way in many things and we will never have a greater opportunity to rise to the sublime level of a great moral level and blaze the way for the future sons of men than we have now in the passage and submission to the States of such a resolution.

RECESS.

Mr. SHEPPARD. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, August 1, 1917, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, July 31, 1917.

The House met at 12 o'clock noon.

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

We bless Thee Infinite and Eternal Spirit for that influence ever going out from Thee, which holds the stars to their appointed courses, and is a potent influence in the affairs of men. Help us to comprehend as a people that we may be quick to perceive, wise in our judgments, and strong to execute Thy behests; that we may grow in influence and power and thus become willing instruments in Thy hands for the promotion of Thy kingdom in the earth, through Jesus Christ our Lord. Amen.

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

LEAVE OF ABSENCE.

Mr. KEARNS, by unanimous consent, at the request of Mr. CROSSER, was given leave of absence indefinitely on account of death in his family.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1553. An act to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington August 16, 1916, and for other purposes;

S. 2695. An act to authorize the construction, maintenance, and operation of a bridge across Little River, Ark., at or near the foot of the gar hole about one-half mile south of the Jonesboro, Lake City & Eastern Railway bridge across Little River, Ark.; and

S. J. Res. 86. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Aurelio Collazo, a citizen of Cuba.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 3331. An act for the protection of desert-land entrymen who enter the military or naval service of the United States in time of war.

RIVER AND HARBOR BILL.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 4285, the river and harbor bill, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table the river and harbor bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

Mr. MADDEN. I object.

UNANIMOUS CONSENT TO EXTEND REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the liberty bonds.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. I object.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WALSH. I object.

Mr. KING. Will the gentleman withhold his objection for a moment?

Mr. WALSH. I will withhold it.

Mr. KING. I want to say that when the gentleman knows the subject perhaps he will withdraw his objection. It is on a subject with which I have no doubt the gentleman is entirely familiar, and that is the diatomicity of elementary bodies, which is not volatile but hypothetical.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

RIVER AND HARBOR BILL.

Mr. POU. Mr. Speaker, I offer the following privileged resolution from the Committee on Rules.

The Clerk began reading the resolution.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The gentleman stated that he offered a report from the Committee on Rules, and the Clerk is proceeding to read a resolution that is now on the calendar and not in the possession of the Committee on Rules at all.

The SPEAKER. The Committee on Rules has charge of the resolution.

Mr. MANN. But the gentleman from North Carolina is proposing to report a resolution not in possession of the committee but in possession of the House.

Mr. POU. Mr. Speaker, I call up House resolution 126.

Mr. MANN. I shall not make a point of order that it is not privileged, although I think that probably it is not.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

House resolution 126.

Resolved, That the bill H. R. 4285, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," be, and hereby is, taken from the Speaker's table, with the Senate amendments thereto, to the end that the said amendments be, and hereby are, disagreed to; and a conference be, and hereby is, asked with the Senate on the disagreeing votes on said amendments, and the Speaker shall immediately appoint the conferees.

Mr. MADDEN. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. The Chair will hear the gentleman.

Mr. MADDEN. If the gentleman from North Carolina can prove that it is a privileged resolution, I shall have nothing to say.

Mr. POU. The burden of proof is on the gentleman from Illinois.

The SPEAKER. Does the gentleman from Illinois wish to be heard?

Mr. MADDEN. I do not; I will submit it to the Chair.

The SPEAKER. The point of order is overruled.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the resolution be 20 minutes on a side, 20 minutes to be controlled by myself and 20 minutes by the gentleman from Kansas [Mr. CAMPBELL], and at the end of that time the previous question shall be considered as ordered.

Mr. MADDEN. I object to any unanimous-consent agreements.

Mr. POU. Mr. Speaker, I demand the previous question.

The SPEAKER. The gentleman from North Carolina demands the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MADDEN. I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Illinois makes the point that no quorum is present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 198, nays 93, answered "present" 4, not voting 136, as follows:

YEAS—198.

Alexander	Bacon	Black	Brand
Almon	Bankhead	Blackmon	Brodbeck
Ashbrook	Barkley	Blanton	Browning
Aswell	Barnhart	Booher	Brumbaugh
Austin	Bathrick	Borland	Buchanan

Burnett	Garner	Little	Sanders, La.
Byrns, Tenn.	Garrett, Tenn.	Littlepage	Saunders, Va.
Campbell, Pa.	Garrett, Tex.	Loebck	Shackleford
Candler, Miss.	Glynn	Lodnon	Sherley
Cantrill	Goodall	Loneran	Sherwood
Caraway	Goodwin, Ark.	Longworth	Sisson
Carlin	Gordon	Lundeen	Slayden
Chandler, N. Y.	Gray, Ala.	Lunn	Small
Clark, Pa.	Greene, Mass.	McArthur	Smith, Idaho
Claypool	Greer	McKeown	Smith, Mich.
Coady	Hadley	McLenore	Smith, C. B.
Collier	Hamlin	Mansfield	Steagall
Connally, Tex.	Hardy	Martin, Ia.	Steenerson
Cooper, W. Va.	Harrison, Va.	Mays	Stephens, Miss.
Cooper, Wis.	Hastings	Miller, Minn.	Stephens, Nebr.
Cox	Hawley	Miller, Wash.	Stevenson
Crisp	Hayden	Montague	Strong
Crosser	Heflin	Moon	Talbot
Curry, Cal.	Heintz	Moore, Pa.	Taylor, Ark.
Darrow	Hensley	Moore, Ind.	Temple
Davis	Hersey	Nolan	Thomas
Decker	Hicks	Oldfield	Tillman
Denison	Holland	Oliver, Ala.	Venable
Dent	Houston	Oliver, N. Y.	Vinson
Denton	Howard	Osborne	Vinstead
Dickinson	Hulbert	Overmyer	Waldow
Dies	Hull, Tenn.	Padgett	Walker
Dixon	Hutchinson	Park	Walton
Doan	Igoe	Polk	Watkins
Doolittle	Jacoway	Pou	Watson, Pa.
Doughton	Johnson, Ky.	Powers	Watson, Va.
Dupré	Jones, Tex.	Price	Weyer
Dyer	Kahn	Quinn	Webb
Elliot	Kennedy, Iowa	Rainey	Welby
Elston	Kennedy, R. I.	Raker	Whaley
Estopinal	Kincheloe	Randall	White, Me.
Evaus	La Follette	Rayburn	White, Ohio
Ferris	La Guardia	Robbins	Wilson, La.
Fields	Larsen	Robinson	Wilson, Tex.
Fisher	Lazaro	Rodenberg	Wingo
Flood	Lea, Cal.	Romjue	Wise
Foster	Lee, Ga.	Rouse	Wood, Ind.
Francis	Leshner	Rubey	Young, Tex.
French	Lever	Rucker	
Gard	Linthicum	Russell	

NAYS—93.

Anderson	Fairfield	Madden	Sells
Bell	Foss	Magee	Sloan
Bland	Frear	Mann	Sweet
Bowers	Gallagher	Mapes	Tague
Britten	Graham, Ill.	Morgan	Taylor, Colo.
Browne	Green, Iowa	Nelson	Thompson
Burroughs	Greene, Vt.	Nicholls, S. C.	Timberlake
Byrnes, S. C.	Huddleston	Norton	Towner
Campbell, Kans.	Johnson, S. Dak.	Parker, N. J.	Treadway
Cannon	Johnson, Wash.	Phelan	Vestal
Carter, Mass.	Juul	Pratt	Voigt
Classon	Keating	Purnell	Walsh
Connelly, Kans.	Kelley, Mich.	Ramsey	Wason
Cooper, Ohio	Kelly, Pa.	Ramseyer	Welling
Cramton	King	Rankin	Wheeler
Dale, Vt.	Kinkaid	Reavis	Williams
Dallinger	Knutson	Reed	Wilson, Ill.
Davidson	Kraus	Roberts	Winslow
Dill	Langley	Rogers	Woods, Iowa
Dillon	Lehlbach	Sabath	Young, N. Dak.
Dunn	McAndrews	Sanders, Ind.	Zihlman
Ellsworth	McCormick	Sanders, N. Y.	
Emerson	McKenzie	Schall	
Esch	McKinley	Scott, Iowa	

ANSWERED "PRESENT"—4.

Chandler, Okla.	Dowell	Fuller, Ill.	Glass
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NOT VOTING—136.

Adamson	Fordney	Kearns	Rowe
Anthony	Freeman	Keboe	Rowland
Ayres	Fuller, Mass.	Kettner	Sanford
Bacharach	Gallivan	Key, Ohio	Scott, Mich.
Bruckner	Gandy	Kless, Pa.	Scott, Pa.
Butler	Garland	Kitchin	Scully
Caldwell	Gillett	Kreider	Sears
Capstick	Godwin, N. C.	Lenroot	Shallenberger
Carew	Good	McClintic	Shouse
Carter, Okla.	Gould	McCulloch	Siegel
Cary	Graham, Pa.	McFadden	Sims
Church	Gray, N. J.	McLaughlin, Mich.	Sinnott
Clark, Fla.	Griest	McLaughlin, Pa.	Slemp
Copley	Griffin	Maher	Smith, T. F.
Costello	Hamill	Martin, Ill.	Snell
Crago	Hamilton, Mich.	Mason	Snook
Currie, Mich.	Hamilton, N. Y.	Meeker	Snyder
Dale, N. Y.	Harrison, Miss.	Mondell	Stafford
Dempsey	Haskell	Morin	Stedman
Dewalt	Haugen	Mott	Steele
Dooling	Hayes	Mudd	Sterling, Ill.
Doremus	Heaton	Neely	Sterling, Pa.
Drane	Helm	Nichols, Mich.	Stiness
Drukker	Helvering	Olney	Sullivan
Eagan	Hill	O'Shaunessy	Sumners
Eagle	Hilliard	Overstreet	Swift
Edmonds	Hollingsworth	Paige	Switzer
Fairchild, B. L.	Hood	Parker, N. Y.	Templeton
Fairchild, G. W.	Hull, Iowa	Peters	Tilson
Farr	Humphreys	Platt	Tinkham
Fess	Husted	Porter	Van Dyke
Fitzgerald	Ireland	Ragsdale	Vare
Flynn	James	Riordan	Ward
Focht	Jones, Va.	Rose	Woodyard

So the previous question was ordered.

The Clerk announced the following pairs:

For the session:

Mr. KEHOE with Mr. CARY.

Mr. STEELE with Mr. BUTLER.

Until further notice:

Mr. CARTER of Oklahoma with Mr. CHANDLER of Oklahoma.

Mr. SHOUSE with Mr. WARD.

Mr. HULL of Tennessee with Mr. HILL.

Mr. SEARS with Mr. DOWELL.

Mr. CLARK of Florida with Mr. FULLER of Illinois.

Mr. McCLINTIC with Mr. PETERS.

Mr. DALE of New York with Mr. HASKELL.

Mr. DEWALT with Mr. McFADDEN.

Mr. HOOD with Mr. HEATON.

Mr. SNOOK with Mr. MUDD.

Mr. SIMS with Mr. MORIN.

Mr. RIORDAN with Mr. MASON.

Mr. VAN DYKE with Mr. VARE.

Mr. OLNEY with Mr. STERLING of Illinois.

Mr. CALDWELL with Mr. SNELL.

Mr. ADAMSON with Mr. SIEGEL.

Mr. AYRES with Mr. SINNOTT.

Mr. FLYNN with Mr. SNYDER.

Mr. GODWIN of North Carolina with Mr. STAFFORD.

Mr. MARTIN of Illinois with Mr. TINKHAM.

Mr. KEY of Ohio with Mr. HILL.

Mr. KETTNER with Mr. HOLLINGSWORTH.

Mr. MAHER with Mr. HUSTED.

Mr. NEELY with Mr. IRELAND.

Mr. O'SHAUNESSY with Mr. McCULLOCH.

Mr. OVERSTREET with Mr. McLAUGHLIN of Michigan.

Mr. SHALLENBERGER with Mr. MONDELL.

Mr. THOMAS F. SMITH with Mr. MOTT.

Mr. STEDMAN with Mr. NICHOLS of Michigan.

Mr. STERLING of Pennsylvania with Mr. PARKER of New York.

Mr. SULLIVAN with Mr. ROWE.

Mr. SUMNERS with Mr. SANFORD.

Mr. BRUCKNER with Mr. DEMPSEY.

Mr. CAREW with Mr. BACHARACH.

Mr. CHURCH with Mr. BENJAMIN L. FAIRCHILD.

Mr. DOOLING with Mr. COPLEY.

Mr. DOREMUS with Mr. GEORGE W. FAIRCHILD.

Mr. DRANE with Mr. CRAIG.

Mr. EAGAN with Mr. FESS.

Mr. EAGLE with Mr. FORDNEY.

Mr. FITZGERALD with Mr. GILLETT.

Mr. GALLIVAN with Mr. GOOD.

Mr. GRIFFIN with Mr. FULLER of Massachusetts.

Mr. HARRISON of Mississippi with Mr. GRIEST.

Mr. HELM with Mr. HAMILTON of Michigan.

Mr. HELVERING with Mr. HAMILTON of New York.

Mr. HILLIARD with Mr. HAYES.

Mr. GLASS with Mr. SLEMP.

On the vote:

Mr. GARLAND (for previous question) with Mr. GANDY (against).

Mr. COSTELLO (for previous question) with Mr. SCULLY (against).

Mr. RAGSDALE (for previous question) with Mr. SCOTT of Michigan (against).

Mr. McLAUGHLIN of Pennsylvania (for previous question) with Mr. KREIDER (against).

Mr. GRAHAM of Pennsylvania (for previous question) with Mr. ROWLAND (against).

Mr. KITCHIN (for previous question) with Mr. FOCHR (against).

Mr. EDMONDS (for previous question) with Mr. KIESS of Pennsylvania (against).

Mr. GOULD (for previous question) with Mr. STINESS (against).

Mr. HUMPHREYS (for previous question) with Mr. PAIGE (against).

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The gentleman from North Carolina [Mr. POU] is entitled to 20 minutes and the gentleman from Kansas [Mr. CAMPBELL] to 20 minutes.

Mr. POU. Mr. Speaker, the question before the House is whether or not the river and harbor appropriation bill shall be sent to conference. The bill passed the House by an overwhelming majority. It passed the Senate by an overwhelming majority. It is hard to understand why any gentleman should object to the bill taking its usual legislative course and going

to conference. That is the apology for this rule, if any apology is necessary. It is hard to understand, also, why gentlemen should object to the passage of this bill at this time. The Government is spending millions of dollars improving our merchant marine and millions of dollars are being expended in the preparation of our railroads for carrying the immense commerce of this country. Every effort is being made by the Government to improve our transportation facilities. We are talking in billions, not in millions, but when it is proposed to appropriate a few million dollars for the improvement of the rivers and harbors of the country, certain gentlemen say, "No; this must not be done." It is hard to understand the mental attitude of gentlemen who put themselves in opposition to this legislation.

I reserve the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, there was an understanding that there should be no legislation at this session of Congress except legislation directly bearing upon the war. This is a violation of that understanding. I doubt if there are Members of this House who have not told their constituents that it was impossible to get consideration of matters in which they were interested, because Congress had decided to consider nothing at this session except matters pertaining to the war.

Mr. DUPRÉ. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. DUPRÉ. Does not the gentleman differentiate between legislation such as he has in mind and this, which is a bill designed to remedy a situation where a supply bill failed last year?

Mr. CAMPBELL of Kansas. No; many bills failed last year.

Mr. DUPRÉ. Not supply bills.

Mr. CAMPBELL of Kansas. Many bills failed here last year that have not been brought up at this special session of Congress. This bill might have been made in order if it had been confined to the improvement of our harbors and had left out the matter of paying some of our rivers and smaller streams, matters that can not in any way have any bearing upon the conduct of the war. If this bill had come out of the Committee on Roads and had included some of the money that is to be expended on the rivers for improving roadways, it might have been of some use as a war measure. We shall use our harbors and we shall use our roadways, but there will be no use of the rivers as a war measure within the next legislative year.

Mr. DUPRÉ. Not the rivers of Kansas.

Mr. CAMPBELL of Kansas. The rivers of Kansas carry as much commerce as most of the rivers provided for in this bill.

Mr. CARLIN. I thought Kansas had gone dry.

Mr. MOORE of Pennsylvania. If we vote \$750,000,000 to build ships on the rivers and in harbors of the United States, does not the gentleman think it a fair war proposition to spend \$26,000,000 improving the rivers and harbors?

Mr. CAMPBELL of Kansas. We are spending these millions of dollars to go upon the high seas, not upon the rivers.

Mr. MOORE of Pennsylvania. Do we build ships upon the high seas or build them in the rivers and harbors?

Mr. CAMPBELL of Kansas. We build them in our harbors, and I stated we could improve our harbors.

Mr. MOORE of Pennsylvania. They go to the high seas through the rivers and the harbors.

Mr. CAMPBELL of Kansas. It depends on where they are built; if they are built on Cow Creek—

Mr. MOORE of Pennsylvania. Of course if they are built on Cow Creek, they do not get to the ocean; it does not flow that far.

Mr. CAMPBELL of Kansas. If we spent as much money on Cow Creek as they propose to spend on other streams, we could make it as navigable as the other streams to the sea.

Mr. MOORE of Pennsylvania. Does the gentleman object to spending 26 cents per capita to improve the rivers and harbors upon which to build and carry commerce, if he votes for \$7.50 per capita to build ships for the seas?

Mr. CAMPBELL of Kansas. I am opposed to throwing one cent per capita away on useless expenditures. The money can be wisely expended in improving our harbors.

Mr. MOORE of Pennsylvania. The gentleman voted for the \$640,000,000 aviation bill, did he not?

Mr. FREAR. Will the gentleman yield?

The SPEAKER. To whom does the gentleman yield?

Mr. CAMPBELL of Kansas. I yield to the gentleman from Wisconsin.

Mr. FREAR. May I ask the gentleman from Kansas if he objects to spending \$20,000,000 for a 13-mile canal up here and about the same amount of money on the Cape Cod Canal that can not at least at this time be considered a war measure?

Mr. CAMPBELL of Kansas. I am, and for that reason I am opposed to this bill at this session of Congress. Mr. Speaker, I reserve the remainder of my time, and yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, this is the most extraordinary legislative situation I have ever seen. A great many items have been placed in this bill by the Senate that under the rules of the House should have been considered in the Committee of the Whole; but, no, you Democrats, who insist upon spending money for "pork," do not want Members to have a chance to consider them, so you adopt the extraordinary course of bringing in a special rule and of moving the previous question and gagging Members of the House so as to deprive them of an opportunity to tell the facts in the case. We are in a great war, and we need every dollar the people of the country can raise to fight that war. [Applause.] And next year the people will tell you men who are wasting this money how they feel about it, and you will be apologizing for your lack of interest in the people and for the unjustifiable expenditure of this vast sum of money.

When the people begin to pay the taxes next year you will hear from them. They have paid no taxes connected with the conduct of this war yet, but we are going ahead and spending their money with no thought of how it affects their welfare. Taxes must be levied to meet your extravagant expenditures, and the people will be compelled to pay them, and they will want to know what this money was expended for, and when they are told that it was expended for moving hyacinths from some of the sluggish creeks where there is no navigation they will give you some evidence of how they feel toward you. Aside from that, I do not understand why the chairman of the Committee on Rivers and Harbors [Mr. SMALL] and the gentleman from Pennsylvania [Mr. MOORE] come into the House and urge the appropriation of so vast a sum of money—\$27,000,000—for no real purpose whatever, and as the president and the vice president of the Inland Atlantic Deeper Waterways Association Magazine criticize Members of the House in the columns of that magazine because they do not agree with them. Mr. MOORE writes an editorial on the front page of this magazine, in which he sets forth the money that is to be expended for other purposes and wonders why we object to the expenditure of money that has nothing whatever to do with the conduct of the war, and then they have the effrontery to print an editorial in that magazine which reads as follows:

The river and harbor bill as reported to the House contained many items of vital importance to national preparedness along the Atlantic seaboard, and for this reason should have commanded the support of every Member from every seaboard State. We regret to note the following names of eastern Congressmen who voted against the bill. While there may have been other reasons sufficient in their opinion to justify opposition to the interests of their own States, we prefer to believe that their course was due to misleading statements emanating from the opposition, to which, through lack of personal information, they gave a measure of belief unwarranted by the facts.

Then they give the names of the men by States, as follows:

MAINE.

Hersey (Rep.), Houlton; White (Rep.), Lewiston.

NEW HAMPSHIRE.

Wason (Rep.), Nashua; Burroughs (Rep.).

MASSACHUSETTS.

Carter (Rep.), Needham Heights; Dallinger (Rep.), Cambridge; Gillett (Rep.), Springfield; Rogers (Rep.), Lowell; Tinkham (Rep.), Boston; Treadway (Rep.), Stockbridge; Walsh (Rep.), New Bedford; Phelan (Dem.), Lynn; Tague (Dem.), Boston; Gallivan (Dem.), Boston; Fuller (Ind.), Malden.

RHODE ISLAND.

Stiness (Rep.), Warwick.

CONNECTICUT.

Tilson (Rep.), New Haven.

NEW YORK.

Fairchild, G. W. (Rep.), Oneonta; Magee (Rep.), Syracuse; Platt (Rep.), Poughkeepsie; Sanders (Rep.), Stafford; Sanford (Rep.), Albany.

NEW JERSEY.

Parker (Rep.), Newark; Ramsey (Rep.), Hackensack; Scully (Dem.), South Amboy.

PENNSYLVANIA.

Focht (Rep.), Lewisburg; Dewalt (Dem.), Allentown; Kelly (Ind.), Braddock.

SOUTH CAROLINA.

Byrnes (Dem.), Aiken; Nicholls (Dem.), Spartanburg.

GEORGIA.

Bell (Dem.), Gainesville; Crisp (Dem.), Americus.

I submit that no Member of the House has the right to own and publish a magazine to advocate measures in which he is interested and to criticize Members of the House for exercising their rights as Members of the House during the consideration of these measures.

Mr. DUPRÉ. I thought the gentleman was opposed to press censorship.

Mr. MADDEN. I am opposed to any Member of this House having the effrontery to come here as the president or vice president of a magazine that is advocating measures in which he is interested and criticizing other Members of the House for the exercise of their privileges as Members of the House during the consideration of these measures. I think it is not only indelicate; it is indecent. It is unwarranted; it is unjustifiable, and I think they ought to be compelled to apologize to the House. [Applause.]

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MADDEN. I decline to yield.

Mr. MOORE of Pennsylvania. I want to know—

Mr. MADDEN. I decline to yield.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentleman declines to yield. The gentleman will be in order.

Mr. MADDEN. Now, it seems to me that if legislation brought before this House has any merit, it ought to be considered on its merit, and I for one Member of the House propose to exercise my rights as a Member of the House and to accord to every other Member of the House the same rights, even the gentleman from North Carolina [Mr. SMALL] and the gentleman from Pennsylvania [Mr. MOORE], to criticize on the floor of the House what I say or do on the floor of the House; but I resent and I shall continue to resent the ownership by Members of the House of magazines publishing any criticism of Members of the House who oppose legislation advocated by them. This is wrong. It ought not to be permitted. Public attention ought to be called to it, and to the extent of my ability I propose to call the attention of the public to it. [Applause.]

These gentlemen are very touchy when you criticize what they do, but they not only feel free to criticize others in their capacity as Members of the House on the floor of the House, but they go beyond all reason and all decency in the publication of a magazine to promote legislation in which they are interested.

A MEMBER. With a yellow cover.

Mr. MADDEN. With a yellow cover. [Laughter.] A yellow cover and a yellow streak, and say things in the magazine that they would not dare say on the floor. And I propose, as far as I can, to make these gentlemen explain their connection with this yellow sheet to the Members of the House on the floor of the House. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Speaker—

Mr. MADDEN. The gentleman can speak in his own time. I decline to yield.

The SPEAKER pro tempore. The gentleman will be in order. He can not interrupt the gentleman who has the floor.

Mr. MADDEN. Now, under the rules of the House this bill should have gone to the Committee on Rivers and Harbors—

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired. [Applause.]

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE]. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Speaker, I realize the difficulty under which my friend from Illinois [Mr. MADDEN] labors. He has had a mountain upon his shoulders since the river and harbor bill was first introduced, and he has had difficulty in carrying it. It is a big load for any man to undertake to manage the affairs of the country as he has done with respect to rivers and harbors, and I sympathize with him.

He is a potential Member of this House, and when he rises in his place to condemn a fellow Member for some alleged impropriety, of course it follows that such a Member should feel himself squelched and prepare to resign his seat. Several times, when the gentleman from Illinois was reflecting upon me I endeavored to correct him by an observation or two, but I could not seem to get his attention or that of the Chair. The Chair seemed to have difficulty in hearing me even when the gentleman from Illinois called upon me to apologize to the House and I arose to respond to him.

Of course, I had no intent, I will say to the Chair and to the House, of apologizing to the gentleman from Illinois. I never apologize to a man who is in error and who makes ridiculous charges. I never apologize for anything I write or say with respect to the assinine statements of a Member of the House or anybody else, whether they appear in a magazine or in the proceedings of the House. Nor do I consider any Member free from just criticism.

But I will say this, Mr. Speaker, no man who is a Member of this august body has made himself more supremely ridiculous in recent months than has the gentleman from Illinois in criticizing certain features of the river and harbor bill. [Applause.] He knew absolutely nothing about some of the projects he criticized. He had just one long, continuous grouch, from which he could not seemingly recover, and when the bill was finally passed, against his solemn but mighty pro-

test, he still struggled to defeat the measure, though it was proven the House and the people wanted it.

The gentleman from Illinois is safe away out yonder in the district that he represents against an attack upon either one of our great seaboard. If the Japanese should strike the Pacific coast it would be some time before they got overland to the gentleman's district. If the Germans should attack us upon the Atlantic coast it would also be a long while before they could reach the gentleman's home in Chicago, and by the time they did reach it the gentleman would have ample notice to escape to the mountains and avoid the impact. The gentleman is courageous, from his mid-country standpoint. The guns of the enemy thundering along the seaboard would not reach him until he had time to cover his retreat. He is perfectly safe in attacking worthy projects along the Atlantic seaboard and along the Pacific coast and the Gulf. It matters not to him that the guns of the enemy may penetrate the coastal cities or that the ships of the enemy may invade our ports. He pleads for economy when it comes to that.

The gentleman from Illinois has discussed the matter of canals and has heaped ridicule upon them, as has the gentleman from Wisconsin [Mr. FREAR]—the gentleman who rose to interrupt him, seeing that no such proceeding as this should be enacted without a word or two from him. [Laughter.] But the gentleman did not know that the very project he was criticizing—the Chesapeake & Delaware Canal—stands to the United States relatively the same as does the Kiel Canal to the great German Empire. The gentleman from Illinois can not understand that. The gentleman is too remote from the coast line. He knows little about shipping or the danger to shipping in the United States, and feeling perfectly safe, does not care to learn. The gentleman does ridiculous things in this relation. He cheerfully votes \$7.50 per capita to build ships but refuses to vote 26 cents per capita to get the ships out of our rivers and harbors to meet the enemy on the high seas. [Applause.]

The gentleman stood here during the early days of the war insisting that we should vote everything in the United States to continue and complete the war. He now complains about the smallest of the expenditures to prosecute the war. The gentleman was quite bold and brave when giving away the money of the people of the United States to prosecute a war that may or may not have been ours. The gentleman is equally brave now in refusing to permit the expenditure of money to put our rivers and harbors in order to meet a resourceful and a daring foe. In this essential he would leave us unprepared.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. The gentleman talks about wasting money. If he does that on this bill, thinking to make political capital for the Republican Party at the expense of the Democratic Party, which happens to be in power, I challenge him. If that is the gentleman's game, being as good and stalwart a Republican as he is, I say he makes a mistake. A vote for this bill at this time is a patriotic vote and for the welfare of the whole country. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. POU. Mr. Speaker, will the gentleman from Kansas [Mr. CAMPBELL] use some of his time?

Mr. CAMPBELL of Kansas. I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for five minutes.

Mr. FREAR. Mr. Speaker, with the distinguished gentleman from Pennsylvania [Mr. MOORE], who just preceded me, we inflict ourselves regularly upon your attention when this bill is before the House. He did it for many years before I came here, and he will do it constantly in the future. The yellow book, of which the gentleman from Illinois [Mr. MADDEN] speaks, bears the signature of Mr. MOORE upon the title-page. He is the editor. The gentleman from North Carolina [Mr. SMALL], the distinguished chairman of the committee, appears here as vice president of the same organization.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. FREAR. No; I did not interrupt the gentleman.

Mr. MOORE of Pennsylvania. He is making a misstatement.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. MOORE of Pennsylvania. I call him down.

Mr. FREAR. I do not yield, Mr. Speaker.

Mr. MOORE of Pennsylvania. I ask that the gentleman's words be taken down. The gentleman is making a misstatement, and I will not stand for it. If the Chair is going to be arbitrary, I will insist on my rights. I demand that the gentleman's words be taken down.

The SPEAKER pro tempore. The gentleman will suspend, and the Clerk will report the words.

Mr. FREAR. Mr. Speaker, I ask that this be not taken from my time.

The SPEAKER pro tempore. The Chair will see that the gentleman's time is protected. The Clerk will report the words.

The Clerk read as follows:

The yellow book, of which the gentleman from Illinois [Mr. MADDEN] speaks, bears the signature of Mr. MOORE upon the title-page. He is the editor.

Mr. MOORE of Pennsylvania. That is enough. That statement is not true.

The SPEAKER pro tempore. The Chair thinks the words which have been read do not violate the rule. The gentleman from Wisconsin will proceed.

Mr. FREAR. Mr. Speaker, I trust I will not be interrupted again by the gentleman from Pennsylvania—

Mr. MOORE of Pennsylvania. I move to have those words stricken from the RECORD, because they are not true.

The SPEAKER pro tempore. The gentleman's motion is not in order. The gentleman from Wisconsin has the floor.

Mr. MOORE of Pennsylvania. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Wisconsin has the floor.

Mr. MOORE of Pennsylvania. A parliamentary inquiry. I asked that the gentleman's words be taken down—

The SPEAKER pro tempore. The Chair had the words taken down, and when they had been read the Chair ruled that they were not disorderly or in violation of the rule. The gentleman from Wisconsin will proceed in order.

Mr. MOORE of Pennsylvania. But they contain a misstatement of facts affecting a Member of the House.

The SPEAKER pro tempore. The gentleman from Pennsylvania is not in order. He can not discuss the facts. The words of the gentleman from Wisconsin were not in violation of the rule. The gentleman from Wisconsin will proceed, and the gentleman from Pennsylvania will take his seat.

Mr. FREAR. Mr. Speaker, the gentleman from Pennsylvania knew he was not in order. His name appears upon the title page of this magazine in which he makes this criticism of House Members—

Mr. MOORE of Pennsylvania. Mr. Speaker, I am not the editor of that magazine. That is a misstatement of fact.

The SPEAKER pro tempore. The gentleman from Pennsylvania will take his seat, or the Sergeant at Arms will compel him to do so.

Mr. MOORE of Pennsylvania. I bow to the decision of the Chair.

Mr. FREAR. Upon page 4 of this magazine is a criticism on Members of the House for voting against this bill, challenging their right to do so. The gentleman from Pennsylvania, who time and again has insisted that the words be taken down, is hoping to frighten the people who are opposing this bill by such statements and constant interruptions now, but he can not do it, and he has discovered that; nor can he bluff the gentleman who is occupying the Speaker's chair.

Now, Mr. Speaker, this pamphlet is not a regular publication; it is a lobby publication, that is all, representing those who are interested in the inland-waterway project and in the passage of river and harbor bills generally.

Mr. MOORE of Pennsylvania. Mr. Speaker—

The SPEAKER pro tempore. Does the gentleman from Wisconsin yield to the gentleman from Pennsylvania?

Mr. FREAR. No; I can not yield. I have not time, and I want to discuss the bill.

The SPEAKER pro tempore. The gentleman from Wisconsin declines to yield.

Mr. FREAR. On page 51 of the bill is the only praiseworthy amendment placed in the bill by the Senate, I submit to the House. We should agree to that amendment. I only wish there were 200 other amendments in the bill of the same import. Please listen while I read this amendment, which is found on page 51:

Sec. 15. That Mosquito Creek, in Colleton County, S. C., be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and the laws of the United States.

Gentlemen, one-half of the projects contained in this bill could well afford to be listed in the same column with this Mosquito Creek, because not used for actual waterway commerce. I have given official statistics repeatedly to show that our rivers and creeks are deserted.

Mr. MADDEN. Will the gentleman yield to me?

Mr. FREAR. I yield to the gentleman from Illinois.

Mr. MADDEN. The gentleman from Wisconsin charges the gentleman from Pennsylvania [Mr. MOORE] with being the editor of this magazine. Does the gentleman from Pennsylvania state on the title page there that he is the editor?

Mr. FREAR. Oh, I do not know the technical position held. His name is on the title page under a signed article.

Mr. MADDEN. What does the article say, to which the gentleman from Wisconsin refers?

Mr. FREAR. The article discusses the river and harbor bill, this very bill that is under consideration here.

Mr. MOORE of Pennsylvania. Mr. Speaker, I can state the facts about that—

Mr. FREAR. Under the gentleman's signature is the word "president." I can not yield to the gentleman. He takes too much of my time. I would be delighted to yield or to converse with the gentleman from Pennsylvania, but the gentleman, who so frequently challenges the rights of others, has no right to interrupt at this time.

Mr. MOORE of Pennsylvania. I can tell the gentleman—

Mr. FREAR. But you can not, for I decline to yield. Mr. Speaker, this bill is objectionable, because it contains the worst grouping system that has ever existed in any bill that has come before the Congress of the United States with reference to rivers and harbors. It is impossible hereafter to strike out unwarranted and indefensible items, because they are grouped with others, in many instances, with from a dozen to 20 or more items in a group. This bill contains about 400 projects, more than can be found in any other bill within my experience during three different sessions of Congress. The gentleman from Pennsylvania [Mr. MOORE] constantly interrupted the gentleman from Kansas [Mr. CAMPBELL] awhile ago and wanted to know about the 27 cents average charge to every man, woman, and child by the \$27,000,000 contained in the bill. It is not the amount alone but it is the character of the items that we challenge. When he talks about the Chesapeake & Delaware Canal, of which the gentleman from Pennsylvania speaks, that is to protect the people of Illinois from a foreign enemy, let me say, I passed through that canal on the invitation of my distinguished friend from Pennsylvania, and my judgment was not changed by the trip.

The gentleman from Pennsylvania [Mr. MOORE] has a good project in the Delaware River. I concede that. It receives over a million and a half dollars in this bill. The other project of \$20,000,000 ultimately for 13 miles of a bankrupt canal that can not be constructed for years to come, with which to defend the gentleman from Illinois from the Germans, is another proposition. That canal can not be defended at this time. What is true of that proposition is also true of the Cape Cod Canal Senate amendment in this bill. Twenty million dollars more for another canal that can not be used at this time. These are items in this remarkable preparedness measure. Less than half a dozen harbor projects have been proposed as preparedness items by naval officers. Is the upper Mississippi a preparedness item? Is the Ohio a preparedness item, and all these other 400 creek and canal projects contained in the bill, are they preparedness projects?

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. MOORE of Pennsylvania. I object.

Mr. FREAR. I concede that the gentleman from Pennsylvania, who occupies the time of the House on nearly every conceivable subject, has the right to object.

Mr. MOORE of Pennsylvania. Yes, Mr. Speaker, I object.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield to the gentleman from Wisconsin one minute more.

Mr. FREAR. In brief, let me say this bill covers \$27,000,000. With the Senate amendments it is practically the 1917 bill that was defeated in the Senate last session. In some respects it is worse than the last bill. Some of the ablest men in the United States Senate have fought this bill, but it covers practically every district and State with some local item. Of course it is going through, but sooner or later we are going to get to the end. Remember that there were 132 votes with 20 pairs against the bill, and 152 votes in progress. The people are getting tired of these extravagant, indefensible omnibus bills. The only honest way to take up these items is as a Government business proposition, and I am just as desirous as anyone that the good projects in the bill should be cared for. Some projects in this bill are good. Others, the large majority, are in the bill simply because it is an omnibus bill, and all these 400 items carry votes that help to put through the pork barrel.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, I yield three minutes to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Speaker, the gentleman from Illinois [Mr. MADDEN], with an air of injured innocence and a tone of right-

eous indignation, says that the adoption of the previous question on the rule has had the effect of gagging the House. I want to ask who gagged the House. The House did it itself by a majority of 105, and one of the reasons why it was done is because the House is tired of the dilatory tactics and the frivolous arguments of Members opposed to this bill, tired of the course which they have been pursuing ever since it first came under consideration, and so, by ordering the previous question, the House showed its resentment just now by putting a stop to that sort of thing. One man gagged the House yesterday, and again to-day, and that man was the gentleman from Illinois [Mr. MADDEN], who refused unanimous consent, contrary to the wish of a large majority of the House, that the bill go to conference without further parley. So much for that.

The bill passed the House last June by a majority of 72 votes, a larger majority than the river and harbor bill has received since the gentleman from Wisconsin [Mr. FREAR] first came into the House and began to fight river and harbor bills. I hope he will keep on, because I think future majorities for these bills will continue to grow in proportion to and commensurately with the ardor of the fight he makes against legislation of this character. [Applause.]

This bill passed the Senate last Thursday. By the way, the river and harbor bill in the last session of Congress never was defeated in the Senate. It failed of consideration because of conditions which we all know. This bill, as I say, passed the Senate a few days ago by a vote of 50 to 11, showing a great majority in that body, as well as in this, in favor of caring for our rivers and harbors, even at this time. It seems to me that in the light of the pronouncedly favorable expression of the two Houses, this bill should be sent to conference without delay, and then Members who want to flaunt their ignorance and who want to indulge in chestnuts and persiflage will have another chance when the conference report comes back to renew that kind of talk. Or if they have any legitimate criticism to make on the conference report, opportunity will then be afforded them. I yield back the balance of my time.

Mr. POU. Mr. Speaker, we have but one more speech on this side.

Mr. CAMPBELL of Kansas. I think we have used all the time on our side.

Mr. POU. I yield the remainder of my time to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 10 minutes.

Mr. SMALL. Mr. Speaker, when this bill was before the House for consideration the opponents of the bill contended, first, that it was an improper bill to consider during the existence of the war, and, second, that there were items in the bill which were not meritorious and which made it a bad bill, or, as some gentlemen rolled under their tongues, a "pork-barrel" bill.

Proponents of this bill contended that transportation was one of the essentials for the successful prosecution of this war; that as we were spending millions of dollars to increase production of the necessaries, as well as munitions and war supplies, the transportation and the distribution of these products were equally as necessary. Admittedly the railroads of the country, we pointed out, were not equal to the transportation demands of the present time. There was only one other instrumentality of transportation to which we could turn, and that was the waterways of the country. Did the critics of the bill meet that argument? Did they in any wise attempt to minimize the importance of transportation and the great importance at this time of maintaining, preserving, and improving our waterways and increasing our water carriers?

Not at all. On the contrary, they made a miserable, tragic failure before the House and the country. They indulged in facetious remarks, erroneous statements, and fallacious arguments. The attitude of the critics of this bill was puerile and unworthy of intelligent men.

What about their contention that this bill was unmeritorious? I and others had the privilege of challenging the Members of the House upon either side to point out a single project in this bill which was not meritorious. Neither the gentleman from Illinois [Mr. MADDEN] nor the gentleman from Wisconsin [Mr. FREAR], nor did any other gentleman during that entire debate, point out a single unworthy item in the bill.

And yet, in the face of their egregious failure, they have to-day pursued the unmanly and unjustifiable course of denouncing this bill without producing one semblance of fact or argument to justify their attitude.

After all these challenges and our charges upon their mental integrity, these gentlemen have again made spectacles of themselves by indulging in generalities and superlative adjectives.

Are they trying to play politics with the river and harbor bill? I assume to tell these gentlemen that they can not make their campaign for the Senate or any other office by opposition to the improvement of our rivers and harbors. They disparage the intelligence and patriotism of their constituencies. I have more faith in their wisdom and their loyalty to the country.

I think it is necessary, as there will be no more discussion upon this rule, that I should refer to a statement of the gentleman from Wisconsin [Mr. FREAR]. He stated that the gentleman from Pennsylvania [Mr. MOORE] was the editor of this magazine, which he flaunted here, and he did not have the manliness to give Mr. MOORE an opportunity to reply. I refer to the monthly bulletin of the Atlantic Deeper Waterways Association.

Mr. FREAR. Mr. Speaker, will the gentleman yield?
Mr. SMALL. I decline to yield. He did not give the gentleman from Pennsylvania [Mr. MOORE] an opportunity to deny it. I deny the statement. He is not the editor. A gentleman named Wilfred H. Schoff is the editor, and I ask the gentleman from Pennsylvania if that is not correct?

Mr. MOORE of Pennsylvania. That is true, and I have made that statement to the gentleman from Wisconsin several times; he knows it full well.

Mr. SMALL. The gentleman from Wisconsin referred to the Chesapeake and Delaware waterway and said it would cost \$20,000,000, and the gentleman nods his head in assent and still maintains it. He is incorrect—

Mr. FREAR. Mr. Speaker, a parliamentary inquiry.
The SPEAKER pro tempore. The gentleman declines to yield.

Mr. FREAR. A parliamentary inquiry, Mr. Speaker.
The SPEAKER pro tempore. The gentleman can not interrupt to make a parliamentary inquiry. He must take his seat.

Mr. SMALL. I decline to yield, Mr. Speaker.

Mr. FREAR. I rise to a question of personal privilege.
The SPEAKER pro tempore. The gentleman from Wisconsin can not take the gentleman from North Carolina off the floor in that way. The gentleman is not in order. He must not interrupt the gentleman without his consent.

Mr. FREAR. Can the gentleman tell me to take my seat?
The SPEAKER pro tempore. The Chair directs the gentleman to take his seat.

Mr. FREAR. I shall comply with that, but the gentleman told me to take my seat.

The SPEAKER pro tempore. The gentleman must not discuss it.

Mr. SMALL. How much time have I remaining, Mr. Speaker?
The SPEAKER pro tempore. The gentleman has two minutes and a half remaining.

Mr. SMALL. Mr. Speaker, what are the facts? The project of the Chesapeake & Delaware waterway, as recommended by the engineers, involves a total cost of \$8,000,000, including the cost of the present canal. That is the truth. Why did not the gentleman from Wisconsin tell the truth?

Mr. FREAR. Will the gentleman yield?
Mr. SMALL. I decline to be interrupted, Mr. Speaker.

The SPEAKER pro tempore. The gentleman declines to yield, and the gentleman must not interrupt him without his consent.

Mr. SMALL. I am telling the House that the statement of the gentleman from Wisconsin is not true, and if he was informed he would know it was not true.

If the gentleman from Wisconsin can come in here at any time in the future and bring any evidence to prove that I am wrong in my statement, I shall concede it; but he can not do it. The gentleman has made misstatements all through this bill. I read an interview in the Philadelphia Record of yesterday morning, which some friend kindly sent to me, that is full of errors and misstatements which are due either to the gentleman's ignorance or his willful desire to avoid the truth.

So, Mr. Speaker, that is the kind of opposition we have had to this bill. What has been the result? In this House the bill passed by nearly a hundred majority. This morning we ordered the previous question by more than a hundred majority. The opposition in the other body, about which we heard so much, subsided and collapsed, and only 11 of the Members of the other body had the temerity to cast their votes in opposition to the bill. I desire to say this in conclusion: This is a meritorious bill. In all the discussion no critic has been able to point out a single item in it which is not meritorious. You were challenged to do it, and you failed; and now again we are met with a statement of generalities about a pork barrel, and about this being an improper bill during the period of the war, and of statements similar to those made by the gentleman from Kansas [Mr. CAMPBELL] about paving rivers. Why not tell the truth? Why not meet this bill candidly and openly and courageously and discuss it like we do other bills? You must respect this bill because it is one of the great supply

bills of the Nation, and it ought to be cared for annually, just as any other appropriation bill. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired. All time has expired. The question is on agreeing to the resolution.

The question was taken.
Mr. MADDEN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois demands the yeas and nays. As many as are in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Thirty-nine—not a sufficient number.

Mr. MADDEN. Mr. Speaker, I demand the other side.

The SPEAKER pro tempore. The gentleman demands the other side. Those who are opposed to taking the vote by yeas and nays will rise and stand until counted. [After counting.] One hundred and forty-six. A sufficient number has risen to order the yeas and nays, and the yeas and nays are ordered.

The question was taken; and there were—yeas 188, nays 103, answered "present" 4, not voting 136, as follows:

YEAS—188.

Adamson	Eagle	LaGuardia	Rodenberg
Alexander	Elliott	Larsen	Romjue
Almon	Ellsworth	Lazaro	Rouse
Aswell	Elston	Lea, Cal.	Rubey
Austin	Estopinal	Lee, Ga.	Rucker
Bacon	Ferris	Leshner	Russell
Bankhead	Fields	Linthicum	Sanders, La.
Barkley	Fisher	Little	Saunders, Va.
Barnhart	Fitzgerald	Littlepage	Shackleford
Bathrick	Francis	Lobeck	Sims
Black	French	London	Sinnot
Blackmon	Garner	Loneragan	Sisson
Blanton	Garrett, Tenn.	Longworth	Slayden
Boomer	Garrett, Tex.	Lundeen	Small
Borland	Glynn	Lunn	Smith, Idaho
Bowers	Goodall	McArthur	Smith, C. B.
Brand	Goodwin, Ark.	McKeown	Stegall
Brodbeck	Gordon	McLaughlin, Mich.	Stedman
Browning	Gray, Ala.	McLemore	Steenerson
Brumbaugh	Greene, Mass.	Mann	Stephens, Miss.
Burnett	Gregg	Mansfield	Sterling, Pa.
Byrns, Tenn.	Hadley	Martin, La.	Stevenson
Campbell, Pa.	Hamlin	Mays	Strong
Candler, Miss.	Hardy	Meeker	Talbot
Cantrill	Harrison, Va.	Miller, Minn.	Taylor, Ark.
Caraway	Hastings	Miller, Wash.	Temple
Carlin	Hawley	Montague	Thomas
Chandler, N. Y.	Hayden	Moon	Tillman
Clark, Pa.	Heffin	Moore, Pa.	Venable
Coady	Heintz	Nichols, Mich.	Vinson
Collier	Hensley	Oldfield	Volstead
Cooper, W. Va.	Hicks	Oliver, Ala.	Walcow
Cooper, Wis.	Holland	Oliver, N. Y.	Walker
Cox	Hood	Osborne	Walton
Curry, Cal.	Houston	Overmyer	Watkins
Darrow	Howard	Overstreet	Watson, Pa.
Davis	Hulbert	Padgett	Watson, Va.
Decker	Hull, Tenn.	Park	Weaver
Dent	Igoe	Polk	Webb
Denton	Jacoway	Pou	Welty
Dickinson	Johnson, Ky.	Powers	Whaley
Dies	Jones, Tex.	Quin	White, Ohio
Dixon	Jones, Va.	Rainey	Wilson, La.
Dominick	Kennedy, Iowa	Raker	Wingo
Doughton	Kettner	Randall	Wise
Dupré	Kincheloe	Robbins	Wood, Ind.
Dyer	Kitchin	Robinson	Zihlman

NAYS—103.

Anderson	Fairfield	Leibach	Schall
Bland	Focht	McAndrews	Scott, Iowa
Britten	Foss	McKenzie	Sells
Browne	Frear	McKinley	Sherley
Burroughs	Gallagher	Madden	Sloan
Byrnes, S. C.	Gard	Magee	Smith, Mich.
Campbell, Kans.	Graham, Ill.	Mapes	Sweet
Cannon	Green, Iowa	Morgan	Tague
Carter, Mass.	Greene, Vt.	Nelson	Taylor, Colo.
Classon	Haugen	Nicholls, S. C.	Thompson
Claypool	Helm	Nolan	Timberlake
Connelly, Kans.	Hersey	Norton	Towner
Cooper, Ohio	Huddleston	Parker, N. J.	Treadway
Cramton	Hutchinson	Phelan	Vestal
Crisp	Ireland	Pratt	Voigt
Crosser	Johnson, S. Dak.	Purnell	Walsh
Dale, Vt.	Johnson, Wash.	Ramsey	Wason
Dallinger	Juul	Ramseyer	Welling
Davidson	Keating	Rankin	Wheeler
Dill	Kelley, Mich.	Reavis	White, Me.
Dillon	Kelly, Pa.	Reed	Williams
Doolittle	King	Roberts	Wilson, Ill.
Dowell	Kinkaid	Rogers	Winslow
Dunn	Knutson	Sabath	Woods, Iowa
Emerson	Kraus	Sanders, Ind.	Young, N. Dak.
Esch	Langley	Sanders, N. Y.	

ANSWERED "PRESENT"—4.

Chandler, Okla.	Foster	Fuller, Ill.	Glass
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NOT VOTING—136.

Anthony	Caldwell	Copley	Dooling
Ashbrook	Capstick	Costello	Doremus
Ayres	Carew	Crago	Drane
Bacharach	Carter, Okla.	Currie, Mich.	Drukker
Bell	Cary	Dale, N. Y.	Eagan
Bruckner	Church	Dempsey	Edmonds
Buchanan	Clark, Fla.	Denison	Evans
Butler	Connally, Tex.	Dewalt	Fairchild, B. L.

Fairchild, G. W.	Helvering	Mondell	Sherwood
Farr	Hill	Moore, Ind.	Shouse
Fess	Hilliard	Morin	Siempel
Flood	Hollingsworth	Mott	Slemp
Flynn	Hull, Iowa	Mudd	Smith, T. F.
Fordney	Humphreys	Neely	Snell
Freeman	Husted	Oiney	Snook
Fuller, Mass.	James	O'Shaunessy	Snyder
Gallivan	Kahn	Paige	Stafford
Gandy	Kearns	Parker, N. Y.	Steele
Garland	Kechoe	Peters	Stephens, Nebr.
Gillett	Kennedy, R. I.	Platt	Sterling, Ill.
Godwin, N. C.	Key, Ohio	Porter	Stiness
Good	Kiess, Pa.	Price	Sullivan
Gould	Kreider	Ragsdale	Summers
Graham, Pa.	La Follette	Rayburn	Swift
Gray, N. J.	Lentroot	Riordan	Switzer
Griest	Lever	Rose	Templeton
Griffin	McClintic	Rowe	Tilson
Hamill	McCormick	Rowland	Tinkham
Hamilton, Mich.	McCulloch	Sanford	Van Dyke
Hamilton, N. Y.	McFadden	Scott, Mich.	Vare
Harrison, Miss.	McLaughlin, Pa.	Scott, Pa.	Ward
Haskell	Maher	Scully	Wilson, Tex.
Hayes	Martin, Ill.	Sears	Woodyard
Heaton	Mason	Shallenberger	Young, Tex.

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. VARE (for) with Mr. BELL (against).

Mr. McLAUGHLIN of Pennsylvania (for) with Mr. KREIDER (against).

Mr. RAGSDALE (for) with Mr. SCOTT of Michigan (against).

Mr. COSTELLO (for) with Mr. SCULLY (against).

Mr. GARLAND (for) with Mr. GANDY (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. ROWLAND (against).

Mr. O'SHAUNESSY (for) with Mr. FOCHT (against).

Mr. EDMONDS (for) with Mr. KIESS of Pennsylvania (against).

Mr. GOULD (for) with Mr. STINESS (against).

Mr. HUMPHREYS (for) with Mr. PAIGE (against).

Until further notice:

Mr. SEARS with Mr. DRUKKER.

Mr. FOSTER with Mr. PORTER.

Mr. NEELY with Mr. FORDNEY.

Mr. AYRES with Mr. GILLETT.

Mr. BUCHANAN with Mr. GRIEST.

Mr. CONNALLY of Texas with Mr. HAMILTON of Michigan.

Mr. EVANS with Mr. PARKER of New York.

Mr. FLOOD with Mr. SIEGEL.

Mr. LEVER with Mr. JAMES.

Mr. PRICE with Mr. DENISON.

Mr. RAYBURN with Mr. KAHN.

Mr. SHERWOOD with Mr. KENNEDY of Rhode Island.

Mr. STEPHENS of Nebraska with Mr. McCORMICK.

Mr. WILSON of Texas with Mr. MOORES of Indiana.

Mr. YOUNG of Texas with Mr. McCULLOCH.

Mr. STEPHENS of Nebraska. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall listening when his name was called?

Mr. STEPHENS of Nebraska. No, sir.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. SMALL, a motion to reconsider the vote by which the resolution was passed was laid on the table.

The SPEAKER announced the following conferees.

The Clerk read as follows:

Mr. SMALL, Mr. BOOHER, and Mr. KENNEDY of Iowa.

LEAVE OF ABSENCE.

By unanimous consent, on request of Mr. GLYNN, Mr. TILSON was granted leave of absence indefinitely on account of illness in his family.

BRIDGE ACROSS LITTLE RIVER, ARK.

Mr. CARAWAY. Mr. Speaker, I move to take from the Speaker's table the bill S. 2695 and have it considered. It is a bill for the construction of a bridge across Little River.

The SPEAKER. Is there a similar bill on the House Calendar?

Mr. CARAWAY. Yes.

The SPEAKER. The Chair lays before the House the bill S. 2695, which the Clerk will report.

The Clerk read as follows:

An act (S. 2695) to authorize the construction, maintenance, and operation of a bridge across Little River at or near the foot of the gar hole about one-half mile south of the Jonesboro, Lake City & Eastern Railway bridge across Little River, Ark.

Be it enacted, etc., That the county of Mississippi, a corporation organized and existing under the laws of the State of Arkansas, its successors and assigns, be, and they are hereby, authorized to construct,

maintain, and operate a bridge and approaches across Little River at or near the foot of the gar hole about one-half mile south of the Jonesboro, Lake City & Eastern Railway bridge across Little River, Ark., at a point suitable to the interests of navigation in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

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

Mr. CARAWAY. Mr. Speaker, I move that the House bill (H. R. 5336) of similar tenor lie on the table.

The SPEAKER. The gentleman moves that the House bill (H. R. 5336) of similar tenor lie on the table. Without objection, it is so ordered.

EXTENSION OF REMARKS.

Mr. FOSS. Mr. Speaker, I ask leave to extend my remarks in the RECORD on the river and harbor bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the river and harbor bill. Is there objection? [After a pause.] The Chair hears none.

PRIVILEGE OF THE MAILS.

Mr. LONDON. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

House resolution 115.

Resolved, That the Postmaster General furnish the House with the following information:

Has any print, newspaper, circular, periodical, or other publication been denied the privileges of the mails in the enforcement of the espionage law (public act No. 24, 65th Cong., "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes")?

If any print, circular, book, publication, periodical, or newspaper has been or have been so denied the privileges of the mails, the name or names of such print, circular, book, publication, periodical, or newspaper, and the date or dates when the privileges of the mails were denied to such publications.

Has any reason been assigned to the publisher or publishers, writer or writers, of any of the said publications at the time the privileges of the mails were denied; and if any such reason has been assigned, information as to the reason or reasons so assigned?

Has any instruction or have any instructions been issued by the Postmaster General or the Post Office Department to local postmasters relative to the enforcement of the espionage law? What are these instructions, if any such have been issued?

The correspondence between the Post Office Department and other departments of the Government relative to the enforcement of the espionage law, the disclosure of which correspondence is not incompatible with the public interest.

Mr. WALSH. Mr. Speaker, I object.

THE "GARABED" PATENT.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent for the present consideration of the House joint resolution 116.

The SPEAKER. The gentleman from Ohio [Mr. CROSSER] asks unanimous consent for the present consideration of House joint resolution 116. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, is this the "Garabed" patent?

Mr. CROSSER. Yes.

Mr. MANN. Mr. Speaker, I have served 20 years in this House and have seen a great many bad bills, and I measure my words when I say that this is the worst and most vicious proposition I have ever heard of in the House of Representatives. Therefore I object.

The SPEAKER. The gentleman from Illinois objects.

EXTENSION OF REMARKS.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 1 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Wednesday, August 1, 1917, 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, submitting tentative draft of provisions for insertion in the next deficiency appropriation bill (H. Doc. No. 307); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Interior, transmitting copy of a letter from the Commissioner of Patents, calling attention to the fact that the appropriation for wooden shelving for storage of patents in the General Land Office Building can not be used because that building has been assigned to the use of the War Department, and recommending that the law be amended so as to provide for the expenditure of such sum in the Patent Office Building (H. Doc. No. 308); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. DENT: A bill (H. R. 5607) to amend certain sections of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and for other purposes; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 5608) to grant the consent of Congress for the county of Pulaski, State of Arkansas, to construct a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER: A bill (H. R. 5609) giving the President power to permit vessels of foreign registry to engage in the coastwise trade of the United States during the present war or emergency; to the Committee on the Merchant Marine and Fisheries.

By Mr. DENT: A bill (H. R. 5610) to amend section 37 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 5611) to amend section 101 of the Judicial Code; to the Committee on the Judiciary.

By Mr. EVANS: A bill (H. R. 5612) modifying and amending the act providing for the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. COX: A bill (H. R. 5613) to regulate profits on foodstuffs between the producer and consumer in the District of Columbia; to the Committee on the District of Columbia.

By Mr. CAMPBELL of Kansas: A bill (H. R. 5614) providing for the selection of members of the President's Cabinet from the membership of the House of Representatives; to the Committee on the Judiciary.

By Mr. HULBERT: A bill (H. R. 5615) to create an Air Board and providing for its maintenance; to the Committee on Military Affairs.

By Mr. DILL: A bill (H. R. 5616) to provide for the operation of the railroads in trust for the owners by a commission and to provide for their ownership by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINEY: A bill (H. R. 5617) authorizing the drafting of aliens, except alien enemies, into the military service of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 133) authorizing the drafting of certain aliens, except alien enemies, into the military service of the United States, and for other purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BRODBECK: A bill (H. R. 5618) granting an increase of pension to David Mitzel; to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 5619) granting a pension to George J. Schmidt; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 5620) for the payment of certain claims growing out of service in the Army as reported by the Court of Claims; to the Committee on War Claims.

Also, a bill (H. R. 5621) for the payment of certain claims for difference in pay growing out of service in the Navy, as reported by the Court of Claims; to the Committee on Claims.

By Mr. OVERMYER: A bill (H. R. 5622) granting a pension to Lovina Bliss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5623) granting a pension to Harry Patterson; to the Committee on Pensions.

Also, a bill (H. R. 5624) granting an increase of pension to Henry J. Knapp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5625) granting an increase of pension to Christian Bliss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5626) granting an increase of pension to Mark Hebblethwaite; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5627) granting an increase of pension to William J. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5628) granting an increase of pension to Frank M. Daniels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5629) granting an increase of pension to Jacob Suter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5630) granting an increase of pension to Andrew J. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5631) granting an increase of pension to Theodore H. Robbins; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 5632) granting a pension to Elizabeth Crank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5633) granting an increase of pension to John H. Bird; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Norwegian Lutheran Church of America, relative to conservation of foodstuffs; to the Committee on Agriculture.

By Mr. ASHBROOK: Petition of 45 members of the Church of Christ, of Newark, Ohio, favoring Sheppard amendment; to the Committee on the Judiciary.

By Mr. BLANTON: Memorial of Woman's Missionary Society of El Paso, Tex., favoring prohibition as a war measure; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of State Board of Health, Boise, Idaho, favoring passage of Senate joint resolution No. 63 for establishment of a reserve of the Public Health Service; to the Committee on Interstate and Foreign Commerce.

By Mr. DRUKKER: Petition of M. F. Shea and other residents of New Jersey, favoring woman suffrage; to the Committee on the Judiciary.

Also, memorial of New Jersey State Bar Association, favoring the increase of salaries of the Federal judges of New Jersey; to the Committee on Appropriations.

Mr. ESCH: Memorial of Woman's Christian Temperance Union of Wisconsin, favoring national prohibition as a war measure; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petitions of the Williams Hardware Co., of Streator, Ill., and the Illinois Manufacturing Association, opposing the Jones amendment to the revenue bill, taxing corporation surplus 15 per cent, also opposing the sliding-scale rate on excess profits, and urging in lieu thereof a flat rate on the net earnings of business enterprises; to the Committee on Ways and Means.

By Mr. HADLEY: Memorial of State Aerie, Fraternal Order of Eagles, of Washington, relative to adequate protection for those who enlist; to the Committee on Military Affairs.

By Mr. HUTCHINSON: Petition of the New Jersey State Bar Association, relative to increasing salaries of the Federal judges of New Jersey; to the Committee on Appropriations.

By Mr. LINTHICUM: Memorial of Loyal Review, No. 18, Woman's Benefit Association of the Maccabees, and Baltimore Conference of Epworth League, favoring prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of State Board of Undertakers of Maryland, favoring passage of purple-cross bill, House bill No. 5410; to the Committee on Military Affairs.

By Mr. MEEKER: Petition of 9 citizens of St. Louis, Mo., protesting against the enactment into law of any prohibition measures; to the Committee on the Judiciary.

By Mr. WALTON: Petition of Women's Auxiliary of the State Council of Defense, of Loving, N. Mex., favoring food regulation, etc.; to the Committee on Agriculture.

Also, memorial of Woman's Missionary Society of Las Cruces and Woman's Missionary Council of Methodist Episcopal Church of Deming, N. Mex., favoring prohibition as a war measure; to the Committee on the Judiciary.